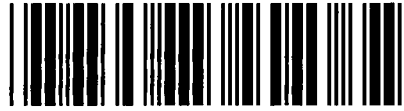


Control Number: 52004



Item Number: 3

Addendum StartPage: 0



**L SQUARED ENGINEERING**  
MUNICIPAL COMMERCIAL RESIDENTIAL

3307 W. Davis Street #100  
Conroe, Texas 77304  
P: 936-647-0420 F: 936-647-2366  
www.L2Engineering.com

2021 APR 23 AM 9: 26

April 07, 2021

**Mailing Address:**

Public Utility Commission of Texas  
Central Records  
1701 N. Congress, PO Box 13326  
Austin, TX 78711-3326

**Shipping/Overnight Delivery Address:**

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

RE: Petition to Decertify a Portion of CCN No. 13203 held by Aqua Texas Inc. in Montgomery County

**To Whom it May Concern:**

The following landowners have requested service from the City of Cut and Shoot: **D.P.S.F.L.P. LTD.** The tract for which service is being requested is located within the extra territorial jurisdiction of the City of Cut and Shoot.

On behalf of the landowners, enclosed please find one petition to decertify portions of CCN No. 13203 held by Aqua Texas Inc in Montgomery County. A copy of the petition was sent by certified mail, return receipt requested, to Aqua Texas Inc on the same date this petition was sent to TCEQ.

Thank you for your assistance in this matter. If you have any questions about these petitions, please feel free to contact Jonathan White with L Squared Engineering at (936) 647-0420.

Sincerely,

Jonathan White, P.E.  
L Squared Engineering  
3307 W. Davis St, STE 100  
Conroe, TX 77304  
(936) 647-0420



**LANDOWNER'S PETITION TO DECERTIFY A PORTION OF WATER UTILITY CCN NO. 13203**

**1. PURPOSE FOR THE PETITION**

D.P.S.F.L.P. LTD ("Landowner") files this petition under the authority of Texas Water Code 13.254(a-5) and 30 TAC 291.113(r). Landowner is filing this petition seeking the expedited release of property owned by Landowner in Montgomery County, Texas, from Water Utility CCN No. 13203, currently held by Aqua Texas Inc.

**2. DECERTIFICATION CRITERIA**

Pursuant to Texas Water Code 13.2541 and 16 TAC 24.245(h) the owner of a tract of land that is at least 25 acres and is not receiving service may petition the Public Utility Commission of Texas ("Commission") for expedited release of the area from a CCN and is entitled to release if the landowner's property is located in Atascosa, Bandera, Bastrop, Bexar, Blanco, Brazoria, Burnet, Caldwell, Chambers, Collin, Comal, Dallas, Denton, Ellis, Fort Bend, Galveston, Guadalupe, Harris, Hays, Johnson, Kaufman, Kendall, Liberty, Montgomery, Parker, Rockwall, Smith, Tarrant, Travis, Waller, Williamson, Wilson, or Wise County.

**3. REQUEST FOR DECERTIFICATION**

Landowner owns a contiguous 343.097-acre tract of land located within CCN 13203 just outside the corporate city boundary of Cut and Shoot. (See Exhibit 1 and Exhibit 2). This tract is at least 25 acres. The tract is not receiving retail water utility service from Aqua Texas Inc. (See Exhibit 3)

Landowner requests that the Commission grant expedited release of this tract from CCN No. 13203. The area Landowner requests to be released is depicted on the Exhibit 2. Exhibit 4 is a copy of the general deed. Exhibit 5 is a copy of a boundary survey completed by a licensed professional.

