

Control Number: 48742



Item Number: 1

Addendum StartPage: 0

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER  
3200 SOUTHWEST FREEWAY  
SUITE 2600  
HOUSTON, TEXAS 77027  
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2018 OCT -9 AM 10:01  
PUBLIC UTILITY COMMISSION  
FILING CLERK

Direct Line: (713) 860-6492  
Direct Fax: (713) 860-6692

cmiller@abhr.com

Christina L. Miller  
Associate

October 5, 2018

Via Federal Express and Electronic Filing

Public Utility Commission of Texas  
Central Records  
1701 N Congress, Suite 8-100  
Austin, Texas 78701

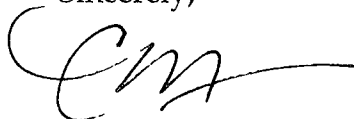
Re: Petition for Expedited Release Pursuant to Texas Water Code Section 13.254(a-5) from Tonkawa Farms, LP to Decertify a Portion of Certificate of Convenience and Necessity No. 10331 Held by Pattison Water Supply Corporation in Waller County

Dear Sir or Madam:

Pursuant to the provisions of Texas Water Code Section 13.254(a-5) and 16 Texas Administrative Code Section 24.113(r) outlining the process for expedited release from certificates of convenience and necessity ("CCNs") for an owner of a tract of land that is at least 25 acres and not receiving water, our client, Tonkawa Farms, LP, respectfully requests consideration of the enclosed Petition for Release of Certificate of Convenience and Necessity for Water Service relating to CCN No. 10331 (the "Petition"). We have enclosed ten (10) copies of the Petition, including associated exhibits and mapping documentation.

The undersigned certifies that a copy of the Petition is simultaneously being sent, via certified mail, to the CCN holder, Pattison Water Supply Corporation, as required by 16 Texas Administrative Code Section 24.113(s).

Sincerely,



Christina L. Miller

Enclosures

PETITION FOR RELEASE  
FROM CERTIFICATE OF CONVENIENCE AND NECESSITY  
FOR WATER SERVICE

THE STATE OF TEXAS           §  
                                          §  
COUNTY OF WALLER         §

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW Tonkawa Farms, L.P. (the “Petitioner”), by and through its counsel of record, Allen Boone Humphries Robinson LLP, and files this Petition for Release from Certificate of Convenience and Necessity for Water Service pursuant to Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code § 24.113(r), and in support thereof respectfully shows the following:

I.

The Petitioner holds fee simple title to approximately 618.151 acres of land located in Waller County, Texas (the “Property”), as evidenced by the Deeds attached hereto as **Exhibits A-1** through **A-12**. The Property is more particularly shown on the small-scale (general location) map attached hereto as **Exhibit B**, the large-scale (detailed) map attached hereto as **Exhibit C**, the deed reference map attached hereto as **Exhibit D**, and in the digital data submitted on compact disc.

II.

The Property is comprised of a tract of land that is at least 25 contiguous acres and is located in Waller County, Texas.

III.

288.65 acres of the Property (the "CCN Subject Property") is subject to certificate of convenience and necessity no. 10331 for water service (the "CCN") held by Pattison Water Supply Corporation (the "CCN Holder"). As of the date of this Petition, the Property is not receiving water service from the CCN Holder.

IV.

Petitioner hereby requests that the CCN Subject Property be released from the CCN, including portions of the Property reflected in the deeds attached hereto as **Exhibits A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-10, A-11, and A-12**. While the acreage included in the deed attached as **Exhibit A-9** is not included in the CCN Subject Property, Petitioner has included the deed in this Petition to demonstrate contiguous ownership of the entirety of the Property.

V.

The undersigned certifies that a copy of this Petition has been mailed to the CCN Holder via certified mail on the day that this Petition is filed with the Commission.

VI.

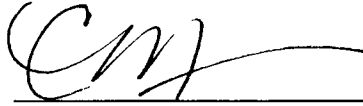
Petitioner's notarized Affidavit in support of the required information to be included in this Petition pursuant to 16 Texas Administrative Code § 24.113(l)(3)(A) is attached hereto as **Exhibit E**.

WHEREFORE, the Petitioner respectfully requests that this Petition be heard and granted in all respects, and that such other orders, acts, procedures, and relief be granted as are proper, necessary, and appropriate to complete the release of the CCN Subject Property from the CCN, as the Commission shall deem proper and necessary.



Date: October 5, 2018

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'CM', with a long horizontal line extending to the right.

---

Christina L. Miller  
Allen Boone Humphries Robinson LLP  
Attorneys for Petitioner  
3200 Southwest Freeway, Suite 2600  
Houston, Texas 77027  
(713) 860-6492  
(713) 860-6692 (facsimile)  
[cmiller@abhr.com](mailto:cmiller@abhr.com)  
State Bar No. 24065751

**EXHIBIT A-1**

**5.0 Acres**

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS     '  
                                      '  
COUNTY OF WALLER     '

KNOW ALL MEN BY THESE PRESENTS:

THAT **ROBERT L. JACKSON** (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by **TONKAWA FARMS, L. P.**, a Texas Limited Partnership (hereinafter referred to as "Grantee"), whose address is **P. O. 1308, Houston, Texas 77251** the receipt and sufficiency of which is hereby acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of Grantor's right, title and interest in and to the property, including, without limitation, any homestead and/or community property rights and interests therein or related thereto, together with Grantor's interest in all improvements situated thereon (hereinafter referred to as "Subject Property") described on Exhibit "A" attached hereto and by this reference incorporated herein for all purposes.

Grantor does hereby convey the properties described above, together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, reservations, remainders, together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property as described in this paragraph.

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: (i) any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, roadways, rights-of-way, mineral leases and interests and other exceptions

to title, if any, relating to the Subject Property, shown of record in the hereinabove mentioned County and State; (ii) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, relating to the Subject Property; and (iii) to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee and Grantee's heirs, executors, administrators and assigns forever. And Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators and assigns to warrant and forever defend all and singular the said Subject Property, unto Grantee and Grantee's heirs, executors, administrators and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

Taxes for the current year are assumed by Grantee.

Executed on this the 8 day of May, 2006.

GRANTOR

By:

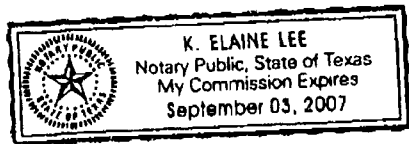
ROBERT L JACKSON


THE STATE OF TEXAS

COUNTY OF WALLER

BEFORE ME, the undersigned authority, on this day personally appeared **ROBERT L. JACKSON**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein stated, and in the capacity therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 8 day of May, 2006.



  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After recording  
Please return to:

**Tonkawa Farms, L. P.**  
**P. O. 1308**  
**Houston, Texas 77251**

EXHIBIT "A"

ALL THAT CERTAIN 5.00 ACRES, MORE OR LESS, LOCATED IN THE SAMUEL C. HADY SURVEY, ABSTRACT 31, WALLER COUNTY, TEXAS, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED IN THAT DEED DATED NOVEMBER 15, 1971 FROM ESTELLA WILLIAMS, GRANTOR TO OCIE HALL, GRANTEE, RECORDED IN VOLUME 230, PAGE 450 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS.

603415

VOL 0957 PAGE 575

FILED FOR RECORD

06 MAY -8 PM 4:42

CHERYL PETERS  
COUNTY CLERK  
WALLER COUNTY, TX  
*Marie Mayo* DEPUTY

③ 17.00  
5.00  
1.00

\$23.00 pd

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Waller County, Texas, in the Volume and Page as noted hereon by me.



*Cheryl Peters*  
County Clerk, Waller County, Texas

**EXHIBIT A-2**

**2.5 Acres**



407080

VOL 0858 PAGE 347

GENERAL WARRANTY DEED

THE STATE OF TEXAS        ,  
                                  §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF WALLER        ,

THAT *Nathaniel Richardson, dealing in his separate non-homestead property*, ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid to Grantor by *Tonkawa Farms LP, by Hilcorp Ventures Inc., its general partner* ("Grantee"), whose address is P. O. Box 1308, Houston, Texas 77251-1308, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD AND CONVEYED and by these presents does hereby GRANT, SELL AND CONVEY unto the Grantee, all that certain property (the "Land") lying and being situated in Waller County, Texas, described as follows, to-wit:

*2.5 acres, more or less, in the Samuel C. Hardy Survey, Abstract 31, said tract being more particularly described in that Special Cash Warranty Deed dated November 6, 1999 between Jack C. Branch, grantor, to Nathaniel Richardson, grantee, recorded January 10, 2000 in Volume 639, Page 810 of the Official Public Records of Waller County, Texas.*

together with (a) any and all improvements located on the Land, (b) any and all hereditaments, privileges, and appurtenances (including appurtenant easements) pertaining to the Land, (c) all right, title and interest of Grantor, if any, in and to (i) any and all public roads and streets that abut the Land and (ii) all reversionary interests, if any, in and to the Land.

TO HAVE AND TO HOLD the Property, subject to any ad valorem taxes and assessments applicable to the Property which are not yet due and payable, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, its successors and assigns forever; and the Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators and assigns to WARRANT AND FOREVER DEFEND, all and singular the Property, subject to the matters stated herein, unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.


Whenever the context of this General Warranty Deed requires, (a) the singular nouns and pronouns include the plural, (b) any gender includes the other genders and (c) the term "successors and

GF #04905221 Cballe  
RETURN TO  
STEWART TITLE CO.  
840 13TH STREET STE. #201  
HEMPSTEAD, TEXAS 77445

assigns" includes legal representatives, heirs, executors, administrators, successors and assigns.

EXECUTED on the date of the acknowledgment set forth below to be EFFECTIVE for all purposes as of the 22<sup>nd</sup> day of September, 2004.

GRANTOR:



Nathaniel Richardson  
22514 John Rolfe Lane  
Katy, Texas 77449

**Note for County Recorder only**

Please return to:

**JACKSON & HUNGER, INC.  
P.O. BOX 606  
SIMONTON, TEXAS 77476**

ACKNOWLEDGMENT

STATE OF TEXAS     §  
                              §  
COUNTY OF WALLER §

THIS General Warranty Deed was acknowledged before me on the 22<sup>nd</sup> day of September, 2004, by Nathaniel Richardson.



*Cheryl Singleton*

Notary Public, State of  
Printed Name: \_\_\_\_\_  
Commission Expires \_\_\_\_\_

EXHIBIT "A"

VOL 0858 PAGE 350

TRACT 1: A certain one (1) acre tract of land, more or less, being same land described in deed from Peter Williams, et ux, to James G. Shelton, of record in Vol. 44 at pg. 91 of the Deed Records of Waller County, Texas, said one (1) acre described as follows:

BEGINNING at the NW corner of the Novella Krumbeau One Acre block in the Muske South Boundary;

THENCE: N 56 degrees W 53 varas to a stake 12 inches West of a small Post Oak;

THENCE: S 34 degrees W 106 varas to a stake in field;

THENCE: S 56 degrees E 53 varas to a stake for a corner;

THENCE: N 34 degrees E 106 varas to the place of beginning, containing one (1) acre of land.

TRACT 2: A certain one (1) acre tract of land, more or less, being same land described in deed from Novella Crumbo to J.G. Shelton, of record in Vol. 49 pg. 37 of the Deed Records of Waller County, Texas, said one (1) acre described as follows:

BEGINNING at the NW corner of a six acre block conveyed to Mary Moore by Peter Williams, the same being the NE corner of this block or tract;

THENCE: W 153 feet to a stake for a corner;

THENCE: S 34 degrees W 285 feet to a stake for corner;

THENCE: S 80 degrees E 153 feet to the said Moore tract or block;

THENCE: W 34 degrees E. 285 feet to the place of beginning, containing one (1) acre of land.

TRACT 3: A certain one-half (1/2) acre of land, more or less, being same land described in deed from W.J. Sterling, et ux, of record in Vol. 47 pg. 156 of the Deed Records of Waller County, Texas, said one-half (1/2) acre described as follows:

BEGINNING at the NW corner of J.G. Shelton one (1) acre block;

THENCE: S 34 degrees W 230 feet to a stake for corner;

THENCE: 56 degrees W 120 feet to a stake for corner;

THENCE: N 34 degrees E to center of road;

THENCE: E with the said road to place of beginning, containing one-half (1/2) acre of land.

V

900584

SPECIAL WARRANTY DEED

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER

THAT WUENSCHER SERVICES, INC. (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by TONKAWA FARMS, L. P., a Texas Limited Partnership (hereinafter referred to as "Grantee"), whose address is P. O. 1308, Houston, Texas 77251 the receipt and sufficiency of which is hereby acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee, all of Grantor's right, title and interest in and to the property, including, without limitation, any homestead and/or community property rights and interests therein or related thereto, together with Grantor's interest in all improvements situated thereon (hereinafter referred to as "Subject Property") described on Exhibit "A" attached hereto and by this reference incorporated herein for all purposes.

Grantor does hereby convey the properties described above, together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, reservations, remainders, together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property as described in this paragraph.

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: (i) any and all restrictions, covenants, conditions, liens, encumbrances, reservations, easements, roadways, rights-of-way, mineral leases and interests and other exceptions

to title, if any, relating to the Subject Property, shown of record in the hereinabove mentioned County and State; (ii) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, relating to the Subject Property; and (iii) to all matters which would be revealed by an inspection and/or a current survey of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee and Grantee's heirs, executors, administrators and assigns forever. And Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators and assigns to warrant and forever defend all and singular the said Subject Property, unto Grantee and Grantee's heirs, executors, administrators and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

Taxes for the current year are assumed by Grantee.

Executed on this the 29<sup>th</sup> day of January, 2009.

GRANTOR:

WUENSCHÉ SERVICES, INC.

By: 

MICHAEL W. WUENSCHÉ,  
PRESIDENT

THE STATE OF TEXAS

COUNTY OF VICTORIA

BEFORE ME, the undersigned authority, on this day personally appeared **MICHAEL W. WUENSCH** in his capacity as **PRESIDENT** of **WUENSCH SERVICES, INC.**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein stated, and in the capacity therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 29<sup>th</sup> day of January, 2009.

*Alicia D. Henry*  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After recording  
Please return to:

**Tonkwa Farnus, L. P.**  
**P. O. 1308**  
**Houston, Texas 77251**

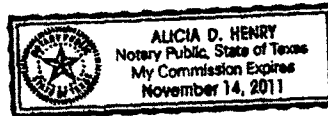


EXHIBIT "A"

An undivided 50% interest in and to 2.50 acres, more or less, situated in the S. C. Hady Survey, Abstract 31, Waller County, Texas, described as Tracts 1, 2, and 3 in Deed dated July 30, 1952, from Lillie Mae Bozeman Hogan to James Palmer, recorded in Vol. 128, Page 175, Deed Records of Waller County, Texas and being further described in that certain Sheriff's Deed dated January 13, 2009 from R. Glenn Smith, Sheriff of Waller County, Texas to Wuensche Services, Inc. as recorded in Vol. 1145, Page 368 of the Official Public Records of Waller County, Texas. (Account No. R6300)



VOL 147 PG 81

900584

FILED FOR RECORD

09 JAN 30 AM 11:04

CHERYL PETERS  
COUNTY CLERK  
WALLER COUNTY, TX  
*Kim Kremer* DEPUTY

17.00  
5.00  
1.00  

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23.00 pd.

Michael Wuensche  
80 Cody Dr.  
Victoria, TX 77904

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time  
stamped hereon by me and was duly RECORDED in the Official Public Records  
of Waller County, Texas, in the Volume and Page as noted hereon by me.



*Cheryl Peters*  
County Clerk, Waller County, Texas

**EXHIBIT A-3**

**2.0 Acres**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE THE NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**602513**

**General Warranty Deed**

**Date:** MARCH 16, 2006

**Grantor:** Madelon Banks Bluntson, f/k/a Madelon Banks

**Grantor's Mailing address:**

Madelon Banks Bluntson  
P.O. Box 47 Brookshire, Texas 77423  
Waller County

**Grantee:** Tonkawa Farms, L.P.  
1201 Louisiana Street, Suite 1400 Houston, Texas 77002  
Harris County

**Consideration:**

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

**Property (including any improvements):**

Tract 219 (consisting of approximately 2 acres) out of a certain 6.846 acre tract in the S.C. Hardy League, Abstract No. 31, in Waller County, Texas, said 2 acres being more specifically described in a deed dated October 12, 1965 from Wilma Allen to Madelon Banks, and recorded in Volume 190 at page 538 of the Deed Records of Waller County, Texas, to which deed and record thereof reference is here made for all pertinent purposes.

