

STATE OF TEXAS  
COUNTY OF BURNET

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§

7942

AMENDMENT TO DECLARATION OF  
1902 LAND OWNERS ASSOCIATION  
MAINTENANCE AGREEMENT

The Declarations of record in Volume 735, Page 421 et. seq. of the records of Burnet County, Texas pertaining to that certain property in Burnet County, Texas consisting of 1902.84 acres more or less as more fully described in Exhibit "A" hereto attached for all purposes are fully ratified except for the changes and/or deletions as set forth hereinafter:

1. Article 1-2. "Parcel" or "Tract" shall mean every parcel, lot and tract of any size.
2. It is specified herein that the Declaration and the authority created therein, and this Amendment, pertain only to that property contained in the 60 foot wide access easement described in the Declaration.
3. JABAT Investments, Ltd. has this date conveyed fee simple title to said access easement (hereinafter "private road") to a non-profit corporation called 1902 Land Owners Association, Inc., ("The Association").
4. It is understood that the board of directors of the Association shall have broad discretion in the assessment of maintenance and improvement dues. Some property served by the private road will be subdivided and therefore create more traffic and wear and tear than undeveloped acreage and will be assessed accordingly based on acreage vs. occupants. That is each tract will be assessed based on the number of single family dwellings thereon. Example: A tract owned by one owner with one house will be assessed at this time \$10.00 per month for the first two (2) acres and \$5.00 per month for the next two (2) acres or portion thereof and there will be no maintenance charge for acreage in excess thereof. Additional single family dwellings on any particular tract would be assessed on the same basis. Notwithstanding the foregoing, the maintenance charge per tract owned would be a minimum of \$10.00 per month whether or not there is a dwelling thereon.

This assessment is based on estimated costs of improvements to and maintenance of the private road. Should the cost be more or less, the assessment will be increased or decreased accordingly.

5. It is hereby agreed that the 409 acres more or less described in Exhibit "B" hereto attached for all purposes is released from the Declaration of Land Owners Association hereinabove referred to. Said 409 acres enjoys access from a public roadway. The owner of said 409 acres hereby releases all right, title, access, use and benefit, if any, to the private road which is subject of the Declaration.

Said 409 acres hereafter has no liability to pay any prorata share of present or future improvements or maintenance of this private road. However, any owner of a tract out of the 409 acres may, by giving at least 30 days notice before the beginning of a calendar quarter, cause his tract to be added to the 1902 Land Owners Association, effective the beginning of the calendar quarter so beginning. The tract so added shall thereafter be subject to the rules, regulations and restrictions of the 1902 Land Owners Association on the same basis as its other members.

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0038

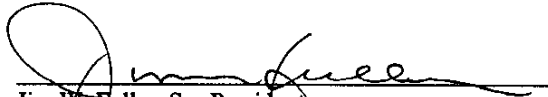
Article 1, Paragraph 4 is amended to read:

"Common Area" shall mean the private road and real property more particularly described on Exhibit "C" attached hereto and gate, entry mechanism and

telephone system for the gate entry located at the intersection of the private road and R.M. 1174.

IN WITNESS WHEREOF, the SUNTEX and TRIAD have executed this Amendment and Restatement of Declaration of Protective Covenants as of the date set forth below.

**SUNTEX FULLER CORPORATION**



Jim W. Fuller, Sr., President

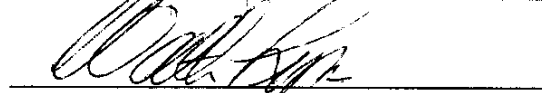
Date: 8/17/97

**TRIAD INVESTMENTS**



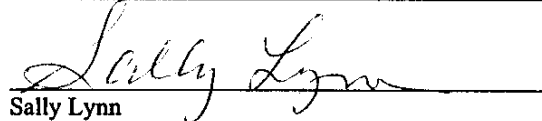
William S. Nelson, General Partner

Date: 8/17/97



Walter Lynn

Date: 8-25-97



Sally Lynn

Date: 8-25-97

\_\_\_\_\_  
Ronald W. Dennie

Date: \_\_\_\_\_

\_\_\_\_\_  
Wayne Allen Conrad

Date: \_\_\_\_\_

\_\_\_\_\_  
Deborah Lynn Conrad

Date: \_\_\_\_\_

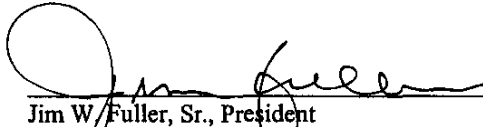
OFFICIAL PUBLIC RECORD  
BURNET COUNTY TEXAS

0764 0039

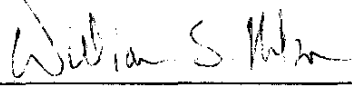
telephone system for the gate entry located at the intersection of the private road and R.M. 1174.

IN WITNESS WHEREOF, the SUNTEX and TRIAD have executed this Amendment and Restatement of Declaration of Protective Covenants as of the date set forth below.