Exhibit 1 – Large Scale Location Map

Exhibit 2 – Small Scale Location Map

Exhibit 3 – Landowner Affidavit

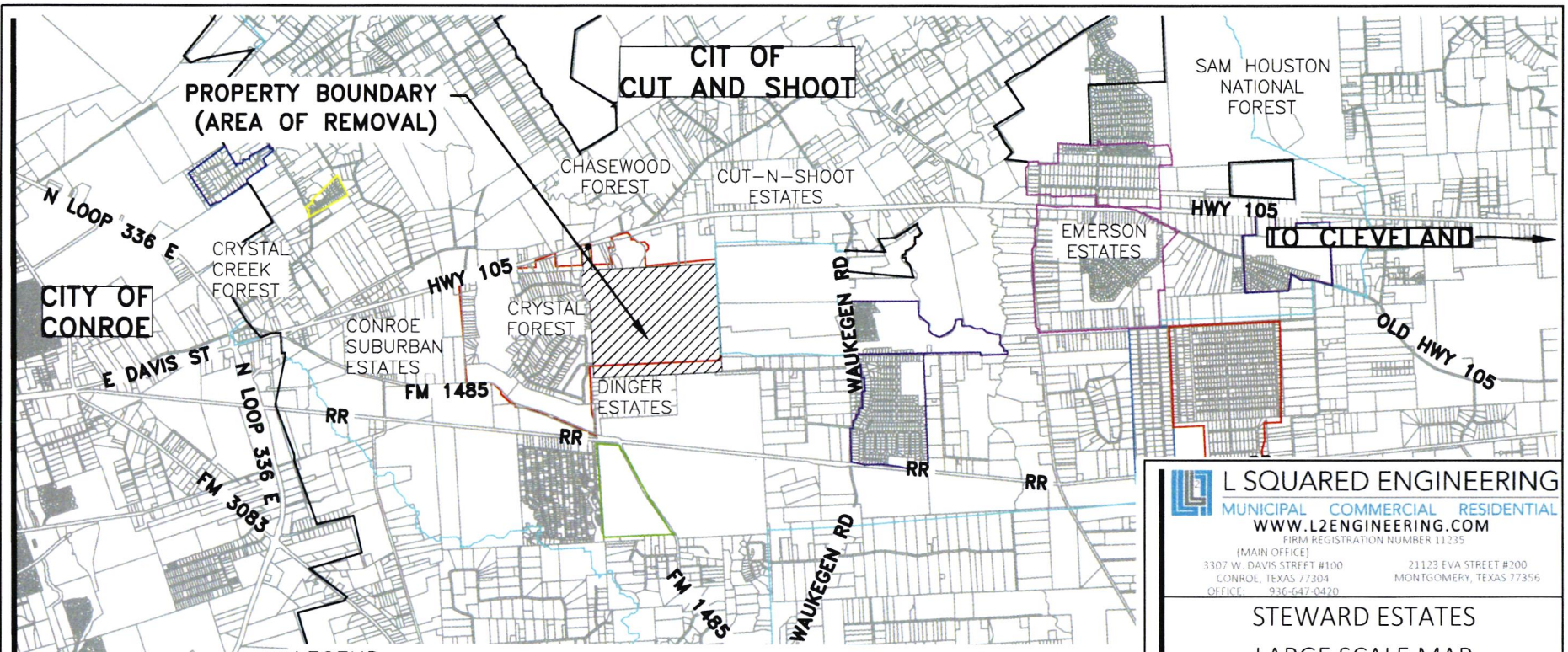
Exhibit 4 – General Deed

Exhibit 5 – Boundary Survey

A copy of the petition was sent to Aqua Texas by certified mail on the same day that the petition was submitted to the PUC.

EXHIBIT 1  
(Large Scale Location Map)





**LEGEND:**



- TOWN OF CUT AND SHOOT—CCN NO. 11615
- AQUA TEXAS INC—CCN NO. 13203
- STONE HEDGE UTILITY CO INC—CCN NO. 12624
- T & W WATER SERVICE COMPANY—CCN NO. 12892
- CRYSTAL SPRINGS WATER CO INC—CCN NO. 11373
- QUADVEST LP—CCN NO. 11612
- CITY OF CONROE—CCN NO. 10339
- HIGHLAND OAKS WATER UTILITY—CCN NO. 13006
- C & R WATER SUPPLY INC—CCN NO. 13098
- PROP AREA OF REMOVAL**



**L SQUARED ENGINEERING**  
 MUNICIPAL COMMERCIAL RESIDENTIAL  
 WWW.L2ENGINEERING.COM  
 FIRM REGISTRATION NUMBER 11235  
 (MAIN OFFICE)  
 3307 W. DAVIS STREET #100 CONROE, TEXAS 77304  
 OFFICE: 936-647-0420  
 21123 EVA STREET #200 MONTGOMERY, TEXAS 77356

**STEWARD ESTATES  
 LARGE SCALE MAP**

CLIENT INFORMATION	PROJECT ADDRESS
CLIENT NAME HERE	PROJECT ADDRESS HERE
CLIENT ADDRESS HERE	PROJECT ADDRESS HERE
CLIENT ADDRESS HERE	PROJECT ADDRESS HERE

PROJECT	10703	DATE	04/05/2021
SCALE	1" = 5,000'	SHEET	02 OF 02



*Jonathan T. White*

04/05/2021

EXHIBIT 2  
(Small Scale Location Map)





**L SQUARED ENGINEERING**  
MUNICIPAL COMMERCIAL RESIDENTIAL

3307 W. Davis Street #100  
Conroe, Texas 77304  
P: 936-647-0420 F: 936-647-2366  
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April 07, 2021

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RE: Petition to Decertify a Portion of CCN No. 13203 held by Aqua Texas Inc. in Montgomery County

**To Whom it May Concern:**

The following landowners have requested service from the City of Cut and Shoot: **D.P.S.F.L.P. LTD.** The tract for which service is being requested is located within the extra territorial jurisdiction of the City of Cut and Shoot.

On behalf of the landowners, enclosed please find one petition to decertify portions of CCN No. 13203 held by Aqua Texas Inc in Montgomery County. A copy of the petition was sent by certified mail, return receipt requested, to Aqua Texas Inc on the same date this petition was sent to TCEQ.

Thank you for your assistance in this matter. If you have any questions about these petitions, please feel free to contact Jonathan White with L Squared Engineering at (936) 647-0420.

Sincerely,

Jonathan White, P.E.  
L Squared Engineering  
3307 W. Davis St, STE 100  
Conroe, TX 77304  
(936) 647-0420



LANDOWNER'S PETITION TO DECERTIFY A PORTION OF WATER UTILITY CCN NO. 13203

**1. PURPOSE FOR THE PETITION**

D.P.S.F.L.P. LTD ("Landowner") files this petition under the authority of Texas Water Code 13.254(a-5) and 30 TAC 291.113(r). Landowner is filing this petition seeking the expedited release of property owned by Landowner in Montgomery County, Texas, from Water Utility CCN No. 13203, currently held by Aqua Texas Inc.

**2. DECERTIFICATION CRITERIA**

Pursuant to Texas Water Code 13.2541 and 16 TAC 24.245(h) the owner of a tract of land that is at least 25 acres and is not receiving service may petition the Public Utility Commission of Texas ("Commission") for expedited release of the area from a CCN and is entitled to release if the landowner's property is located in Atascosa, Bandera, Bastrop, Bexar, Blanco, Brazoria, Burnet, Caldwell, Chambers, Collin, Comal, Dallas, Denton, Ellis, Fort Bend, Galveston, Guadalupe, Harris, Hays, Johnson, Kaufman, Kendall, Liberty, Montgomery, Parker, Rockwall, Smith, Tarrant, Travis, Waller, Williamson, Wilson, or Wise County.