**Reservations form Conveyance:**

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production of an existing lease, this reservation includes the production, the lease, and all benefits from it. Grantor and Grantee agrees that if an oil well needs to be drilled on said property, the well will be drilled off the property and pooled.

**Exceptions to Conveyance and Warranty:**

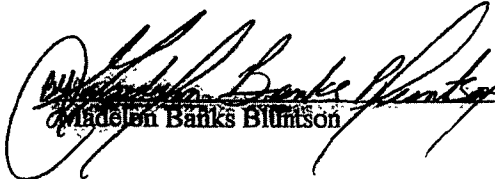
Validly existing restrictive covenants common to the platted subdivision in which the Property is located; standby fees, taxes, and assessments by any taxing authority for the year 2006 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; validly existing utility.

3 easements created by the dedication deed or plat of the subdivision in which the Property is located; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements; homestead or community property or survivorship rights, if any, of any spouse of Grantee; and any validly existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (a) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (b) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (c) filled-in lands or artificial islands, (d) water rights, including riparian rights, or (e) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.


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

Grantor and Grantee agree that the Grantee is taking the Property "As Is" with all defects and faults. Grantor makes no guarantees of warranties, including without limitation, warranties of merchantability or fitness for a particular purpose, and disclaims all warranties, express or implied, regarding the Property other than the warranty to title set forth in this deed.

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

  
Madelon Banks Blumson 03/16/2006

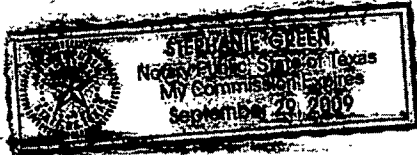
Tonkawa Farms, L.P. a Texas limited partnership,

  
Jeffery D. Hiltebrand, authorized agent of Tonkawa Farms  
JEFFERY D. HILTEBRAND  
PRESIDENT  
by Hilcorp Ventures, Inc  
its General Partner

STATE OF TEXAS

COUNTY OF WALLER )

This instrument was acknowledged before me on July 14, 2006, by  
Madelon Banks Bluntson.



Stephanie Green  
Notary Public, State of Texas

My commission expires: 9-29-09

STATE OF TEXAS )

COUNTY OF HARRIS )

This instrument was acknowledged before me on March 21, 2006, by Jeff

Tonkawa Farms, L.P., a limited partnership.  
Jeffrey D. Bluntson, General Partner  
Notary Public, State of Texas  
My commission expires: 9-29-09

PREPARED IN THE OFFICE OF:

The Adams Law Firm, LLP  
1203 Avenue C  
Katy, Texas 77493  
Tel: (281) 391-9237  
Fax: (281) 391-0451

AFTER RECORDING RETURN TO:

Tonkawa Farms, L.P. P.O. Box 1308, Houston, TX 77251  
~~1201 Louisiana Street, Suite 1400 Houston, Texas 77002~~

This document was drafted based upon information provided by the parties, no independent title search has been done.

200-1000-1

602513

FILED FOR RECORD

06 APR -4 PM 2:36

CHERYL PETERS  
COUNTY CLERK  
WALLER COUNTY, TX

VOL 0951 PAGE 086

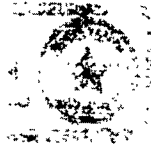
(2) 13.00  
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19.00  
4.00 P/C  
23.00 PL

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time  
stamped hereon by me and was duly RECORDED in the Official Public Records  
of Waller County, Texas, in the Volume and Page as noted hereon by me.



*Cheryl Peters*  
County Clerk, Waller County, Texas



**EXHIBIT A-4**

**4.846 Acres**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE THE NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

602512

**General Warranty Deed****Date:**March 16, 2006**Grantor:**

Willie B. Banks, Individually; and Madelon Banks Bluntson, Independent  
Administratrix of the estate of Jennie Lee Banks, deceased

**Grantor's Mailing address:**

Willie B. Banks  
P.O. Box 47 Brookshire, Texas 77423  
Waller County

Madelon Banks Bluntson  
P.O. Box 47 Brookshire, Texas 77423  
Waller County

**Grantee:**

Tonkawa Farms, L.P. a Texas limited partnership

**Grantee's Mailing address:**

Tonkawa Farms, L.P.  
1201 Louisiana Street, Suite 1400 Houston, Texas 77002  
Harris County

**Consideration:**

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

**Property (including any improvements):**

Tract 220 (consisting of approximately 1 acre) and Tract 222 (consisting of approximately 3.846 acres) out of a certain 6.846 acre tract in the S.C. Hady League, Abstract No. 31, in Waller County, Texas, said 6.846 acre tract being more fully described in a deed dated December 16, 1957, from Will Branch, et. al to Wilma Allen, and recorded in Volume 151 at page 377 of the Deed Records of Waller County, Texas, to which deed and record thereof reference is here made for all pertinent purposes.

**Reservations form Conveyance:**

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production of an existing lease, this reservation includes the production, the lease, and all benefits from it. Grantor and Grantee agrees that if an oil well needs to be drilled on said property, the well will be drilled off the property and pooled.



**Exceptions to Conveyance and Warranty:**

Validly existing restrictive covenants common to the platted subdivision in which the Property is located; standby fees, taxes, and assessments by any taxing authority for the year 2006 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership; validly existing utility easements created by the dedication deed or plat of the subdivision in which the Property is located; any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements; homestead or community property or survivorship rights, if any, of any spouse of Grantee; and any validly existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (a) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (b) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (c) filled-in lands or artificial islands, (d) water rights, including riparian rights, or (e) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.

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

Grantor and Grantee agree that the Grantee is taking the Property "As Is" with all defects and faults. Grantor makes no guarantees of warranties, including without limitation, warranties of merchantability or fitness for a particular purpose, and the Grantor excludes all warranties, express or implied, regarding the Property other than the warranty to title set forth in this deed.

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

*Willie B. Banks*  
 Willie B. Banks  
*Madelon Banks Bluntson* 02/16/06  
 Madelon Banks Bluntson, Independent Administratrix  
 of the Estate of Jemmie Lee Banks, deceased

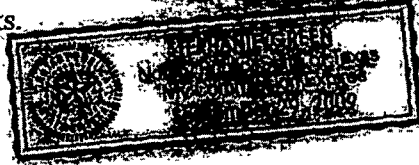
Tonkawa Farms, L.P. a Texas limited partnership,

*Jeff D. Hildebrand*  
 Jeff D. Hildebrand, authorized agent of Tonkawa Farms  
 JEFFERY D. HILDEBRAND, PRESIDENT  
 by HILCORP Ventures, INC.,  
 its General Partner

STATE OF TEXAS )

COUNTY OF WALLER )

This instrument was acknowledged before me on 3-16-06, 2006, by Willie B. Banks.

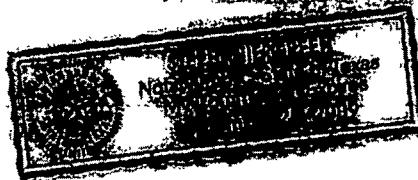


[Signature]  
Notary Public, State of Texas  
My commission expires: 3-29-09

STATE OF TEXAS )

COUNTY OF WALLER )

This instrument was acknowledged before me on 3-16-06, 2006, by Madelon Banks Bluntson, as Independent Administrator of Temple Lee Banks, deceased.



[Signature]  
Notary Public, State of Texas  
My commission expires: 3-29-09

STATE OF TEXAS )

COUNTY OF WALLER )

This instrument was acknowledged before me on March 27, 2006, by Jeff ~~Hildebrand~~, agent-in-charge of Tonkawa Farms, L.P. a Texas limited partnership.



[Signature]  
Notary Public, State of Texas  
My commission expires: 3-13-2009

PREPARED IN THE OFFICE OF:

The Adams Law Firm, LLP  
1203 Avenue C  
Katy, Texas 77493  
Tel: (281) 391-9237  
Fax: (281) 391-0451

AFTER RECORDING RETURN TO:

Tonkawa Farms, L.P. P.O. Box 1308, Houston, Tx 77251  
1201 Louisiana Street, Suite 1400 Houston, Texas 77002

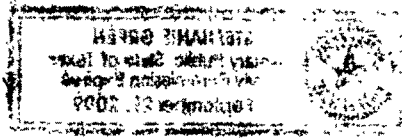
This document was drafted based upon information provided by the parties, no independent title search has been done.

602512  
FILED FOR RECORD

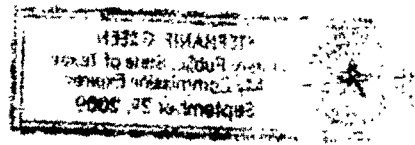
VOL 0951 PAGE 082

06 APR -4 PM 2:36

CHERYL PETERS  
COUNTY CLERK  
WALLER COUNTY, TX  
*[Signature]* DEPUTY



② 13.00  
5.00  
18.00  
19.00  
4.00 Plc  
23.00 pd



Michael Wuensche  
Tonkawa Farms L P  
P.O. Box 1308  
Houston, TX 77251

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time  
stamped hereon by me and was duly RECORDED in the Official Public Records  
of Waller County, Texas, in the Volume and Page as noted hereon by me.



*Cheryl Peters*  
County Clerk, Waller County, Texas

**EXHIBIT A-5**

**134.6076 Acres**

403294

## CONTRIBUTION DEED

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER. Section 1, Chapter 11, Property Code**

THE STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF WALLER

§

§

## GRANTING CLAUSE

JEFFERY D. HILDEBRAND ("Hildebrand"), as to a 99.99% undivided interest in the Property (as hereinafter defined) and HILCORP VENTURES, INC., a Texas corporation, as to a 0.01% undivided interest in the Property (herein referred to together as "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by TONKAWA FARMS, L.P., a Texas limited partnership (herein referred to as "Grantee"), whose mailing address is 1201 Louisiana Street, Suite 1400, Houston, Texas 77002, and other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto Grantee that certain land located in Harris County, Texas more particularly described on Exhibit A attached hereto, incorporated herein and made a part hereof for all purposes (herein referred to as the "Land"), together with (i) any and all appurtenances, privileges, hereditaments and interests belonging or appertaining thereto that constitute real property; (ii) any and all improvements and other property located thereon; (iii) any and all appurtenant easements or rights of way affecting the Land and any of Grantor's rights to use same; (iv) any and all rights of ingress and egress to and from the Land and any of Grantor's rights to use same; and (v) all right, title and interest of Grantor, if any, in and to (a) any and all portions of any roads, streets, alleys and ways fronting or bounding the Land, (b) any and all air rights relating to the Land and (c) any and all reversionary interests in and to the Land (the Land together with any and all of the related improvements, property, appurtenances, rights and interests referenced in items (i) through (v) above are herein collectively referred to as the "Property"). Notwithstanding anything contained herein to the contrary, however, with respect to the rights and interests described in (iv) and (v) directly above, Grantor is hereby only granting, selling and conveying any of Grantor's right, title and interest in and to same without warranty (whether statutory, express or implied).

## SPECIAL WARRANTY OF TITLE

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and except as otherwise expressly set forth hereinbelow Grantor, severally and not jointly, does hereby bind each party comprising Grantor and their respective heirs, legal representatives, successors and assigns to WARRANT AND FOREVER

DEFEND the Property together with all and singular the rights and appurtenances thereto unto Grantee, and Grantee's successors and assigns, against every person, whomsoever lawfully claiming or to claim the same or any part thereof by, through and under Grantor but not otherwise, subject to any and all matters listed or contained in Exhibit B labeled "Permitted Encumbrances" which is attached hereto, incorporated herein and made a part hereof for all purposes, to the full extent same are valid and subsisting and affect the Property.

### **LIMITED GENERAL WARRANTY OF TITLE**

TO HAVE AND TO HOLD the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's heirs, executors, administrators, successors and assigns forever, subject to the matters herein stated. Hildebrand does hereby bind himself and his heirs, legal representatives and assigns to WARRANT AND FOREVER DEFEND his interest in the Property herein conveyed together with all and singular the rights and appurtenances thereto unto Grantee and any other entity to which such interest in the Property is conveyed that is owned or controlled by Hildebrand (each, a "General Warranty Beneficiary" and collectively, the "General Warranty Beneficiaries") (but not any successors and assigns of Grantee or any future owner of the Property or any part thereof or any interest therein other than General Warranty Beneficiaries) against every person whomsoever lawfully claiming or to claim the same or any part thereof; provided however, this conveyance and the contractual general warranty of title of Hildebrand set forth in this paragraph are subject to any and all matters listed or contained in Exhibit B labeled "Permitted Encumbrances" which is attached hereto, incorporated herein and made a part hereof for all purposes, to the full extent same are valid and subsisting and affect the Property; and provided further, that the contractual general warranty of title contained in this paragraph is limited to the tracts of land for which Hildebrand was issued an owner policy of title insurance and all liability of Hildebrand pursuant to such contractual general warranty is limited to the proceeds, if any, actually paid pursuant to such title insurance policies. The contractual general warranty of title contained in this paragraph shall inure to the benefit of the General Warranty Beneficiaries only; and no other person or entity (including, without limitation, any future owner of the Property or any part thereof or any interest therein other than the General Warranty Beneficiaries) may enforce, benefit from or be protected by the contractual general warranty of title contained in this paragraph. Upon any transfer or conveyance of all or any portion of the Property (or any interest therein) to any party who is not a General Warranty Beneficiary, the contractual general warranty of title contained in this paragraph, automatically shall terminate and be of no further force and effect with respect to such portion of the Property (or interest therein) so transferred or conveyed. The contractual general warranty of title contained in this paragraph insofar as it benefits the General Warranty Beneficiaries only, is in addition to, and cumulative of, the contractual special warranty of title contained in the immediately preceding paragraph of this Contribution Deed.

### **DISCLAIMER CONCERNING TITLE WARRANTIES**

Except for the contractual warranties of title expressly set forth in this Contribution Deed, Grantor hereby expressly disclaims and excludes all covenants and warranties of title of every nature whatsoever (express, implied, statutory or otherwise) arising out of or relating to the conveyance to Grantee pursuant to this Contribution Deed (including, without limitation, the implied covenants or warranties provided for under Section 5.023 of the Texas Property Code).

EXECUTED on the date of the acknowledgment set forth below to be EFFECTIVE for all purposes as of January 27, 2004.

**"Grantor"**

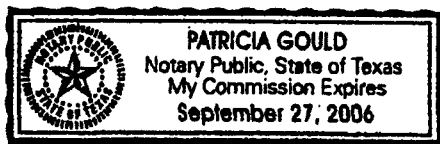
**Hilcorp Ventures, Inc.**

By: *Jeffery D. Hildebrand*  
Name: Jeffery D. Hildebrand  
Its: President

*Jeffery D. Hildebrand*  
Jeffery D. Hildebrand

THE STATE OF TEXAS §  
§  
COUNTY OF HARRIS §

This instrument was acknowledged before me on April 28, 2004, by Jeffery D. Hildebrand, individually and as President of Hilcorp Ventures, Inc., a Texas corporation, on behalf of himself and said corporation.



*Patricia Gould*  
Notary Public

*Patricia Gould*  
Printed Name of Notary

My Commission Expires: 9-27-06

**Exhibit A to Contribution Deed**

**Description of Property**

Those certain five (5) tracts of land located in Waller County, Texas described as follows:

1. Approximately 12.8129 acres as more particularly described in that certain Special Warranty Deed from La Jay Nees Oliver to Jeffery D. Hildebrand dated February 19, 2003 and filed for record in Volume 767, Page 500 of the Official Public Records of Waller County Texas on February 20, 2003.

2. Approximately 94.0767 acres as more particularly described in that certain Special Warranty Deed from Charles D. Wilson to Jeffery D. Hildebrand dated February 19, 2003 and filed for record in Volume 767, Page 494 of the Official Public Records of Waller County Texas on February 20, 2003.

3. Approximately 20.955 acres as more particularly described in that certain General Warranty Deed from Ronnie A. Noskrent to Jeffery D. Hildebrand dated April 17, 2003 and filed for record in Volume 776, Page 119 of the Official Public Records of Waller County Texas on April 22, 2003.

4. Approximately 3.918 acres as more particularly described in that certain General Warranty Deed from Terry Joseph to Jeffery D. Hildebrand dated December 16, 2003 and filed for record in Volume 816, Page 66 of the Official Public Records of Waller County Texas on December 17, 2003.