**SUNTEX FULLER CORPORATION**

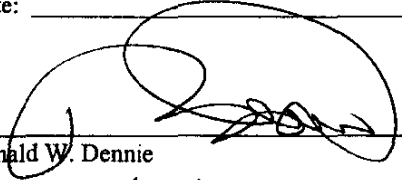
  
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Jim W. Fuller, Sr., President  
Date: 8/17/97

**TRIAD INVESTMENTS**

  
\_\_\_\_\_  
William S. Nelson, General Partner  
Date: 8/17/97

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Walter Lynn  
Date: \_\_\_\_\_

\_\_\_\_\_  
Sally Lynn  
Date: \_\_\_\_\_

  
\_\_\_\_\_  
Ronald W. Dennie  
Date: 9/3/97

\_\_\_\_\_  
Wayne Allen Conrad  
Date: \_\_\_\_\_

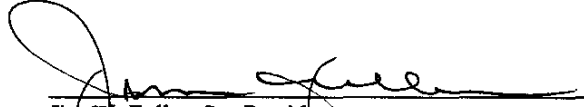
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Deborah Lynn Conrad  
Date: \_\_\_\_\_

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
0764 0040

telephone system for the gate entry located at the intersection of the private road and R.M. 1174.

IN WITNESS WHEREOF, the SUNTEX and TRIAD have executed this Amendment and Restatement of Declaration of Protective Covenants as of the date set forth below.

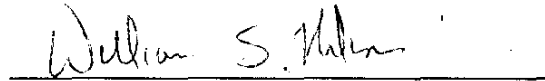
**SUNTEX FULLER CORPORATION**



Jim W. Fuller, Sr., President

Date: 8/17/97

**TRIAD INVESTMENTS**



William S. Nelson, General Partner

Date: 8/17/97

\_\_\_\_\_  
Walter Lynn

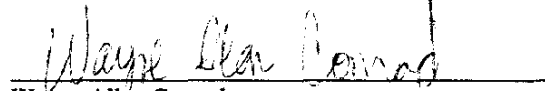
Date: \_\_\_\_\_

\_\_\_\_\_  
Sally Lynn

Date: \_\_\_\_\_

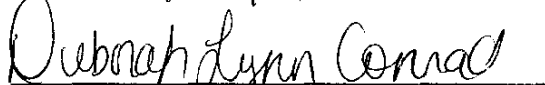
\_\_\_\_\_  
Ronald W. Dennie

Date: \_\_\_\_\_



Wayne Allen Conrad

Date: 8/22/97



Deborah Lynn Conrad

Date: 8/22/97

OFFICIAL PUBLIC RECORD  
BURNET COUNTY TEXAS

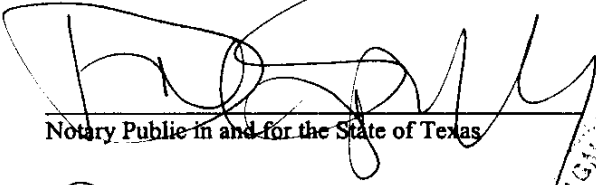
0764 0041

STATE OF TEXAS  
COUNTY OF BURNET

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ACKNOWLEDGMENT

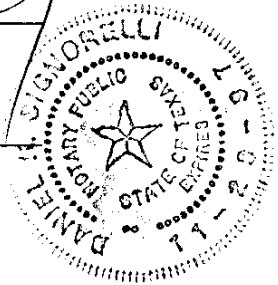
This instrument was acknowledged before me on Aug 17, 1997 by Jim W. Fuller, Sr., President of Suntex Fuller Corporation, a Texas Corporation, on behalf of said corporation.



Notary Public in and for the State of Texas

Daniel Signorelli

Printed Name of Notary



My Commission Expires:

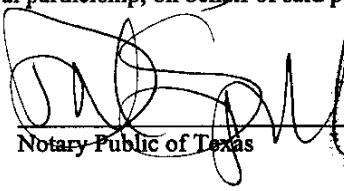
11-29-97

STATE OF TEXAS  
COUNTY OF Montgomery

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ACKNOWLEDGMENT

This instrument was acknowledged before me on this 17<sup>th</sup> day of Aug, 1997 by WILLIAM NELSON, general Partner of TRIAD INVESTMENTS, a Texas general partnership, on behalf of said partnership.



Notary Public of Texas

Daniel Signorelli

Printed Name of Notary



My Commission Expires:

11-29-97

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0042

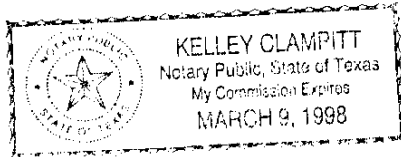
STATE OF TEXAS

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COUNTY OF Travis

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 25 day of August, 1997 by WALTER LYNN.



Kelley Clampitt  
Notary Public of Texas

Kelley Clampitt  
Printed Name of Notary

My Commission Expires:

3/9/98

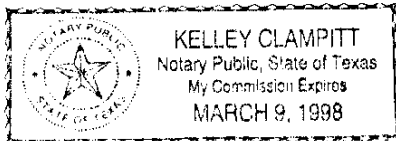
STATE OF TEXAS

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COUNTY OF Travis

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 25 day of August, 1997 by SALLY LYNN.



Kelley Clampitt  
Notary Public of Texas

Kelley Clampitt  
Printed Name of Notary

My Commission Expires:

3/9/98

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0043

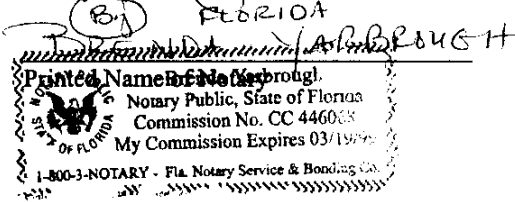
STATE OF ~~TEXAS~~ FLORIDA (28)  
COUNTY OF DUVAL

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ACKNOWLEDGMENT

This instrument was acknowledged before me on this 3<sup>rd</sup> day of Sept, 1997 by RONALD W. DENNIE.