**3. REQUEST FOR DECERTIFICATION**

Landowner owns a contiguous 343.097-acre tract of land located within CCN 13203 just outside the corporate city boundary of Cut and Shoot. (See Exhibit 1 and Exhibit 2). This tract is at least 25 acres. The tract is not receiving retail water utility service from Aqua Texas Inc. (See Exhibit 3)

Landowner requests that the Commission grant expedited release of this tract from CCN No. 13203. The area Landowner requests to be released is depicted on the Exhibit 2. Exhibit 4 is a copy of the general deed. Exhibit 5 is a copy of a boundary survey completed by a licensed professional.

Exhibit 1 – Large Scale Location Map

Exhibit 2 – Small Scale Location Map

Exhibit 3 – Landowner Affidavit

Exhibit 4 – General Deed

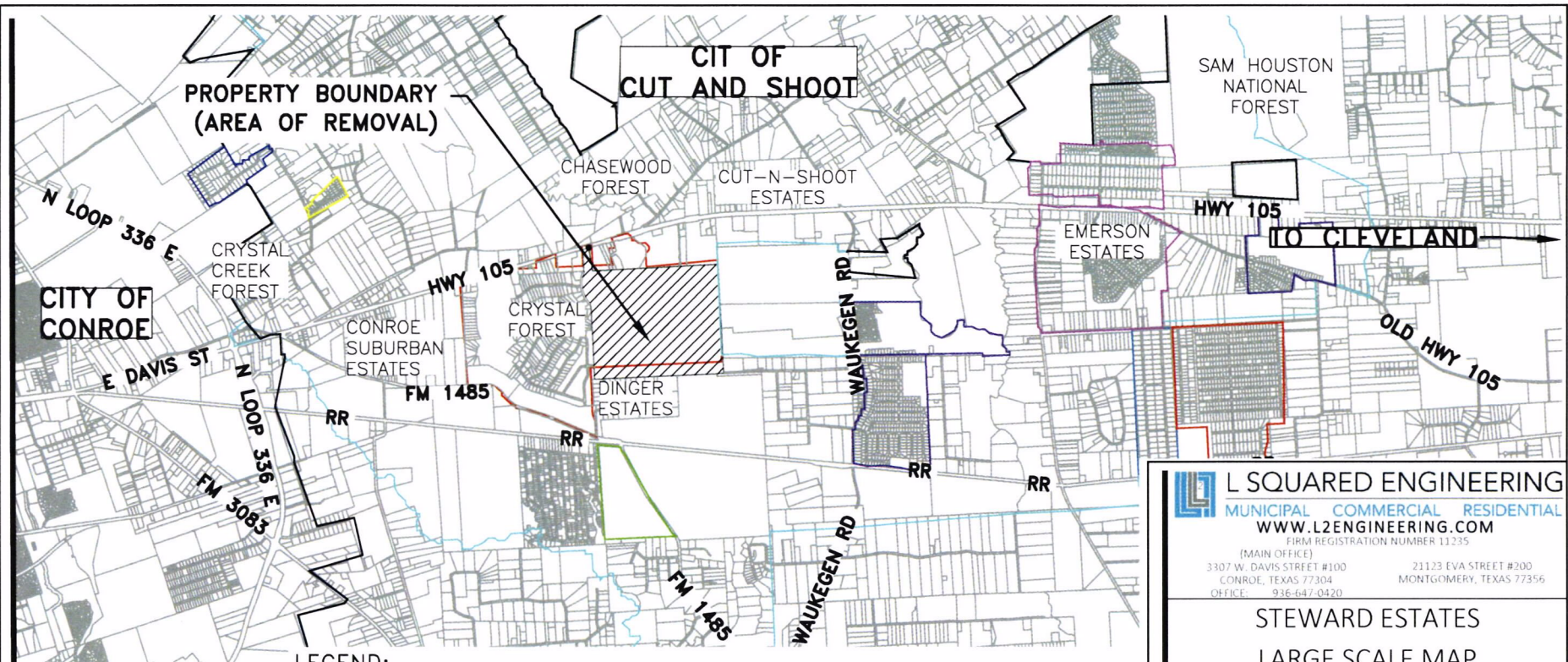
Exhibit 5 – Boundary Survey

A copy of the petition was sent to Aqua Texas by certified mail on the same day that the petition was submitted to the PUC.



EXHIBIT 1  
(Large Scale Location Map)





**LEGEND:**

- TOWN OF CUT AND SHOOT—CCN NO. 11615
- AQUA TEXAS INC—CCN NO. 13203
- STONE HEDGE UTILITY CO INC—CCN NO. 12624
- T & W WATER SERVICE COMPANY—CCN NO. 12892
- CRYSTAL SPRINGS WATER CO INC—CCN NO. 11373
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- HIGHLAND OAKS WATER UTILITY—CCN NO. 13006
- C & R WATER SUPPLY INC—CCN NO. 13098
- PROP AREA OF REMOVAL**

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 3307 W. DAVIS STREET #100 CONROE, TEXAS 77304 OFFICE: 936-647-0420  
 21123 EVA STREET #200 MONTGOMERY, TEXAS 77356

**STEWARD ESTATES  
 LARGE SCALE MAP**

CLIENT INFORMATION	PROJECT ADDRESS
CLIENT NAME HERE	PROJECT ADDRESS HERE
CLIENT ADDRESS HERE	PROJECT ADDRESS HERE
CLIENT ADDRESS HERE	PROJECT ADDRESS HERE