5. Approximately 2.845 acres as more particularly described in that certain General Warranty Deed from Odessa Norris to Jeffery D. Hildebrand dated December 22, 2003 and filed for record in the Office of the County Clerk of Waller County, Texas under Clerk's File No. 040012 on December 23, 2003.



**Exhibit B to Contribution Deed**

**"Permitted Encumbrances"**

1. All ad valorem taxes and assessments for 2004 and subsequent years.
2. All matters and encumbrances set forth in each Owner Policy of Title Insurance issued to Hildebrand.

X:\Legal\Corporate\JDH-HVI Tonkawa Contribution Deed.doc

**Filed for Record**

May 11

**RECORDED**

May 18

A.D., 2004 at 10:43 o'clock A. M.

A.D., 2004 at 9:50 o'clock A. M.

CHERYL PETERS, County Clerk, Waller County, Texas

By Stephanie Tompkins Deputy

**EXHIBIT A-6**

**12.634 Acres**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

---

### GENERAL WARRANTY DEED

DATE: December 15, 2004

GRANTOR: Mamye Jo Thomas

GRANTEE: Tonkawa Farms, L.P., a Texas limited partnership

GRANTEE'S MAILING ADDRESS:

P.O. Box 1308  
Houston, Texas 77251-1308

CONSIDERATION: Ten Dollars and other valuable consideration.

PROPERTY: The following described Land:

That certain approximately 12.634 acres of land located in Waller County, Texas, as more particularly described in Exhibit A attached hereto and made a part hereof for all purposes.

Together with and including all of the Grantor's right, title and interest in and to the rights and appurtenances in any way belonging or appurtenant to said Land, including, without limitation: (i) any improvements on said Land; (ii) strips and gores, if any, adjacent or contiguous to the Land; (iii) any land lying in or under the bed of any street, alley, road, creek or stream running through, abutting or adjacent to the Land; (iv) any riparian rights appurtenant to the Land relating to surface or subsurface waters; and (v) easements, rights of ingress and egress and reversionary interests benefiting or serving the Land (the Land and other appurtenant rights being referred to herein as the "Property").

### RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is subject to the following matters to the extent that such are presently in force and effect and affect the Property:

- (1) Easements, rights-of-way, roadways or encroachments which are not reflected of record in the real property records of Waller County, Texas that a survey or physical inspection of the premises might disclose;
- (2) A three-eighths ( $\frac{3}{8}$ <sup>ths</sup>) interest in all of the oil, gas and other minerals, and the royalties, bonuses, rentals and all other rights in connection with same, as set forth in instrument recorded in Volume 58, Page 478 of the Deed Records of Waller County, Texas, a part of which interest was conveyed in Volume 58, Page 201 Deed Records of Waller County, Texas;

# NOTES AND BOUNDS DESCRIPTION

BEING A 12.634 ACRE TRACT OF LAND, CALLED 11.94 ACRES AS SURVEYED AND PARTITIONED INTO SIX (6) TRACTS OF LAND ON NOVEMBER 11, 1960 BY W.D. KENNEDY, REGISTERED PUBLIC LAND SURVEYOR NO. 0511 SAID 12.634 ACRE TRACT BEING OUT OF A CERTAIN CALLED 20 ACRE TRACT OF LAND AS RECORDED IN VOLUME 35, PAGE 427 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS AND BEING IN THE JOHN McFARLAND SURVEY, ABSTRACT 46, WALLER COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod found for the East corner of said 20.00 acre tract of land, the same being the East corner of that certain called 7.00 acre tract out of said 20.00 acre tract recorded in Volume 53, Page 353 of said deed records;

THENCE: South 33° 05' 02" West 199.34 feet (called South 34° West 204.00 feet) with an existing fence line to a 5/8 inch iron rod found for the East corner and POINT OF BEGINNING of this description;

THENCE: South 34° 00' 00" West 691.97 feet (called South 34° West 692.00 feet) with an existing fence line to a 1/2 inch iron rod set at a fence corner post;

THENCE: North 30° 28' 49" West 1687.94 feet (called North 30° West 1688.05 feet) to a 1/2 inch iron rod set replacing a 60 d Nail found at the base of a 20 inch diameter tree for a fence corner post;

THENCE: North 58° 30' 00" East 33.30 feet with an existing fence line to a 1/2 inch iron rod set for the West corner of said 7.00 acre tract;

THENCE: South 53° 30' 51" East 1510.87 feet (called South 52° East 1495.55 feet) along the Southwest line of said 7.00 acre tract to the POINT OF BEGINNING, containing an area of 12.634 acres of land.

*David Leyendecker*

For Clay & Leyendecker, Inc.  
David Leyendecker, R.P.L.S.  
Texas Registration No. 2085  
April 29, 1992

*EC/mm*



**EXHIBIT A-7**

**279.119 Acres**

1106449

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

## GENERAL WARRANTY DEED

THE STATE OF TEXAS

§

COUNTY OF WALLER

§

§

KNOW ALL MEN BY THESE PRESENTS:

THAT THE ROBERT H. FAIN FAMILY PARTNERSHIP, a Texas general partnership (the "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration, paid by TONKAWA FARMS, L.P., a Texas limited partnership (the "Grantee"), whose address is 1201 Louisiana, Suite 1400, Houston, Texas 77002, the receipt and sufficiency of which are hereby acknowledged, HAS GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES GRANT, BARGAIN, SELL and CONVEY unto Grantee all of that certain tract of land (the "Land") situated in Waller County, Texas, and described on Exhibit "A" which is attached hereto and incorporated herein by reference for all purposes, together with any and all buildings and other improvements, now or hereafter located on said Land and together with all and singular all rights and appurtenances pertaining to such Land, including any right, title and interest of Grantor in and to adjacent roads, streets, alleys, easements or rights-of-way but specifically excluding any mineral rights of Grantor which are specifically retained (the Land, together with all such improvements being referred to herein as the "Property").

This conveyance is made subject to those easements, reservations, restrictions and other encumbrances of record in the office of the County Clerk of Waller County, Texas, including but not limited to those shown in Exhibit B attached hereto and incorporated herein by reference, to the extent the same are valid and subsisting and affect the herein described Property.

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's successors and assigns, against every person whomever lawfully claiming or to claim the same or any part thereof.

Ad valorem taxes and assessments for the Property for the year 2011 have been prorated by the parties hereto as of the effective date of this Deed, and the Grantee, by accepting delivery of this Deed, assumes all liability for ad valorem taxes for the year 2011 and subsequent years.

Unit 93  
STEWART TITLE  
1147330571

EXECUTED this 9 day of December, 2011.

GRANTOR:

THE ROBERT H. FAIN FAMILY PARTNERSHIP,  
a Texas general partnership

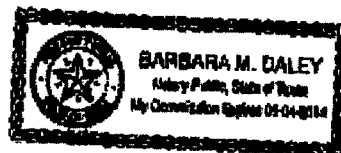
By: Barbara Fain Davis  
Barbara Fain Davis, authorized partner

THE STATE OF TEXAS       §  
                                      §  
COUNTY OF HARRIS       §

BEFORE ME, the undersigned authority, on this day personally appeared BARBARA FAIN DAVIS, acting in her capacity as the authorized partner to sign on behalf of THE ROBERT H. FAIN FAMILY PARTNERSHIP, a Texas general partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9 day of December, 2011.

NOTARY PUBLIC SIGNATURE



## Exhibit A

FIELD NOTES FOR A 255.144 ACRE TRACT OF LAND CALLED 243.016 ACRES IN VOLUME 487, PAGE 86 OFFICIAL RECORDS) AND BEING COMPRISED OF THE FOLLOWING 5 TRACTS; TRACT 1 CALLED 68 ACRES (VOLUME 487, PAGE 86 OFFICIAL RECORDS); TRACT 2 BEING CALLED 84.625 ACRES MADE UP OF A 32.945 ACRE TRACT (CALLED TRACT 1) VOLUME 224, PAGE 137 DEED RECORDS, A 12.24 ACRE TRACT (VOLUME 224, PAGE 137 DEED RECORDS), A 8.025 ACRE TRACT CALLED 9.696 ACRES IN VOLUME 918, PAGE 80 (OFFICIAL RECORDS), AND A 39.44 ACRE TRACT (VOLUME U, PAGE 437 PROBATE MINUTES); TRACT 3 BEING CALLED 19.386 ACRES (VOLUME 487, PAGE 86 OFFICIAL RECORDS); TRACT 4 CALLED 54.395 ACRES (VOLUME 487, PAGE 86 OFFICIAL RECORDS); AND TRACT 5 CALLED 21.70 ACRES (VOLUME 487, PAGE 86 OFFICIAL RECORDS) AND BEING SITUATED MOSTLY IN THE JOHN McFARLAND SURVEY, ABSTRACT 46 AND PARTIALLY IN THE SAMUEL HADY SURVEY, ABSTRACT 31, WALLER COUNTY, TEXAS.

BEGINNING: At a 1/2 inch iron pipe found in the Northwest right-of-way line of Wilpitz Road being the Eastern most corner of this 255.144 acre tract and of the called Tract 5 (21.70 acres), said point also being the Southernmost corner of an adjoining 21.70 acre tract (Volume 876, Page 591 Official Records);

THENCE: South 33° 43' 05" West a distance of 616.94 feet with the Northwest right-of-way line of Wilpitz Road to a 1/2 inch iron pipe found being the Southeastern most corner of this tract and the South corner of the above mentioned Tract 5 and the Northeast corner of an adjoining 21.70 acre tract (Volume 141, Page 119 Deed Records);

THENCE: North 57° 45' 48" West a distance of 2262.76 feet to a 2 inch iron pipe found being the Northwest corner of the adjoining 21.70 acre tract;

THENCE: South 00° 56' 41" East a distance of 545.79 feet to a 1/2 inch iron rod found being the Southwest corner of the adjoining 21.70 acre tract, the Southeast corner of the above mentioned Tract 1 (68 acres) and a North corner of an adjoining called 94.192 acre tract (Volume 766, Page 469 Official Records);

THENCE: South 71° 05' 52" West a distance of 242.50 feet along an existing fence line to a tree for an angle point in said line;

THENCE: Following said fence line the following calls:

South 67° 46' 03" West a distance of 41.63 feet to a tree;

South 71° 49' 21" West a distance of 170.14 feet to a tree;

South 65° 59' 04" West a distance of 23.62 feet to a tree;



South 75° 56' 21" West a distance of 366.75 feet to a tree;

South 86° 08' 20" West a distance of 197.97 feet to a tree;

South 88° 15' 49" West a distance of 345.14 feet to a tree;

North 85° 26' 20" West a distance of 260.43 feet to a tree;

North 79° 30' 27" West a distance of 399.98 feet to a tree;

North 87° 59' 43" West a distance of 32.68 feet to a 1/2 inch iron rod found for the Southern most corner of this tract;

THENCE: North 05° 55' 27" West a distance of 106.62 feet along an existing fence line to a tree found for an angle point in said line;

THENCE: North 78° 50' 44" West a distance of 26.75 feet to a 5/8 inch iron rod found, said point being the Southeast corner of a 8.025 acre tract (called 9.696 acres in Volume 918, Page 80 Official Records) and the South corner of the above mentioned Tract 4 (called 54.395 acres), said point being located on the East bank of Bessies Bayou;

THENCE: North 64° 05' 34" West a distance of 348.35 feet crossing Bessies Bayou to a 1/2 inch iron rod set for the Southwest corner of the 8.025 acre tract and the Southwest corner of this 255.144 acre tract;

THENCE: Along the West line of this tract (same being the West line of the 8.025 acre tract) the following calls:

North 37° 44' 04" West a distance of 157.32 feet to a 1/2 inch iron rod set;

North 34° 05' 10" West a distance of 332.63 feet to a 1/2 inch iron pipe found with a cap stamped "Kalkomey";

North 34° 22' 14" West a distance of 219.87 feet to a 1/2 inch iron pipe found with a cap stamped "Kalkomey";

North 25° 55' 33" West a distance of 213.67 feet to a 1/2 inch iron pipe found with a cap stamped "Kalkomey";

North 22° 28' 41" West a distance of 127.55 feet to a 1/2 inch iron pipe found with a cap stamped "Kalkomey";

North 14° 08' 54" West a distance of 123.85 feet to a 1/2 inch iron pipe found with a cap stamped "Kalkomey";

North 10° 53' 15" West a distance of 165.85 feet to a 1/2 inch iron pipe found with a cap stamped "Kolkomey";

North 10° 37' 10" West a distance of 74.12 feet to a 1/2 inch iron pipe found with a cap stamped "Kalkomey", from which a 1/2 inch iron rod found bears South 07° 03' 47" West a distance of 1.43 feet;

THENCE: North 60° 24' 12" West a distance of 63.22 feet along a fence line to a 1/2 inch iron rod set at a fence intersection, said point being the Southeast corner of a called 72.0 acre tract (Volume 112, Page 564 Deed Records) and also the Northeast corner of a called 72.0 acre tract (Part 2 in Volume 112, Page 564 Deed Records);

THENCE: North 03° 11' 49" East a distance of 1105.67 feet to a 1/2 inch iron rod found for the Northwest corner of the above mentioned Tract 4 (called 54.395 acres);

THENCE: South 60° 36' 12" East crossing Bessies Bayou for a distance of 1781.13 feet to a 1/2 inch iron pipe found, said point being the Southwest corner of the above mentioned 12.24 acre tract;

THENCE: North 16° 24' 02" East a distance of 3234.71 feet to a 1 inch iron pipe found being the Northwest corner of above mentioned Tract 2 (called 84.625 acres) and the Southwest corner of the above mentioned Tract 1 (called 32.945 acres), said point also being the South corner of an adjoining 129.279 acre tract (Volume 338, Page 50 Deed Records);

THENCE: North 31° 32' 02" East a distance of 2458.85 feet to a 1/2 inch iron pipe found for the North corner of this 255.144 acre tract and of Tract 1, said point being an interior corner the adjoining 129.279 acre tract;

THENCE: South 55° 20' 24" East a distance of 596.02 feet to a 1/2 inch iron rod set for a North corner of this tract same being the Northeast corner of Tract 1 and also being the North corner of an adjoining 32.945 acre tract (Volume 898, Page 774 Official Records);

THENCE: South 31° 39' 36" West a distance of 2456.33 feet to a 1/2 inch iron rod set for an interior corner of this tract, the South corner of Tract 1 and the West corner of the adjoining 32.945 acre tract located in the Northeast line of Tract 2;

THENCE: South 58° 20' 24" East a distance of 425.08 feet to a 1/2 inch iron rod set for an East corner of this tract being the South corner of the adjoining 32.945 acre tract set in a Northwest line of an adjoining called 198.0084 acre tract (Volume 530, Page 705 Official Records);

THENCE: South 32° 22' 27" West a distance of 1121.84 feet to a 1 inch iron pipe found for an angle point in the East line of this tract, same being the West line of the adjoining 198.0084 acre tract;

THENCE: South 58° 24' 45" East a distance of 221.71 feet to a 1 inch iron pipe found;

THENCE: South 30° 39' 24" West a distance of 1377.93 feet to a 1/2 inch iron pipe found, said point being the Southwest corner of the 198.0084 acre tract and the North corner of Tract I (called 68 acres);

THENCE: South 58° 19' 23" East a distance of 2653.93 feet to a 4 inch iron rod set for an East corner of this tract being the Southernmost corner of six (6) 3 acre tracts (Volume 470, Page 429 Deed Records) and situated in the Northwest line of the before mentioned adjoining 21.70 acre tract (Volume 876, Page 591 Official Records), said point also being the East corner of Tract 3 (called 19.3 86 acres in Volume 487, Page 86 Official Records);

THENCE: South 32° 07' 55" West a distance of 180.58 feet to a 1/2 inch iron rod found, said point being the Southwest corner of the 21.70 acre tract;

THENCE: South 59° 10' 31" East a distance of 1050.42 feet to the PLACE OF BEGINNING and containing 255.144 acres of land.

All bearings recited hereon are based on the Northwest property line of the 32.945 acre tract (called tract 1) running North 31° 32' 02" East.

