



Filing Receipt

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PUC DOCKET NO. _____

PETITION BY CR FARMS, LLC	§	BEFORE THE
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 11448	§	PUBLIC UTILITY COMMISSION
HELD BY TARKINGTON	§	
SPECIAL UTILITY DISTRICT	§	OF TEXAS

**PETITION BY CR FARMS, LLC FOR EXPEDITED
RELEASE PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, CR Farms, LLC (Petitioner), and files this Petition with the Public Utility Commission of Texas (PUC) for expedited release from Tarkington Special Utility District's (Tarkington) water certificate of convenience and necessity (CCN) No. 11448 pursuant to Texas Water Code § 13.2541 and 16 Texas Administrative Code (TAC) § 24.245 and, in support thereof, would respectfully show the following:

I. APPLICABLE REGULATIONS

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and is not receiving water or sewer service may petition for expedited release of the area from a CCN. Tex. Water Code Ann. § 13.2541(b). For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract "is entitled to that release." *Id.* The rule adopted by the PUC pursuant to Section 13.2541 provides the same, and it recognizes that Liberty County is a county in which owners of at least 25 acres are entitled to expedited release. *See* 16 TAC § 24.245. Under Section 13.2541(c), the PUC "shall grant the petition not later than the 60th day after the date the landowner files the petition."

II. REQUEST FOR EXPEDITED RELEASE

Petitioner owns two non-contiguous tracts of land totally approximately 10,679.186 acres in Liberty County, of which approximately 5482.61 acres are located within the boundaries of Tarkington's CCN No. 11448. The first tract totals 2761.381 acres and the second tract totals 7,894.370 acres (Property). Tarkington CCN overlaps a portion of both tracts. The Property does not receive service from any water provider. An affidavit in support of this Petition is attached hereto as **Exhibit A**. Maps showing the location of the Property, along with the digital data, are attached hereto as **Exhibit B**. The deed showing ownership of the Property is attached hereto as **Exhibit C**. A copy of this Petition has been mailed to Tarkington via certified mail.

Tarkington has agreed to the decertification and will be compensated by the Petitioners as provided by the Agreement Concerning Certificate of Convenience and Necessity (Agreement), a copy of which is attached to this Petition as **Exhibit D**. The Petitioner and Tarkington will submit a Joint Filing, as provided by 16 TAC § 24.245(i)(1) with the PUC upon approval of this Petition.

III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water service, and is entirely within Liberty County. Under Section 13.2541(c), the PUC should grant this Petition no later than the 60th day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing the Property from water CCN No. 11448.

Respectfully submitted,

Emily W. Rogers
State Bar No. 24002863
erogers@bickerstaff.com

Bickerstaff Heath Delgado Acosta LLP
3711 S. MoPac Expressway
Building One, Suite 300
Austin, TX 78746
Telephone: (512) 472-8021
Facsimile: (512) 320-5638

BY: 
Emily W. Rogers

CERTIFICATE OF SERVICE

I hereby certify by my signature below that on the 27th day of September, 2021, a true and correct copy of the above and foregoing document was forwarded via hand delivery, facsimile, U.S. mail or electronic mail to all parties of record and a true and correct copy of the above and foregoing document has been mailed by certified mail to Tarkington Special Utility District, 19396 Highway 321, Cleveland, TX 77327.


Emily W. Rogers

Exhibit A

PUC DOCKET NO. _____

PETITION BY CR FARMS, LLC	§	BEFORE THE
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 11448	§	PUBLIC UTILITY COMMISSION
HELD BY TARKINGTON	§	
SPECIAL UTILITY DISTRICT	§	OF TEXAS

**AFFIDAVIT FOR PETITION BY CR FARMS, LLC FOR
EXPEDITED RELEASE PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

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

1. “My name is John Harris. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in the affidavit are within my personal knowledge and are true and correct.
2. I am the President of T-Rex Management, Inc., which is the sole manager of CR Farms, LLC, a Texas limited liability corporation, the Petitioner in the above-captioned matter. As President the of the sole manager of CR Farms, LLC, I’m authorized to act on CR Farms, LLC’s behalf.
3. CR Farms, LLC owns approximately 10,679.186 acres of land, of which approximately 5,482.61 acres are located within the boundaries of water Certificate of Convenience and Necessity No. 11448 issued to Tarkington Special Utility District. This property is located in Liberty County, Texas. Exhibit B attached to this Petition is a true and correct copy of a map identifying the property, its location, and the area of the CCN. Exhibit C attached to this Petition is a true and correct copy of the deed demonstrating ownership of the tract.
4. The property in question is not receiving water service from Tarkington Special Utility District or any other water service provider. The property has not requested water service from Tarkington Special Utility District or paid any fees or charges to initiate or maintain water service, and there are no billing records or other documents indicating an existing account for the property.
5. I request that the Public Utility Commission on Texas release this property from water CCN No. 11448.”

FURTHER AFFIANT SAYETH NOT.

CR FARMS, LLC

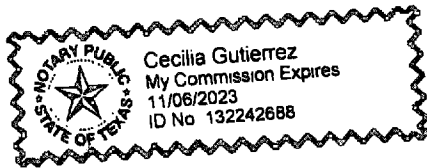
a Texas limited liability corporation, by
its sole manager

T-Rex Management, Inc., a Texas Corporation

By: _____

John Harris, President

SWORN AND SUBSCRIBED TO BEFORE ME by John Harris on
September 23, 2021.

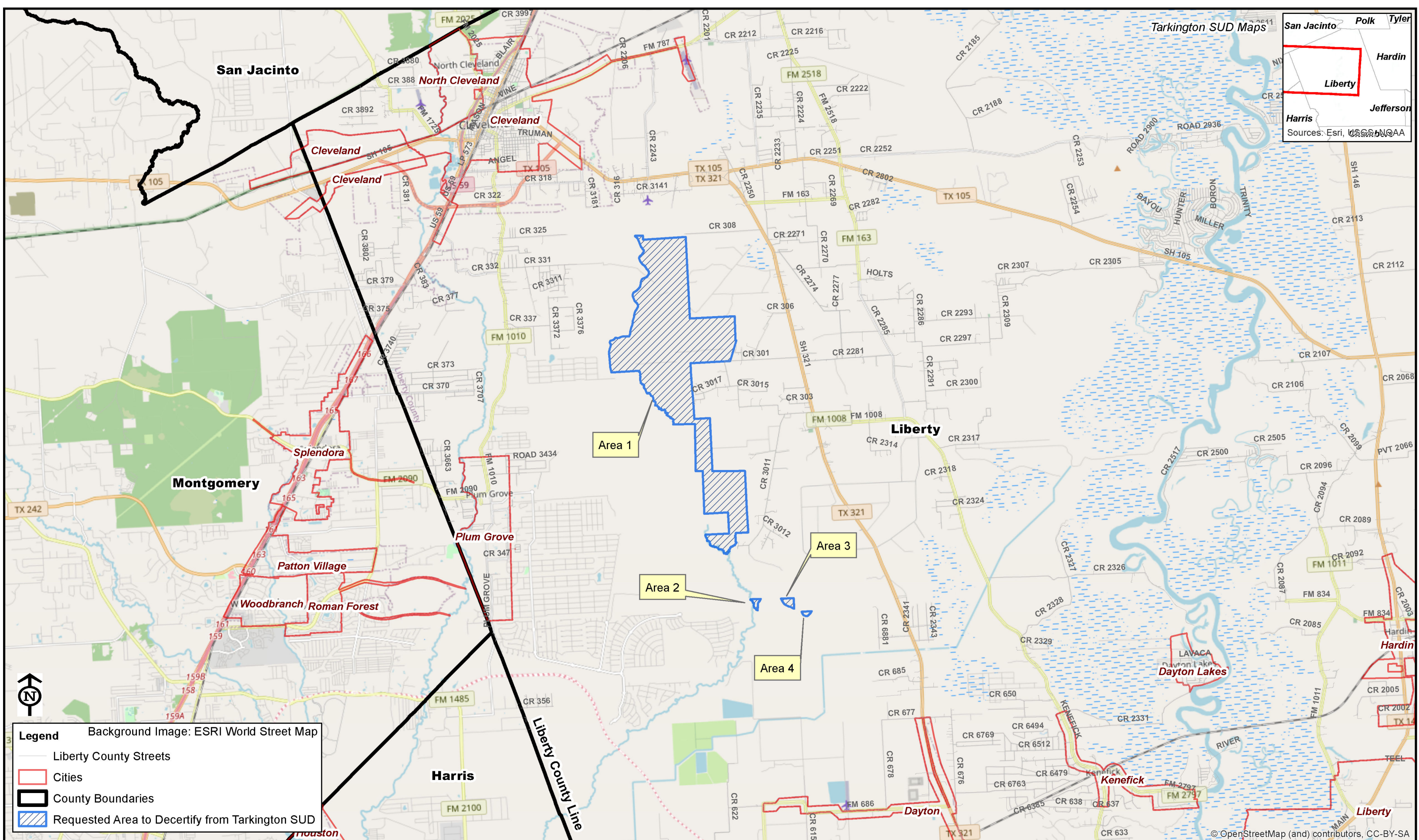


Notary Public State of Texas

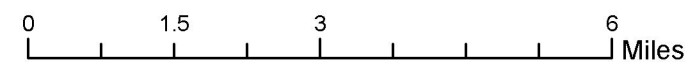
Exhibit B



© 2021 Bickerstaff Heath Delgado Acosta LLP
Data Source: Tracts from Texas Professional Surveying
3032 N. Frazier, Suite A, Conroe, TX 77303 Conroe 936.756.7447



Created: 9/25/2021
These four areas comprise portions of Tracts that are within Tarkington SUD.



CR Farms
Request to Decertify Four Areas from Tarkington SUD CCN No. 11448
GENERAL LOCATION MAP

© 2021 Bickerstaff Heath Delgado Acosta LLP
Data Source: Tracts from Texas Professional Surveying
3032 N. Frazier, Suite A, Conroe, TX 77303 Conroe 936.756.7447



Exhibit C

2020028454
ELECTRONICALLY RECORDED
Official Public Records
8/31/2020 3:33 PM



L.H. Chambers
Lee Haidusek Chambers, County Clerk
Liberty County, TX Fee: \$ 122.00
Pages: 25 WAR

This Instrument Prepared By:

Sharon Duvall, Esq.
Smith, Gambrell & Russell, LLP
Suite 3100, Promenade
1230 Peachtree Street, NE
Atlanta, GA 30309
Telephone: (404) 815-3500

When recorded return to:

Brent A. Lane, Esq.
Beard & Lane
10611 Grant Road
Houston, Texas 77070
Telephone: (281) 897-8848

Capital Title
GF# 17-456470-SP

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.

