

STATE OF TEXAS
COUNTY OF BURNET

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7944

MUTUAL PROTECTIVE COVENANTS

WHEREAS, Suntex Fuller Corporation, a Texas Corporation ("Suntex") is the owner of that certain 1167 acres, more or less, of real property described in the attached Exhibit "A";

WHEREAS Triad Investments, a Texas general partnership ("Triad"), is the owner of that certain 540 acres, more or less, of real property described in the attached Exhibit "B";

WHEREAS, Triad requested that a certain 540 acres, more or less, owned by it be released from the provisions of that certain Declaration of Protective Covenants, dated January 11, 1996, and filed in vol. 681, page 769, Real Property Records of Burnet County, Texas, and from the provisions of all amendments thereto;

WHEREAS, said release of said 540 acres was accomplished by that certain Amendment and Restatement A of Declaration of Protective Covenants, of even date herewith, and filed simultaneously herewith in the Real Property Records of Burnet County, Texas;

WHEREAS, Suntex and Triad desire to benefit their respective real property and to create mutual protective covenants and restrictions on and concerning the use of this respective real property, for the benefit of the real property of each;

WHEREAS, the real property of Suntex and Triad is similarly situated and of similar type and character, and one tract of said real property owned by Triad adjoins said real property of Suntex;

WHEREAS, Suntex and Triad desire and intend that the covenants and restrictions set forth below affect and concern their respective real property, and with said respective real property be binding upon themselves, their successors and assigns;

NOW THEREFORE, know all persons by these presents that Suntex and Triad in consideration of the mutual imposition of the hereinbelow mentioned covenants and restrictions upon, and concerning the use of, their respective real property, hereby agree as follows:

ARTICLE I

DEFINITIONS

The following words or phrases, when used in this document, unless the context shall otherwise clearly indicate or prohibit, shall have the following meanings:

- (1) "Owner" shall mean and refer to each and every person or entity who is record owner of a fee simple interest in any Parcel Site or subdivided portion thereof, except however, that the term "Owner" shall not include a mineral lessee or holder of a mineral interest or any person or entity who holds only a lien or security for the performance of any obligation specifically including, but not limited to, any mortgagee or trustee or beneficiary under a mortgage or deed of trust unless and until such mortgagee or beneficiary shall have acquired record legal title through foreclosure or any proceeding in lieu thereof;
- (2) "Manufactured Home" shall mean and refer to a mobile home or other structure transportable in one or more sections and which is designed to be used as a dwelling with or without a permanent foundation when connected to utilities

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8764-0093

(3) "Parcel Site" shall mean and refer to any land located within the Property.

(4) "Property" shall mean and refer to the real property described in EXHIBITS "A" and "B".

ARTICLE II

USE OF PROPERTY

1. Any dwelling constructed on a tract shall be at least standard frame construction.
2. No structure of a temporary character, trailer, manufactured home, recreational vehicle or trailer, tent, or shack, shall be used on any tract at any time, either temporarily or permanently except as allowed by paragraph 4. No garage or outbuilding shall be used as a dwelling unless said garage or outbuilding has been converted to a residence or dwelling area of the same style, character and quality of the other residences on the Property.
3. No abandoned automobile, truck, or vehicle of any type shall be permitted to remain on any tract or in front on any tract.
4. No commercial signs of any character shall be allowed on any tract except one sign of not more than sixteen square feet (16 s.f.) advertising the property for sale or rent; provided, however, that any person or entity engaging in the construction and sale of a property or residence within the Property shall have the right, during the construction and sales period, to construct and maintain such facilities as may be reasonably necessary or convenient for such construction and sale, including, but not limited to, signs, offices, mobile homes or trailers used as offices or storage, metal shed or buildings used as office or storage, storage areas, and other requirements. Furthermore these same exemptions as set forth herein for professional homebuilders apply to land developers and their contractors or employees while currently subdividing, constructing and/or actively marketing a lawfully platted and approved subdivision.
5. No tract shall be used or maintained as a dumping ground for rubbish or trash, and no garbage or other waste shall be kept, except in sanitary containers. All other equipment for the storage and disposal of such materials shall be kept in a clean and sanitary condition.

ARTICLE III

GENERAL PROVISIONS

SECTION 1. BINDING EFFECT AND DURATION. The covenants, conditions and restrictions of this document shall run with and bind the Property, and shall inure to the benefit of and be enforceable by Suntex, Triad and the Owners and their respective legal representatives, successors and assigns, for the term of forty (40) years from the date that this document is recorded in the Real Property Records of Burnet County, Texas, after which time said Protective Covenants shall automatically be extended for successive periods of ten (10) years unless an instrument abolishing said Protective Covenants has been signed by all of the Owners having ownership of at least sixty-six and two-thirds percent (66 2/3%) of the acreage comprising the property and has been recorded in the Official Public Records of Burnet County, Texas, (or such other place as may be required by law at the time of such recording.)