**EXHIBIT B**

1. Right of way easement granted to The Superior Oil Company, by instrument dated March 27, 1947, recorded in Volume 105, Page 518 of the Deed Records of Waller County, Texas, (as to Tract I)
2. Right of way easement granted to Shell Pipe Line Corporation, by instrument dated January 23, 1929, recorded in Volume 52, Page 153 of the Deed Records of Waller County, Texas- (as to Tract II)
3. Right of way easement Right of way granted to Shell Pipe Line Corporation, by instrument dated January 23, 1929, recorded in Volume 52, Page 154 of the Deed Records of Waller County, Texas, (as to Tract II)
4. Right of way easement granted to Shell Pipe Line Corporation, by instrument dated July 24, 1941, recorded in Volume 82, Page 23 of the Deed Records of Waller County, Texas, (as to Tract II)
5. Right of way easement granted to Phillips Pipe Line Company, by instrument dated April 20, 1994, recorded in Volume 494, Page 594 of the Deed Records of Waller County, Texas, (as to Tract II)
6. Right of way easement granted to San Bernard Electric Cooperative, Inc., by instrument dated May 10, 1966, recorded in Volume 197, Page 557 of the Deed Records of Waller County, Texas, (as to a 90 acre tract)
7. Right of way easement granted to San Bernard Electric Cooperative, Inc., by instrument dated September 15, 1971, recorded in Volume 230, Page 365 of the Deed Records of Waller County, Texas, (as to a 100 acre tract)
8. Right of way easement granted to Shell Oil Company, by instrument dated February 26, 1950, recorded in Volume 118, Page 127 of the Deed Records of Waller County, Texas, (as to Tract V)
9. Right of way easement granted to United Gas Pipeline Company, by instrument dated October 23, 1959, recorded in Volume 159, Page 161 of the Deed Records of Waller County, Texas- (as to Tract V)
10. Right of way easement granted to Shell Pipe Line Corporation, by instrument dated February 14, 1929, recorded in Volume 52, Page 237 of the Deed Records of Waller County, Texas, (as to Tract VI)

11. Right of way easement granted to Pattison Water Supply Corporation, by instrument dated September 26, 1970, recorded in Volume 223, Page 620 and refiled in Volume 227, Page 197 of the Deed Records of Waller County, Texas, (as to Tract VI)
12. 3/20ths of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in Volume 73, Page 499 of the Deed Records of Waller County, Texas, (as to Tract I)
13. 1/10th of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in Volume 74, Page 89 of the Deed Records of Waller County, Texas, (as to Tract I)
14. All the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same all of which are expressly excepted herefrom and not insured hereunder, as same are set forth in instrument recorded in Volume 29, Page 452 of the Deed Records of Waller County, Texas, (as to Tract II)
15. 1/8th of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in Volume 67, Page 574 of the Deed Records of Waller County, Texas, (as to Tract II)
16. 1/8th of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in Volume 71, Page 145 of the Deed Records of Waller County, Texas, (as to Tract II)
17. Oil, gas and mineral lease dated September 26, 1968, recorded in Volume 211, Page 136 and amended in Volume 216, Page 308 of the Deed Records of Waller County, Texas in favor of Texaco, Inc. Title to said lease not checked subsequent to its date of execution, (as to Tract II)
18. 1/2 of Grantor's interest in and to all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in Volume 233, Page 115 of the Deed Records of Waller County, Texas, (as to Tract II)
19. A 1/2 royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in Volume 241, Page 587 of the Deed Records of Waller County, Texas, (as to Tract IV)
20. Oil, gas and mineral lease dated November 4, 1964, recorded in Volume 185, Page 302 of the Deed Records of Waller County, Texas in favor of The Superior Oil Company. Title to said lease not checked subsequent to its date of execution, (as to Tract V)

21. Term reservation of 1/2 royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in Volume 190, Page 3 of the Deed Records of Waller County, Texas, (as to Tract V)
22. A 1/16th non-participating royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in Volume 190, Page 3 of the Deed Records of Waller County, Texas, (as to Tract V)
23. Oil, gas and mineral lease dated January 10, 2002, recorded in Volume 730, Page 163 of the Official Public Records of Waller County, Texas in favor of Revere Corporation, amended and/or extended and/or ratified by instruments recorded in Volume 740, Pages 563, 567, 571 and 575 and Volume 928, Pages 432, 435, 438 and 441 of the Official Public Records of Waller County, Texas. Title to said lease not checked subsequent to its date of execution, (as to Tract I, part of Tract H, Tract IV & Tract V)
24. All the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same all of which are expressly excepted herefrom and not insured hereunder, as same are set forth in instruments recorded in Volume 113, Pages 76 and 79 of the Deed Records of Waller County, Texas, and being corrections of instrument recorded in Volume 76, Page 412 of the Deed Records of Waller County, Texas, (as to Tract)
25. Oil, gas and mineral lease dated September 21, 2001, recorded in Volume 730, Page 627 of the Official Public Records of Waller County, Texas in favor of Jackson & Bland, Inc. Title to said lease not checked subsequent to its date of execution, (as to Tract VI)
26. Oil, gas and mineral lease dated September 21, 2001, recorded in Volume 730, Page 657 of the Official Public Records of Waller County, Texas in favor of Jackson & Bland, Inc. Title to said lease not checked subsequent to its date of execution, (as to Tract VI)
27. Oil, gas and mineral leases dated September 21, 2004, recorded in Volume 857, Pages 774 and 780 of the Official Public Records of Waller County, Texas in favor of Revere Corporation. Title to said lease not checked subsequent to its date of execution, (as to Tract VI)
28. Boundary Line Agreement by and between E. E. Pattison et al, dated September 2, 1943, recorded in Volume 92, Page 139 of the Deed Records of Waller County, Texas.

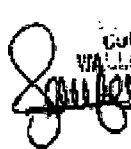
*Letters to*  
 RECEIVED  
 COUNTY CLERK  
 SUMMIT COUNTY, TEXAS  
 HOUSTON, TEXAS 77048

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VOL 282 PG 69

FILED FOR RECORD

11 DEC 15 AM 11:48

8  COUNTY CLERK  
WALLER COUNTY, TX.  
DEPUTY

37.00 ④  
5.00  
1.00  


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43.00 pd.

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time  
stamped hereon by me and was duly RECORDED in the Official Public Records  
of Waller County, Texas, in the Volume and Page as noted hereon by me.



  
County Clerk, Waller County, Texas



**EXHIBIT A-8**

**143.9014 Acres**

*(Note: While the deed reflects 151.4014 acres, 7.5 acres was subsequently conveyed to Hilcorp Realty, L.L.C. as reflected in the Waller County Real Property Records under instrument no. 1805960 recorded on July 30, 2018)*



**GENERAL WARRANTY DEED**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER

FRANCIS D. "SAM" WILSON AND WIFE, MARY S. WILSON, owning property in the County of WALLER, Texas, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by TONKAWA FARMS, L.P., hereinafter called "Grantee" (whether one or more), whose mailing address is P.O. BOX 1308, HOUSTON, TEXAS 77251, the receipt and sufficiency of which are hereby acknowledged and confessed;

Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto said Grantee, the following described real property, to-wit:

A 151.4014 ACRE TRACT OF LAND BEING THAT CERTAIN CALLED 4.17 ACRE TRACT (VOLUME 581, PAGE 794, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 2.790 ACRE TRACT (VOLUME 823, PAGE 600, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 2.00 ACRE TRACT (VOLUME 354, PAGE 312, DEED RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 3.00 ACRE TRACT (VOLUME 352, PAGE 298, DEED RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 3.82 ACRE TRACT (TRACT TWO, VOLUME 546, PAGE 155, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 27.7027 ACRE TRACT (TRACT THREE, VOLUME 546, PAGE 155, OFFICIAL RECORDS OF WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 13.0573 ACRE TRACT (TRACT ONE, VOLUME 536, PAGE 110, OFFICIAL RECORDS OF WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 21.4508 ACRE TRACT (TRACT TWO, VOLUME 536, PAGE 110, OFFICIAL RECORDS OF WALLER COUNTY, TEXAS), THAT CERTAIN 12.1192 ACRE TRACT (TRACT THREE, VOLUME 536, PAGE 110, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), BEING IN THE SAMUEL HADY LEAGUE, ABSTRACT 31, AND THE J. MCFARLAND 1-1/4 LEAGUE, ABSTRACT 46, WALLER COUNTY, TEXAS AND BEING FURTHER DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES;

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto said Grantee, its successors and assigns, FOREVER. Grantor does hereby bind itself, its successors and assigns, TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

This Deed is executed, delivered and accepted subject to all and singular any liens existing against the property, standby fees, ad valorem taxes for the current and all subsequent years, subsequent assessments for prior years due to changes in land usage or ownership, zoning ordinances, utility district assessments and standby fees, if any, applicable to and enforceable against the above described property, and all valid utility easements created by the dedication deed or plat of the subdivision in which said real property is located, covenants, restrictions common to the platted subdivision in which said real property is located, mineral reservations, maintenance fund liens, and any title or rights asserted by anyone, including, but not limited to, persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any, applicable to and enforceable against the above described property as shown by the records of the County Clerk of the County in which said real property is located.

WHEN this Deed is executed by more than one person, or when the Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to

a corporation, the words, "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns". Reference to any gender shall include either gender and, in the case of a corporation, shall include the neuter gender, all as the case may be.

DATED this the 28th day of APRIL, 2006.



FRANCIS D. "SAM" WILSON, BY HIS AGENT  
AND ATTORNEY IN FACT, MARY S. WILSON



MARY S. WILSON

THE STATE OF TEXAS

VOL 0955 PAGE 828

COUNTY OF Hall

This instrument was acknowledged before me on the 20 day of June, 2006,

by MARY S. WILSON, INDIVIDUALLY AND AS AGENT AND ATTORNEY IN FACT FOR FRANCIS D. "SAM" WILSON.

My commission expires:

Kelli Luetge  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's Name (printed)

RETURN TO:  
TONKAWA FARMS, L.P.  
P.O. BOX 1308  
HOUSTON, TEXAS 77251



FIELD NOTES FOR A 151.4014 ACRE TRACT OF LAND BEING THAT CERTAIN CALLED 4.17 ACRE TRACT (VOLUME 0581, PAGE 794, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 2.790 ACRE TRACT (VOLUME 0823, PAGE 600, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 2.00 ACRE TRACT (VOLUME 354, PAGE 312, DEED RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 3.00 ACRE TRACT (VOLUME 352, PAGE 298, DEED RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 3.82 ACRE TRACT (TRACT TWO, VOLUME 0546, PAGE 155, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 27.7027 ACRE TRACT (TRACT THREE, VOLUME 0546, PAGE 155, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 13.0573 ACRE TRACT (TRACT ONE, VOLUME 0536, PAGE 110, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), THAT CERTAIN CALLED 82.4608 ACRE TRACT (TRACT TWO, VOLUME 0536, PAGE 110, OFFICIAL RECORDS, WALLER COUNTY, TEXAS), AND THAT CERTAIN CALLED 12.1192 ACRE TRACT (TRACT THREE, VOLUME 0536, PAGE 110, OFFICIAL RECORDS, WALLER COUNTY, TEXAS) BEING IN THE SAMUEL HADY LEAGUE, ABSTRACT 31, AND THE J. MCFARLAND 1-1/4 LEAGUE, ABSTRACT 46, WALLER COUNTY, TEXAS AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS: WITH ALL BEARINGS BEING BASED ON THE COMMON LINE OF THE SAMUEL HADY LEAGUE, ABSTRACT 31, AND THE J. MCFARLAND 1-1/4 LEAGUE, ABSTRACT 46, SAME BEING THE NORTHEAST LINE OF THE AFOREMENTIONED CALLED 82.4608 ACRE TRACT AS BEING SOUTH 56 DEGREES 00 MINUTES 00 SECONDS EAST (CALLED SOUTH 56 DEGREES 00 MINUTES 00 SECONDS EAST).

**BEGINNING** at a 3 inch iron pipe found in the common line of the Samuel Hady League, Abstract 31, and the J. McFarland 1-1/4 League, Abstract 46, said point being the north corner of the aforementioned called 82.4608 acre tract (Tract Two, Volume 0536, Page 110, Official Records, Waller County, Texas), said point being in the southwest line of the said called 13.0573 acre tract (Tract One, Volume 0536, Page 110, Official Records, Waller County, Texas) for a re-entry corner and Place of Beginning of the herein described 151.4014 acre tract, said point also being the east corner of a certain adjoining called 32.945 acre tract described in deed recorded in Volume 274, Page 771, Deed Records, Waller County, Texas;

**THENCE** North 58 degrees 17 minutes 26 seconds West (called North 58 degrees 11 minutes 26 seconds West) along the common line of the said called 13.0573 acre tract and the aforementioned adjoining called 32.945 acre tract, 54.16 feet (called 54.22 feet) to a 1/4 inch x 1 inch iron bar found at the west corner of said called 13.0573 acre tract;

**THENCE** North 31 degrees 56 minutes 39 seconds East (called North 31 degrees 57 minutes 54 seconds East) continuing along the common line of said called 13.0573 acre tract and the aforementioned adjoining called 32.945 acre tract, 347.20 feet (called 347.23 feet) to a ½ inch iron pipe found for an angle point in the northwest line of said called 13.0573 acre tract, said point being the east corner of the aforementioned adjoining called 32.945 acre tract, same being a south corner of the Koomey Family Partnership tract as described in deed recorded in Volume 96, Page 324, Deed Records, Waller County, Texas;

**THENCE** North 32 minutes 54 minutes 18 seconds East (called North 32 degrees 54 minutes 10 seconds East) along the common line of said called 13.0573 acre tract and the aforementioned adjoining Koomey Family Partnership tract, 291.68 feet (called 292.10 feet) to a ½ inch iron pipe found for the north corner of said called 13.0573 acre tract for corner of the herein described 151.4014 acre tract;

**THENCE** South 58 degrees 14 minutes 36 seconds East (called South 58 degrees 13 minutes 24 seconds East) continuing along the common line of said called 13.0573 acre tract and the aforementioned adjoining Koomey Family Partnership tract, 861.98 feet (called 862.03 feet) to a ½ inch iron pipe found at the east corner of said called 13.0573 acre tract, said point being a south corner of the aforementioned adjoining Koomey Family Partnership tract, said point also being in the northwest line of that certain called 27.7027 acre tract (Tract Three, Volume 0546, Page 155, Official Records, Waller County, Texas);

**THENCE** North 31 degrees 18 minutes 23 seconds East (called North 31 degrees 19 minutes 39 seconds East) along the common line of said called 27.7027 acre tract and the aforementioned adjoining Koomey Family Partnership tract, 1320.05 feet (called 1320.31 feet) to a ½ inch iron pipe found at the north corner of said called 27.7027 acre tract for corner of the herein described 151.4014 acre tract, said point being the west corner of a certain adjoining called 4.17 acre tract described in deed recorded in Volume 190, Page 379, Deed Records, Waller County, Texas;

**THENCE** South 55 degrees 39 minutes 42 seconds East (adjoiner called South 52 degrees 33 minutes East) along the common line of said called 27.7027 acre tract and the aforementioned adjoining called 4.17 acre tract, 227.63 feet (adjoiner called 228.18 feet) to a ¾ inch iron pipe found for a re-entry corner to the herein described 151.4014 acre tract, same being the south corner of the aforementioned adjoining called 4.17 acre tract, same being the west corner of that certain called 4.17 acre tract (Volume 0581, Page 794, Official Records, Waller County, Texas);

**THENCE** North 30 degrees 55 minutes 58 seconds East (called North 34 degrees East) along the common line of said called 4.17 acre tract and the aforementioned adjoining called 4.17 acre tract, 811.00 feet (called 811.69 feet) to a ¾ inch iron pipe found in the southwest line of the Pattison Townsite for the most northerly corner of the herein described 151.4014 acre tract, same being the north corner of said called 4.17 acre tract and the east corner of the aforementioned adjoining called 4.17 acre tract;

**THENCE** South 63 degrees 07 minutes 42 seconds East (called South 58 degrees 30 minutes East) along the common line of the herein described tract and the Pattison Townsite, same being the northeast line of said called 4.17 acre tract, 225.20 feet (called 223.95 feet) to a ½ inch iron rod found for the east corner of the said called 4.17 acre tract, same being the north corner of a certain adjoining called 0.9079 acre tract;

**THENCE** South 29 degrees 47 minutes 27 seconds West along the common line of the herein described tract and the aforementioned adjoining called 0.9079 acre tract, 247.02 feet to a 3/8 inch iron rod found at the west corner of said called 0.9079 acre tract for a re-entry corner to the herein described 151.4014 acre tract, said point being the lower north corner of that certain called 2.790 acre tract (Volume 0823, Page 600, Official Records, Waller County, Texas);