*Ronald W. Dennie*  
Notary Public of Texas



My Commission Expires:

3/19/99

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

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ACKNOWLEDGMENT

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 1997 by WAYNE ALLEN CONRAD.

\_\_\_\_\_  
Notary Public of Texas

\_\_\_\_\_  
Printed Name of Notary

My Commission Expires:

\_\_\_\_\_

OFFICIAL PUBLIC RECORD  
BURNET COUNTY TEXAS

0764 0044

STATE OF TEXAS §  
COUNTY OF Trawis §  
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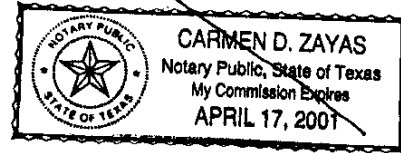
**ACKNOWLEDGMENT**

This instrument was acknowledged before me on this 17<sup>th</sup> day of Aug, 1997 by RONALD W. DENNIE.

Carmen Zayas  
Notary Public of Texas

CARMEN ZAYAS  
Printed Name of Notary

My Commission Expires:  
4-17-01



STATE OF TEXAS §  
COUNTY OF Trawis §  
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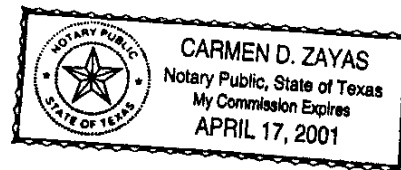
**ACKNOWLEDGMENT**

This instrument was acknowledged before me on this 17<sup>th</sup> day of Aug, 1997 by WAYNE ALLEN CONRAD.

Carmen Zayas  
Notary Public of Texas

CARMEN ZAYAS  
Printed Name of Notary

My Commission Expires:  
4-17-01  
OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS  
0764 0045





STATE OF TEXAS

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COUNTY OF

Travis

**ACKNOWLEDGMENT**

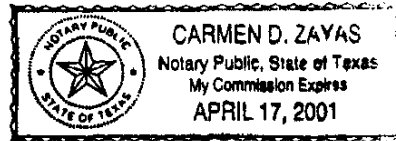
This instrument was acknowledged before me on this 17<sup>th</sup> day of Aug., 1997 by DEBORAH LYNN CONRAD.

Carmen Zayas  
Notary Public of Texas

CARMEN ZAYAS  
Printed Name of Notary

My Commission Expires:

4-17-01



OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0046

EXHIBIT "A"

FRED L. THOMPSON & ASSOCIATES, P. C.

P. O. BOX 74 LLANO, TEXAS 78643-0074

Registered Professional Land Surveyor No. 1739

Licensed State Land Surveyor  
918-247-4316 (H) 918-247-2043 (F)

REVISED FIELD NOTES OF 1902.84 ACRES OF LAND IN BURNET COUNTY, TEXAS.

Being 1902.84 acres in Burnet County, Texas, comprised of:

- (1) 640 acres, all of the E. Schnell Survey No. 98, Abst. 1799;
- (2) 445.96 acres out of the T.C. Ry. Co. Survey No. 109, Abst. 1401;
- (3) 160 acres out of the H.W. Heine Survey No. 532, Abst. 428;
- (4) 27.30 acres out of the Hugh Brown and A.C. Hillman Survey No. 10, Abst. 1876;
- (5) 160 acres, all of the O.W. Harris Survey No. 826, Abst. 421;
- (6) 157.50 acres out of the B.O. Stavelly Sr. Survey No. 559, Abst. 853;
- (7) 6.05 acres out of the W.D. Watkins Survey, Abst. 1804;
- (8) 158.18 acres out of the Joseph Kealy Survey No. 561, Abst. 513;
- (9) 17.65 acres out of the John Swartz Survey, Abst. 816; and
- (10) 130.20 acres out of the E.H. Caldwell Survey No. 3, Abst. 200.

Said 1902.84 acres of land is that same tract of land described in a Deed to Sun NLF Partners Limited recorded in Volume 672, Page 595, Burnet County Deed Records, and is described by metes and bounds as follows:

Beginning at a steel stake and fence corner in the west right of way line of Texas State R.M. Highway No. 1174 at the intersection of same with the fenced occupational north line of the Joseph Kealy Survey No. 561 for the extreme east corner of this tract, whence the east corner of Survey No. 561 bears S 64° 46' E 47.42 feet, this being the extreme south corner of a tract of land called 147.59 acres in a Deed to Thomas H. Hoyer recorded in Volume 335, Page 435, Burnet County Official Records;

THENCE S 31° 46' 00" W 2453.80 feet with said right of way line to a concrete monument at the beginning of a curve to the left;

THENCE with the arc of said curve having a radius of 1959.86 feet through a central angle of 15° 03' 19" a distance of 514.98 feet, the chord bearing S 24° 13' 18" W 513.5 feet to a concrete monument;

THENCE S 16° 45' 38" W 1068.50 feet with said right of way line to a concrete monument;

THENCE with the arc of a curve to the right crossing Cow Creek having a radius of 1095.92 feet through a central angle of 21° 34' 57" a distance of 412.82 feet, the chord bearing S 27° 33' 36" W 410.38 feet to a concrete monument;