SPECIAL WARRANTY DEED WITH TIMBER RESERVATION and
WITH VENDOR'S LIEN
Liberty County, Texas

KNOW ALL MEN BY THESE PRESENTS:

THAT, **TIMBERVEST PARTNERS III TEXAS, LLC**, a Texas limited liability company, having an address of c/o Domain Timber Advisors, LLC, 1230 Peachtree Street NE, Suite 3600, Atlanta, Georgia 30309-3573 ("Grantor"), for and in consideration as follows:

The sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned in hand paid by Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of his/her/their one certain Promissory Note of even date herewith in the principal sum of SEVENTEEN MILLION FIVE HUNDRED THIRTY-SEVEN THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$17,537,800.00) payable to the order of CAPITAL FARM CREDIT, FLCA, as therein provided and bearing interest at the rates therein specified, and providing for acceleration of maturity in event

of default and for attorney's fees, the payment of which note is secured by the Vendor's Lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to BEN R. NOVOSAD, Trustee,

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 CR FARMS, LLC, a Texas limited liability company, having an address of 23811 FM 1485, New Caney, Texas 77357, and a mailing address of P.O. Box 279, Fresno, Texas 77545 ("Grantee"), the following described property:

BEING those certain tracts of land located in Liberty County, Texas and being more particularly described on Exhibit A attached hereto and fully made a part hereof by reference, together with all rights and easements appurtenant to or benefiting the real property and all other appurtenances thereto (the "Property").

The Property being conveyed is subject to the matters set forth on Exhibit B attached hereto and hereby made a part hereof (the "Permitted Title Exceptions").

TO HAVE AND TO HOLD the Property, together with any and all rights and appurtenances thereto in anywise belonging to Grantor, unto Grantee, its legal representatives, successors and assigns, FOREVER, and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its legal representatives, successors 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, and subject to the Permitted Title Exceptions.

The conveyance of any minerals conveyed to Grantee herein is hereby made by Grantor purely by quitclaim and accepted by Grantee without any warranty by Grantor, either express or implied, without recourse against Grantor.

It is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described Note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, at which time this Deed shall become absolute.

CAPITAL FARM CREDIT, FLCA ("Lender"), at the instance and request of the Grantee herein, having advanced and paid in cash to the Grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinabove described Note, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said Lender and the same are hereby TRANSFERRED AND ASSIGNED to said Lender, its successors and assigns, without recourse against Grantor.

THIS conveyance is subject to the retention by Grantor of all timber located on the Property for a period not to exceed 11:59 p.m. EST on August 20, 2024, which timber reservation is governed by a separate unrecorded agreement between Grantor and Grantee. Upon the expiration of such period (as same may be extended pursuant to said separate unrecorded agreement), title to all such timber remaining on the Property shall automatically pass to Grantee.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

[SIGNATURES ON FOLLOWING PAGE]

19th IN WITNESS WHEREOF, Grantor has signed, sealed and delivered this deed as of the
day of August, 2020.

GRANTOR:


TIMBERVEST PARTNERS III TEXAS, LLC,
a Texas limited liability company

By: Mark Foley (SEAL)
Joe Sanderson, Managing Director or
Mark Foley, Managing Director

STATE OF GEORGIA

COUNTY OF FULTON

This instrument was acknowledged before me, the undersigned authority, on this 19th
day of August, 2020, by Mark Foley, the
Managing Director of Timbervest Partners III Texas, LLC, a Texas limited liability company,
who executed the same for the purposes and consideration therein expressed.



Notary Public

My Commission Expires:

03-31-2023

(Affix Notary Seal)

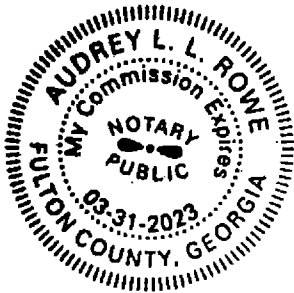


EXHIBIT A
LEGAL DESCRIPTION

[LEGAL DESCRIPTION BEGINS ON NEXT PAGE]

TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
(936)756-7447 FAX (936)756-7448
FIRM REGISTRATION No. 100834-00

FIELD NOTE DESCRIPTION

2,761.381 ACRES

**IN THE J. DARWIN SURVEY, ABSTRACT NUMBER 176,
THE J. HUFFMAN SURVEY, ABSTRACT NUMBER 217,
THE MARGARET KENNEDY SURVEY, ABSTRACT NUMBER 305,
AND THE THOMAS B. GARRETT SURVEY, ABSTRACT NUMBER 37
LIBERTY COUNTY, TEXAS**

BEING a 2,761.381 acre tract of land situated in the J. Darwin Survey, Abstract Number 176, the J. Huffman Survey, Abstract Number 217, the Margaret Kennedy Survey, Abstract Number 305, and the Thomas B. Garrett Survey, Abstract Number 37, Liberty County, Texas, being comprised of all of that certain called 2,407.92 acre tract described as "Tract 1" in instrument to Timbervest Partners III Texas, LLC., recorded under Clerk's File Number 2012003828 of the Official Public Records of Liberty County, Texas (O.P.R.L.C.T.), all of Lots 38, 38-A, and 40 of the Replat of Meadowood (Meadowood), as shown on the map or plat thereof, recorded in Volume 9, page 54 of the Map Records of Liberty County, Texas (M.R.L.C.T.), and a portion of that certain called 2,208.43 acre tract described as "Tract MO No. 1039" in instrument to Timbervest Partners III Texas, LLC., recorded under Instrument Number 2012001866, O.P.R.L.C.T., said 2,761.381 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron pipe found in the apparent common line between said Darwin Survey and the Edmund Pruitt Survey, Abstract Number 485, the northerly line of those certain tracts described as "Tracts 1 and 2" in instrument to Coastal Water Authority, recorded under Clerk's File Number 2011010269, O.P.R.L.C.T., for the common southerly corner of said 2,407.92 acre tract and that certain called 529.6851 acre tract described as "Tract 2" in instrument to Saint Mary Farms, LLC., recorded under Clerk's File Number 2013017712, O.P.R.L.C.T., being the southerly southeast corner of the herein described 2,761.381 acre tract, from which a 1/2 inch iron rod found for reference, bears North 88°00'22" East, 1655.72 feet, from which a 5/8 inch iron rod found with "Weisser Eng cap", bears North 57°08'54" East, 34.76 feet, from which a 5/8 inch iron rod found with "Weisser Eng cap", bears North 51°35'44" West, 26.40 feet, from which a 5/8 inch iron rod found, bears South 70°20'37" East, 21.52 feet:

THENCE South 87°08'21" West, 3479.98 feet, with the apparent common line between said Darwin and Pruitt Surveys, the common line between said 2,407.92 acre tract and said Coastal Water Authority tracts, to a 1/2 inch iron pipe found for the common southerly corner of said 2,407.92 acre tract and that certain called 973.0 acre tract described as "Tract 3", in said instrument to Saint Mary Farms, LLC., being the southerly southwest corner of the herein described 2,761.381 acre tract:

THENCE North 03°40'12" West, 7542.25 feet, with the common line between said 2,407.92 acre tract and said 973.0 acre tract, to a 4 inch by 4 inch concrete monument found in the apparent common line between said Darwin and Huffman Surveys, for the common northerly corner of said 2,407.92 acre tract and said 973.0 acre tract, being an interior corner of the herein described 2,761.381 acre tract,

THENCE South 87°15'16" West, 2025.56 feet, with the apparent common line between said Darwin and Huffman Surveys, the common line between said 2,407.92 acre tract and said 973.0 acre tract, to a 4 inch by 4 inch concrete monument found for the apparent common corner of said Darwin Survey, said Huffman Survey, and said Kennedy Survey, being an angle point in the westerly south line of the herein described 2,761.381 acre tract:

THENCE South 87°05'06" West, 1686.76 feet, with the apparent common line between said Darwin and Kennedy Surveys, continuing with the common line between said 2,407.92 acre tract and said 973.81 acre tract, crossing Luce Bayou, to a calculated point on the westerly high bank of said Luce Bayou, being a southwesterly corner of the herein described 2,761.381 acre tract, from which a concrete monument found for reference, bears South 87°05'06" West, 2540.90 feet;

THENCE Northerly, generally along and with the westerly high bank of said Luce Bayou the following Seventy-Eight (78) courses and distances:

- 1) North 34°40'40" West, 74.03 feet, to a calculated point for corner;
- 2) North 02°32'13" West, 129.41 feet, to a calculated point for corner;
- 3) North 63°57'58" West, 205.48 feet, to a calculated point for corner;
- 4) North 25°46'16" West, 52.12 feet, to a calculated point for corner;
- 5) North 03°48'24" East, 142.08 feet, to a calculated point for corner;
- 6) North 36°21'42" East, 114.39 feet, to a calculated point for corner;
- 7) North 19°36'16" East, 72.48 feet, to a calculated point for corner;
- 8) North 29°27'07" East, 259.87 feet, to a calculated point for corner;
- 9) North 09°44'35" East, 201.36 feet, to a calculated point for corner;
- 10) North 38°37'12" East, 103.39 feet, to a calculated point for corner;
- 11) North 75°01'43" East, 67.41 feet, to a calculated point for corner;
- 12) South 49°32'55" East, 180.50 feet, to a calculated point for corner;
- 13) North 69°23'38" East, 101.51 feet, to a calculated point for corner;
- 14) North 72°27'22" East, 102.07 feet, to a calculated point for corner;
- 15) North 23°41'06" East, 105.68 feet, to a calculated point for corner;
- 16) North 36°45'38" East, 91.94 feet, to a calculated point for corner;
- 17) North 11°32'25" East, 84.90 feet, to a calculated point for corner;
- 18) North 83°28'28" West, 32.53 feet, to a calculated point for corner;
- 19) North 74°26'38" West, 162.43 feet, to a calculated point for corner;
- 20) North 16°16'27" West, 100.08 feet, to a calculated point for corner;
- 21) North 09°49'50" East, 156.24 feet, to a calculated point for corner;
- 22) North 01°30'14" East, 106.51 feet, to a calculated point for corner;
- 23) North 42°21'57" East, 85.24 feet, to a calculated point for corner;
- 24) North 12°16'26" East, 34.88 feet, to a calculated point for corner;
- 25) North 42°26'15" West, 182.64 feet, to a calculated point for corner;
- 26) North 12°48'48" East, 156.13 feet, to a calculated point for corner;
- 27) North 47°56'36" West, 146.74 feet, to a calculated point for corner;
- 28) North 01°35'50" West, 304.91 feet, to a calculated point for corner;
- 29) North 38°42'58" East, 148.52 feet, to a calculated point for corner;
- 30) South 70°09'52" East, 111.67 feet, to a calculated point for corner;
- 31) South 34°11'18" East, 149.79 feet, to a calculated point for corner;
- 32) North 88°47'13" East, 128.53 feet, to a calculated point for corner;
- 33) North 24°57'29" West, 292.30 feet, to a calculated point for corner;
- 34) North 01°40'22" East, 172.06 feet, to a calculated point for corner;
- 35) North 38°36'15" East, 368.29 feet, to a calculated point for corner;
- 36) North 07°44'16" West, 108.16 feet, to a calculated point for corner;
- 37) North 34°35'20" East, 254.05 feet, to a calculated point for corner;
- 38) North 16°59'17" East, 169.68 feet, to a calculated point for corner;
- 39) North 44°32'25" East, 95.72 feet, to a calculated point for corner;
- 40) South 86°05'04" East, 127.30 feet, to a calculated point for corner;
- 41) South 62°30'51" East, 126.48 feet, to a calculated point for corner;
- 42) North 16°47'07" East, 132.91 feet, to a calculated point for corner;
- 43) North 02°00'43" East, 260.05 feet, to a calculated point for corner;