**THENCE** South 72 degrees 47 minutes 18 seconds East (called South 67 minutes 42 minutes 48 seconds East) along the common line of the said called 2.790 acre tract and the aforementioned adjoining called 0.9079 acre tract, 179.73 feet (called 179.82 feet) to a ½ inch iron rod found at the south corner of said called 0.9079 acre tract, said point being a re-entry corner to the aforementioned called 2.790 acre tract;

**THENCE** North 29 degrees 49 minutes 20 seconds East (called North 34 degrees 53 minutes 40 seconds East) along the common line of the said called 2.790 acre tract and the aforementioned adjoining 0.9079 acre tract, 203.78 feet (called 201.32 feet) to a ½ inch iron rod found for the upper north corner of the said called 2.790 acre tract, said point being the east corner of the aforementioned adjoining called 0.9079 acre tract;

**THENCE** South 60 degrees 12 minutes 51 seconds East (called South 56 degrees East) along the common line of the herein described 151.4014 acre tract and the southwest line of the Pattison Townsite, same being the northeast line of said called 2.790 acre tract, at 230.69 feet pass a ½ inch iron rod found in the northwesterly right-of-way line of Avenue J, and continuing for a total distance of 263.16 feet (called 263.16 feet) to a point in Avenue J for corner of the herein described 151.4014 acre tract, same being the east corner of said called 2.790 acre tract;

**THENCE** South 29 degrees 14 minutes 50 seconds West (called South 34 minutes 26 minutes 12 seconds West) along the southeast line of said called 2.790 acre tract as located within Avenue J, 29.38 feet (called 30.86 feet) to an angle point in said line;

**THENCE** South 31 degrees 28 minutes 15 seconds West (called South 36 degrees 36 minutes 58 seconds West) continuing along said line, 348.24 feet (called 348.24 feet) to a point at the south corner of said called 2.790 acre tract for corner of the herein described 151.4014 acre tract;

**THENCE** North 58 degrees 12 minutes 28 seconds West (called North 53 degrees 09 minutes 43 seconds West) at, 35.05 feet pass a ½ inch iron rod found in the northwest right-of-way line of Avenue J, said point being the east corner of a certain adjoining called 1.0 acre tract (Volume 352, Page 4, Deed Records, Waller County, Texas), and containing for a total distance of 432.29 feet (called 432.21 feet) to a ½ inch iron rod found at the north corner of said adjoining called 1.0 acre tract, same being the west corner of said called 2.790 acre tract, for a re-entry corner to the herein described 151.4014 acre tract, said point also being in the southeast line of the aforementioned called 4.17 acre tract;

**THENCE** South 31 degrees 41 minutes 28 seconds West (called South 35 degrees 35 minutes 28 seconds West) continuing along the southeast line of said called 4.17 acre tract, same being the northwest line of the aforementioned adjoining called 1.0 acre tract, 65.36 feet (called 65.17 feet) to a ½ inch iron rod found for an angle point on said line;

**THENCE** South 32 degrees 10 minutes 54 seconds West (called South 36 degrees 27 minutes 25 seconds West) continuing along the common line of said called 4.17 acre tract and the adjoining called 1.0 acre tract, 44.40 feet (called 44.40 feet) to a ½ inch iron rod found for angle point on said line, and being the west corner of the aforementioned adjoining called 1.0 acre tract and north corner of that certain adjoining called 1.999 acre tract recorded in Volume 0812, Page 816, Official Records, Waller County, Texas;

**THENCE** South 32 degrees 14 minutes 13 seconds West along the southeast line of said called 4.17 acre tract, same being the northwest line of the aforementioned adjoining called 1.999 acre tract, 218.19 feet to a ½ inch iron rod found at the west corner of said adjoining called 1.999 acre tract for a re-entry corner to the herein described tract, said point being the north corner of a certain adjoining called 2.00 acre tract (Volume 354, Page 312, Deed Records, Waller County, Texas);

**THENCE** South 58 degrees 11 minutes 26 seconds East (called South 54 degrees 05 minutes 39 seconds East) along the common line of the said adjoining called 1.999 acre tract and the aforementioned called 2.00 acre tract, 399.75 feet (called 399.77 feet) to a ½ inch iron rod found in the northwest right-of-way line of Avenue J for the east corner of the said called 2.00 acre tract, same being the south corner of the aforementioned adjoining called 1.999 acre tract;

**THENCE** South 31 degrees 43 minutes 12 seconds West (called South 35 degrees 54 minutes 53 seconds West) along the northwest right-of-way line of Avenue J, same being the southeast line of said called 2.00 acre tract and the aforementioned called 3.00 acre tract (Volume 352, Page 298, Deed Records, Waller County, Texas), 423.85 feet (called 424.00 feet) to a ½ inch iron rod found for corner, said point being the east corner of a certain adjoining called 0.8448 acre tract (Volume 0890, Page 288, Official Records, Waller County, Texas);

**THENCE** North 58 degrees 19 minutes 26 seconds West along the common line of the aforementioned called 3.00 acre tract and the aforementioned adjoining called 0.8448 acre tract, 175.84 feet to a ½ inch iron rod found at the north corner of said called 0.8448 acre tract for a re-entry corner to the said called 3.00 acre tract;

**THENCE** South 31 degrees 43 minutes 22 seconds West (adjoiner called South 34 degrees West) continuing along the common line of the said called 3.00 acre tract and the aforementioned adjoining called 0.8448 acre tract, 209.86 feet (adjoiner called 210.0 feet) to a ½ inch iron rod found at the west corner of said called 0.8448 acre tract, same being the most westerly south corner of the aforementioned called 3.00 acre tract, said point being in the northeast line of a certain adjoining called 5.0 acre tract (Volume 441, Page 691, Deed Records, Waller County, Texas);

**THENCE** North 58 degrees 15 minutes 41 seconds West (called North 54 degrees 05 minutes 39 seconds West) along the common line of the said called 3.00 acre tract and the aforementioned adjoining called 5.0 acre tract, 230.28 feet (called 230.56 feet) to a ½ inch iron rod found at the west corner of said called 3.00 acre tract, said point being a corner of the aforementioned called 27.7027 acre tract;

**THENCE** North 57 degrees 55 minutes 50 seconds West (called North 57 degrees 55 minutes 50 seconds West) along the common line of said called 27.7027 acre tract and the aforementioned adjoining called 5.0 acre tract, 180.93 feet (called 181.03 feet) to a ¼ inch angle iron found at the north corner of said adjoining called 5.0 acre tract;

**THENCE** South 19 degrees 24 minutes 51 seconds West (called South 19 degrees 25 minutes 18 seconds West) continuing along the common line of the said called 27.7027 acre tract and the aforementioned adjoining called 5.0 acre tract, 421.61 feet (called 421.88 feet) to a ½ inch iron pipe found at the west corner of said called 5.0 acre tract for a re-entry corner to the said called 27.7027 acre tract;

**THENCE** South 57 degrees 07 minutes 10 seconds East (called South 57 degrees 07 minutes 38 seconds East) continuing along said common line, 250.74 feet (called 250.66 feet) to a ½ inch iron pipe found for corner;

**THENCE** North 75 degrees 20 minutes 08 seconds East (called North 75 degrees 17 minutes 24 seconds East) continuing along said common line, 83.11 feet (called 83.20 feet) to a ½ inch iron pipe found for corner of the said called 27.7027 acre tract, same being the north corner of a certain adjoining save and except called 3.00 acre tract (Volume 166, Page 154, Deed Records, Waller County, Texas);

**THENCE** South 34 degrees 42 minutes 36 seconds West (called South 34 degrees 44 minutes 25 seconds West) along the common line of said called 27.7027 acre tract and the aforementioned adjoining called 3.0 acre tract, 451.48 feet (called 451.29 feet) to a ½ inch iron pipe found for a re-entry corner to said called 27.7027 acre tract, same being the west corner of the aforementioned adjoining called 3.00 acre tract;

**THENCE** South 56 degrees 29 minutes 58 seconds East (called South 56 degrees 30 minutes 23 seconds East) continuing along said common line, 258.79 (called 258.79 feet) to a ½ inch iron pipe found for corner of the said called 27.7027 acre tract, same being the south corner of the aforementioned adjoining called 3.00 acre tract, said point being in the northwest line of the aforementioned called 12.1192 acre tract (Tract Three, Volume 0536, Page 110, Official Records, Waller County, Texas);

**THENCE** North 31 degrees 56 minutes 40 seconds East along the common line of the said called 12.1192 acre tract and the aforementioned adjoining called 3.00 acre tract, 583.00 feet to a cedar fence corner post found for the north corner of the said called 12.1192 acre tract, same being the east corner of the said adjoining called 3.00 acre tract, same being the west corner of a certain adjoining J.C. Waldrop tract (Volume 239, Page 239, Deed Records, Waller County, Texas);



**THENCE** South 51 degrees 05 minutes 37 seconds East (called South 51 degrees 06 minutes 39 seconds East) along the common line of the said called 12.1192 acre tract and the aforementioned adjoining J.C. Waltrap tract, 467.71 feet (called 467.85 feet) to a ½ inch iron rod found at the east corner of said called 12.1192 acre tract, same being the south corner of the aforementioned adjoining J. C. Waltrap tract, said point also being in the northwest line of the residue of the Charles Wilson, et al, called 32.28 acre tract;

**THENCE** South 36 degrees 18 minutes 51 seconds West along the common line of said called 12.1192 acre tract and the aforementioned residue of a called 32.28 acre tract, 999.85 feet to a ½ inch iron pipe found at the west corner of the residue of said called 32.28 acre tract for a re-entry corner to the herein described 151.4014 acre tract, said point being the north corner of the aforementioned called 3.82 acre tract (Tract Two, Volume 0546, Page 155, Official Records, Waller County, Texas);

**THENCE** South 56 degrees 00 minutes 00 seconds East (called South 56 degrees East) along the common line of the aforementioned residue of a called 32.28 acre tract and said called 3.82 acre tract, at 663.36 feet pass a found ½ inch iron pipe on said line at existing right-of-way line of Wilpitz Road, and continuing for a total distance of 699.36 feet (called 699.36 feet) to a ½ inch iron pipe with cap marked "Kalkomey Survey" set in Wilpitz Road for the east corner of the said called 3.82 acre tract, said point being in the westerly line of a certain adjoining called 94.0767 acre tract (Volume 0536, Page 115, Official Records, Waller County, Texas);

**THENCE** South 50 degrees 21 minutes 43 seconds East along the common line of the said called 3.82 acre tract and the aforementioned adjoining called 94.0767 acre tract as located in Wilpitz Road, 61.09 feet to a nail set in an angle point in said line;

**THENCE** South 44 degrees 05 minutes 09 seconds West continuing along said line, 104.69 feet to a nail set in an angle point in said line;

**THENCE** South 36 degrees 25 minutes 46 seconds West, 83.59 feet to a nail set in the common line of Samuel Hady League, Abstract 31, and the J. McFarland 1-1/4 League, Abstract 46, at the east corner of said called 3.82 acre tract, said point being the most northerly east corner of the aforementioned called 82.4608 acre tract;

**THENCE** South 36 degrees 25 minutes 02 seconds West along the common line of said called 82.4608 acre tract and the aforementioned adjoining called 94.0767 acre tract as located in Wilpitz Road, 170.19 feet to a cotton picker spindle set in angle point of said line;

**THENCE** South 32 degrees 31 minutes 37 seconds West, 159.77 feet to a nail set for an angle point of said line;

**THENCE** South 25 degrees 25 minutes 16 seconds West, 111.88 feet to a nail set for an angle point of said line;

**THENCE** South 07 degrees 45 minutes 38 seconds West, 47.11 feet to a ½ inch iron pipe with cap marked "Kalkomey Surveying" set for the most southerly east corner of said called 82.4608 acre tract, said point being the east corner of certain adjoining called 198.0084 acre tract (Volume 0530, Page 705, Official Records, Waller County, Texas);

**THENCE** North 56 degrees 05 minutes 33 seconds West (called North 56 degrees West) along the common line of the said called 82.4608 acre tract and the aforementioned adjoining called 198.0084 acre tract, at 73.00 feet pass a ½ inch iron pipe found on said line, and continuing for a total distance of 1,074.78 feet (called 1,074.78 feet) to a ½ inch iron pipe found for a re-entry corner to said called 82.4608 acre tract;

**THENCE** South 33 degrees 54 minutes 27 seconds West (called South 34 degrees West) continuing along said common line, 1,289.74 feet (called 1,289.74 feet) to a ½ inch iron pipe found for the south corner of the said called 82.4608 acre tract, same being the south corner of the herein described 151.4014 acre tract;

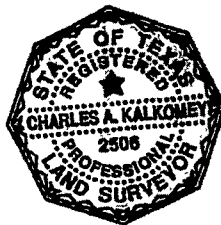
**THENCE** North 56 degrees 05 minutes 33 seconds West (called North 56 degrees West) continuing along said common line 1,861.17 feet (called 1,861.17 feet) to a ½ inch iron pipe found for the west corner of the said called 82.4608 acre tract, same being the west corner of the herein described 151.4014 acre tract, said point being in the southeast line of the aforementioned adjoining called 32.945 acre tract;

**THENCE** North 32 degrees 01 minute 02 seconds East (called North 32 degrees 04 minutes 42 seconds East) along the common line of said called 82.4608 acre tract and the aforementioned adjoining called 32.945 acre tract, 602.56 feet (called 597.21 feet) to a ½ inch iron pipe found for corner;

**THENCE** South 58 degrees 43 minutes 54 seconds East (called South 58 minutes 44 minutes 54 seconds East) continuing along said common line, 221.71 (called 221.82 feet) to a ½ inch iron pipe found for a re-entry corner to said called 82.4608 acre tract;

**THENCE** North 32 degrees 05 minutes 12 seconds East (called North 32 degrees 04 minutes 42 seconds East) continuing along said common line, 1,165.00 feet (called 1,165.00 feet) to the Place of Beginning containing 151.4014 acres of land, more or less, of which 0.2967 acre lies within the margins of Avenue J, leaving a net acreage of 151.1047 acres of land, more or less.

For reference and further description see Survey Plat No. 0487-06-WA by the undersigned on same date.



A handwritten signature in black ink, appearing to read "Charles A. Kalkomey", written over a horizontal line.

Charles A. Kalkomey, R.P.L.S.  
Texas Registration Number 2508  
April 19, 2006

Job Number 0487-06-WA

603186

VOL 0955 PAGE 836

FILED FOR RECORD

06 MAY -1 PM 2:38

CHERYL PETERS  
COUNTY CLERK  
WALLER COUNTY, TX  
*Cheryl Peters*

(14) 41.00  
5.00  
1.00  

---

47.00 pd.

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Waller County, Texas, in the Volume and Page as noted hereon by me.



*Cheryl Peters*  
County Clerk, Waller County, Texas

**EXHIBIT A-9**

**19.625 Acres**

## GENERAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER

BENJAMIN WAYNE PHILIPP, a married person not here enjoined by their spouse as this property constitutes no part of their residential business or community homestead property, owning property in the County of WALLER, Texas, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by TONKAWA FARMS, L.P., hereinafter called "Grantee" (whether one or more), whose mailing address is 811 DALLAS, SUITE 1000, HOUSTON, TEXAS 77002, the receipt and sufficiency of which are hereby acknowledged and confessed;

Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto said Grantee, the following described real property, to-wit:

A 19.625 ACRE TRACT OF LAND IN THE J. MCFARLAND 1-1/4 LEAGUE GRANT, ABSTRACT 46, WALLER COUNTY, TEXAS, BEING OUT OF AND A PART OF THAT CERTAIN CALLED 198.0044 ACRE TRACT RECORDED IN VOLUME 536, PAGE 106, OFFICIAL RECORDS OF WALLER COUNTY, TEXAS. SAID 19.625 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES;

SAVE AND EXCEPT, AND THERE IS HEREBY RESERVED UNTO GRANTORS, THEIR HEIRS AND ASSIGNS, ALL OF THE OIL, GAS AND OTHER MINERALS, IN AND UNDER AND THAT MAY BE PRODUCED FROM THE ABOVE DESCRIBED PROPERTY, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AT ALL TIMES FOR THE PURPOSES OF MINING, DRILLING, EXPLORING, OPERATING AND DEVELOPING SAID LANDS FOR OIL, GAS AND OTHER MINERALS REMOVING THE SAME THEREFROM;

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto said Grantee, its successors and assigns, FOREVER. Grantor does hereby bind itself, its successors and assigns, TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

This Deed is executed, delivered and accepted subject to all and singular any liens existing against the property, standby fees, ad valorem taxes for the current and all subsequent years, subsequent assessments for prior years due to changes in land usage or ownership, zoning ordinances, utility district assessments and standby fees, if any, applicable to and enforceable against the above described property, and all valid utility easements created by the dedication deed or plat of the subdivision in which said real property is located, covenants, restrictions common to the platted subdivision in which said real property is located, mineral reservations, maintenance fund liens, and any title or rights asserted by anyone, including, but not limited to, persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any, applicable to and enforceable against the above described property as shown by the records of the County Clerk of the County in which said real property is located.