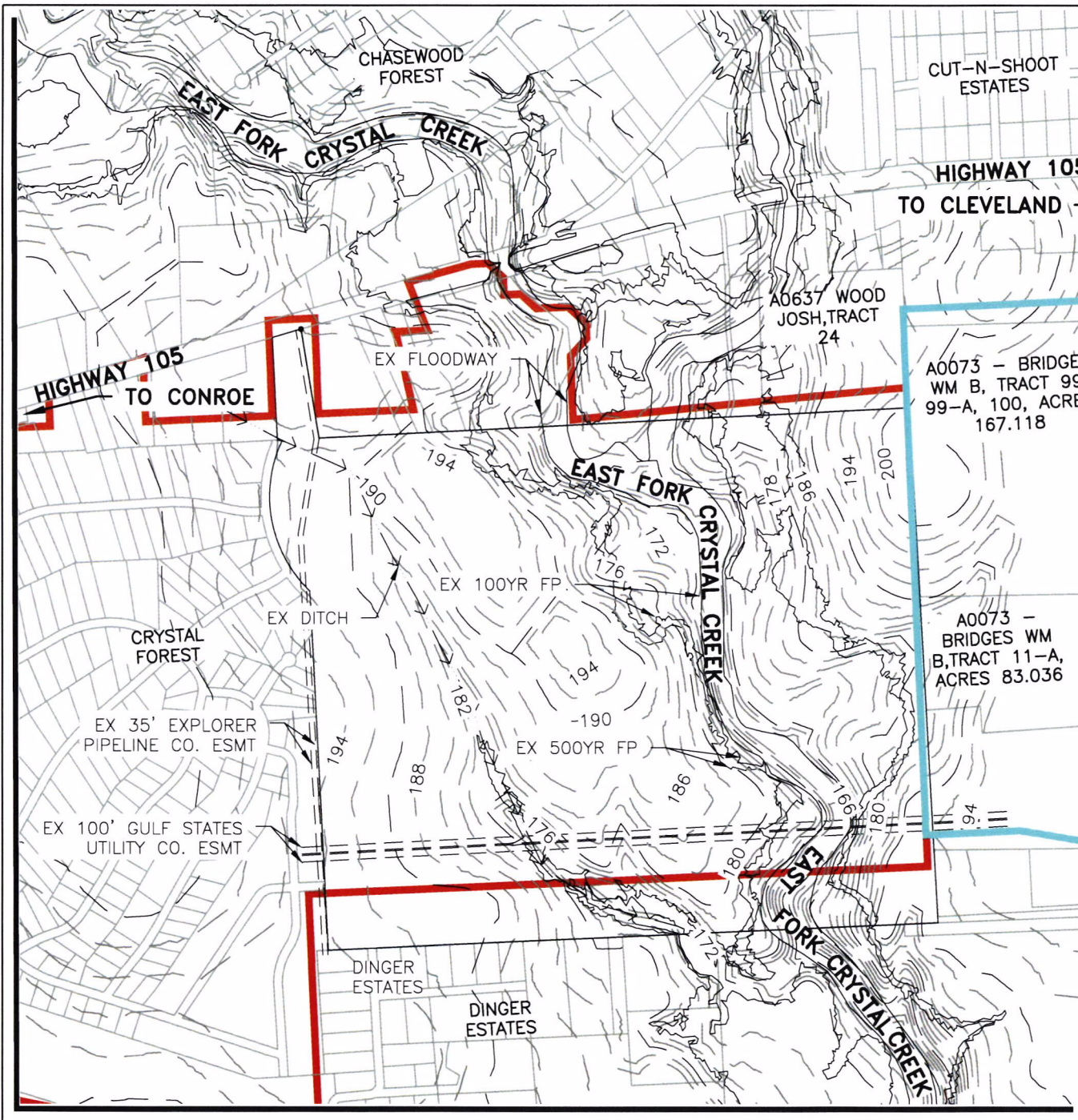
PROJECT	10703	DATE	04/05/2021
SCALE	1" = 5,000'	SHEET	02 OF 02



*Jonathan T. White* 04/05/2021

EXHIBIT 2  
(Small Scale Location Map)





**LEGEND:**

TOWN OF CUT AND SHOOT  
CCN NO. 11615

AQUA TEXAS INC  
CCN NO. 13203

**L SQUARED ENGINEERING**  
MUNICIPAL COMMERCIAL RESIDENTIAL  
WWW.L2ENGINEERING.COM  
FIRM REGISTRATION NUMBER 11235  
(MAIN OFFICE)  
3307 W. DAVIS STREET #100 CONROE, TEXAS 77304  
OFFICE: 936-647-0420  
21123 EVA STREET #200 MONTGOMERY, TEXAS 77356

**STEWARD ESTATES  
SMALL SCALE MAP**

CLIENT INFORMATION	PROJECT ADDRESS
CLIENT NAME HERE	PROJECT ADDRESS HERE
CLIENT ADDRESS HERE	PROJECT ADDRESS HERE
CLIENT ADDRESS HERE	PROJECT ADDRESS HERE

PROJECT	10703	DATE	04/05/2021
SCALE	1" = 1,000'	SHEET	01 OF 02



04/05/2021

EXHIBIT 3  
(Landowner Affidavit)



EXHIBIT 3

AFFIDAVIT OF PAM STEWARD IN SUPPORT OF PETITION TO DECERTIFY

A PORTION OF CCN NO. 13203

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned notary, personally appeared Pam Steward, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

"My name is Pam Steward. I am over the age of eighteen years, of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

I am president of D.P.S.F.L.P. LTD which owns a tract of land located within the boundaries of **CCN No. 13203** issued to Aqua Texas Inc. This tract is located in Montgomery County, Texas, and is at least 25 acres in size. The tract of land depicted as 343.097 acre tract in Exhibit 5. The tract does not receive water utility service from Aqua Texas Inc.

I request that the **Public Utility Commission of Texas** release this tract from CCN NO. 13203."



(Pam Steward)

Sworn to and subscribed before me by Pam Steward on April 6  
2021.