SECTION 2. AMENDMENTS. So long as Suntex and Triad continue to own a portion of their respective real property described above then these covenants may be amended by agreement of Suntex and Triad. Such amendment to be effective when recorded in the Real Property Records of Burnet County, Texas, or such other place as may be required by law at the time such document is recorded.

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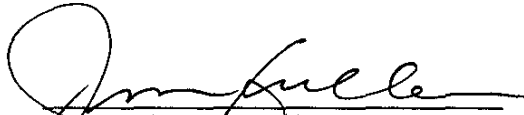
SECTION 3. ENFORCEMENT. The failure of any owner or tenant to comply with any restriction or covenant will result in irreparable damage to other Owners. Thus, the breach of any provision of this document may not only give rise to an actions for damages at law, but also may be made the subject of an action for injunctive relief and/or specific performance in equity in any court of competent jurisdiction. In the event enforcement actions are instituted and the enforcing party receives a judgment in its favor, then in addition to the remedies specified above, the cost of collection, court costs and reasonable attorney fees shall be assessed against the violator. All charges assessed against an Owner pursuant to this section 3, together with all interest thereon and cost of collection, shall constitute a continuing lien upon the Parcel site of such Owner and shall be the personal obligation and liability of the person who was the Owner of such Parcel Site at the time the obligation or liability accrued. Such personal obligation or liability shall not pass to the Owner's successor in title unless expressly assumed by such successors.

SECTION 4. VALIDITY AND SEVERABILITY. Violation of or failure to comply with any covenant, condition or restriction contained in this document shall not affect the validity of any mortgage, deed of trust or other similar security instrument of any Parcel Site. Invalidation of any one or more of such covenants, conditions and restrictions, or any portions thereof, by a judgment or court order shall not affect any of the other provisions herein contained, which shall remain in full force and effect. In the event any provision of this document requires an act that would violate any law, ordinance or regulation promulgated by any governmental body having jurisdictions, then the action so required hereunder shall be excused and such law, ordinance or regulation shall control.

SECTION 5. COUNTERPARTS. This document and any amendments thereto may be executed in multiple counterparts, each of which may bear the signatures of one or more of the parties, all of which, when taken together, shall constitute the binding agreement of the parties.

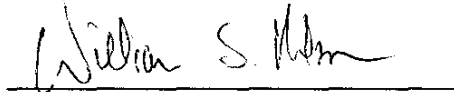
IN WITNESS WHEREOF, Suntex Fuller Corporation and TRIAD Investments have executed this Mutual Protective Covenants as of the date set forth below.

SUNTEX FULLER CORPORATION



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

TRIAD INVESTMENTS



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

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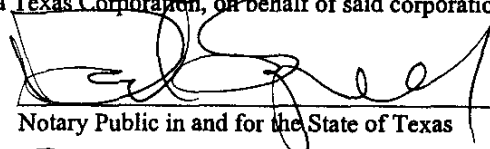
STATE OF TEXAS

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COUNTY OF BURNET

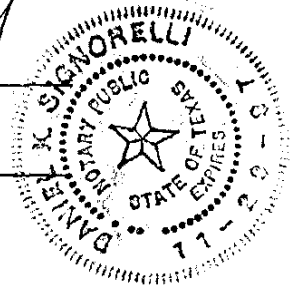
ACKNOWLEDGMENT

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

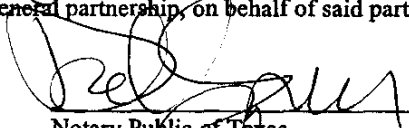
STATE OF TEXAS

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COUNTY OF Montgomery

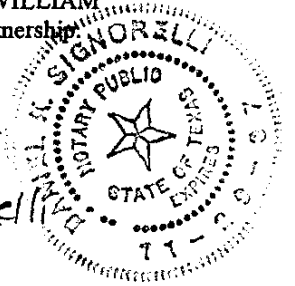
ACKNOWLEDGMENT

This instrument was acknowledged before me on Aug 17, 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

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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
918-247-4319 (D) 918-247-1043 (R)

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 535, 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 37° 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;

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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 309.77 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;

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N 29° 38' 15" E 175.28 feet;

N 28° 08' 19" E 718.26 feet;

N 29° 06' 12" E 1178.50 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;

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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° 10' 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 adjolner 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 0100