WHEN this Deed is executed by more than one person, or when the Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to a corporation, the words, "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns". Reference to any gender shall include either gender and, in the case of a corporation, shall include the neuter gender, all as the case may be.

RETURN TO  
STEWART TITLE CO.  
840 13TH STREET STE. #201  
HEMPSTEAD, TEXAS 77445

1147337450 1/21/49

DATED this the <sup>14</sup>~~12~~th day of JULY, 2011.

Benjamin Philipp  
BENJAMIN WAYNE PHILIPP

THE STATE OF TEXAS

COUNTY OF Walker

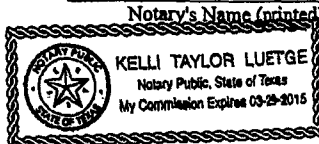
This instrument was acknowledged before me on the \_\_\_\_ day of 7/14, 2011,

by BENJAMIN WAYNE PHILIPP.

My commission expires:

Kelli Taylor Luetge  
Notary Public, State of Texas

RETURN TO:  
TONKAWA FARMS, L.P.  
811 DALLAS, SUITE 1000  
HOUSTON, TEXAS 77002



## EXHIBIT "A" 1 of 1 Pages

FIELD NOTES FOR A 19.625 ACRE TRACT OF LAND IN THE I. MCFARLAND 1-¼ LEAGUE GRANT, ABSTRACT 46, WALLER COUNTY, TEXAS, BEING OUT OF AND A PART OF THAT CERTAIN CALLED 198.0084 ACRE TRACT RECORDED IN VOLUME 0536, PAGE 106, OFFICIAL RECORDS, WALLER COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON A NORTHEAST LINE OF SAID CALLED 198.0084 ACRE TRACT AS BEING SOUTH 55 DEGREES 56 MINUTES 50 SECONDS EAST (ADJOINER CALLED SOUTH 56 DEGREES 05 MINUTES 33 SECONDS EAST).

BEGINNING at a ¼ inch iron pipe found for the most westerly north corner of said called 198.0084 acre tract, same being the lower west corner of an adjoining called 151.4014 acre tract recorded in Volume 955, Page 826, Official Records, Waller County, Texas, for the north corner and Place of Beginning of the herein described tract, said point being in a southeast line of an adjoining called 32.945 acre tract recorded in Volume 274, Page 771, Deed Records, Waller County, Texas;

THENCE South 55 degrees 56 minutes 50 seconds East (adjoiner called South 56 degrees 05 minutes 33 seconds East) along a common line of said called 198.0084 acre tract and said adjoining called 151.4014 acre tract, being the northeast line of the herein described tract, 1,091.89 feet to a ½ inch iron pipe with cap marked "Kalkomey Surveying" set on said line for the east corner of the herein described tract;

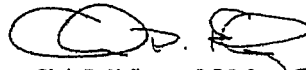
THENCE South 40 degrees 38 minutes 07 seconds West establishing the southeast line of the herein described tract, 890.11 feet to a ½ inch iron pipe with cap marked "Kalkomey Surveying" set for the south corner of the herein described tract;

THENCE North 49 degrees 21 minutes 53 seconds West establishing the southwest line of the herein described tract, 972.99 feet to a ½ inch iron pipe with cap marked "Kalkomey Surveying" set for the west corner of the herein described tract, said point being in a northwest line of the aforementioned called 198.0084 acre tract, same being the southeast line of an adjoining called 84 acre tract recorded in Volume 233, Page 115, Deed Records, Waller County, Texas;

THENCE North 32 degrees 19 minutes 38 seconds East along the northwest line of the herein described tract and a northwest line of said called 198.0084 acre tract, same being a southeast line of said adjoining called 84 acre tract, and along a southeast line of the aforementioned adjoining called 32.945 acre tract, 773.05 feet to the Place of Beginning and containing 19.625 acres of land, more or less.

For reference and further description see Survey Plat No. R8006-088-00 prepared by the undersigned on same date.



  
Chris D. Kalkomey, R.P.L.S.  
Texas Registration Number 5869  
June 30, 2011

Job Number R8006-088-00

P:\PROJECTS\R8006-Waller\088-00-Tonkawa Farms\Survey\Legal Desc\Tonkawa.docx

CHARLIE KALKOMEY  
REGISTERED PROFESSIONAL LAND SURVEYOR

CHARLES A. KALKOMEY  
REGISTERED PROFESSIONAL LAND SURVEYOR

CHRIS D. KALKOMEY  
REGISTERED PROFESSIONAL LAND SURVEYOR

**EXHIBIT A-10**

**6.647 Acres**



507449

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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**Correction Warranty Deed**

**Date:** September 14, 2005

**Grantor:** Kenneth R. Penrice and Patricia V. Penrice, husband and wife

**Grantor's Mailing Address:**

Kenneth R. Penrice and Patricia V. Penrice  
P.O. Box 20347 Chicago, Illinois 60620-0347  
Cook County

**Grantee:** Tonkawa Farms L.P., a Texas limited partnership

**Grantee's Mailing Address:**

Tonkawa Farms L.P.  
P.O. Box 1308, Houston, Texas 77251-1308  
Harris County

**Consideration:**

Cash

**Property (including any improvements):**

A Tract or Parcel of Land out of the Original 20 acre tract conveyed by D.H. Greer to Sam Clarke and Hilliard Moore and further described in partition deed between Mary J. Moore and Sam Clarke described in instrument dated June 6, 1907, recorded in volume 32, page 191 Waller County Deed records and by Lee A. Penrice to Whitaca Penrice in instrument dated September 27, 1935, recorded in volume 66, page 574 Waller County Deed records out of the S.C. Heady Survey Waller County, Texas, said tract being more particularly described by metes and bounds on the attached Exhibit A incorporated herein for all purposes.

**Reservations from Conveyance:**

None

**Exceptions to Conveyance and Warranty:**

1. Standby fees, taxes, and assessments by any taxing authority for the year 2004 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes for prior years because of any exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous year.
2. Any validly existing titles or rights asserted by anyone, including but not limited to persons, the public, corporations, governments, or other entities, to (a) tidelands or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, (b) lands beyond the line of the harbor or bulkhead lines as established or changed by any government, (c) filled-in lands or artificial islands, (d) water rights, including riparian rights, or (e) the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.
3. Any discrepancies, conflicts, or shortages in area of boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
4. Right of Way Easement granted to County of Waller, dated November 15, 1976, recorded in Volume 270, Page 613, of the Deed Records of Waller County, Texas.
5. Right of Way Easement granted to Houston Lighting & Power Company, dated June 22, 1982, recorded in Volume 339, Page 614, of the Deed Records of Waller County, Texas.
6. Any easements, rights-of-way, roadways or encroachments which are not reflected of record in the real property records of Waller County, Texas that a survey or physical inspection of the premises might disclose.
7. Any portion of the Property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.

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

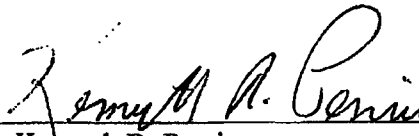
Grantor and Grantee agree that Grantee is taking the Property "As Is" with all defects and faults. Grantor makes no guarantees or warranties, including without limitation, warranties of

merchantability or fitness for a particular purpose, and disclaims/excludes all warranties, express or implied, regarding the Property other than the warranty to title set forth in this deed.

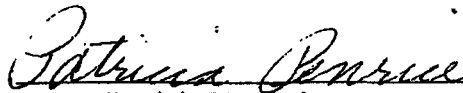
When the context requires, singular nouns and pronouns include the plural.

This Correction Warranty Deed is made in place of and as a deed of correction of a General Warranty Deed from Grantor to Grantee dated December 17, 2004 recorded in volume 873, page 39 of the Real Property Records of Waller County, Texas (herein referred to as the "Original Deed"), wherein the Property was described as containing 9.91351 acres as described in Exhibit A attached to the Original Deed when in truth and fact the Property contains 6.647 acres as described in Exhibit A attached hereto, and this Correction Warranty Deed is made by Grantor and accepted by Grantee in order to correct said description of the Property. In all other respects, the Original Deed is hereby confirmed and ratified.

EXECUTED on the date or dates of the acknowledgments set forth hereinbelow; to be effective, however, for all purposes as of the effective date of the Original Deed.



Kenneth R. Penrice

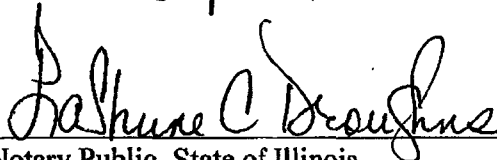


Patricia V. Penrice

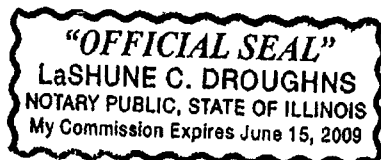
STATE OF ILLINOIS )

COUNTY OF )

This instrument was acknowledged before me on Sept 21, 2005, by Kenneth R. Penrice.



Notary Public, State of Illinois

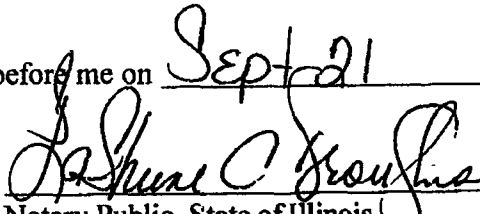


STATE OF ILLINOIS )

COUNTY OF )

This instrument was acknowledged before me on Sept 21, 2005, by  
Patricia V. Penrice.



  
Notary Public, State of Illinois

AFTER RECORDING RETURN TO:

Tonkawa Farms L.P.  
P.O. Box 1308, Houston, Texas 77251-1308

Exhibit "A"

VOL 0919 PAGE 071

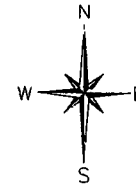
METES AND BOUNDS DESCRIPTION  
6.647 ACRES {Called 9.91351 Acres}

**BEING ALL THAT CERTAIN CALL 9.91351 ACRE (FOUND 6.647 ACRES 289,556 SQUARE FEET) TRACT OF LAND SITUATED IN THE SAMUEL C. HEADY SURVEY, ABSTRACT 31, WALLER COUNTY, TEXAS, SAID 6.647 ACRE TRACT BEING THE SAME TRACT DESCRIBED IN DEED RECORDED IN VOLUME 468, PAGE 648, OF THE DEED RECORDS OF WALLER COUNTY, TEXAS; BEARINGS BASED ON THE RELATIVE CORNER MONUMENTS FOUND ON THE COMMON SURVEY LINE OF THE JOHN McFARLAND SURVEY, ABSTRACT NO. 46 AND THE SAMUEL C. HEADY SURVEY, ABSTRACT NO. 31, BEING North 56° 00'00" West;**

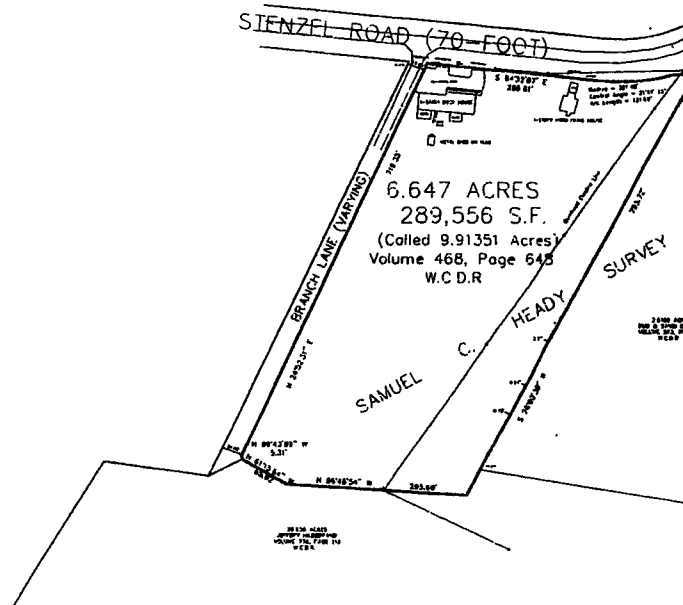
**BEGINNING** at an 8-inch post found for the northwest corner of herein described tract, being located at the intersection of the occupied south right-of-way of Stenzel Road (70-foot wide) and the westerly line of a private lane locally known as Branch Lane a.k.a. Branch Dump Ground Road;

- 1.) **THENCE**, South 84°32'07" East, with the south line of said Stenzel Road and with the northerly line of herein described tract, a distance of 285.81 feet to a 6-inch post found for the beginning of a curve to the left, having a radius of 321.49 feet;
- 2.) **THENCE**, with said curve to the left and with the occupied and fenced south right-of-way of said Stenzel Road, having a central angle of 21 ° 41' 15" for an arc length of 121.69 feet to the end of said curve;
- 3.) **THENCE**, North 87°36'26" East, continuing with the south right-of-way of said Stenzel Road, a distance of 35.82 feet to a ½-inch iron rod found for the northeast corner of herein described tract and being the northwest corner of that certain 2.6159 acre tract described in Volume 583, Page 635, of the Deed Records of Waller County, Texas;
- 4.) **THENCE**, South 28°00'30" West, with the remains of an old barbed wire fence and with the east line of herein described tract, being the west line of the aforementioned 2.6159 acre tract, at a distance of 746.03 pass the southeast corner of said 2.6159 acre tract and continue a total distance of 793.72 feet to a 8-inch post found for corner located on the northerly line of that certain 20.955 acre tract described in Volume 776, Page 119, of the Deed Records of Waller County, Texas;
- 5.) **THENCE**, North 86°48'54" West, with the southerly line of herein described tract with a old fenced line and with the northerly line of said 20.955 acre tract, a distance of 295.60 feet to a 48-inch oak tree bearing numerous old fence ties for a southerly angle corner of herein described tract;
- 6.) **THENCE**, North 61°15'54" West, with the southerly fenced line of herein described tract, a distance of 85.02 feet to an 8-inch fence post for corner in the easterly margin of a said Branch Lane (private);
- 7.) **THENCE**, North 24°52'31" East, with the fenced easterly line of Branch Lane a.k.a. Branch Dump Ground Road and with the west line of herein described tract, a distance of 719.35 feet to the **POINT OF BEGINNING** and containing 6.647 acres (289,556 square feet) of land.

STEWART TITLE COMPANY G.F. 04905572, DATED NOVEMBER 05, 2004



SCALE IN FEET  
0 100 200  
1 INCH = 100 FEET



- NOTES
1. 1/4" = 100 FEET
  2. 1/4" = 100 FEET
  3. 1/4" = 100 FEET
  4. 1/4" = 100 FEET
  5. 1/4" = 100 FEET
  6. 1/4" = 100 FEET
  7. 1/4" = 100 FEET

LEGEND

- - - - - Power Line
- - - - - Boundary Corner Monument as shown
- - - - - Survey Line

NOTE THIS PROPERTY IS NOT  
IN THE 100-YEAR FLOOD ZONE  
PER FIRM MAP COMMUNITY  
PANEL No. 480640 G120B  
DATED DECEMBER 18, 1955

SURVEY OF A 6.647-ACRE ( 289,556 SQ. FT.) TRACT  
SITUATED IN THE SAMUEL C. HEADY SURVEY, A-31,  
WALLER COUNTY, TEXAS

DTM  
Company  
P.O. Box 522  
Palladium, Texas 77064  
(281) 375-6855  
(281) 948-1588 (Cell)

DATE: 12/15/04 SCALE: 1" = 100'  
JOB NO. SCH1205

409481

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**General Warranty Deed**

Date: December 17, 2004

**Grantor:** Kenneth R. Penrice and Patricia V. Penrice, husband and wife, acting by John W. Mara, agent and attorney-in-fact

**Grantor's Mailing Address:**

Kenneth R. Penrice and Patricia V. Penrice  
P.O. Box 20347 Chicago, Illinois 60620-0347  
Cook County

**Grantee:** Tonkawa Farms L.P., a Texas limited partnership

**Grantee's Mailing Address:**

Tonkawa Farms L.P.  
P.O. Box 1308, Houston, Texas 77251-1308  
Harris County

**Consideration:**

Cash

**Property (including any improvements):**

A Tract or Parcel of Land Containing 9.91351 Acres, Out of the Original 20 acre tract conveyed by D.H. Greer to Sam Clarke and Hilliard Moore and further described in partition deed between Mary J. Moore and Sam Clarke described in instrument dated June 6, 1907, recorded in volume 32, page 191 Waller County Deed records and by Lee A. Penrice to Whitaca Penrice in instrument dated September 27, 1935, recorded in volume 66, page 574 Waller County Deed records out of the S.C. Heady Survey Waller County, Texas, said 9.91351 acre tract being more particularly described by metes and bounds on the attached exhibit A incorporated hereat for all purposes.