 My commission expires: 6-18-23

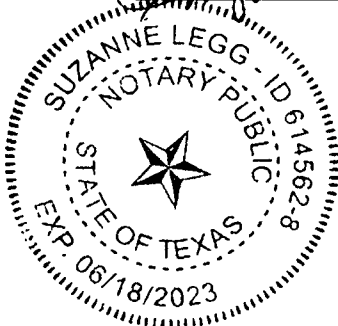


EXHIBIT 4  
(General Deed)



**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.**

**General Warranty Deed**

**Date:** June 13, 2011

**Grantor:** DAVID W. STEWARD and PAMELA R. STEWARD, husband and wife

**Grantor's Mailing Address:**

420 East Reunion  
Fairfield, Texas 75840  
Freestone County

**Grantee:** D.P.S.F.L.P., a Texas limited partnership

**Grantee's Mailing Address:**

420 East Reunion  
Fairfield, Texas 75840  
Freestone County

**Consideration:**

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

**TRACT ONE:**

A tract or parcel of land containing 335.9702 acres being all of the SEMOUR BEASLEY Survey, A-103, and the Easterly portion of the JOHN R. CUMMINGS Survey, A-140, Montgomery County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereto;

**TRACT TWO:**

Being 4.28 acres of land, more or less, JOSEPH H. WOOD Survey, A-637, Montgomery County, Texas, being more particularly described in Exhibit "B" attached hereto and made a part hereof;

**TRACT THREE:**

Being 2.72 acres, more or less, LEVEN WOODEN Survey, A-611, Montgomery County, Texas, being more particularly described in Exhibit "B" attached hereto and made a part hereof.

**TRACT FOUR:**

Lots Fifteen (15), Sixteen (16), and Seventeen (17), Block Two (2) of the HAIRSTON ADDITION to the City of Conroe, Denward James Survey, A-289, Montgomery County, Texas, as per Map or Plat of said Subdivision recorded in Vol. 4, Page 27B, Map Records, Montgomery County, Texas

**Reservations from Conveyance:**

None

**Exceptions to Conveyance and Warranty:**

None

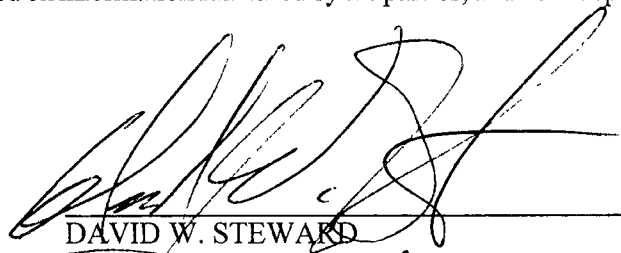
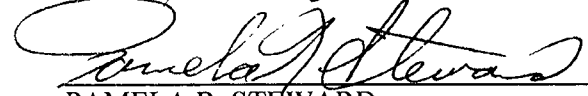




Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee 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.

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

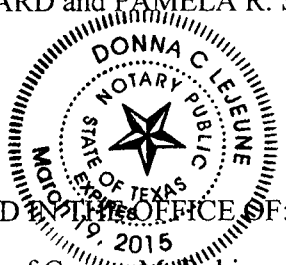
This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

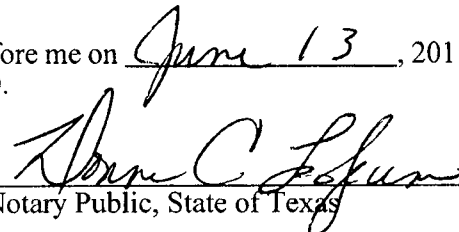
  
\_\_\_\_\_  
DAVID W. STEWARD  
  
\_\_\_\_\_  
PAMELA R. STEWARD

STATE OF TEXAS )

COUNTY OF FREESTONE )

This instrument was acknowledged before me on June 13, 2011, by DAVID W. STEWARD and PAMELA R. STEWARD.



  
\_\_\_\_\_  
Notary Public, State of Texas

PREPARED BY THE OFFICE OF:

Law Office of George M. Robinson  
129 South Mount  
Fairfield, Texas 75840  
Tel: 903.389.2203  
Fax: 903.389.4542  
georgerobinson02@yahoo.com

AFTER RECORDING RETURN TO:

**David W. Steward**  
**420 East Reunion**  
**Fairfield, Texas 75840**

## Exhibit "A"

## LEGAL DESCRIPTION

## TRACT I:

A TRACT OR PARCEL OF LAND CONTAINING 335.9702 ACRES BEING ALL OF THE SEYMOUR BEASLEY SURVEY, ABSTRACT 103 AND THE EASTERLY PORTION OF THE JOHN R. CUMMINGS SURVEY, ABSTRACT 140 IN MONTGOMERY COUNTY, TEXAS, BEING THAT SAME TRACT DESCRIBED IN INSTRUMENT IN VOLUME 812, PAGE 268 OF THE MONTGOMERY COUNTY DEED RECORDS SAID 335.9702 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT:

BEGINNING at a concrete monument found at the Southeast corner of said Seymour Beasley Survey, Abstract 103 and marking the Southwest corner of the William B. Brooks Survey, Abstract 73 and in the North boundary line of the Leven B. Weeden Survey, Abstract 611 and marking the Southwest corner of the Thomas N. Bass, et ux Connie T. Bass Tract described in instrument in Volume 1122, Page 65 of the Montgomery County Deed Records and in the North boundary line of the W. S. Weisinger, Jr. Tract described in Volume 812, Page 268 of the Montgomery County Deed Records;

THENCE North 00 degrees 11 minutes 36 seconds East with the division line between said Brooks and Beasley Surveys a distance of 452.57 ft. to a concrete monument found at the Northwest corner of said Bass Tract and the Southwest corner of the Keystone Natural Resources Inc., so called 300 acre tract described in Clerk's File No. 9773446 of the Real Property Records of Montgomery County;