- 44) North 23°28'51" West, 195.91 feet, to a calculated point for corner;
- 45) North 00°07'48" East, 144.78 feet, to a calculated point for corner;
- 46) North 46°12'31" East, 225.50 feet, to a calculated point for corner;
- 47) North 20°40'17" West, 191.04 feet, to a calculated point for corner;
- 48) North 09°25'22" West, 55.04 feet, to a calculated point for corner;
- 49) North 39°41'42" East, 176.19 feet, to a calculated point for corner;
- 50) North 07°25'56" East, 98.73 feet, to a calculated point for corner;
- 51) North 15°16'40" East, 109.72 feet, to a calculated point for corner;
- 52) North 40°51'41" East, 110.35 feet, to a calculated point for corner;
- 53) North 10°10'55" West, 100.56 feet, to a calculated point for corner;
- 54) North 31°36'36" West, 206.65 feet, to a calculated point for corner;
- 55) North 13°08'21" East, 102.84 feet, to a calculated point for corner;
- 56) South 89°02'09" East, 58.46 feet, to a calculated point for corner;
- 57) South 82°30'30" East, 119.26 feet, to a calculated point for corner;
- 58) South 53°08'15" East, 160.19 feet, to a calculated point for corner;
- 59) South 89°40'06" East, 64.25 feet, to a calculated point for corner;
- 60) North 10°55'30" West, 209.90 feet, to a calculated point for corner;
- 61) North 67°02'32" East, 87.94 feet, to a calculated point for corner;
- 62) South 59°16'32" East, 164.66 feet, to a calculated point for corner;
- 63) North 61°47'57" East, 140.47 feet, to a calculated point for corner;
- 64) North 74°11'19" East, 60.68 feet, to a calculated point for corner;
- 65) North 50°04'41" East, 55.63 feet, to a calculated point for corner;
- 66) North 06°24'34" East, 60.12 feet, to a calculated point for corner;
- 67) North 09°28'43" East, 218.51 feet, to a calculated point for corner;
- 68) North 2°43'32" West, 185.80 feet, to a calculated point for corner;
- 69) North 20°19'30" West, 157.62 feet, to a calculated point for corner;
- 70) North 69°51'51" West, 234.94 feet, to a calculated point for corner;
- 71) North 08°31'44" East, 128.06 feet, to a calculated point for corner;
- 72) North 21°38'32" West, 108.64 feet, to a calculated point for corner;
- 73) North 02°27'22" West, 191.53 feet, to a calculated point for corner;
- 74) North 12°12'20" East, 120.76 feet, to a calculated point for corner;
- 75) North 42°39'04" West, 88.61 feet, to a calculated point for corner;
- 76) North 56°01'47" West, 162.88 feet, to a calculated point for corner;
- 77) North 64°35'51" West, 247.63 feet, to a calculated point for corner;
- 78) North 22°24'56" West, 274.18 feet, to a 4 inch by 4 inch concrete monument found in the apparent northerly line of said Kennedy Survey, for the apparent common southerly corner of the David Rankin Survey, Abstract Number 333, and the C.M. Rice Survey, Abstract Number 911, the apparent southwesterly corner of that certain called 94.9 acre tract described as Tract 17-23, Lot 1-D, in instrument to Winston Sizemore, recorded under Clerk's File Number 2013006778, O.P.R.L.C.T., being the northwesterly corner of the herein described 2,761.381 acre tract;

THENCE North 86°27'15" East, 295.72 feet, with the apparent common line between said Kennedy and Rice Surveys, the common line between said 2,208.43 acre tract and said 94.9 acre tract, to a 4 inch by 4 inch concrete monument found for the apparent common corner of said Kennedy Survey, said Rice Survey (Abstract Number 911), and the C.M. Rice Survey (a.k.a. H. & T.C. R.R. Co. See 151), Abstract Number 231, for a common corner of said 2,208.43 acre tract, said 94.9 acre tract and that certain called 697.48 acre tract described in instrument to The Lisa Davis Irrevocable Family Trust, recorded under Clerk's File Number 2014003167, O.P.R.L.C.T., being an angle point in the most northerly line of the herein described 2,761.381 acre tract;

THENCE North 88°33'36" East, 5181.35 feet, with the apparent common line between said Kennedy Survey and said Rice Survey (Abstract Number 231), the common line between said 2,208.43 acre tract and said 697.48 acre tract, to a 1 inch iron pipe with cap stamped "ADAMS" found in the apparent westerly line of said Garrett Survey, the westerly line of that certain called 457.84 acre tract conveyed in instrument recorded in Volume 1383, Page 186 of the Deed Records of Liberty County, Texas, (D.R.L.C.T.), for the apparent common easterly corner of said Kennedy Survey and said Rice Survey (Abstract Number 231), the common easterly corner of said 2,208.43 acre tract and said 697.48 acre tract, being the northerly northeast corner of the herein described 2,761.381 acre tract;

from which a concrete monument found at a buggy axle for reference, bears North 02°10'56" West, 19.30 feet, and a concrete monument stamped "Kirby NE Cor" bears North 88°33'43" East, 17.12 feet;

THENCE South 02°46'41" East, 1761.44 feet, with the apparent common line between said Kennedy and Garrett Surveys, the common line between said 2,208.43 acre tract and said 457.84 acre tract, to a 4 inch by 4 inch concrete monument found for the common corner of said 2,208.43 acre tract, said 2,407.92 acre tract, and said 457.84 acre tract, being an interior corner of the herein described 2,761.381 acre tract, from which a 4 inch by 4 inch concrete monument found for the apparent common easterly corner of said Kennedy and Huffman Surveys, bears South 02°13'31" East, 55.60 feet;

THENCE North 85°52'54" East, 7108.22 feet, with the southerly line of said 457.84 acre tract, that certain called 453.9 acre tract described in instrument to Willoughby, LTD., recorded under Clerk's File Number 2008013310, O.P.R.L.C.T., common to a northerly line of said 2,407.92 acre tract, to a 2 inch iron pipe found for a common corner of said 2,407.92 acre tract, said 453.9 acre tract, and that certain called 458.42 acre tract described in instrument to Willoughby, LTD., recorded under Clerk's File Number 2008013312, O.P.R.L.C.T., being an angle point in an easterly north line of the herein described 2,761.381 acre tract;

THENCE North 85°49'26" East, 1591.40 feet, with the common line between said 2,407.92 acre tract and said 458.42 acre tract, to a 4 inch by 4 inch concrete monument found for the common northerly corner of said 2,407.92 acre tract and said Meadowood, being a northeasterly corner of the herein described 2,761.381 acre tract;

THENCE South 03°17'28" East, 1060.27 feet, with the common line between said 2,407.92 acre tract and said Meadowood, to a 1/2 inch iron rod found for a common corner of the same, being an interior corner of the herein described 2,761.381 acre tract;

THENCE North 86°44'24" East, 1650.25 feet, with the common line between said Lot 38 and Lot 37 of said Meadowood, the common line between said Lot 38-A and Lot 37-A of said Meadowood, to a 1/2 inch iron rod found in the westerly right-of-way of Blue Stem (60 feet wide), for the common easterly corner of said Lots 37-A and 38-A, being the easterly northeast corner of the herein described 2,761.381 acre tract;

THENCE South 03°19'16" East, 263.84 feet, with the westerly right-of-way of said Blue Stem, the easterly line of said Lot 38-A, the easterly line of said Lot 38, to a calculated point for the common easterly corner of said Lot 38 and Lot 39 of said Meadowood, being an easterly corner of the herein described 2,761.381 acre tract;

THENCE South 86°44'24" West, 1650.44 feet, with the common line between said Lots 38 and 39, to a 1/2 inch iron rod found for a common corner of said Lots 38 and 39 and said 2,407.92 acre tract, being an interior corner of the herein described 2,761.381 acre tract;

THENCE South 03°16'14" East, 2639.71 feet, continuing with the common line between said 2,407.92 acre tract and said Meadowood, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for a common corner of the same, being an interior corner of the herein described 2,761.381 acre tract;

THENCE North 86°43'44" East, 1650.09 feet, with the common line between said Lot 49 and Lot 48 of said Meadowood, to a 1/2 inch iron rod found in the westerly right-of-way of said Blue Stem, for the common easterly corner of said Lots 48 and 49, being an easterly corner of the herein described 2,761.381 acre tract;

THENCE South 03°20'13" East, 264.08 feet, with the westerly right-of-way of said Blue Stem, the easterly line of said Lot 49, to a 1/2 inch iron rod found for the common easterly corner of said Lot 49 and Lot 50 of said Meadowood, being a southeasterly corner of the herein described 2,761.381 acre tract;

THENCE South 86°43'57" West, 1650.39 feet, with the common line between said Lots 49 and 50, to a 1/2 inch iron rod found for a common corner of said Lots 49 and 50 and said 2,407.92 acre tract, being an interior corner of the herein described 2,761.381 acre tract.

THENCE South 03°15'48" East, 1319.68 feet, continuing with said common line to a 4 inch by 4 inch concrete monument found in the apparent common line between said Garrett Survey and the J.A. Linney Survey, Abstract Number 885, the northerly line of that certain called 47.96 acre tract described in instrument to Coastal Water Authority, recorded under Clerk's File Number 2010008230, O.P.R.L.C.L., for the common southerly corner of said 2,407.92 acre tract and said Meadowood, being a southeasterly corner of the herein described 2,761.381 acre tract;

THENCE South 87°05'23" West, 701.19 feet, with the apparent common line between said Garrett and Linney Surveys, the common line between said 2,407.92 acre tract and said 47.96 acre tract, to a 2 inch galvanized post found at a fence corner, for the apparent common corner of said Garrett, Darwin, and Linney Surveys, the common corner of said 2,407.92 acre tract, said 47.96 acre tract, and that certain called 34.44 acre tract described in instrument to Coastal Water Authority, recorded under Clerk's File Number 2010005408, O.P.R.L.C.L., being an angle point in an easterly south line of the herein described 2,761.381 acre tract;

THENCE South 86°24'12" West, 7886.35 feet, with the apparent common line between said said Garrett and Darwin Surveys, the northerly line of said 34.44 acre tract and said 529.6851 acre tract, common to a southerly line of said 2,407.92 acre tract, to a 1 1/2 inch iron pipe found for the apparent common southerly corner of said Garrett and Huffman Surveys, the common northerly corner of said 2,407.92 acre tract and said 529.6851 acre tract, being an interior corner of the herein described 2,761.381 acre tract.

THENCE South 02°29'59" East, 7650.28 feet, with the common line between said 2,407.92 acre tract and said 529.6851 acre tract, to the **POINT OF BEGINNING**

CONTAINING a computed area of 2,761.381 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground in March, 2020 by Texas Professional Surveying, LLC., Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number C69-11,000acres

Bearings recited hereon are based on GPS observations and are referenced to the North American Datum (NAD) 1983, Texas State Plane Coordinate System, Central Zone (4203).