**Reservations from Conveyance:**

None

EXHIBIT "A"

Vol 0873 Page 042

A TRACT OR PARCEL OF LAND CONTAINING 9.91351 ACRES, OUT OF THE ORIGINAL 20 ACRE TRACT CONVEYED BY D. H. GREER TO SAM CLARKE AND HILLIARD MOORE AND FURTHER DESCRIBED IN PARTITION DEED BETWEEN MARY J. MOORE AND SAM CLARKE DESCRIBED IN INSTRUMENT DATED JUNE 6, 1907, RECORDED IN VOLUME 32, PAGE 191 WALLER COUNTY DEED RECORDS AND BY LEE A. PENRICE TO WHITACA PENRICE IN INSTRUMENT DATED SEPTEMBER 27, 1935, RECORDED IN VOLUME 66, PAGE 574 WALLER COUNTY DEED RECORDS OUT OF THE S.C. HEADY SURVEY WALLER COUNTY, TEXAS, SAID 9.91351 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS, AS FOLLOWS, TO-WIT:

BEGINNING at a post marking the West corner of said 9.91351 acre tract, marking the intersection of the South Easterly right-of-way line of Dumpground Road, with the South Westerly line of said Heady Survey;

THENCE North 34 deg. 00 min. 00 sec. East, with the South Easterly right-of-way line of said Dumpground Road, a distance of 615 varas or 1708.29 feet to a point in Stenzel Road (80 feet in width);

THENCE South 56 deg. 00 min. 00 sec. East, a distance of 91 varas or 252.78 feet to a point in said Stenzel Road;

THENCE South 34 deg. 00 min. 00 sec. West, passing the South boundary line of said Stenzel Road marked by an 8 inch post and with an old fence and tree line, a distance of 615 varas or 1708.29 feet to a post at the South corner of the herein described tract, being in the South Westerly line of said Heady Survey;

THENCE North 56 deg. 00 min. 00 sec. West, with an old fence line and with the South Westerly line of said Heady Survey, a distance of 91 varas or 252.78 feet to the PLACE OF BEGINNING and containing 9.91351 acres of land more or less.



**EXHIBIT A-11**

**3.604 Acres**

701008

GENERAL WARRANTY DEED

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER

CLARK EMORY DUMESNIL AND SANDRA JANE DUMESNIL, owning property in the County of WALLER, Texas, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by TONKAWA FARMS, L.P., hereinafter called "Grantee" (whether one or more), whose mailing address is PO BOX 1308, HOUSTON, TEXAS 77251, the receipt and sufficiency of which are hereby acknowledged and confessed;

Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto said Grantee, the following described real property, to-wit:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 3.604 ACRES OF LAND, MORE OR LESS, IN THE SAMUEL C. HADY SURVEY, ABSTRACT 31, WALLER COUNTY, TEXAS, SAME BEING THE AGGREGATE OF THAT CERTAIN CALLED 2.6159 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 393, PAGE 653 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS, THAT CERTAIN CALLED 0.4973 ACRE PARCEL AND THAT CERTAIN CALLED 0.5027 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 402, PAGE 537 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS, SAID 3.604 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES;


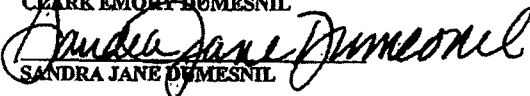
TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto said Grantee, its successors and assigns, FOREVER. Grantor does hereby bind itself, its successors and assigns, TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

This Deed is executed, delivered and accepted subject to all and singular any liens existing against the property, standby fees, ad valorem taxes for the current and all subsequent years, subsequent assessments for prior years due to changes in land usage or ownership, zoning ordinances, utility district assessments and standby fees, if any, applicable to and enforceable against the above described property, and all valid utility easements created by the dedication deed or plat of the subdivision in which said real property is located, covenants, restrictions common to the platted subdivision in which said real property is located, mineral reservations, maintenance fund liens, and any title or rights asserted by anyone, including, but not limited to, persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any, applicable to and enforceable against the above described property as shown by the records of the County Clerk of the County in which said real property is located.

WHEN this Deed is executed by more than one person, or when the Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to a corporation, the words, "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns". Reference to any gender shall include either gender and, in the case of a corporation, shall include the neuter gender, all as the case may be.

DATED this the 5th day of FEBRUARY, 2007.

VOL 1016 PAGE 180

  
CLARK EMORY DUMESNIL  
  
SANDRA JANE DUMESNIL

THE STATE OF TEXAS

COUNTY OF Waller

This instrument was acknowledged before me on the \_\_\_\_ day of Feb, 2007,  
by CLARK EMORY DUMESNIL AND SANDRA JANE DUMESNIL.

My commission expires:

  
Notary Public, State of Texas

RETURN TO:  
TONKAWA FARMS, LTD.  
PO BOX 1308  
HOUSTON, TEXAS 77251



EXHIBIT "A"

Page 1 of 2

VOL 1016 PAGE 181

3.604 ACRES

IN THE

SAMUEL C. HADY SURVEY, ABSTRACT 51

WALLER COUNTY, TEXAS

BEING all that certain tract or parcel of land containing 3.604 acres of land, more or less, in the Samuel C. Hady Survey, Abstract 51, Waller County, Texas, same being the portions of that certain called 2.6159 acre parcel as described by deed recorded in Volume 360, Page 631 of the Official Records of Waller County, Texas, and certain called 0.9773 acre parcel and that certain called 0.5007 acre parcel as described by deed recorded in Volume 402, Page 537 of the Deed Records of Waller County, Texas, and 3.604 acre tract being more particularly described by order and bounty as follows, to wit:

BEGINNING, at a 5/8 inch iron rod found for corner, same being in the common southeast margin of Varnaz Road (Yieldly 1914), corner being the common northeast corner of that certain called 9.91351 acre parcel as described by deed recorded in Volume 356, Page 140 of the Official Records of Waller County, Texas, and same being the POINT OF BEGINNING and most westerly southeast corner of the tract herein described;

THENCE, leaving said common southeast margin and with said common line, South 32 degrees 00 minutes 16 seconds West, a distance of 745.83 feet (called South 32 degrees 00 minutes 16 seconds West, 745.83 feet) (Beck's Bearings) to a 5/8 inch iron rod found for corner, same being the common southeast corner of said called 2.6159 acre parcel, same being the common most westerly northeast corner of that certain called 0.9773 acre parcel, same being the common most westerly northeast corner of that certain called 0.5007 acre parcel, and same being the most westerly southeast corner of the tract herein described by deed recorded in Volume 402, Page 537 of the Deed Records of Waller County, Texas, and same being the southeast corner of the tract herein described;

THENCE, with said common line, South 77 degrees 08 minutes 32 seconds East, a distance of 372.17 feet (called South 77 degrees 08 minutes 32 seconds East, 372.17 feet) to a 5/8 inch iron rod found for corner, same being the common southeast corner of that certain called 2.6159 acre parcel, same being the common most westerly southeast corner of said called 0.9773 acre parcel, and same being the common most westerly southeast corner of that certain called 0.5007 acre parcel, and same being the most westerly southeast corner of the tract herein described;

THENCE, with said common line, North 33 degrees 53 minutes 19 seconds East, a distance of 725.15 feet (called North 33 degrees 53 minutes 19 seconds East, 725.15 feet) to a 1/4 inch iron pipe found for corner, same being the common most easterly southeast corner of said called 2.6159 acre parcel, same being the common southeast corner of said called 0.9773 acre parcel;

THENCE, continuing with said common line, North 33 degrees 33 minutes 11 seconds East, a distance of 126.96 feet (called North 33 degrees 33 minutes 11 seconds East, 126.96 feet) to a 1/4 inch iron pipe found for corner, same being the common southeast corner of said called 0.9773 acre parcel, same being the common southeast corner of that certain called 0.5007 acre parcel, same being the common southeast corner of that certain called 2.6159 acre parcel as described by deed recorded in Volume 352, Page 543 of the Official Records of Waller County, Texas, and same being the most westerly southeast corner of the tract herein described;

THENCE, with said common line, North 57 degrees 59 minutes 57 seconds West, a distance of 333.13 feet (called North 57 degrees 59 minutes 57 seconds West, 333.13 feet) to a 1/4 inch iron rod set for corner, same being the common southeast corner of said called 2.6159 acre parcel, same being the common southeast corner of said called 0.9773 acre parcel, same being the common southeast corner of that certain called 0.5007 acre parcel, and same being the most westerly southeast corner of the tract herein described;

THENCE, with said common line, North 32 degrees 00 minutes 16 seconds East, a distance of 287.49 feet (called North 32 degrees 00 minutes 16 seconds East, 287.49 feet) to a 1/4 inch iron pipe found for corner, same being the common most easterly southeast corner of said called 2.6159 acre parcel, same being the common southeast corner of said called 0.9773 acre parcel, and same being the most westerly southeast corner of the tract herein described;

701008

VOL 1016 PAGE 183

FILED FOR RECORD

07 FEB -5 PM 1:37

CHERYL PETERS  
COUNTY CLERK  
WALLER COUNTY, TX

*Stephanie Simpson* DEPUTY

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17.00  
500  
1.00  

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23.00pd

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Waller County, Texas, in the Volume and Page as noted hereon by me.



*Cheryl Peters*  
County Clerk, Waller County, Texas

**EXHIBIT A-12**

**3.667 Acres**

**GENERAL WARRANTY DEED**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WALLER

GEORGE O. JOSEPH, A MARRIED PERSON NOT HEREIN JOINED BY HIS SPOUSE AS THIS PROPERTY DOES NOT CONSTITUTE ANY PART OF THEIR RESIDENTIAL OR BUSINESS HOMESTEAD PROPERTY, owning property in the County of WALLER, Texas, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by TONKAWA FARMS, LP, A TEXAS LIMITED PARTNERSHIP, hereinafter called "Grantee" (whether one or more), whose mailing address is 1201 LOUISIANA, SUITE 1400, HOUSTON, TEXAS 77002, the receipt and sufficiency of which are hereby acknowledged and confessed;

Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto said Grantee, the following described real property, to-wit:

**ALL THAT TRACT OR PARCEL OF LAND SITUATED IN WALLER COUNTY, TEXAS, OUT OF THE SAMUEL C. HADY SURVEY, A-31, AND BEING THE TRACT OF LAND CALLED 3.6665 ACRES IN A DEED DATED MAY 12, 2000 FROM EVERETT D. STOKES AND WIFE, STEPHANIE MICHELS, AS RECORDED IN VOLUME 653, PAGE 707 OF THE DEED RECORDS OF WALLER COUNTY, TEXAS, SAID 3.667 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES;**

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto said Grantee, its successors and assigns, FOREVER. Grantor does hereby bind itself, its successors and assigns, TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

This Deed is executed, delivered and accepted subject to all and singular any liens existing against the property, standby fees, ad valorem taxes for the current and all subsequent years, subsequent assessments for prior years due to changes in land usage or ownership, zoning ordinances, utility district assessments and standby fees, if any, applicable to and enforceable against the above described property, and all valid utility easements created by the dedication deed or plat of the subdivision in which said real property is located, covenants, restrictions common to the platted subdivision in which said real property is located, mineral reservations, maintenance fund liens, and any title or rights asserted by anyone, including, but not limited to, persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any, applicable to and enforceable against the above described property as shown by the records of the County Clerk of the County in which said real property is located.

WHEN this Deed is executed by more than one person, or when the Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to a corporation, the words, "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns". Reference to any gender shall include either gender and, in the case of a corporation, shall include the neuter gender, all as the case may be.

DATED this the 13 day of APRIL, 2006.

  
\_\_\_\_\_  
GEORGE O. JOSEPH

THE STATE OF TEXAS

VOL 0953 PAGE 279

COUNTY OF Waller

This instrument was acknowledged before me on the 13 day of April, 2006, by GEORGE O. JOSEPH, A MARRIED PERSON NOT HEREIN JOINED BY HIS SPOUSE AS THIS PROPERTY DOES NOT CONSTITUTE ANY PART OF THEIR RESIDENTIAL OR BUSINESS HOMESTEAD PROPERTY.

My commission expires:

Kelli Luetge  
Notary Public, State of Texas

Notary's Name (printed)

RETURN TO:  
TONKAWA FARMS, LP, A TEXAS LIMITED PARTNERSHIP  
1201 LOUISIANA, SUITE 1400  
HOUSTON, TEXAS 77002





**EXHIBIT "A"**  
**Page 1 of 2**

**GEORGE O. JOSEPH**  
**3.667 ACRE TRACT**

ALL THAT TRACT OR PARCEL OF LAND situated in Waller County, Texas out of the Samuel C. Hady Survey A-31 and being the tract of land called 3.6665 acres in a deed dated May 12, 2000 from Everett D. Stokes and wife, Stephanie Michels, as recorded in Volume 653, Page 707 of the Deed Records of Waller County, said 3.667 acre tract being more particularly described as follows:

BEGINNING at a found 5/8" iron pin and fence corner lying in the Southwest line of Stenzel Road marking the North corner of the Alton E. Neuman tract called 101.4062 acres (436/229 D.R.W.C.) and the East corner of this tract;

THENCE with the Northwest line of the Neuman tract and a Southeast line of this tract, S 30° 00' 14" W, 474.25 ft. to a found 1/2" iron pipe for the East corner of the Clark Emory Dumesnil, et ux tract called 3.604 acres (573/635 D.R.W.C.) and South corner of this tract;

THENCE with a Northeast line of the Dumesnil tract and the Southwest line of this tract, N 61° 55' 37" W, 332.97 ft. to a found 1/2" iron pipe and fence corner for an interior corner of the Dumesnil tract and lower West corner of this tract;

THENCE with a Southeast line of the Dumesnil tract and a Northwest line of this tract, N 27° 58' 56" E, 287.16 ft. to a found 1/2" iron pipe for an interior corner;

THENCE with a Northeast line of the Dumesnil tract and a Southwest line of this tract, N 57° 32' 17" W, 13.58 ft. to a found 1/2" iron pipe in the Southeast line of Stenzel Road for upper West corner;

THENCE with the Southeast line of Stenzel Road and the Northwest line of this tract, N 32° 30' 51" E, 47.09 ft. to a found 1/2" iron pipe marking the beginning of a curve to the left;

THENCE continuing with the Southeast line of Stenzel Road and the Northwest line of this tract in a curve to the left having a radius of 321.59 ft., a distance of 26.73 ft. (chord N 53° 16' 17" E, 26.72 ft.) to a found 1/2" iron pipe marking the end of curve;

THENCE continuing with the Southeast line of Stenzel Road and the Northwest line of this tract, N 50° 33' 33" E, 49.40 ft. to a found 1/2" iron pipe marking the beginning of a curve to the right;

THENCE continuing with the Southeast line of Stenzel Road and the Northwest line of this tract in a curve to the right having a radius of 108.25 ft., a distance of 134.35 ft. (chord N 86° 23' 25" E, 125.89 ft.) to a found 1/2" iron pipe marking the end of curve and an interior corner;

THENCE with a Northwest line of this tract, N 31° 11' 34" E, 15.00 ft. to a found 1/2" iron pipe for North corner;

THENCE with the Southwest line of Stenzel Road and the Northeast line of this tract, S 58° 47' 54" E, 221.41 ft. to the PLACE OF BEGINNING and containing 3.667 acres of land.