THENCE North 00 degrees 10 minutes 32 seconds East with said survey line passing the centerline of an 80 ft. Gulf States Electric Easement at 199.78 ft. in all a total distance of 1745.65 ft. to a 5/8 inch iron rod set in said survey line at the Northwest corner of said 300 acre tract and the Southwest corner of the Cody Birdwell so called 25 acre tract recorded in Film Code 738-01-2160;

THENCE North 00 degrees 09 minutes 01 seconds West continuing with said survey line and the West boundary of said Birdwell Tract a distance of 1293.14 ft. to a concrete monument found at the Northeast corner of the herein described tract and marking the Northeast corner of said Beasley Survey, Abstract 103 and marking the Southeast corner of the Thomas D. Brunett 25.26 acre tract described in instrument in Volume 666, Page 336 of the Deed Records of Montgomery County and the Southeast corner of the Josiah Woods Survey, Abstract 637;

THENCE South 88 degrees 52 minutes 18 seconds West with the South boundary of said Brunett 25.26 acre tract and the South boundary line of the Josiah Wood Survey, Abstract 637 a distance of 823.66 ft to a 3/8 inch iron rod found at the Southwest corner of said Brunett Tract and the Southeast corner of the T. J. Ruttledge 4.2649 acre tract described in Film Code 274-00-1835 of the Clerks Records of Montgomery County;

THENCE North 89 degrees 33 minutes 38 seconds West with the South boundary of said Ruttledge Tract and passing a 3/8 inch iron rod found at the Southwest corner of said Ruttledge Tract and the Southeast corner of the Bennie C. Burt so called 38.56 acre tract described in instrument in Volume 340, Page 637 of the Deed Records of Montgomery County and passing the Southwest corner of said Burt Tract at a chain link fence corner which also marks the Southeast corner of the Doris D. Gilliland so called 17.321 acre tract described in Clerk's File No. 9701357 of the Official Public Records of Montgomery County a total distance of 2380.14 ft. to a 5/8 inch iron rod set at the Southwest corner of the Gilliland Tract and the Southeast corner of the

*Jed RB*

## Exhibit "A"

## LEGAL DESCRIPTION (continued)

Manning Tract described in Clerk's File No. 9701357 of the Official Real Property Records of Montgomery County,

THENCE South 88 degrees 14 minutes 36 seconds West continuing with the South line of said Josiah Woods Survey, Abstract 637 passing the South boundary lines of the following tracts: Delano B. Canales, et ux Elizabeth 2.220 acre tract described in Film Code No. 807-01-1327 and the Maria Enderle Tract described in Film Code 199-01-0128 and the H. J. Mobley 6.619 acre tract described in instrument recorded in Volume 770, Page 739 of the Deed Records of Montgomery County a total distance of 683.51 ft. to a 1 inch iron pipe found at the Southwest corner of said Mobley Tract and the Southeast corner of a certain 4.28 acre tract;

THENCE South 89 degrees 42 minutes 54 seconds West with the South boundary of said 4.28 acre tract passing the Northwest corner of said Beasley Survey and the East boundary of the line of the John R. Cummings Survey, Abstract 140, a total distance of 350.76 ft to a 5/8 inch iron rod set at the most Northwesterly corner of the herein described tract and marking the Northeasterly terminus of Lynchester Trails (a 60 ft. roadway) adjoining the East boundary of Crystal Forest Subdivision, Section 1 and delineated on said plat recorded in Cabinet A, Sheet 36A of the Map Records of Montgomery County;

THENCE South 21 degrees 55 minutes 00 seconds West with the Easterly right-of-way line of Lynchester Trails a distance of 329.15 ft to a 5/8 inch iron rod set at the PC of a curve to the left in said right-of-way;

THENCE Southerly with a curve to the left having a radius of 543.69 ft, an arc length of 573.30 ft central angle of 60 degrees 25 minutes 00 seconds, long chords bears South 08 degrees 17 minutes 36 seconds East a distance of 547.11 ft to a 5/8 inch iron rod set at the PT of said curve;

THENCE South 38 degrees 30 minutes 00 seconds East continuing with the Easterly right-of-way line of Lynchester Trails a distance of 185.19 ft to a 5/8 inch iron rod set at the most Southerly Northeasterly terminus of said Lynchester Trails;

THENCE South 00 degrees 17 minutes 03 seconds East-96.75 ft to a 1/2 inch iron rod found at a point on line, South 00 degrees 17 minutes 03 seconds East a distance of 109.92 ft. to a 1/2 inch iron rod found at an angle point, South 00 degrees 15 minutes 53 seconds East-394.88 ft. to a 1/2 inch iron rod found at another angle point in the East boundary of Crystal Forest Subdivision, Section 1 as delineated on plat in Cabinet A, Sheet 36 A of the Map Records of Montgomery County, South 00 degrees 16 minutes 02 seconds East a distance of 116.49 ft. to a 1/2 inch iron rod found at another slight angle point, South 00 degrees 16 minutes 47 seconds East-50.01 ft. to a 1/2 inch iron rod found at another slight angle point, South 00 degrees 17 minutes 49 seconds East-57.11 ft. to a 1/2 inch iron rod found at another angle point, South 00 degrees 16 minutes 14 seconds East-57.06 ft. to a 1/2 inch iron rod found at another point and South 00 degrees 17 minutes 17 seconds East-1584.81 ft. to a railroad spike found at the Southwest corner of said Beasley Survey and marking the Southeast corner of Cummings Survey and the Northeast corner of the D. W. Collins Survey, Abstract 155 in North boundary of Dinger Estates as described in instrument in Volume 1101, Page 337 of the Deed Records of Montgomery County and marking the Southwest corner of the herein described 335.9702 acre tract;