Date

Carey A. Johnson
R.P.L.S. No. 6524

TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
(936)756-7447 FAX (936)756-7448
FIRM REGISTRATION No. 100834-00

FIELD NOTE DESCRIPTION

7,917.805 ACRES

SAVE AND EXCEPT:

***TRACT 1" 6.695 ACRES**

***TRACT 2" 4.000 ACRES**

***TRACT 3" 4.000 ACRES**

***TRACT 4" 4.000 ACRES**

***TRACT 5" 4.740 ACRES**

7,894.370 ACRES (NET)

**IN THE C.M. RICE SURVEY, ABSTRACT NUMBER 912,
THE STEPHEN NICHOLSON SURVEY, ABSTRACT NUMBER 90,
THE C.M. RICE SURVEY, ABSTRACT NUMBER 913,
THE J. PLEASANTS SURVEY, ABSTRACT NUMBER 327,
THE M. SMITH SURVEY, ABSTRACT NUMBER 105,
THE C.M. RICE SURVEY, ABSTRACT NUMBER 911,
AND THE F.H. VOTAW SURVEY, ABSTRACT NUMBER 838
LIBERTY COUNTY, TEXAS**

BEING a 7,917.805 acre tract of land situated in the C.M. Rice Survey, Abstract Number 912, the Stephen Nicholson Survey, Abstract Number 90, the C.M. Rice Survey, Abstract Number 913, the J. Pleasants Survey, Abstract Number 327, the M. Smith Survey, Abstract Number 105, the C.M. Rice Survey, Abstract Number 911, and the F.H. Votaw Survey, Abstract Number 838, Liberty County, Texas, being comprised of all of that same called 101.135 acre tract described as "Mo. No. 1087", all of that same called 3,470.357 acre tract described as "Mo. No. 1041", all of that same called 2,393.87 acre tract described as "Mo. No. 1028", and all of that same called 737.614 acre tract described as "Mo. No. 1053", described in instrument to Timbervest Partners III Texas, LLC, recorded under Clerk's File Number 2012000112 of the Official Public Records of Liberty County, Texas (O.P.R.L.C.T.), all of that same called 277.0 acre tract described as "Mo. No. 1018", all of that same called 628.43 acre tract described as "Mo. No. 1052", and a portion of that certain called 294.0 acre tract described as "Mo. No. 1051", in instrument to Timbervest Partners III Texas, LLC, recorded under Clerk's File Number 2012001866, O.P.R.L.C.T., said 7,917.805 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 4 inch by 4 inch concrete monument found for an apparent common corner of said Pleasants Survey and the Thomas Dever Survey, Abstract Number 170, for the apparent northwesterly corner of said Pleasants Survey, for a common corner of said 3,470.357 acre tract and the remainder of that certain called 40.00 acre tract described in instrument to John David Renfro, recorded under Clerk's File Number 2005008881, O.P.R.L.C.T., being the westerly northwest corner of the herein described 7,917.805 acre tract:

THENCE North 86°13'20" East, with the apparent common line between said Pleasants and Dever Surveys, the common line between said 3,470.357 acre tract and said Renfro tract, at a distance of 98.52 feet, pass a 5/8 inch iron rod with cap stamped "R.P.L.S. 2056" for the common southerly corner of said Renfro tract and that certain called 20.178 acre tract described in instrument to Santos Sanchez, recorded under Clerk's File Number 2017021474, O.P.R.L.C.T., thence with the common line between said 3,470.357 acre tract and said 20.178 acre tract, at a distance of 183.32 feet, pass a 1/2 inch iron pipe found for reference, in all, a total distance of 807.89 feet, to a 3 inch iron pipe found for the apparent common southerly corner of said Votaw and Dever Surveys, the common southerly corner of said 101.135 acre tract and said 20.178 acre tract, being an interior corner of the herein described 7,917.805 acre tract;

THENCE North 03°04'30" West, 563.93 feet, with the apparent common line between said Votaw and Dever Surveys, the common line between said 101.135 acre tract and said 20.178 acre tract, to a 4 inch by 4 inch concrete monument found for the common westerly corner of said 101.135 acre tract and that certain 161.6 acre tract shown to be owned by the State of Texas Permanent School Fund, per Liberty County Appraisal District (L.C.A.D.), ID Number 124439, being the northerly northwest corner of the herein described 7,917.805 acre tract;

THENCE North 86°18'52" East, 7,951.17 feet, with the common line between said 101.135 acre tract and said 161.6 acre tract, to a 4 inch by 4 inch concrete monument found for the common northerly corner of said 101.135 acre tract and Chaparral Ranch, Section 2 (unrecorded subdivision), being the northerly northeast corner of the herein described 7,917.805 acre tract;

THENCE South 03°49'37" East, 551.33 feet, with the common line between said 101.135 acre tract and said Section 2, to a 4 inch by 4 inch concrete monument found in the apparent common line between said Votaw and Pleasants Surveys, the northerly line of said 3,470.357 acre tract, for the common southerly corner of said 101.135 acre tract and said Section 2, being an interior corner of the herein described 7,917.805 acre tract.

THENCE North 86°14'10" East, with the apparent common line between said Votaw and Pleasants Surveys, the common line between said 3,470.357 acre tract and said Section 2, at a distance of 1,124.28 feet, pass a 4 inch by 4 inch concrete monument found for reference, at a distance of 2,602.98 feet, pass a 1/2 inch iron rod found for reference, at a distance of 3,358.97 feet, pass a 1/2 inch iron rod found for reference, at a distance of 4,147.46 feet, pass a 1/2 inch iron rod found for reference, in all, a total distance of 5,318.48 feet, to a 4 inch by 4 inch concrete monument found for the apparent common northerly corner of said Pleasants Survey and the Jordan West Survey, Abstract Number 116, the common northerly corner of said 3,470.357 acre tract and that certain called 2,332.6 acre tract described as "Tract 4" in instrument to Champion Paper Co., recorded in Volume 282, Page 708 of the Deed records of Liberty County, Texas (O.P.R.L.C.T.), being a northeasterly corner of the herein described 7,917.805 acre tract;

THENCE South 02°59'28" East, 10,174.41 feet, with the apparent common line between said Pleasants and West Surveys, the common line between said 3,470.357 acre tract and said 2,332.6 acre tract, to a 4 inch by 4 inch concrete monument found in the apparent northerly line of said Smith Survey, for the apparent common southerly corner of said Pleasants and West Surveys, the northerly line of said 2,393.87 acre tract, for the common southerly corner of said 3,470.357 acre tract and said 2,332.6 acre tract, being an interior corner of the herein described 7,917.805 acre tract;

THENCE North 87°02'31" East, 5,572.82 feet, with the apparent common line between said Smith and West Surveys, the common line between said 2,393.87 acre tract and said 2,332.6 acre tract, to a 4 inch by 4 inch concrete monument found for the common northerly corner of said 2,393.87 acre tract and that certain called 109.1958 acre tract described in instrument to Victor Hagler, recorded in Volume 1654, Page 708, O.P.R.L.C.T., being a northeasterly corner of the herein described 7,917.805 acre tract;

THENCE South 02°07'15" East, 3,037.99 feet, with the common line between said 2,393.87 acre tract and said 109.1958 acre tract, to a 4 inch by 4 inch concrete monument found for a common corner of the same, being an interior corner of the herein described 7,917.805 acre tract.

THENCE North 89°54'30" East, 123.56 feet, continuing with said common line, to a 4 inch by 4 inch concrete monument found for the common northerly corner of said 2,393.87 acre tract and that certain called 8,677 acre tract described in instrument to Black, Mann, & Graham, LLP, recorded under Clerk's File Number 2016009983, O.P.R.L.C.T., being an easterly corner of the herein described 7,917,805 acre tract;

THENCE South 16°17'45" West, with the westerly line of said 8,677 acre tract, that certain called 15,169 acre tract described in instrument to Manuel Centeno, recorded under Clerk's File Number 2015019764, O.P.R.L.C.T., that certain called 12.0 acre tract conveyed in instrument recorded in Volume 637, Page 668, D.R.L.C.T., and that certain called 1,000 acre tract described in instrument to Jason Jones, recorded under Clerk's File Number 2016014630, O.P.R.L.C.T., common to an easterly line of said 2,393.87 acre tract, at a distance of 7,674.85 feet, pass a 3/8 inch iron rod found for reference, in all, a total distance of 2,687.64 feet, to a calculated point in the apparent common line between said Smith and Nicholson Surveys, the northerly right-of-way of Carter Loop Road (30 feet wide), for the common southerly corner of said 2,393.87 acre tract and said 1,000 acre tract, being an easterly corner of the herein described 7,917,805 acre tract;

THENCE South 86°44'20" West, 1,959.65 feet, with the apparent common line between said Smith and Nicholson Surveys, the northerly right-of-way of said Carter Loop Road, at a distance of 729.9 feet, pass a 5/8 inch iron rod found for the northeasterly corner of that certain called 52,355.5 acre tract described in instrument to Timmy W. Rollins, recorded in Volume 1608, Page 13, O.P.R.L.C.T., thence with the northerly line of said 52,355.5 acre tract that certain 56.5 acre tract now or formerly owned by James Davenport, and that certain called 40 acre tract described in instrument to Robert Majnik, recorded in Volume 653, Page 715, D.R.L.C.T., common to the easterly south line of said 2,393.87 acre tract, to a 2 inch iron pipe found for an apparent common corner of said Smith and Nicholson Surveys, a common corner of said 2,393.87 acre tract and said 40 acre tract, being an interior corner of the herein described 7,917,805 acre tract;

THENCE South 03°12'18" East, 894.71 feet, continuing with the apparent common line between said Smith and Nicholson Surveys, the common line between said 2,393.87 acre tract and said 40 acre tract, to a 4 inch by 4 inch concrete monument found for an apparent common corner of said Smith, Nicholson, and Rice (Abstract Number 913) Surveys, a common corner of said 2,393.87 acre tract, said 737,614 acre tract, and said 40 acre tract, being an angle point in an easterly line of the herein described 7,917,805 acre tract;

THENCE South 02°12'00" East, 286.57 feet, with the apparent common line between said Rice (Abstract Number 913) and Nicholson Surveys, the common line between said 737,614 acre tract and said 40 acre tract, to a 5/8 inch iron rod found for an apparent common corner of said Rice (Abstract Number 913) and said Nicholson Surveys, the common corner of said 737,614 acre tract, said 40 acre tract, and that certain called 18,735 acre tract described in instrument to Timothy J. Strong, recorded under Clerk's File Number 2005017117, O.P.R.L.C.T., being an angle point in an easterly line of the herein described 7,917,805 acre tract;

THENCE South 05°45'59" East, 1,890.73 feet, continuing with said apparent common Survey line, the common line between said 737,614 acre tract and said 18,735 acre tract, to a railroad tie fence corner post found for an apparent common corner of said Rice (Abstract Number 913) and Nicholson Surveys, a common corner of said 737,614 acre tract, said 18,735 acre tract, and that certain called 5 acre tract described in instrument to David Carter, recorded in Volume 538, Page 295, D.R.L.C.T., being an angle point in an easterly line of the herein described 7,917,805 acre tract;

THENCE South 05°14'41" East, 1,456.43 feet, continuing with said apparent common Survey line, the westerly line of said 5 acre tract and that certain called 41.9 acre tract described in instrument to David Carter, recorded in Volume 532, Page 236, D.R.L.C.T., common to the easterly line of said 737,614 acre tract, to a 2 3/8 inch iron rod found for an apparent common corner of said Rice (Abstract Number 913) and Nicholson Surveys, a common corner of said 737,614 acre tract, said 41.9 acre tract, and that certain called 1.23 acre tract described in instrument to Dewitt Jackson, recorded in Volume 539, Page 539, D.R.L.C.T., being an angle point in an easterly line of the herein described 7,917,805 acre tract.