THENCE with said right of way line:

S 57° 29' 09" W 216.24 feet to a concrete monument;

S 62° 39' 05" W 392.37 feet to a concrete monument;

S 53° 06' 54" W 194.25 feet to a concrete monument; and

S 71° 39' 02" W 162.77 feet to a fence corner and steel stake in the occupational southwest line of the E.H. Caldwell Survey No. 3 for the most southerly corner of this tract, being in the northeast line of a tract of land called 3244.857 acres in a Deed to Jackson C. Mouton and wife recorded in Volume 177, Page 683, Burnet County Deed Records;

THENCE with the fence on said southwest line;

N 57° 15' 04" W 884.05 feet to a steel stake found;

N 56° 52' 29" W 417.56 feet to a three-way fence corner; and

N 57° 17' 23" W 366.63 feet to a forked cedar;

THENCE with the fence N 28° 20' 38" W 96.20 feet to a forked cedar and N 00° 50' 21" W 252.26 feet to a fence corner in the occupational northwest line of Survey No. 3;

THENCE with the fence on said line N 32° 07' 21" E 943.28 feet and N 32° 21' 56" E 720.46 feet to a fence corner;

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0047

**THENCE** with the fence N 54° 09' 00" W 36.63 feet to a fence corner and steel stake found and N 76° 22' 20" W 94.65 feet to a 16 inch cedar;

**THENCE** with the fence along the south high bank of Cow Creek:

N 64° 40' 53" W 173.13 feet to a 14 inch cedar;  
N 82° 55' 02" W 150.45 feet to a 14 inch cedar;  
S 83° 59' 25" W 253.54 feet to a 12 inch cedar; and  
S 89° 42' 48" W 28.0 feet to a fence corner;

**THENCE** with the fence N 76° 06' 15" W 262.78 feet to a fence corner and steel stake found and N 62° 24' 47" W 302.16 feet to a fence corner and steel stake set at the occupational southeast corner of the T.C. Ry. Co. Survey No. 109;

**THENCE** with the fence on the occupational south line of same:

S 78° 48' 52" W 889.62 feet;  
S 79° 03' 47" W 393.41 feet;  
S 78° 08' 34" W 603.31 feet;  
S 78° 38' 25" W 432.48 feet;  
S 77° 44' 01" W 300.65 feet to the top of a ledge;  
S 76° 52' 29" W 48.98 feet to a 16 inch cedar;  
S 78° 51' 49" W 729.03 feet;  
S 78° 35' 22" W 1670.97 feet to a forked cedar and steel stake set; and  
S 66° 35' 46" W 32.19 feet to a fence corner and steel stake set in the occupational northeast line of the Brown and Hillman Survey No. 10, this being the most westerly corner of a tract of land called 239.48 acres in a Partition Agreement recorded in Volume 555, Page 764, Burnet County Official Records;

**THENCE** with the fence along a northeast line of that certain tract described in a Deed of Trust from Robert R. Blake, et al to Robert Mueller, Trustee recorded in Vol. 83, P. 17, Deed of Trust Records of said county:

N 54° 05' 36" W 848.99 feet;  
N 54° 17' 02" W 1163.76 feet;  
N 54° 10' 49" W 1437.95 feet;  
N 54° 33' 19" W 1361.64 feet; and  
N 44° 39' 03" W 10.27 feet to a fence corner and steel stake found at the occupational southeast corner of the E. Schnell Survey No. 82 and most westerly corner of Survey No. 109, this being a southerly corner of a 2094 acre tract described in a Deed to Albert Keyser recorded in Volume 99, Page 19, Burnet County Deed Records;

**THENCE** with the fence on the occupational southeast line of Survey No. 82:

N 28° 14' 51" E 654.83 feet crossing a ravine and passing the southwest corner of Survey No. 98;  
N 29° 47' 31" E 59.61 feet;  
N 30° 41' 59" E 122.61 feet to a three-way fence corner;  
N 29° 36' 06" E 509.77 feet;  
N 27° 18' 41" E 201.03 feet;  
N 28° 50' 10" E 934.85 feet crossing a ravine;  
N 28° 18' 11" E 666.80 feet;  
N 28° 08' 33" E 282.50 feet;  
N 27° 35' 41" E 124.72 feet; N 29° 08' 56" E 936.83 feet; and  
N 29° 12' 21" E 772.88 feet crossing a ravine to a 3 inch pipe post in concrete for an inside corner of Survey No. 98;

**THENCE** with the occupational north line of Survey No. 82 as fenced:

N 61° 01' 18" W 867.09 feet;  
N 60° 57' 22" W 1035.52 feet; and  
N 60° 59' 00" W 745.70 feet to a fence corner and a concrete monument found for a northwest corner of Survey No. 98 and an inside ell corner of said 2094 acre tract

**THENCE** with the fence on the more northerly occupational northwest line of Survey No. 98:

N 28° 42' 30" E 689.72 feet;  
N 29° 06' 24" E 477.16 feet;