THENCE South 89 degrees 47 minutes 32 seconds East with the North boundary

## LEGAL DESCRIPTION (continued)

line of said Dinger Estates a distance of 260.32 ft. to a 1/2 inch iron rod set at the Northwest corner of JoAnn Lane;

THENCE South 89 degrees 48 minutes 25 seconds East-60.03 ft. to a 1/2 inch iron rod set at the Northeast terminus of JoAnn Lane;

THENCE South 89 degrees 48 minutes 50 seconds East with the North boundary of the Leven B. Weeden Survey, Abstract 611 and the North boundary of Dinger Estates a distance of 1660.74 ft. to a 5/8 inch iron rod found at an angle point in the South boundary of said Beasley Survey and marking the Northwest corner of the W. S. Weisinger, Jr., Tract described in Volume 812, Page 268 of the Deed Records of Montgomery County;

THENCE South 89 degrees 51 minutes 21 seconds East with said survey line and the North boundary of said Weisinger Tract a distance of 2169.45 ft. to the PLACE OF BEGINNING and containing 335.9702 acres of land and being a portion of that Superior Homes, Inc., original 450.517 acre tract described in instrument in Volume 981, Page 352 of the Montgomery County Deed Records.

NOTE: This Company does not represent that the above acreage or square footage calculations are correct.

## TRACT II:

BEING 4.28 acres of land, more or less, out of an 8.6 acre tract in the Joseph H. Wood Survey, A-637, Montgomery County, Texas, as described in deed to W.E. Denman dated April 5, 1948 and recorded in Volume 250, Page 278 of the Deed Records of Montgomery County, Texas, said 4.28 acre tract being out of Lot 7, Tract A, of the T. Rosner Subdivision, according to the map or plat thereof, recorded in Volume 4, Page 10 of the Montgomery County Map Records, and being more particularly described by metes and bounds as follows:

BEGINNING at the N.W. corner of the Denman 8.6 acre tract, a Post for corner in the South R.O.W. line of State Highway 105;

THENCE, S. 01°55' W., 684.7 feet with the West fence line or the 8.6 acre tract, same being the East line of the Joe Manning tract to an iron rod set for S.W. corner of this tract in the North boundary line of the J.R. Cummings Survey;

THENCE, N. 89°18' E., along the South line of the 8.6 acre tract and north boundary line of the Cummings Survey at 157.8 feet pass N.E. corner of Cummings Survey, same being northwest corner of Beasley Survey, and continue on in same course in all a distance of 316.4 feet to an iron rod set for corner in fence;

THENCE, N. 07°07' W., 732.3 feet with the fenced line to an iron rod for corner in the South R.O.W. line of Highway 105;

THENCE, S. 77°08' W., 216.2 feet with the South R.O.W. line of Highway 105 to the POINT OF BEGINNING and containing 4.28 acres of land.

NOTE: This Company does not represent that the above acreage or square footage calculations are correct.

## Exhibit "A"

## LEGAL DESCRIPTION (continued)

## TRACT III:

A certain parcel of land being 2.72 acres, more or less, situated in the Leven Weeden Survey, A-611 and being out of and part of the W.S. Weisinger Tract described by deed recorded in Volume 812, Page 268 of the Deed Records of Montgomery County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a found concrete monument at the southwest corner of the William B. Brooks Survey, A-73 and lying along the north boundary line of the Leven Weeden Survey, A-611, also marking the southwest corner of the Thomas Bass Tract as described by deed recorded in Volume 1122, Page 65 of said deed records and also lying along the north line of said W.S. Weisinger Tract;

THENCE S87°56'59"E along the north line of the herein described parcel and along the north line of said Weisinger tract, a distance of 1367.25 feet to a set 5/8 inch diameter iron rod at the westerly terminus of Dusty Lane (60.00 feet wide);

THENCE S00°41'43"W along said terminus, a distance of 80.00 feet to a set 5/8 inch diameter iron rod;

THENCE N87°57'32"W along the south line of the herein described parcel, a distance of 1362.38 feet to a set 5/8 inch diameter iron rod;

THENCE S89°51'12"W a distance of 120.00 feet to a set 5/8 inch diameter iron rod;

THENCE N00°08'48"W a distance of 80.00 feet to a set 5/8 inch diameter iron rod;

THENCE N89°51'12" E a distance of 120.00 feet to the POINT OF BEGINNING and containing 2.72 acres, more or less.

NOTE: This Company does not represent that the above acreage or square footage calculations are correct.



**FILED FOR RECORD**

06/14/2011 10:06AM

*Mark Jumball*

COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in file number  
sequence on the date and at the time stamped herein  
by me and was duly RECORDED in the Official Public  
Records of Montgomery County, Texas.

06/14/2011



*Mark Jumball*

County Clerk  
Montgomery County, Texas

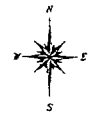
EXHIBIT 5  
(Boundary Survey)



EXHIBIT 1132/548 5/19 .598 AC 1300 FT x 20'

TEXAS PROFESSIONAL SURVEYORS, L.L.C.  
 300 N. FRENCH STREET  
 COMMERCE, TEXAS 77398  
 PROJECT NO. 1132/548  
 SHEET NO. 1132/548-10

0 200 400 600



WM. B. BRIDGES  
 SURVEY, A-73

ROADWAY  
 FOR CRYSTAL FOREST L.L.C.  
 COMMISSION 12/11/14

ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF DALLAS COUNTY, TEXAS, ON 12/11/14.

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, 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 expressed.

Given under my hand and seal of office this 12/11/14.