THENCE South 04°04'14" East, 2,322.24 feet, continuing with said apparent common survey line, the westerly line of said 1.23 acre tract, that certain tract conveyed in instrument to Amy M. Jam, recorded in Volume 764, Page 265, O.R.L.C.T., that certain called 1.3 acre tract described in instrument to Carolyn Reeves, recorded in Volume 1022, Page 782, O.R.L.C.T., that certain called 5.6916 acre tract described in instrument to M&J Haney Prop., recorded under Clerk's File Number 2017016762, O.R.L.C.T., and that certain 25 acre tract per L.C.A.D. ID Number 172208, common to the easterly line of said 737.614 acre tract, to a 4 inch by 4 inch concrete monument found for an apparent common corner of said Rice (Abstract Number: 913), and Nicholson Surveys, a common corner of said 737.614 acre tract, said 277.0 acre tract, and said 25 acre tract, being an interior corner of the herein described 7,917.805 acre tract;

THENCE North 86°59'43" East, 1,932.58 feet, with the common line between said 277.0 acre tract and said 25 acre tract, to a 4 inch by 4 inch concrete monument found for the common northerly corner of said 277.0 acre tract and that certain called 810.025 acre tract described in instrument to Manfred H. Quentel, recorded under Clerk's File Number 2006006156, O.R.L.C.T., being an easterly corner of the herein described 7,917.805 acre tract;

THENCE South 92°42'40" East, 6,615.36 feet, with the common line between said 277.0 acre tract and said 810.025 acre tract, to a 5/8 inch iron rod in the apparent common line between said Nicholson Survey and said Rice Survey (Abstract Number 912) the northerly line of said 628.43 acre tract, for the common southerly corner of said 277.0 acre tract and said 810.025 acre tract, being an interior corner of the herein described 7,917.805 acre tract, from which a 1 1/2 inch iron pipe found for reference, bears North 05°00'06" East, 82.17 feet;

THENCE North 89°58'28" East, 3,333.96 feet, with the apparent common line between said Nicholson Survey and said Rice Survey (Abstract Number 912) the common line between said 628.43 acre tract and said 810.025 acre tract, to a 2 inch iron pipe found for the common corner of said 628.43 acre tract, said 810.025 acre tract, and that certain called 48.96 acre tract described as "Tract 1" in instrument to Charles Campbell, II, recorded under Clerk's File Number 2019002122, O.R.L.C.T., being an angle point in an easterly north line of the herein described 7,917.805 acre tract,

THENCE North 89°57'02" East, 564.87 feet, continuing with said apparent common Survey line, the common line between said 628.43 acre tract and said 48.96 acre tract, to a 2 inch iron rod found for the common corner of said 628.43 acre tract, said 48.96 acre tract, and that certain called 69,9488 acre tract described in instrument to Terry L. Fisk and Arlene A. Fisk, recorded under Clerk's File Number 2017004073, O.R.L.C.T., being an angle point in an easterly north line of the herein described 7,917.805 acre tract;

THENCE North 89°55'02" East, 189.72 feet, continuing with said apparent common Survey line, the common line between said 628.43 acre tract and said 69,9488 acre tract, to a 4 inch by 4 inch concrete monument found for the apparent common northerly corner of said Rice Survey (Abstract Number 922) and the H&I C. RR. Co. Survey, Abstract Number 232, in the westerly line of that certain called 25.14 acre tract described in instrument to Samuel Gonzalez, recorded under Clerk's File Number 2019019250, O.P.R.L.C.T., for the northeasterly corner of said 628.43 acre tract, being an easterly corner of the herein described 7,917.805 acre tract, from which a 4 inch by 4 inch concrete monument found for reference, bears North 02°41'14" West, 126.53 feet;

THENCE South 02°53'42" East, 5,299.92 feet, with the apparent common line between said Rice Survey (Abstract Number 912), and said H&T.C. RR. Co. Survey (Abstract Number 232), the westerly line of said 25.14 acre tract, that certain called 25.591 acre tract described in instrument to Prince R. Leonard and Charlmane R. Leonard, recorded under Clerk's File Number 2008014033, O.P.R.L.C.T., that certain called 25.799 acre tract described in instrument to Prince R. Leonard and Charlmane R. Leonard, recorded under Clerk's File Number 2009060864, O.P.R.L.C.T., that certain tract per L.C.A.D.D. Number 157941, that certain called 25.061 acre tract described in instrument to Humberto Hernandez, recorded under Clerk's File Number 2014005543, O.P.R.L.C.T., and that certain called 26.5, 81 acre tract described in instrument to Raymond Lynn Ridgeway and Sarepta Ann Ridgeway, recorded under Clerk's File Number 2016006441, O.P.R.L.C.T., common to the easterly line of said 628.43 acre tract, to a 4 inch by 4 inch concrete monument found for the apparent common corner of said Rice Survey (Abstract Number 912), said Rice Survey (Abstract Number 911), said H&T.C. RR. Co. Survey (Abstract Number 232), and the C.M. Rice Survey, Abstract Number 890, the common corner of said 628.43 acre tract, said 294.0 acre tract, said 26.3187 acre tract, and that certain called 32.377 acre tract described in instrument to Jack Powell Chambers, recorded in Volume 1515, Page 338, O.P.R.L.C.T., being an angle point in the most southerly east line of the herein described 7,917,805 acre tract.

THENCE South 01°29'53" East, 2,660.50 feet, with the apparent common line between said Rice Surveys (Abstracts Number 911 and 890) the common line between said 294.0 acre tract and said 32.377 acre tract, at a distance of 611.92 feet passing a 1 1/2 inch iron pipe found for the common southerly corner of said 294.0 acre tract and said 32.377 acre tract, thence continuing with said apparent common survey lines, the westerly line of that certain called 8.4 acre tract described as "Tract One" in instrument to Llane Gay Garcia, recorded in Volume 1404, Page 9, O.P.R.L.C.T., and that certain called 41.088 acre tract described as "Tract Three" in instrument to V2 Bar Farms, LLC, recorded under Clerk's File Number 2016012395, O.P.R.L.C.T., common to the easterly line of said 294.0 acre tract, to a 4 inch by 4 inch concrete monument found for apparent common corner of said Rice Surveys (Abstracts Number 890 and 911) and the C.M. Rice Survey, Abstract Number 893, a common corner of said 294.0 acre tract and said 44.088 acre tract being the southeasterly corner of the herein described 7,917,805 acre tract, from which a 5/8 inch iron rod found for the northeasterly corner of that certain called 25.57 acre tract described as "Tract 1" in instrument to Timothy R. Barber and Holly R. Barber, recorded under Clerk's File Number 2017005024, O.P.R.L.C.T., bears North 97°56'48" East, 8.48 feet;

THENCE South 87° 12'59" West, with the common line between said 294.0 acre tract and said 25.11 acre tract, at a distance of 850.16 feet passing a 1/2 inch iron pipe found, for reference, in all a total distance of 1,576.52 feet, to a 4 inch by 4 inch concrete monument found in the approximate centerline of Simms Gully for a southerly corner of said 294.0 acre tract, being a corner of the herein described 7,917,805 acre tract;

THENCE in a southerly direction, with the meanders of Simms Gully the following twenty-eight (28) courses and distances:

- 1) THENCE South 06° 11'56" West, 315.25 feet, to a calculated point for corner
- 2) THENCE South 46° 01'28" West, 75.69 feet, to a calculated point for corner
- 3) THENCE South 53° 36'48" East, 81.01 feet, to a calculated point for corner
- 4) THENCE South 27° 03'42" East, 100.79 feet, to a calculated point for corner
- 5) THENCE South 68° 42'11" West, 49.85 feet, to a calculated point for corner
- 6) THENCE South 10° 52'31" East, 215.31 feet, to a calculated point for corner
- 7) THENCE South 05° 49'10" West, 288.58 feet, to a calculated point for corner
- 8) THENCE South 38° 32'06" East, 187.81 feet, to a calculated point for corner
- 9) THENCE South 29° 47'58" West, 176.88 feet, to a calculated point for corner
- 10) THENCE South 42° 46'23" West, 158.73 feet, to a calculated point for corner
- 11) THENCE South 10° 19'19" West, 62.27 feet, to a calculated point for corner
- 12) THENCE South 72° 58'46" West, 140.53 feet, to a calculated point for corner
- 13) THENCE South 51° 17'28" West, 118.29 feet, to a calculated point for corner
- 14) THENCE South 87° 21'22" West, 75.53 feet, to a calculated point for corner
- 15) THENCE South 05° 56'17" West, 55.38 feet, to a calculated point for corner
- 16) THENCE North 86° 58'43" West, 48.57 feet, to a calculated point for corner
- 17) THENCE South 44° 49'53" West, 65.17 feet, to a calculated point for corner
- 18) THENCE North 66° 04'09" West, 62.43 feet, to a calculated point for corner

- 19) THENCE South 13°06'12" West, 74.92 feet, to a calculated point for corner
- 20) THENCE South 67°14'41" West, 119.74 feet, to a calculated point for corner
- 21) THENCE South 04°03'49" East, 124.39 feet, to a calculated point for corner
- 22) THENCE North 76°15'34" West, 47.74 feet, to a calculated point for corner
- 23) THENCE South 27°07'02" West, 90.74 feet, to a calculated point for corner
- 24) THENCE South 70°40'35" West, 94.24 feet, to a calculated point for corner
- 25) THENCE South 28°26'48" East, 191.15 feet, to a calculated point for corner
- 26) THENCE North 86°00'39" West, 145.73 feet, to a calculated point for corner
- 27) THENCE South 24°24'15" East, 107.12 feet, to a calculated point for corner
- 28) THENCE South 10°43'32" West, 98.79 feet, to a calculated point on the westerly high bank of Tarkington Bayou, in the apparent common line between said Rice Survey (Abstract 911) and the David Rankin Survey, Abstract Number 333, for a southerly corner of the herein described 7,917.805 acre tract;

THENCE, in a westerly direction, with the apparent common line between said Rice Survey (Abstract Number 911) and said Rankin Survey, with the westerly high bank of Tarkington Bayou the following thirty-five (35) courses and distances:

- 1) North 64°18'21" West, 60.75 feet, to a calculated point for corner
- 2) South 25°50'17" West, 172.97 feet, to a calculated point for corner
- 3) South 33°28'17" West, 204.79 feet, to a calculated point for corner
- 4) South 87°50'26" West, 95.79 feet, to a calculated point for corner
- 5) North 33°47'51" West, 83.53 feet, to a calculated point for corner
- 6) North 12°02'32" East, 161.61 feet, to a calculated point for corner
- 7) South 67°03'52" West, 146.65 feet, to a calculated point for corner
- 8) North 88°30'41" West, 116.40 feet, to a calculated point for corner
- 9) North 64°59'35" West, 70.84 feet, to a calculated point for corner
- 10) North 11°54'47" West, 57.69 feet, to a calculated point for corner
- 11) North 18°52'14" East, 121.10 feet, to a calculated point for corner
- 12) North 02°37'43" East, 129.23 feet, to a calculated point for corner
- 13) North 49°55'58" West, 199.85 feet, to a calculated point for corner
- 14) South 42°02'07" West, 104.49 feet, to a calculated point for corner
- 15) North 35°10'55" West, 130.16 feet, to a calculated point for corner
- 16) South 74°38'04" West, 236.42 feet, to a calculated point for corner
- 17) North 74°35'56" West, 121.64 feet, to a calculated point for corner
- 18) North 08°49'02" West, 195.54 feet, to a calculated point for corner
- 19) North 67°49'32" West, 257.43 feet, to a calculated point for corner
- 20) South 71°43'13" West, 182.18 feet, to a calculated point for corner
- 21) North 20°08'11" West, 218.05 feet, to a calculated point for corner
- 22) South 66°25'16" West, 109.64 feet, to a calculated point for corner
- 23) North 73°14'39" West, 497.48 feet, to a calculated point for corner
- 24) North 23°48'18" West, 96.38 feet, to a calculated point for corner
- 25) North 53°09'51" East, 162.51 feet, to a calculated point for corner
- 26) North 22°01'47" West, 167.78 feet, to a calculated point for corner
- 27) North 00°34'28" East, 115.69 feet, to a calculated point for corner
- 28) North 69°10'59" West, 113.17 feet, to a calculated point for corner
- 29) South 48°00'59" West, 187.72 feet, to a calculated point for corner
- 30) North 54°28'06" West, 65.69 feet, to a calculated point for corner
- 31) North 19°19'59" West, 155.07 feet, to a calculated point for corner
- 32) North 04°18'26" West, 275.54 feet, to a calculated point for corner
- 33) North 58°47'01" West, 122.19 feet, to a calculated point for corner
- 34) North 30°38'48" West, 123.80 feet, to a calculated point for corner

250 North 07°11'43" East, 268.72 feet, to a concrete monument (broken) found on the westerly high bank of Tarkington Bayou, in the apparent southerly line of the H&T.C. R.R. Co Survey, Abstract Number 230 for the apparent common northerly corner of said Rice (Abstract Number 911) and Rankin Surveys, for the most westerly common southerly corner of said 294.0 acre tract and that certain called 3,126.843 acre tract described in instrument to CR Farms, L.L.C., recorded under Clerk's File Number 2018017703, O.P.R.L.C.T., being a southwesterly corner of the herein described 7,917,805 acre tract.

THENCE North 87°05'00" East, 2,924.75 feet, with the apparent common line between said Rice Survey (Abstract Number 911) and said H&T.C. R.R. Co Survey (Abstract Number 230), the common line between said 294.0 acre tract and said 3,126.843 acre tract, to a 3/8 inch iron rod found for an apparent common corner of said Rice and H&T.C. R.R. Co Surveys, the common southerly corner of said 294.0 acre tract and said 3,126.843 acre tract, being a southwesterly corner of the herein described 7,917,805 acre tract.

THENCE North 03°03'41" West, 2,655.20 feet, with the apparent common line between said Rice Survey (Abstract Number 911) and said H&T.C. R.R. Co Survey (Abstract Number 230), the common line between said 294.0 acre tract and said 3,126.843 acre tract, to a 4 inch by 4 inch concrete monument found in the apparent southerly line of said Rice Survey (Abstract Number 912), for the apparent common northerly corner of said Rice Survey (Abstract Number 911) and said H&T.C. R.R. Co Survey (Abstract Number 230), for the apparent common easterly corner of said Rice Survey (Abstract Number 912) and said H&T.C. R.R. Co Survey (Abstract Number 230), the southerly line of said 628.43 acre tract, for the common northerly corner of said 294.0 acre tract and said 3,126.843 acre tract being an interior corner of the herein described 7,917,805 acre tract.

THENCE South 86°29'58" West, 2,927.60 feet, with the apparent common line between said Rice Survey (Abstract Number 912) and said H&T.C. R.R. Co Survey (Abstract Number 230), the common line between said 628.43 acre tract and said 3,126.843 acre tract, to a 2 1/8 inch iron rod found for an apparent common corner of said Rice Survey (Abstract Number 912) and said H&T.C. R.R. Co Survey (Abstract Number 230), a common corner of said 628.43 acre tract and said 3,126.843 acre tract, being a southwesterly corner of the herein described 7,917,805 acre tract.

THENCE North 02°26'32" West, 5,323.95 feet, continuing with said apparent common Survey line, the common line between said 628.43 acre tract and said 3,126.843 acre tract, to a 4 inch by 4 inch concrete monument found in the apparent southerly line said Nicholson Survey, for the apparent common northerly corner of said Rice Survey (Abstract Number 912) and said H&T.C. R.R. Co Survey (Abstract Number 230), the southerly line of said 277.0 acre tract, for the common northerly corner of said 628.43 acre tract and said 3,126.843 acre tract, being an interior corner of the herein described 7,917,805 acre tract.

THENCE South 89°13'44" West, 867.67 feet, with the apparent common line between said Nicholson Survey and said H&T.C. R.R. Co Survey (Abstract Number 230), the common line between said 277.0 acre tract and said 3,126.843 acre tract, to a 4 inch by 4 inch concrete monument found for the apparent common southerly corner of said Nicholson Survey, and the H&T.C. R.R. Co Survey, Abstract Number 229, the common southerly corner of said 277.0 acre tract and said 3,126.843 acre tract, being a westerly corner of the herein described 7,917,805 acre tract.

THENCE North 01°33'20" West, 215.86 feet, with the apparent common line between said Nicholson Survey and said H&T.C. R.R. Co Survey (Abstract Number 229), the common line between said 277.0 acre tract and said 3,126.843 acre tract, to a 4 inch by 4 inch concrete monument found for an apparent common corner of said Nicholson Survey and said H&T.C. R.R. Co Survey, a common corner of said 277.0 acre tract and said 3,126.843 acre tract, being an angle point in a westerly line of the herein described 7,917,805 acre tract.

THENCE North 00°52'42" West, 5,662.97 feet, continuing with said apparent common Survey line, the common line between said 277.0 acre tract and said 3,126.843 acre tract, to an axle found for an apparent common corner of said Rice Survey (Abstract Number 913), said Nicholson Survey, and said H&T.C. R.R. Co Survey (Abstract Number 229), a common corner of said 277.0 acre tract, said 737.674 acre tract, and said 3,126.843 acre tract, being an interior corner of the herein described 7,917,805 acre tract.

THENCE South 88°00'49" West, with the apparent common line between said Rice Survey (Abstract Number 913), and said H&T.C. & R.R. Co. Survey (Abstract Number 229), the common line between said 7.17614 acre tract and said 1126.943 acre tract, at a distance of 2,681.30 feet passing a concrete monument with a 2 inch brass disc stamped "KIRBY" found, for reference, in all a total distance of 2,703.68 feet to a calculated point in the approximate centerline of Tarkington Bayou for the apparent common corner said Rice Survey (Abstract Number 913), said H&T.C. & R.R. Co. Survey (Abstract Number 229), and the James Humphries Survey, Abstract Number 212, being a westerly corner of the herein described 7.917806 acre tract:

THENCE in a northwesterly direction, with the apparent common line between said Rice Survey (Abstract Number 913), and said Humphries Survey, with the meanders of Tarkington Bayou the following Seventy-Nine (79) courses and distances:

- 1) THENCE North 03°14'35" East, 157.67 feet, to a calculated point for corner;
- 2) THENCE North 36°15'57" East, 83.52 feet, to a calculated point for corner;
- 3) THENCE North 66°33'16" West, 46.17 feet, to a calculated point for corner;
- 4) THENCE North 53°53'58" West, 121.81 feet, to a calculated point for corner;
- 5) THENCE North 16°52'02" West, 57.73 feet, to a calculated point for corner;
- 6) THENCE North 40°50'27" East, 135.51 feet, to a calculated point for corner;
- 7) THENCE North 18°59'55" East, 102.08 feet, to a calculated point for corner;
- 8) THENCE North 16°05'40" West, 119.89 feet, to a calculated point for corner;
- 9) THENCE North 77°26'09" West, 103.54 feet, to a calculated point for corner;
- 10) THENCE North 25°47'32" West, 75.04 feet, to a calculated point for corner;
- 11) THENCE North 85°39'15" West, 143.45 feet, to a calculated point for corner;
- 12) THENCE North 28°12'15" West, 84.04 feet, to a calculated point for corner;
- 13) THENCE North 80°07'15" West, 86.01 feet, to a calculated point for corner;
- 14) THENCE North 43°00'19" West, 61.55 feet, to a calculated point for corner;
- 15) THENCE North 00°00'00" West, 59.80 feet, to a calculated point for corner;
- 16) THENCE North 68°36'20" West, 85.16 feet, to a calculated point for corner;
- 17) THENCE North 53°24'36" West, 54.42 feet, to a calculated point for corner;
- 18) THENCE North 74°14'33" West, 105.90 feet, to a calculated point for corner;
- 19) THENCE North 35°17'46" West, 78.09 feet, to a calculated point for corner;
- 20) THENCE North 66°31'19" West, 136.57 feet, to a calculated point for corner;
- 21) THENCE North 27°27'24" East, 77.89 feet, to a calculated point for corner;
- 22) THENCE North 63°14'17" East, 90.11 feet, to a calculated point for corner;
- 23) THENCE North 16°20'33" East, 130.80 feet, to a calculated point for corner;
- 24) THENCE North 88°49'55" West, 265.74 feet, to a calculated point for corner;
- 25) THENCE North 31°49'05" West, 105.24 feet, to a calculated point for corner;
- 26) THENCE North 27°48'58" East, 112.18 feet, to a calculated point for corner;
- 27) THENCE North 28°11'15" West, 263.13 feet, to a calculated point for corner;
- 28) THENCE South 68°00'00" West, 215.27 feet, to a calculated point for corner;
- 29) THENCE South 84°46'19" West, 198.46 feet, to a calculated point for corner;
- 30) THENCE North 08°56'15" East, 94.30 feet, to a calculated point for corner;
- 31) THENCE North 05°00'37" West, 106.46 feet, to a calculated point for corner;
- 32) THENCE North 64°27'07" West, 92.76 feet, to a calculated point for corner;
- 33) THENCE South 61°59'08" West, 201.87 feet, to a calculated point for corner;
- 34) THENCE North 52°52'49" West, 101.23 feet, to a calculated point for corner;
- 35) THENCE North 24°40'48" East, 169.55 feet, to a calculated point for corner;
- 36) THENCE North 10°25'59" West, 102.55 feet, to a calculated point for corner;
- 37) THENCE North 78°52'34" West, 92.89 feet, to a calculated point for corner;
- 38) THENCE North 41°31'21" West, 171.65 feet, to a calculated point for corner;
- 39) THENCE North 61°10'59" West, 126.95 feet, to a calculated point for corner;
- 40) THENCE South 88°12'59" West, 150.36 feet, to a calculated point for corner;
- 41) THENCE North 47°46'11" West, 42.48 feet, to a calculated point for corner;
- 42) THENCE North 36°14'55" East, 119.75 feet, to a calculated point for corner;
- 43) THENCE North 19°06'40" East, 86.97 feet, to a calculated point for corner;
- 44) THENCE North 08°29'37" West, 186.43 feet, to a calculated point for corner;