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0048

N 29° 38' 15" E 175.28 feet;  
 N 28° 08' 19" E 718.26 feet;  
 N 29° 06' 12" E 1178.30 feet;  
 N 29° 04' 11" E 837.38 feet to a three-way fence corner on the south side of a creek at the most easterly corner of said 2094 acre tract in the south line of a tract of land called 236.01 acres in a Deed to Larry E. Phillips and wife recorded in Volume 461, Page 838, Burnet County Deed Records; and  
 N 23° 12' 48" E 133.44 feet crossing said creek to a fence corner;  
THENCE with the fence on the south line of said 236.01 acre tract of land:  
 N 86° 33' 51" E 370.72 feet;  
 N 84° 39' 21" E 134.97 feet recrossing said creek to an 8 inch cedar; and  
 N 87° 27' 58" E 136.79 feet to a 14 inch cedar in the southwest line of a tract of land called 196.91 acres in a Deed to Harry J. Watson recorded in Volume 490, Page 97, Burnet County Deed Records, whence a stone mound found for the northeast corner of Survey No. 98 bears N 62° W 13 feet;  
THENCE S 34° 45' 15" E 584.37 feet crossing a ravine, not with the fence, to a re-entrant point in the fence;  
THENCE continuing with the fence and the occupational northeast line of Survey No. 98:  
 S 35° 30' 39" E 435.73 feet;  
 S 35° 19' 16" E 271.35 feet;  
 S 35° 31' 31" E 383.16 feet;  
 S 35° 04' 50" E 280.74 feet, passing the southwest corner of said 196.91 acre tract and the northwest corner of a tract of land called 201.59 acres in a Deed to Joyce Watson Edwards recorded in Volume 460, Page 193, Burnet County Deed Records;  
 S 34° 56' 59" E 456.63 feet to an 8 inch cedar; and  
 S 34° 13' 03" E 391.44 feet to a fence corner;  
THENCE S 78° 00' 50" W 264.56 feet with the fence to a fence corner and steel stake found at the northwest corner of the John Swartz Survey;  
THENCE with the fence on the occupational west line of same,  
 S 11° 23' 59" E 757.65 feet and  
 S 11° 17' 58" E 1580.93 feet to a fence corner;  
THENCE with the fence along the north side of a branch (Deed in Vol. 460, Page 193, Burnet County Deed Records calls for south side of branch):  
 S 69° 19' 22" E 111.00 feet;  
 S 82° 43' 00" E 124.77 feet;  
 S 74° 43' 09" E 95.45 feet; and  
 S 60° 41' 51" E 363.88 feet;  
THENCE S 22° 10' 03" E 64.93 feet crossing said branch to a 12 inch cedar;  
THENCE with the fence:  
 S 70° 57' 14" E 265.74 feet to an 18 inch cedar;  
 N 64° 46' 32" E 191.83 feet to a 14 inch cedar;  
 N 80° 46' 56" E 201.76 feet;  
 S 73° 48' 12" E 560.38 feet; and  
 S 29° 44' 11" E 121.93 feet to a 12 inch dead cedar;  
THENCE N 65° 39' 08" E 124.86 feet crossing Cow Creek to a 12 inch elm;  
THENCE with the fence: N 68° 03' 24" E 414.89 feet;  
 S 87° 22' 02" E 88.68 feet to a 12 inch live oak and steel stake found;  
 S 34° 59' 59" E 62.27 feet to a gatepost on the west side of a gate; and  
 N 78° 59' 34" E 183.29 feet to a steel stake and rock mound found at a fence corner for the northeast corner of the H.W. Heine Survey No. 532, this being the southeast corner of said 201.59 acre tract and in a southwest line of a tract of land called 1020 acres in a Deed to Leon Blagg recorded in Volume 162, Page 519, Burnet County Deed Records;  
THENCE with the fence on the occupational east line of Survey No. 532:  
 S 11° 05' 28" E 673.60 feet;  
 S 11° 02' 27" E 358.33 feet;

S 11° 11' 27" E 340.59 feet;  
S 11° 04' 48" E 525.70 feet; and

S 11° 45' 00" E 1043.32 feet to a fence corner and steel stake set to intersect the northwest line of O.W. Harris Survey No. 826;

THENCE N 30° 57' 15" E 1562.17 feet with the fence to the occupational north corner of Survey No. 826;

THENCE S 58° 24' 24" E 1741.75 feet with the fence to the occupational east corner of same;

THENCE S 30° 54' 32" W 1450.76 feet with the fence to a fence corner;

THENCE with the fence:

S 62° 27' 51" E 884.20 feet to a large oak;

S 57° 34' 03" E 740.62 feet to a fence corner; and

N 49° 54' 00" E 1009.35 feet to a fence corner at the occupational north corner of the Joseph Kealy Survey No. 561;

THENCE with the fence on the occupational northeast line of same,

S 58° 50' 28" E 789.98 feet, at 97.32 feet passed a fence corner at a southeast corner, the sixth corner of said 1020 acre tract and the southwest corner of said 147.59 acre tract and S 58° 12' 42" E 1711.75 feet to the place of beginning.

I, F. L. Thompson, a Registered Professional Land Surveyor, do hereby certify that the field notes hereon with accompanying plat are a true and correct representation and delineation of a survey made on the ground under my direction and supervision in June, 1986, and that said survey was field checked on the 9th day of December, 1995 and no changes were apparent. Witness my hand and seal December 11, 1995. (NOTE: Field Notes revised as of this date to reference current deed and adjoining tracts only.)