Notary Public in and for the State of Texas

The Survey (1132/548) as shown herein is subject to the following restrictions, covenants, & conditions:

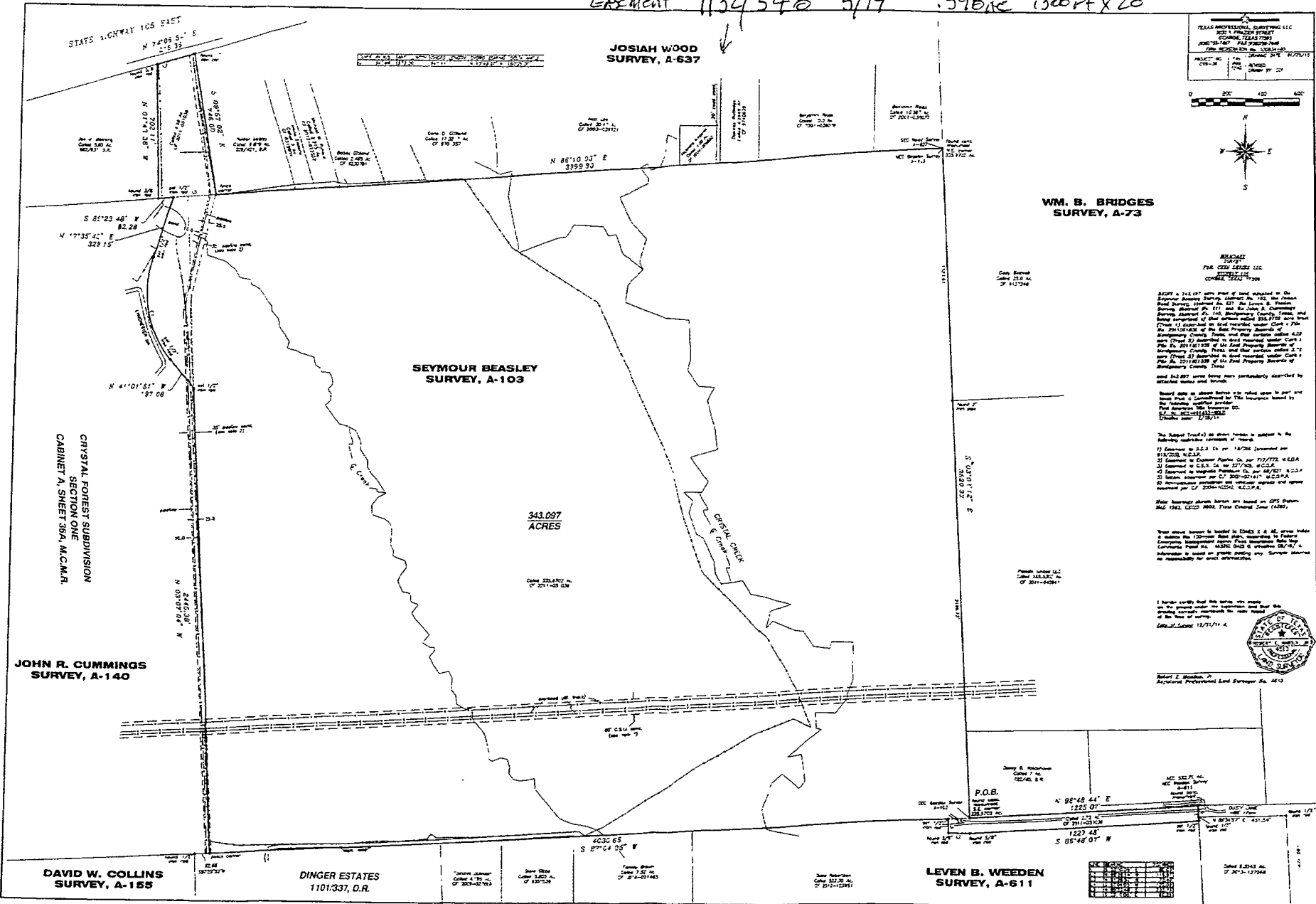
- 1) Easement to S.D.S. Co. per 14/204 (enclosed per 11/202) N.C.S.P.
- 2) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 3) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 4) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 5) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 6) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 7) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 8) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 9) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 10) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.

Also, the Survey (1132/548) is subject to the following restrictions, covenants, & conditions:

- 1) Easement to S.D.S. Co. per 14/204 (enclosed per 11/202) N.C.S.P.
- 2) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 3) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 4) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 5) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 6) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 7) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 8) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 9) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.
- 10) Easement to Crystal Forest L.L.C. per 11/2772, N.C.S.P.

Surveyed and Platted by \_\_\_\_\_  
 Registered Professional Land Surveyor No. 4613

1132/548-10	1132/548-11	1132/548-12	1132/548-13	1132/548-14	1132/548-15	1132/548-16	1132/548-17	1132/548-18	1132/548-19	1132/548-20
1132/548-10	1132/548-11	1132/548-12	1132/548-13	1132/548-14	1132/548-15	1132/548-16	1132/548-17	1132/548-18	1132/548-19	1132/548-20



STATES HIGHWAY 105 EAST  
 N 74°05' S 113.35'

JOHNSON WOOD  
 SURVEY, A-637

SEYMOUR BEASLEY  
 SURVEY, A-103

343.097  
 ACRES

JOHN R. CUMMINGS  
 SURVEY, A-140

DAVID W. COLLINS  
 SURVEY, A-155

DINGER ESTATES  
 1101/337, D.R.

LEVEN B. WEEDEN  
 SURVEY, A-611

CRYSTAL FOREST SUBDIVISION  
 SECTION ONE  
 CABINET A, SHEET 304, M.C.M.R.

F.O.B.

Surveyed and Platted by \_\_\_\_\_  
 Registered Professional Land Surveyor No. 4613