45) THENCE North 49° 47'13" West, 157.95 feet, to a calculated point for corner;
46) THENCE North 82° 36'46" West, 91.405 feet, to a calculated point for corner;
47) THENCE North 08° 02'27" West, 489.91 feet, to a calculated point for corner;
48) THENCE North 29° 55'58" West, 764.55 feet, to a calculated point for corner;
49) THENCE North 69° 55'19" West, 255.59 feet, to a calculated point for corner;
50) THENCE North 32° 12'04" West, 224.86 feet, to a calculated point for corner;
51) THENCE North 26° 34'08" West, 168.69 feet, to a calculated point for corner;
52) THENCE South 77° 51'22" West, 158.29 feet, to a calculated point for corner;
53) THENCE South 02° 15'44" West, 131.76 feet, to a calculated point for corner;
54) THENCE North 45° 21'41" West, 191.82 feet, to a calculated point for corner;
55) THENCE North 28° 01'00" West, 166.40 feet, to a calculated point for corner;
56) THENCE North 19° 50'58" West, 394.69 feet, to a calculated point for corner;
57) THENCE North 47° 56'15" West, 169.57 feet, to a calculated point for corner;
58) THENCE North 02° 05'30" West, 101.16 feet, to a calculated point for corner;
59) THENCE North 46° 51'02" West, 88.54 feet, to a calculated point for corner;
60) THENCE North 57° 43'04" East, 101.38 feet, to a calculated point for corner;
61) THENCE North 10° 14'49" West, 58.30 feet, to a calculated point for corner;
62) THENCE North 48° 56'39" West, 123.74 feet, to a calculated point for corner;
63) THENCE North 14° 01'41" West, 75.79 feet, to a calculated point for corner;
64) THENCE South 86° 35'12" West, 107.05 feet, to a calculated point for corner;
65) THENCE North 41° 53'41" West, 226.92 feet, to a calculated point for corner;
66) THENCE North 53° 32'26" West, 74.51 feet, to a calculated point for corner;
67) THENCE North 25° 27'27" East, 72.56 feet, to a calculated point for corner;
68) THENCE North 30° 08'34" West, 120.69 feet, to a calculated point for corner;
69) THENCE North 02° 45'25" West, 88.04 feet, to a calculated point for corner;
70) THENCE North 07° 08'02" West, 162.78 feet, to a calculated point for corner;
71) THENCE North 02° 33'08" West, 71.25 feet, to a calculated point for corner;
72) THENCE North 00° 47'51" East, 158.05 feet, to a calculated point for corner;
73) THENCE North 11° 58'33" East, 30.00 feet, to a calculated point for corner;
74) THENCE North 37° 15'40" East, 46.28 feet, to a calculated point for corner;
75) THENCE North 15° 19'39" West, 227.53 feet, to a calculated point for corner;
76) THENCE North 12° 24'51" East, 106.07 feet, to a calculated point for corner;
77) THENCE North 58° 33'41" West, 158.53 feet, to a calculated point for corner;
78) THENCE North 50° 21'39" East, 65.94 feet, to a calculated point for corner;
79) THENCE North 46° 45'15" West, 59.84 feet, to a calculated point on the apparent southerly line of said Smith Survey, for the apparent common northerly corner of said Rice Survey (Abstract Number 913), and said Humphries Survey, the southerly line of said 2,393.87 acre tract, for the common northerly corner of said 737.604 acre tract and Bella Vista, Section 5, as shown on the map or plat thereof, recorded under Clerk's File Number 2013001583, O.P.R.L. C. L., being an interior corner of the herein described 7,917.805 acre tract.

THENCE South 87° 07'46" West, with the apparent common line between said Smith and Humphries Surveys, the common line between said 2,393.87 acre tract and said Section 5, at a distance of 27.70 feet, pass a 1/2 inch iron rod found for reference, thence continuing with the apparent common line between said Smith and Humphries Surveys, a northerly line of said Section 5, common to a southerly line of said 2,393.87 acre tract, in all, a total distance of 1,816.98 feet, to a 4 inch by 4 inch concrete monument found for an apparent common corner of said Smith and Humphries Surveys, a common corner of said 2,393.87 acre tract and said Section 5, being a westerly corner of the herein described 7,917.805 acre tract;

THENCE North 02° 56'05" West, 763.63 feet, with the apparent common line between said Smith and Humphries Surveys, the common line between said 2,393.87 acre tract and said Section 5, to a 4 inch by 4 inch concrete monument found for an apparent common corner of said Smith and Humphries Surveys, a common corner of said 2,393.87 acre tract and said Section 5, being an angle point in a westerly line of the herein described 7,917.805 acre tract;

THENCE North 03°06'20" West, 1,813.69 feet, continuing with said apparent common Survey line, the common line between said 2,393.87 acre tract and said Section 5, to a 4 inch by 4 inch concrete monument found for an apparent common corner of said Smith, Humphries, and Pleasants Surveys, a common corner of said 2,393.87 acre tract, said Section 5, and said 3,470.357 acre tract, being an interior corner of the herein described 7,917.805 acre tract;

THENCE, South 86°06'34" West, 2,424.62 feet, with the apparent common line between said Pleasants and Humphries Surveys, with the common line between said 3,470.357 acre tract and said Section 5, to a 4 inch by 4 inch concrete monument found for the apparent common corner said Pleasants and Humphries Surveys and the James Eldridge Survey, Abstract Number 182, the common southerly corner of said 3,470.357 acre tract and the Macdonald Subdivision, as shown on the map or plat thereof, recorded in Volume 128, Page 159, D.R.L.C.L., being a westerly corner of the herein described 7,917.805 acre tract;

THENCE North 03°39'31" West, 13,935.87 feet, with the apparent easterly line of said Eldridge Survey, the Charles Smith Survey, Abstract Number 343, and said Dever Survey, common to the apparent westerly line of said Pleasants Survey, the easterly line of said Macdonald Subdivision, Liberty Acres, as shown on the map or plat thereof, recorded in Volume 1, Page 15, M.R.L.C.L., and said remainder of 40.00 acre tract, the westerly line of said 3,470.357 acre tract, to the **POINT OF BEGINNING**

CONTAINING a computed area of 7,917.805 acres of land within this Field Note Description.

SAVE AND EXCEPT the following described five (5) tracts:

**FIELD NOTE DESCRIPTION
"TRACT 1"
6.695 ACRES
IN THE JOHN PLEASANTS SURVEY, ABSTRACT NUMBER 327
LIBERTY COUNTY, TEXAS**

BEING a 6.695 acre tract of land situated in the John Pleasants Survey, Abstract Number 327, Liberty County, Texas, being comprised of a portion of that same called 3,470.357 acre tract described as "MO, No. 1041" described in instrument to Timbervest Partners III Texas, LLC, recorded under Clerk's File Number 2012000112 of the Official Public Records of Liberty County, Texas (O.P.R.L.C.L.), said 6.695 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northwesterly corner of the herein described 6.695 acre tract, from which a 4 inch by 4 inch concrete monument found in the apparent common line between the Clayton Harper Survey, Abstract Number 209 and the Thomas Dever Survey, Abstract Number 170, for the northwesterly corner of that certain called 101.135 acre tract described as "MO No. 108" described in instrument recorded under Clerk's File Number 2012000112, O.P.R.L.C.L., being the northerly northwest corner of a 7,917.805 acre tract surveyed this day, bears North 52°46'41" West, 3,786.57 feet, and a 4 inch by 4 inch concrete monument found in the apparent common line between said Pleasants and Dever Surveys, for the northwesterly corner of said 3,470.357 acre tract, being the westerly northwest corner of said 7,917.805 acre tract, bears North 66°10'25" West, 4,144.32 feet.

THENCE over and across said 3,470.357 acre tract the following four (4) courses and distances:

- 80) North 90°00'00" East, 518.00 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northeasterly corner of the herein described 6.695 acre tract;
- 81) South 00°00'00" East, 563.00 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southeasterly corner of the herein described 6.695 acre tract;
- 82) South 90°00'00" West, 518.00 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southwesterly corner of the herein described 6.695 acre tract;
- 83) North 00°00'00" West, 563.00 feet, to the **POINT OF BEGINNING**.

CONTAINING a computed area of 5.695 acres of land within this Field Note Description.

FIELD NOTE DESCRIPTION
"TRACT 2"
4.000 ACRES
IN THE JOHN PLEASANTS SURVEY, ABSTRACT NUMBER 327
LIBERTY COUNTY, TEXAS

BEING a 4.000 acre tract of land situated in the John Pleasants Survey, Abstract Number 327, Liberty County, Texas, being comprised of a portion of that same called 3,470.357 acre tract described as "MO. No. 1041" described in instrument to Timbervest Partners III Texas, L.L.C., recorded under Clerk's File Number 2012000112 of the Official Public Records of Liberty County, Texas (O.P.R.L.C.T.), said 4.000 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northeasterly corner of the herein described 4.000 acre tract, from which a 4 inch by 4 inch concrete monument found for the northeasterly corner of that certain called 101.135 acre tract described as "MO. No. 1087" described in instrument recorded under Clerk's File Number 2012000112, O.P.R.L.C.T., being the northerly northeast corner of a 7,917.805 acre tract surveyed this day, bears North 17°29'24" East, 5,561.43 feet; and a 4 inch by 4 inch concrete monument found in the apparent common line between said Pleasants Survey and the F.H. Vetaas Survey, Abstract Number 838, for the southeasterly corner of said 101.135 acre tract, being an interior corner of said 7,917.805 acre tract, bears North 19°45'50" East, 5,051.80 feet;

THENCE, over and across said 7,470.357 acre tract the following four (4) courses and distances:

- B4) South 00°00'00" East, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100874-00" set for the southeasterly corner of the herein described 4.000 acre tract;
- B5) South 90°00'00" West, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100814-00" set for the southwesterly corner of the herein described 4.000 acre tract;
- B6) North 90°00'00" West, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northwesterly corner of the herein described 4.000 acre tract;
- B7) North 90°00'00" East, 417.42 feet, to the **POINT OF BEGINNING**.

CONTAINING a computed area of 4.000 acres of land within this Field Note Description.

FIELD NOTE DESCRIPTION
"TRACT 3"
4.000 ACRES
IN THE JOHN PLEASANTS SURVEY, ABSTRACT NUMBER 327
LIBERTY COUNTY, TEXAS

BEING a 4.000 acre tract of land situated in the John Pleasants Survey, Abstract Number 327, Liberty County, Texas, being comprised of a portion of that same called 3,470.357 acre tract described as "MO. No. 1041" described in instrument to Timbervest Partners III Texas, L.L.C., recorded under Clerk's File Number 2012000112 of the Official Public Records of Liberty County, Texas (O.P.R.L.C.T.), said 4.000 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southwesterly corner of the herein described 4.000 acre tract, from which a 4 inch by 4 inch concrete monument found in the apparent northerly line of the James Humphries Survey, Abstract Number 212, for the apparent common southerly corner of said Pleasants Survey and the James Eldridge Survey, Abstract Number 182, for the southwesterly corner of said 3,470.357 acre tract, being a westerly corner of a 7,917.805 acre tract surveyed this day, bears South 21°18'44" West, 7,203.50 feet; and a 4 inch by 4 inch concrete monument found for the apparent common corner of said Pleasants

and Humphries Surveys and the Maurice Smith Survey, Abstract Number 105, for the southeasterly corner of said 3,470.357 acre tract, being an interior corner of said 7,917,805 acre tract, bears South 03°18'56" West, 7,098.55 feet;

THENCE over and across said 3,470.357 acre tract the following four (4) courses and distances:

- 88) North 00°00'00" West, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northwesterly corner of the herein described 4,000 acre tract;
- 89) North 90°00'00" East, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northeasterly corner of the herein described 4,000 acre tract;
- 90) South 00°00'00" East, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southeasterly corner of the herein described 4,000 acre tract;
- 91) South 90°00'00" West, 417.42 feet, to the **POINT OF BEGINNING**;

CONTAINING a computed area of 4,000 acres of land within this Field Note Description.