*F. L. Thompson*  
F. L. Thompson, Reg. Prof. Land Surv. No. 1739  
P. O. Box 74 Llano, TX 78643

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0050

STATE OF TEXAS  
COUNTY OF BURNET

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in Volume 125 Page 421-441 of the Real Property RECORDS of Burnet County, Texas.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF BURNET

I hereby certify that this instrument was FILED in file number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Real Property Records Burnet County, Texas

OR 2/28/97 Janet Parker



*Janet Parker*

JANET PARKER, COUNTY CLERK  
BURNET COUNTY, TEXAS

BY: *[Signature]* Deputy



COUNTY CLERK  
BURNET COUNTY, TEXAS

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COMPUTER

JANET PARKER  
COUNTY CLERK  
BURNET COUNTY, TEXAS

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0051

EXB

409.32 ACRES  
BURNET COUNTY, TEXAS

FN 1751R

**A DESCRIPTION OF A 409.32 ACRE TRACT OF LAND WHICH COMPRISES PORTIONS OF THE FOLLOWING PATENT SURVEYS SITUATED IN BURNET COUNTY, TEXAS:**

- G. W. HARRIS SURVEY NO. 826, ABSTRACT NO. 421,
- B. O. STAVELY SR. SURVEY NO. 559, ABSTRACT NO. 853,
- TEX. C. RY CO. SURVEY NO. 109, AND
- JOSEPH KEALY SURVEY NO. 561, ABSTRACT NO. 513;

**BEING PART OF THAT CERTAIN 1902.84 ACRE TRACT OF LAND THAT WAS CONVEYED FROM SUN NLF LIMITED PARTNERSHIP TO JABAT INVESTMENTS, LTD. BY A SPECIAL WARRANTY DEED RECORDED IN VOLUME 675, PAGE 585 ET SEQ. OF THE DEED RECORDS OF SAID COUNTY; SAID 409.32 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a 3/8 inch iron rod set on the northwest R.O.W. (right-of-way) line of R. M. Highway 1174 and southeast line of the said 1902.84 acre tract, for the most easterly corner hereof;

**THENCE** departing from said southeast line and passing over and across the said 1902.84 acre tract with the following thirty three (33) courses:

1. N 60° 40' 14" W, a distance of 72.90 feet to a 3/8 inch iron rod set,
2. N 02° 33' 59" E, a distance of 343.05 feet to a 3/8 inch iron rod set,
3. N 25° 21' 09" W, a distance of 27.14 feet to a 3/8 inch iron rod set,
4. N 58° 21' 21" W, a distance of 1189.56 feet to a 3/8 inch iron rod set,
5. N 70° 50' 22" W, a distance of 69.11 feet to a 3/8 inch iron rod set,
6. S 82° 59' 19" W, a distance of 222.89 feet to a 3/8 inch iron rod set,
7. N 77° 56' 31" W, a distance of 146.03 feet to a 3/8 inch iron rod set,
8. N 50° 22' 52" W, a distance of 321.52 feet to a 3/8 inch iron rod set,
9. N 45° 55' 53" W, a distance of 69.69 feet to a 3/8 inch iron rod set,
10. N 84° 12' 35" W, a distance of 39.04 feet to a 3/8 inch iron rod set,
11. S 72° 27' 16" W, a distance of 56.96 feet to a 3/8 inch iron rod set,
12. S 50° 54' 00" W, a distance of 259.80 feet to a 3/8 inch iron rod set,
13. S 36° 38' 43" W, a distance of 561.63 feet to a 3/8 inch iron rod set,
14. S 61° 44' 00" W, a distance of 106.98 feet to a 3/8 inch iron rod set,
15. N 73° 55' 46" W, a distance of 82.20 feet to a 3/8 inch iron rod set,
16. N 40° 49' 09" W, a distance of 310.15 feet to a 3/8 inch iron rod set,
17. N 57° 45' 46" W, a distance of 1582.10 feet to a 3/8 inch iron rod set,
18. N 58° 03' 50" W, a distance of 333.56 feet to a 3/8 inch iron rod set,
19. N 75° 48' 01" W, a distance of 111.88 feet to a 3/8 inch iron rod set,
20. S 84° 58' 42" W, a distance of 80.16 feet to a 3/8 inch iron rod set,
21. S 52° 20' 15" W, a distance of 119.69 feet to a 3/8 inch iron rod set,
22. S 79° 25' 56" W, a distance of 78.21 feet to a 3/8 inch iron rod set,
23. N 44° 15' 00" W, a distance of 80.33 feet to a 3/8 inch iron rod set,

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BURNET COUNTY, TEXAS

0764 0052

24. N 18° 55' 43" W, a distance of 305.50 feet to a 3/8 inch iron rod set,
25. N 63° 39' 10" W, a distance of 79.32 feet to a 3/8 inch iron rod set,
26. S 34° 49' 14" W, a distance of 148.39 feet to a 3/8 inch iron rod set,
27. S 18° 17' 32" W, a distance of 183.17 feet to a 3/8 inch iron rod set,
28. S 25° 13' 10" W, a distance of 173.06 feet to a 3/8 inch iron rod set,
29. S 15° 17' 20" W, a distance of 363.45 feet to a 3/8 inch iron rod set,
30. S 11° 36' 34" W, a distance of 711.45 feet to a 3/8 inch iron rod set,
31. S 08° 47' 21" W, a distance of 315.06 feet to a 3/8 inch iron rod set,
32. S 25° 22' 01" W, a distance of 164.32 feet to a 3/8 inch iron rod set, and
33. a distance of 5.47 feet along the arc of a curve to the right having a central angle of 05° 13' 17", a radius of 60.00 feet and a chord bearing of S 41° 00' 02" E, a distance of 5.47 feet to a 3/8 inch iron set on the north line of that certain 31.03 acre tract described in Volume 691, Page 418 et seq. of the said Deed Records, for a southwesterly corner hereof;