**Surveyor Certification:**

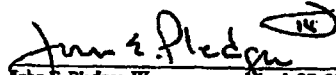
I, John E. Plodger, III, Registered Professional Land Surveyor, do hereby certify that the plat and/or description shown hereon accurately represents the results of an on the ground survey made under my direction and supervision on March 27, 2006, and that all corners are as shown hereon. There are no conflicts or protrusions apparent on the ground except as shown.

This tract is subject to all underground easements, the existence of which may arise by virtue of unrecorded grant or use.

EXHIBIT "A"  
Page 2 of 2

This survey was performed in connection with the transaction described in the G.F. No. 06904216 of Stewart Title Guaranty Company.

Use of this survey for any other purposes or by other parties shall be at their own risk and the undersigned surveyor is not responsible for any loss resulting therefrom.

  
John E. Pledger, III  
March 27, 2006  
Registered Professional Land Surveyor No. 2183



602826

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FILED FOR RECORD

06 APR 17 PM 2:29

CLERK  
COUNTY CLERK  
WALLER COUNTY, TX  
*Cheryl Peters*

(2) 17.00  
5.00  
1.00  
-----  
23.00pd.

*Stewart Title Co.*  
*City*

THE STATE OF TEXAS  
COUNTY OF WALLER

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Waller County, Texas, in the Volume and Page as noted hereon by me.



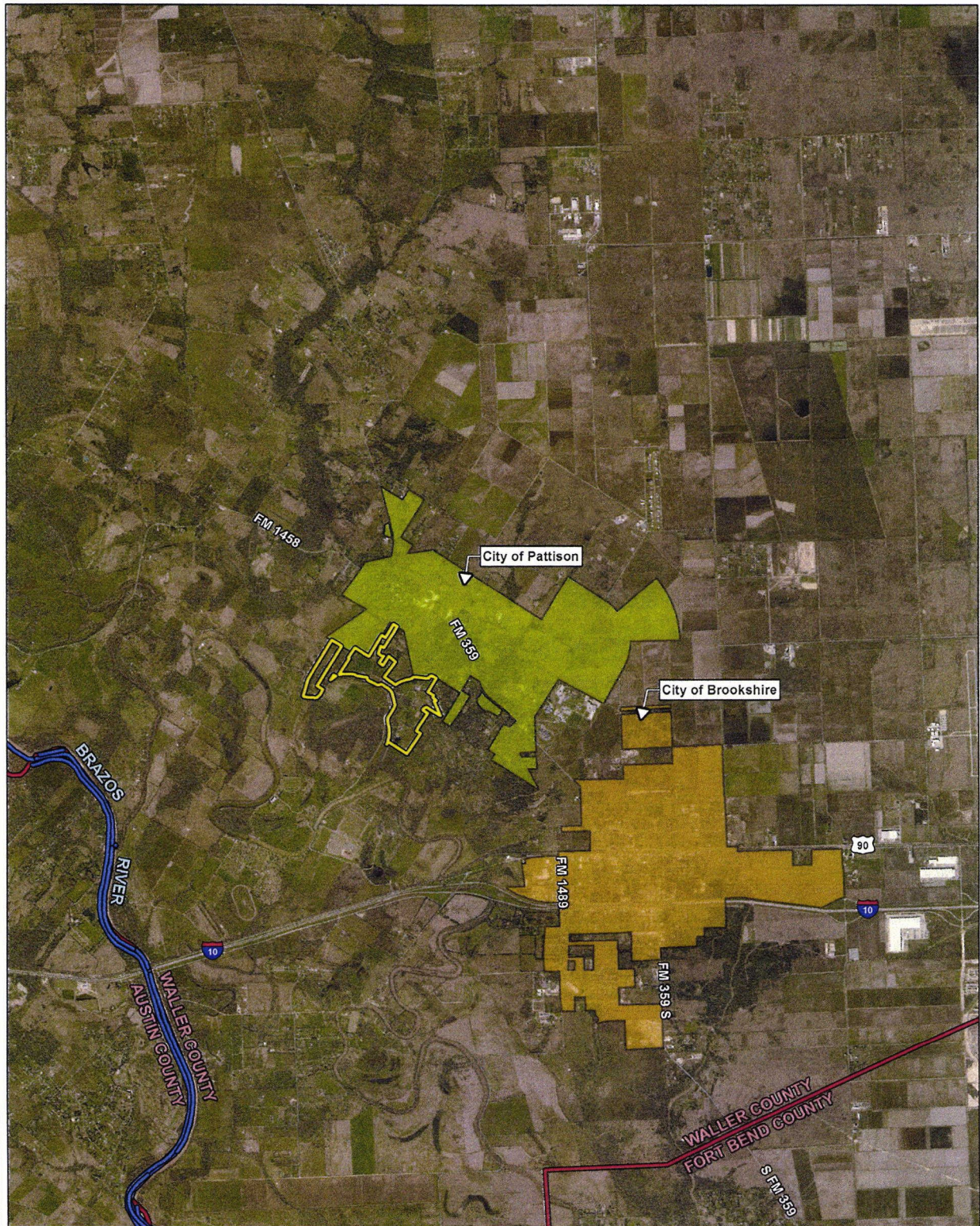
*Cheryl Peters*  
County Clerk, Waller County, Texas

**EXHIBIT B**

**SMALL-SCALE (GENERAL LOCATION) MAP**



# GENERAL LOCATION MAP



1 inch equals 5,000 feet

HGAC Aerial Imagery flown 2016

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones & Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



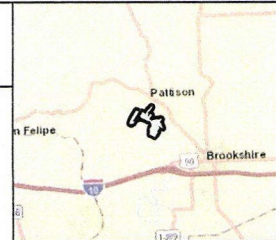
## PATTISON CCN WALLER COUNTY, TEXAS

### LEGEND

- Boundary of Area to be Removed From Pattison WSC CCN 10331
- County Boundary
- City Limits
- Brookshire
- Pattison
- Brazos River



Texas Board of Professional Engineers Registration No. F-439



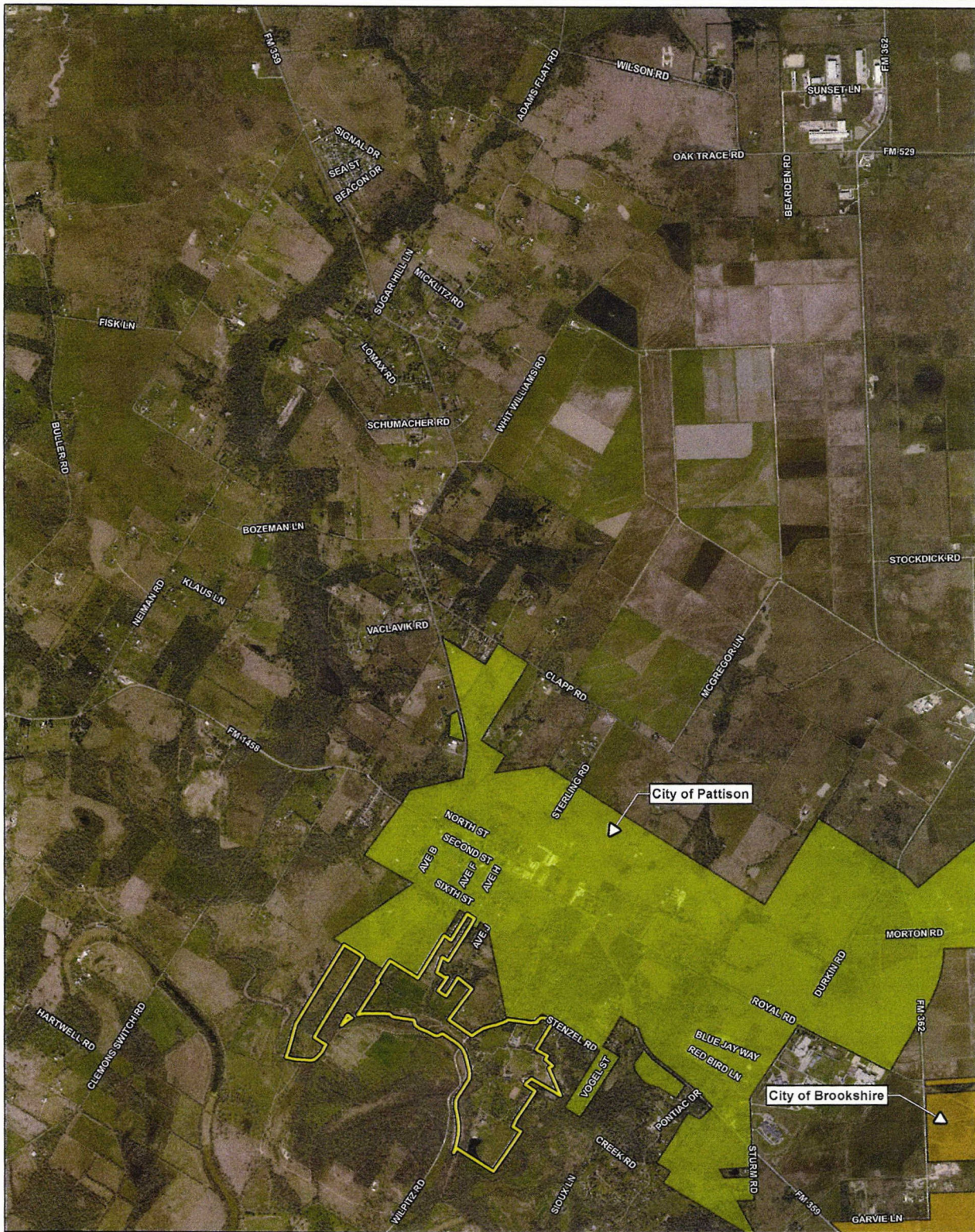
**VICINITY MAP**  
Scale: 1 inch equals 5 miles



**EXHIBIT C**  
**LARGE-SCALE (DETAILED) MAP**



# DETAILED MAP



1 inch equals 2,500 feet

HGAC Aerial Imagery flown 2016

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones & Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



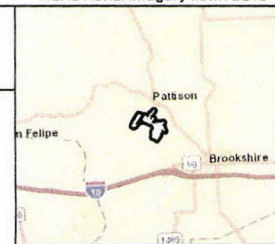
## PATTISON CCN WALLER COUNTY, TEXAS

### LEGEND

- Boundary of Area to be Removed From Pattison WSC CCN 10331
- City Limits
- Brookshire
- Pattison
- Brazos River



**JONES & CARTER**  
Texas Board of Professional Engineers Registration No. F-439

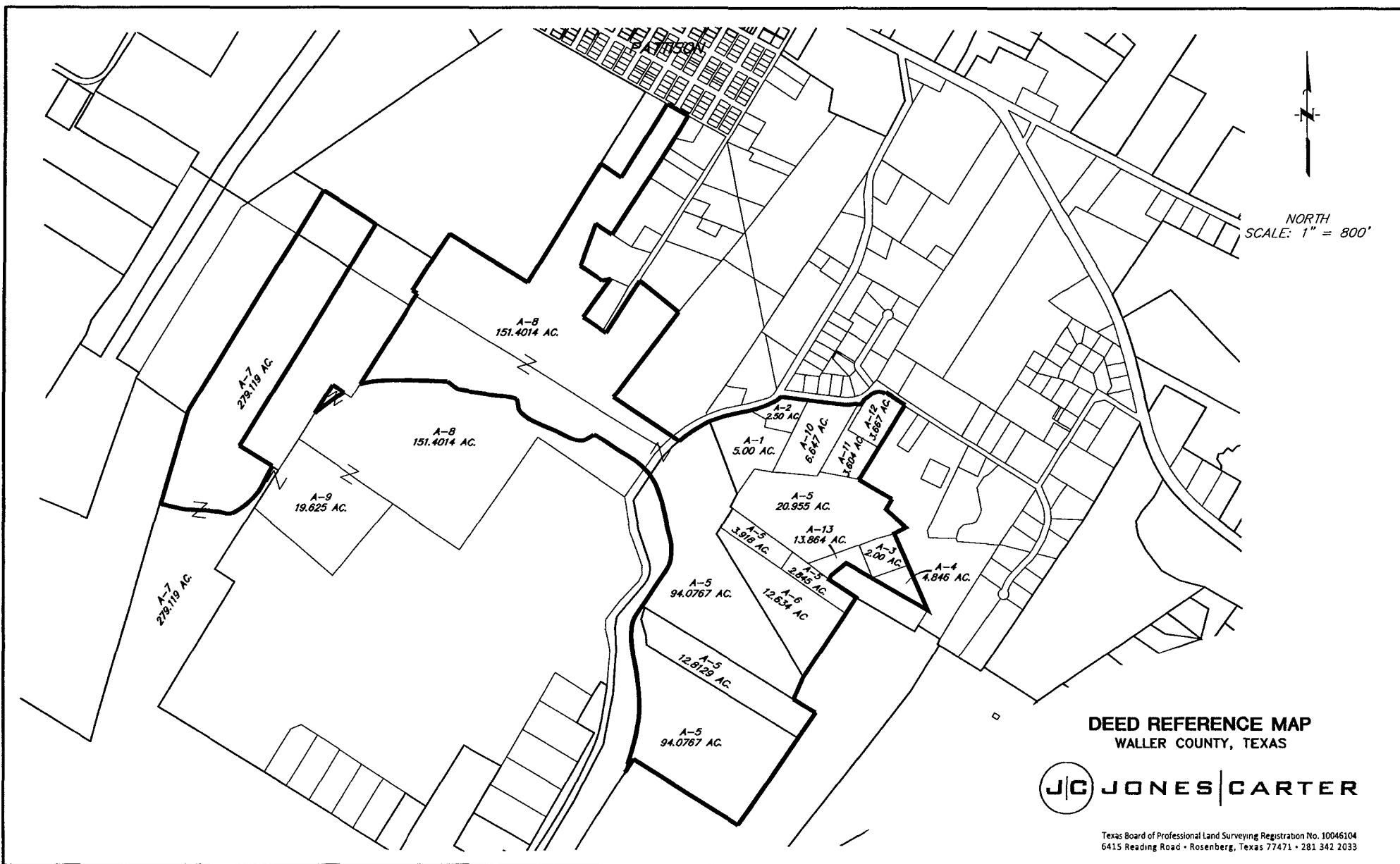


**VICINITY MAP**  
Scale: 1 inch equals 5 miles



**EXHIBIT D**  
**DEED REFERENCE MAP**





**EXHIBIT E**  
**PETITIONER'S AFFIDAVIT**

AFFIDAVIT

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF WALLER     §

BEFORE ME, the undersigned authority, on this day personally appeared Douglas C. Kelly, whom, being first duly sworn by me, upon his oath stated:


1. My name is Douglas C. Kelly, acting in my capacity as President of Hilcorp Ventures, Inc., general partner of Tonkawa Farms, L.P. (the "Petitioner"). I am of sound mind, more than eighteen (18) years of age, and am capable of making this affidavit.
2. The Petitioner is submitting a Petition for Release from Certificate of Convenience and Necessity for Water Service (the "Petition") with the Public Utility Commission of Texas (the "Commission").
3. The Petition is being submitted pursuant to Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code § 24.113(r).
4. The Property (as defined in the Petition) is at least 25 contiguous acres in size.
5. The Property is subject to certificate of convenience and necessity no. 10331 for water service (the "CCN") held by Pattison Water Supply Corporation (the "CCN Holder"), and is located in Waller County, Texas.
6. The Property is not receiving water service from the CCN Holder.
7. The Petitioner owns the Property, as evidenced by the deeds submitted with the Petition.
8. A copy of the Petition shall be mailed to the CCN holder via certified mail on the day the Petition is filed with the Commission.
9. The required mapping documents are being submitted to the Commission with the Petition.

**[Execution Page Follows]**

WITNESS MY HAND this 9<sup>th</sup> day of August, 2018.

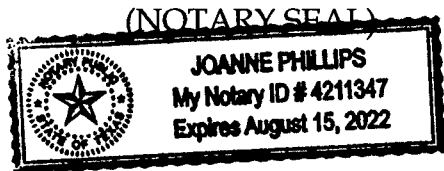
**TONKAWA FARMS, L.P.,**  
a Texas limited partnership

By: Hillcorp Ventures, Inc.,  
its general partner

By:   
Douglas C. Kelly, President

THE STATE OF Texas §  
COUNTY OF Harris §

This instrument was acknowledged before me on the 9<sup>th</sup> day of August, 2018, by Douglas C. Kelly, President of Hillcorp Ventures, Inc., a Texas corporation, general partner of Tonkawa Farms, L.P., a Texas limited partnership.



Joanne Phillips  
Notary Public