**FIELD NOTE DESCRIPTION
"TRACT 4"
4,000 ACRES
IN THE JOHN PLEASANTS SURVEY, ABSTRACT NUMBER 327
LIBERTY COUNTY, TEXAS**

BEING a 4,000 acre tract of land situated in the John Pleasants Survey, Abstract Number 327, Liberty County, Texas, being comprised of a portion of that same called 3,470.357 acre tract described as "MO. No. 1041" described in instrument to Timbervest Partners III Texas, L.L.C., recorded under Clerk's File Number 2002000112 of the Official Public Records of Liberty County, Texas (O.P.R.L.C.T.), said 4,000 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southwesterly corner of the herein described 4,000 acre tract, from which a 4 inch by 4 inch concrete monument found in the apparent northerly line of the James Humphries Survey, Abstract Number 212, for the apparent common southerly corner of said Pleasants Survey and the James Eldridge Survey, Abstract Number 182, for the southwesterly corner of said 3,470.357 acre tract, being a westerly corner of a 7,917,805 acre tract surveyed this day, bears South 32°33'19" West 5,893.33 feet, and a 4 inch by 4 inch concrete monument found for the apparent common corner of said Pleasants and Humphries Surveys and the Maurice Smith Survey, Abstract Number 105, for the southeasterly corner of said 3,470.357 acre tract, being an interior corner of said 7,917,805 acre tract, bears South 08°54'02" West, 4,861.59 feet;

THENCE over and across said 3,470.357 acre tract the following four (4) courses and distances:

- 92) North 00°00'00" West, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northwesterly corner of the herein described 4,000 acre tract;
- 93) North 90°00'00" East, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northeasterly corner of the herein described 4,000 acre tract;
- 94) South 00°00'00" East, 417.42 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southeasterly corner of the herein described 4,000 acre tract;
- 95) South 90°00'00" West, 417.42 feet, to the **POINT OF BEGINNING**;

CONTAINING a computed area of 4,000 acres of land within this Field Note Description.

**FIELD NOTE DESCRIPTION
"TRACT 5"
4.740 ACRES
IN THE JOHN PLEASANTS SURVEY, ABSTRACT NUMBER 327
AND THE MAURICE SMITH SURVEY, ABSTRACT NUMBER 105
LIBERTY COUNTY, TEXAS**

BEING a 4.740 acre tract of land situated in the John Pleasants Survey, Abstract Number 327, Liberty County, Texas, and the Maurice Smith Survey, Abstract Number 105, Liberty County, Texas, being comprised of a portion of that same called 3.470,357 acre tract described as "MO. No. 1041" and a portion of that same called 1,393.87 acre tract described as "MO. No. 1028" described in instrument to Timbervest Partners III Texas, LLC, recorded under Clerk's File Number 2012000112 of the Official Public Records of Liberty County, Texas (O.P.R.C.T.) said 4.740 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southwesterly corner of the herein described 4.740 acre tract, from which a 4 inch by 4 inch concrete monument found for the apparent common corner of said Pleasants and Smith Surveys, and the James Humphries Survey, Abstract Number 312, for the southeasterly corner of said 3,470.357 acre tract, being an interior corner of a 7,917.805 acre tract surveyed this day, bears South 43°01'34" West 5,432.97 feet, and a 4 inch by 4 inch concrete monument found for an apparent common westerly corner of said Smith and Humphries Surveys, for the southwesterly corner of said 7,917.805 acre tract, being a westerly corner of said 7,917.805 acre tract, bears South 28°11'00" West 7,494.28 feet;

THENCE over and across said 3,470.357 acre tract and said 1,393.87 acre tract the following four (4) courses and distances:

- 96) North 00°00'00" West, 666.00 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northwesterly corner of the herein described 4.740 acre tract;
- 97) North 90°00'00" East, 310.00 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the northeasterly corner of the herein described 4.740 acre tract;
- 98) South 00°00'00" East, 666.00 feet, to a 1/2 inch iron rod with cap stamped "TPS 100834-00" set for the southeasterly corner of the herein described 4.740 acre tract;
- 99) South 90°00'00" West, 310.00 feet, to the **POINT OF BEGINNING**.

CONTAINING a computed area of 4.740 acres of land within this Field Note Description.

LEAVING a computed NEI area of 7,894.570 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground in March 2020 by Texas Professional Surveying, LLC, Registered Professional Land Surveyors and is referenced to Survey Drawing Project Number C69-11,000 acres.

Bearings recited hereon are based on GPS observations and are referenced to the North American Datum (NAD) 1983, Texas State Plane Coordinate System, Central Zone (4203).

6/8/2020
Date

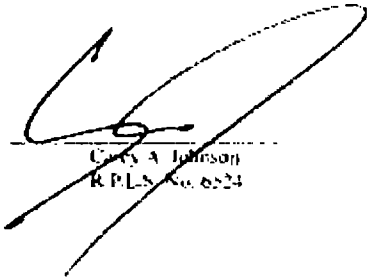

Corey A. Johnson
R.P.L.S. No. 6524

EXHIBIT B

PERMITTED TITLE EXCEPTIONS

- 1) All matters of record;
- 2) Liens for taxes, assessments and other governmental charges not yet due and payable;
- 3) Subsequent taxes;
- 4) All outstanding mineral rights, interests or reservations, oil, gas, or mineral leases;
- 5) Water rights, including riparian rights;
- 6) Exceptions and reservations in the deed by which Grantor obtained title to the Property;
- 7) Zoning, land use or other laws restricting the use of the Property;
- 8) Any claim of lack of access to any portion of the Property;
- 9) Any matter which would be revealed by a thorough physical inspection or an accurate survey of the Property;
- 10) Any claim due to any indefiniteness or uncertainty in the legal description of the Property;
- 11) Any easement, encroachment, restriction or other encumbrance which would not have a material adverse effect on the use and enjoyment by Grantee of the Property;
- 12) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and Presswood Logging LLC, dated June 18, 2018, with respect to the Avex Purchase Unit, Avex 1 and Avex 3, as amended;
- 13) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and WestRock CP, LLC, dated July 26, 2019, with respect to the Avex Purchase Unit, Avex 3 (MCN 0000001756);
- 14) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and WestRock CP, LLC, dated November 11, 2019, with respect to the Avex Purchase Unit, Pino Grande (MCN 0000001780);
- 15) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and Mr. Wade Willis, dated September 27, 2019, with respect to the Avex Purchase Unit, Avex 4 (MCN 0000001829);
- 16) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and Mr. Wade Willis, dated September 27, 2019, with respect to the Avex Purchase Unit, Avex 6 (MCN 0000001830);

- 17) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and Mr. Wade Willis, dated September 27, 2019, with respect to the Avex Purchase Unit, Avex 5 (MCN 0000001831);
- 18) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and Mr. Wade Willis, dated January 14, 2020, with respect to the Avex Purchase Unit, Avex 5 (MCN 0000001908);
- 19) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and Mr. Wade Willis, dated March 24, 2020, with respect to the Avex Purchase Unit, Avex 4, as amended (MCN 0000001990);
- 20) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and Mr. Wade Willis, dated March 24, 2020, with respect to the Avex Purchase Unit, Avex 6 (MCN 0000001991);
- 21) That certain Timber Cutting Contract by and between Timbervest Partners III Texas, LLC and WestRock CP, LLC, dated March 25, 2020, with respect to the Avex Purchase Unit, Avex 2 (MCN 0000001994); and
- 22) That certain Harvesting Agreement between Timbervest Partners III Texas, LLC and CR Farms, LLC dated as of August 20, 2020

Exhibit D

AGREEMENT CONCERNING
CERTIFICATE OF CONVENIENCE AND NECESSITY

SELLER: TARKINGTON SPECIAL UTILITY DISTRICT

BUYER: CR FARMS, LLC

PROPERTY: 5,508.6 acres of the Certificate of Convenience and Necessity ("CCN") No. 11448, see property description on **Exhibit "A"** attached hereto (the "Property")

RE: De-Certify a portion of CCN and consent to new CCN on the Property in the future.

Recitals

WHEREAS, Tarkington Special Utility District ("Seller") has entered an agreement to convey or de-certify the CCN and consent to CR FARMS, LLC ("Buyer") to select a new CCN holder in the future on the Property; and

WHEREAS, Seller and Buyer desire to have an enforceable agreement that sets out the basic terms and allow the parties time to consult experts on CCNs on the best way to structure the changes on the CCN of the Property.

Terms

NOW THEREFORE, for and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in consideration of the mutual promises and agreements stated herein, the parties agree to the following:

1. Seller has agreed to the release of the Property from the CCN for the amount of \$337,423.80. This amount has been calculated on the basis that initially there was an estimated 5,635 acres of real property that was located within the Seller's CCN and the Parties agreed to the price of \$59.88 per acre. It has been determined by the surveyor that the actual acreage within the CCN is 5,508.6 acres.
2. The parties agree that Seller will not oppose the De-Certification the portion of the CCN on the "Property" with the Public Utility Commission. The parties agree to sign and cooperate in this process to execute this De-Certification, including filing a Joint Filing with the Public Utility Commission.
3. In the future, the Buyer will select a Utility Provider to apply for the CCN on the Property. Seller agrees to consent and cooperate with this process.
4. Buyer will pay all necessary fees and prepare all required documents in order to accomplish the De-certification and all applications in the future to get a new CCN on the Property. Seller agrees to provide all required disclosures and provide other needed information that is part of this process.
5. Both sides agree to pay their own legal fees related to this process.

EXECUTED on this the 15 day of June, 2021.



01327251;2

Agreement - Certificate of Convenience and Necessity

Page 1 of 2

SELLER:

TARKINGTON SPECIAL UTILITY DISTRICT

By: 

(name) *Gilbert Thomas*

(title) *President Tarkington SUD*

SELLER:

CR FARMS, LLC, by its Manager
T-REX MANAGEMENT, INC.

By: 

John Harris, President

PREPARED IN THE OFFICE OF:

Law Office of Beard & Lane, P.C.

10611 Grant Road

Houston, Texas 77070

Telephone: (281) 897-8848

Email: brent@beardlane.com

The following files are not convertible:

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.cpg

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.dbf

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.prj

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.sbn

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.sbx

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.shp

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact centralrecords@puc.texas.gov if you have any questions.

The following files are not convertible:

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.shp.xml

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact centralrecords@puc.texas.gov if you have any questions.

The following files are not convertible:

CR_Farms_Decert_TarkingtonSUD_RequestedArea_TSMS.shx
CR_Farms_TRACTS.cpg
CR_Farms_TRACTS.dbf
CR_Farms_TRACTS.prj
CR_Farms_TRACTS.sbn
CR_Farms_TRACTS.sbx
CR_Farms_TRACTS.shp

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