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 135 Page 42-44 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

on 2/28/97 *Janet Parker*



Janet Parker
JANET PARKER, COUNTY CLERK
BURNET COUNTY, TEXAS
BY: *Janet Parker* Deputy



COUNTY CLERK
BURNET COUNTY, TEXAS

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JANET PARKER
COUNTY CLERK
BURNET COUNTY, TEXAS

OFFICIAL PUBLIC RECORD
BURNET COUNTY, TEXAS

0764 0101

127.84 ACRES
BURNET COUNTY, TEXAS

EX B

FN 1870R

A DESCRIPTION OF A 127.84 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, AND
- TEX. C. RY CO. SURVEY NO. 109;

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 127.84 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 3/8 inch iron rod set on a southerly line of the said 1902.84 acre tract at the southwest corner of a 31.03 acre tract described in Volume 691, Page 418 et seq. of the said Deed Records, for the southeasterly corner hereof;

THENCE with said southerly line, as fenced, the following five (5) courses:

1. S 78° 21' 21" W, a distance of 1697.99 feet to a 6 inch diameter Cedar fence post,
2. S 77° 01' 47" W, a distance of 50.35 feet to an 18 inch diameter Cedar tree,
3. S 78° 53' 18" W, a distance of 728.90 feet to a 1/2 inch iron rod found at the base of a Cedar post,
4. S 78° 34' 29" W, a distance of 1669.48 feet to a 12 inch diameter Cedar tree, and
5. S 67° 12' 01" W, a distance of 33.27 feet to a 3/8 inch iron rod found at the base of a 14 inch diameter Cedar tree, for the westerly corner hereof;

THENCE departing from said southerly line and passing over the said 1902.84 acre tract with the following two (2) courses:

1. N 57° 21' 06" E, a distance of 1856.49 feet to a 3/8 inch iron rod set, and
2. N 39° 25' 26" E, a distance of 4338.23 feet to a 3/8 inch iron rod set for the northwest corner hereof;

THENCE continuing over and across the said 1902.84 acre tract, S 64° 05' 48" E, a distance of 353.65 feet to a 3/8 inch iron rod set on the west line of a 60 foot wide roadway easement described in said Volume 691, Page 418, for the northeast corner hereof;

THENCE continuing over the said 1902.84 acre tract with the said west line of the 60 foot roadway easement, the following nine (9) courses:

1. S 34° 49' 14" W, a distance of 147.89 feet to a 3/8 inch iron rod set,
2. S 18° 17' 32" W, a distance of 188.25 feet to a 3/8 inch iron rod set,
3. S 25° 13' 10" W, a distance of 174.64 feet to a 3/8 inch iron rod set,
4. S 15° 17' 20" W, a distance of 370.59 feet to a 3/8 inch iron rod set,
5. S 11° 36' 34" W, a distance of 714.86 feet to a 3/8 inch iron set,
6. S 08° 47' 21" W, a distance of 307.80 feet to a 3/8 inch iron rod set,
7. S 25° 22' 01" W, a distance of 136.24 feet to a 3/8 inch iron rod set,
8. S 29° 26' 25" W, a distance of 12.62 feet to a 3/8 inch iron rod set at the beginning of the arc of a curve of a cul-de-sac, and
9. a distance of 144.67 feet along the arc of a curve to the left having a central angle of 138° 09' 07", a radius of 60.00 feet and a chord bearing of S 20° 21' 52" W, a distance of 112.09 feet to a 3/8 inch iron rod set on the northerly line of the said 31.03 acre tract;

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THENCE with the northerly and southwesterly line of the said 31.03 acre tract, the following four (4) courses:

1. S 41° 17' 16" W, a distance of 256.67 feet to a 60d nail found,
3. S 72° 44' 10" W, a distance of 130.93 feet to a 60d nail found,
4. S 60° 56' 41" W, a distance of 233.23 feet to a 3/8 inch iron rod set at the westerly corner of the said 31.03 acre tract, and
5. S 30° 39' 13" E, a distance of 1111.19 feet to the POINT OF BEGINNING, containing 127.84 acres of land, more or less.

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BURNET COUNTY TEXAS

0764 0103

I, Dale Allen Sulzemeier, 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.

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



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

2-7-97

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 0104

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;

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,

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- 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.

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SULTEMEIER SURVEYING
1304 East Main
Johnson City, TX 78636
(210) 868-7308
0764 0108



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

2-7-97

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 93-107 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 8:17

JANET PARKER
COUNTY CLERK
BURNET COUNTY, TEXAS

OFFICIAL PUBLIC RECORD
BURNET COUNTY, TEXAS

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