THENCE with the north and east line of the said 31.03 acre tract, the following eight (8) courses:

1. S 34° 19' 15" E, a distance of 247.57 feet to a 1/2 inch iron rod found,
2. S 48° 29' 40" E, a distance of 210.50 feet to a 1/2 inch iron rod found,
3. S 41° 15' 21" E, a distance of 280.60 feet to a 1/2 inch iron rod found,
4. N 60° 11' 04" E, a distance of 283.86 feet to a 2-7/8 inch diameter iron pipe found,
5. S 35° 05' 17" E, a distance of 464.76 feet to a 1/2 inch iron rod found,
6. S 42° 11' 10" E, a distance of 355.26 feet to a 1/2 inch iron rod found,
7. S 49° 17' 34" E, a distance of 147.94 feet to a 2-7/8 inch diameter iron pipe found at the easterly northeast corner of the said 31.03 acre tract, and
8. S 39° 30' 16" W, a distance of 245.34 feet to a 2-7/8 inch diameter iron pipe found on a southerly line of the said 1902.84 acre tract, being at the southeast corner of the said 31.03 acre tract, for a westerly corner hereof;

THENCE with the said south line of the 1902.84 acre tract, as fenced, the following six (6) courses:

1. S 77° 24' 17" E, a distance of 244.36 feet to a 14 inch diameter Cedar tree,
2. N 83° 49' 03" E, a distance of 252.99 feet to a 12 inch diameter Cedar tree,
3. S 82° 38' 47" E, a distance of 150.26 feet to a 16 inch diameter Cedar tree,
4. S 64° 37' 08" E, a distance of 173.10 feet to a 16 inch diameter Cedar tree,
5. S 76° 43' 34" E, a distance of 94.98 feet to a 1/2 inch iron rod found at a Cedar fence post, and
6. S 54° 04' 49" E, a distance of 362.51 feet to a 3/8 inch iron rod found at a Cedar fence post at a reentrant corner of the said 1902.84 acre tract, for a reentrant corner hereof;

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0050

THENCE with a lower westerly line of the said 1902.84 acre tract, as fenced, the following four (4) courses:

1. S 32° 22' 11" W, a distance of 718.99 feet to a Cedar fence post,



- 2. S 32° 07' 22" W, a distance of 944.38 feet to a 3/8 inch iron rod set at a Cedar fence post,
- 3. S 00° 50' 23" E, a distance of 252.12 feet to a 16p nail found at the base of a Cedar fence post at a southwest corner of the said 1902.84 acre tract, and
- 4. S 28° 31' 11" E, a distance of 96.66 feet to a 16p nail found at the base of a Cedar fence post at a southwesterly corner of the said 1902.84 acre tract, for the southwesterly corner hereof;

THENCE with a south line of the said 1902.84 acre tract, as fenced, the following three (3) courses:

- 1. S 57° 14' 33" E, a distance of 366.34 feet to a 2-7/8 inch diameter iron pipe,
- 2. S 56° 51' 21" E, a distance of 418.04 feet to a 40p nail found at a 14 inch diameter Elm tree, and
- 3. S 57° 15' 04" E, a distance of 884.05 feet to a 3/8 inch iron rod found at a fence post on the said northwest R.O.W. line of R. M. 1174, being at the most southerly corner of the said 1902.84 acre tract, for the most southerly corner hereof;

THENCE with said R.O.W. line, the following ten (10) courses:

- 1. N 71° 32' 27" E, a distance of 162.36 feet to a concrete R.O.W. monument found,
- 2. N 53° 06' 56" E, a distance of 178.63 feet to a concrete R.O.W. monument found,
- 3. N 53° 27' 41" E, a distance of 15.58 feet to a concrete R.O.W. monument found,
- 4. N 62° 40' 13" E, a distance of 392.46 feet to a concrete R.O.W. monument found,
- 5. N 57° 29' 38" E, a distance of 216.27 feet to a concrete R.O.W. monument found at the beginning of a curve,
- 6. a distance of 412.80 feet along the arc of a curve to the left having a central angle of 21° 34' 53", a radius of 1095.92 feet and a chord bearing of N 27° 34' 20" E, a distance of 410.36 feet to a brass R.O.W. disc found at the end of said curve,
- 7. N 16° 47' 18" E, a distance of 1068.54 feet to a concrete R.O.W. monument found at the beginning of a curve,
- 8. a distance of 515.01 feet along the arc of a curve to right having a central angle of 15° 03' 22", a radius of 1959.86 feet and a chord bearing of N 24° 14' 29" E, a distance of 513.53 feet to a concrete R.O.W. monument found at the end of said curve,
- 9. N 31° 47' 44" E, a distance of 1459.07 feet to a concrete R.O.W. monument found, and
- 10. N 31° 46' 01" E, a distance of 623.18 feet to the POINT OF BEGINNING, containing 409.32 acres of land, more or less.

I, Dale Allen Sultemeier, a Registered Professional Land Surveyor, do hereby certify that this description and accompanying plat was prepared from an on the ground survey performed under my direction and supervision.

SULTEMEIER SURVEYING  
304 East Main  
Johnson City, TX 78636  
(210) 868-7308



*[Handwritten Signature]*  
Dale Allen Sultemeier  
Registered Professional Land  
Surveyor  
No. 4542 - State of Texas

2-7-97

0764 0054  
500 4970  
SHERIFF'S OFFICE  
SHERIFF COURT  
RECORDS  
CLERK

A DESCRIPTION OF THE CENTERLINE OF A SIXTY (60) FOOT WIDE STRIP OF LAND WHICH EXTENDS  
ACROSS PORTIONS OF THE FOLLOWING PATENT SURVEYS SITUATED IN BURNET COUNTY, TEXAS:

G. W. MAHNS SURVEY NO. 826, ABSTRACT NO. 431,

B. D. STAVELY SR. SURVEY NO. 829, ABSTRACT NO. 851, AND

JOSEPH KEALY SURVEY NO. 561, ABSTRACT NO. 613;

SAID CENTERLINE BEING ACROSS PART OF THAT CERTAIN 1902.84 ACRE TRACT OF LAND THAT  
WAS CONVEYED FROM S.W. WOLF LIMITED PARTNERSHIP TO JAAAI INVESTMENTS, LTD. BY A  
SPECIAL WARRANTY DEED IN COMBINATION VOLUME 575, PAGE 685 ET SEQ. OF THE DEED RECORDS  
OF SAID COUNTY, EXTENDING FROM THE SOUTHWEST CORNER OF THE SAID 1902.84 ACRE TRACT  
AND NORTHWEST R.O.W. (RIGHT-OF-WAY) LINE OF R. M. 1174, OVER AND ACROSS THE SAID  
1902.84 ACRE TRACT TO THE WEST CORNER OF A 61.48 ACRE TRACT THIS DAY SURVEYED;  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 60" nail set on the 60" southeast line of the 1902.84 acre tract and northwest line  
of the R. M. 1174, from which a 1/2" iron wire rod points to the northeasterly corner of the said  
1902.84 acre tract bears N 31° 46' 00" E, a distance of 341.63 feet;

THENCE beginning from said southeast line and passing over and across the said 1902.84 acre tract  
with the following twenty (20) courses:

1. N 60° 46' 14" W, a distance of 89.71 feet to a 60" nail set,
2. N 02° 33' 59" E, a distance of 322.04 feet to a 60" nail set,
3. N 26° 21' 08" W, a distance of 46.38 feet to a 60" nail set,
4. N 58° 00' 21" W, a distance of 688.47 feet to a 60" nail set,
5. N 88° 13' 43" W, a distance of 482.28 feet to a 60" nail set,
6. S 68° 41' 38" E, a distance of 31.73 feet to a 60" nail set,
7. N 73° 43' 30" W, a distance of 72.80 feet to a 60" nail set,
8. S 62° 43' 19" W, a distance of 224.83 feet to a 60" nail set,
9. N 22° 36' 31" W, a distance of 133.84 feet to a 60" nail set,
10. N 50° 22' 52" W, a distance of 313.00 feet to a 60" nail set,
11. N 43° 08' 43" W, a distance of 76.34 feet to a 60" nail set,
12. N 84° 12' 33" W, a distance of 55.85 feet to a 60" nail set,
13. S 72° 27' 18" W, a distance of 88.88 feet to a 60" nail set,
14. S 61° 04' 50" W, a distance of 262.26 feet to a 60" nail set,
15. S 38° 38' 43" W, a distance of 558.71 feet to a 60" nail set,
16. S 61° 44' 00" W, a distance of 88.08 feet to a 60" nail set,
17. N 73° 53' 46" W, a distance of 61.19 feet to a 60" nail set,
18. N 41° 18' 24" W, a distance of 314.62 feet to a 60" nail set,
19. N 51° 46' 22" W, a distance of 1587.08 feet to a 3/8" iron wire rod set for the south  
corner of the said 61.48 acre tract, and

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CENTRAL: CONT'D

EXHIBIT "C"

EN 18291

20. N 62° 03' 47" W, a distance of 1344.77 feet with the south end of the said 81.48 acre tract to a 3/8 inch iron rod set for the west corner of the said 81.48 acre tract and PART OF TERMINATION of the Acreage described containing

681 page 784

681 page 785

I, Dale Allen Suttmeier, a Registered Professional Land Surveyor, do hereby certify that this description was prepared from an actual field survey performed under my direction and supervision.

SUTTMEIER SURVEYING  
304 East Main  
Johnson City, TX 78826  
12101 844-7304



*Dale Allen Suttmeier*  
Dale Allen Suttmeier  
Registered Professional Land  
Surveyor  
No. 4542 - State of Texas

Page 2 of 2

EXHIBIT "C"

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

0764 0056

STATE OF TEXAS  
COUNTY OF BURNET

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in Volume 764 Page 38-57 of the Official Public RECORDS of Burnet County, Texas.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF BURNET

I hereby certify that this instrument was FILED in file number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records Burnet County, Texas on 10-1-97

*Janet Parker*

JANET PARKER, COUNTY CLERK  
BURNET COUNTY, TEXAS

BY: [Signature] Deputy



*Janet Parker*

COUNTY CLERK  
BURNET COUNTY, TEXAS



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FILED

97 OCT - 1 AM 8:14

JANET PARKER  
COUNTY CLERK  
BURNET COUNTY, TEXAS

OFFICIAL PUBLIC RECORD  
BURNET COUNTY, TEXAS

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