

1788 COMPARED

57386

DEED

963-812

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
COUNTY OF FORT BEND § KNOW ALL MEN BY THESE PRESENTS:

THAT REX G. BAKER, ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL, AND CONVEY unto HERMAN HARRISON and JOSE P. MONTALVO, JR. ("Grantees") that certain tract or parcel of land in Fort Bend County, Texas more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference, together with all rights, titles, and interests appurtenant thereto (such land and interests are hereinafter collectively referred to as the "Property").

This General Warranty Deed and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantees subject to the matters described in Exhibit "B" attached hereto and incorporated herein for all purposes by this reference, to the extent the same are validly existing and applicable to the Property (hereinafter referred to collectively as the "Outstanding Interests").

Reference is hereby made to the fact that a portion of the purchase price for the Property was paid by funds advanced by Grantor to Grantees and at the Grantees' special instance and request, such sum being evidenced by a promissory note (hereinafter called the "Note") of even date herewith executed by Grantees and payable to the order of Grantor in the principal sum of FOUR HUNDRED NINE THOUSAND TWO HUNDRED SIXTY AND NO/100 DOLLARS (\$409,260.00) said Note being secured by a Deed of Trust of even date herewith executed by Grantees covering the Property. It is expressly agreed and stipulated that the vendor's lien and superior title to the Property are hereby retained by Grantor until the aforementioned Note is paid in full in accordance with the face, tenor, and effect thereof, whereupon the conveyance hereby made shall become absolute.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantees, THEIR HEIRS, LEGAL REPRESENTATIVES, AND ASSIGNS forever, and Grantor does hereby bind HIMSELF, HIS HEIRS, LEGAL REPRESENTATIVES, AND ASSIGNS, to WARRANT AND FOREVER DEFEND all and singular the title to the Property unto the said Grantees, THEIR HEIRS, LEGAL REPRESENTATIVES, AND ASSIGNS against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject only to the Outstanding Interests and;

SAVE AND EXCEPT, Grantor retains and reserves unto himself, his heirs, legal representatives, and assigns for the benefit of and for that certain 33.6720 acre tract (the "Tract") of real property more particularly described by metes and bounds on Exhibit "C" attached hereto and made a part hereof, a thirty foot (30') wide non-exclusive perpetual easement for public ingress and egress to said Tract, said easement to have as its southern boundary the southern boundary of the Property, as its northern boundary a line 30 feet (30') from and parallel to the southern boundary of the

DEED

W. 963 813

Property, as its eastern boundary the most westerly eastern boundary of the Property, and as its western boundary the western boundary of the Property;

SAVE AND EXCEPT, Grantor hereby retains and reserves unto himself, his heirs, legal representatives and assigns an undivided one-half ($\frac{1}{2}$) of the remaining fifteen-sixteenths ($\frac{15}{16}$) mineral interest in and to any and all the oil, gas and other minerals of whatsoever nature in, under, and that may be produced from the Property, exclusive of and in addition to the Outstanding Mineral Interest, and together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating, and developing said lands for oil, gas, and other minerals and removing same therefrom by any means; and

SAVE AND EXCEPT, Grantor hereby retains and reserves unto himself, his heirs, legal representatives and assigns any and all the royalties, rentals, bonuses, and other payments arising out of and attributable or allocable to the Outstanding Mineral Lease, except for and Grantor hereby bargains, grants, and conveys unto Grantees one-half ($\frac{1}{2}$) of the royalties attributable or allocable to the Property (being $\frac{1}{2}$ of 42.14/133.58) due and to be paid Grantor under the Outstanding Mineral Lease.

All taxes for the year 1981 relating to Property shall be prorated between Grantor and Grantees as of the date hereof.

EXECUTED this 8 day of MAY, 1981.

"GRANTOR"

Rex G. Baker
Rex G. Baker

"GRANTEES"

Herman Harrison
Herman Harrison

Jose P. Montalvo, Jr.
Jose P. Montalvo, Jr.

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared REX G. BAKER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 8 day of MAY, 1981.

Don C. Shell
Don C. Shell, Notary
Public in and for FORT BEND
County, Texas

DEED

963-814

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared HERMAN HARRISON, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 8 day of MAY, 1981.

Don C. Shell
DON C. SHELL, Notary
Public in and for FORT BEND
County, Texas

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned authority, on this day personally appeared JOSE P. MONTALVO, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 8 day of MAY, 1981.

Don C. Shell
DON C. SHELL, Notary
Public in and for FORT BEND
County, Texas

DEED
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CHARLIE KALKOMEY SURVEYING, INC.

1815 MONS AVENUE
ROSENBERG, TEXAS 77471

CHARLIE KALKOMEY
REGISTERED PUBLIC SURVEYOR

OFFICE: PHONE 342-2033
HOME: PHONE 232-2208

FIELD NOTES FOR A 42.1400 ACRE TRACT OF LAND OUT OF AN 80.8120 ACRE TRACT OF LAND IN THE RAN DALL JONES 1/2 LEAGUE, ABSTRACT 42, AND THE WILLIAM MORTON SURVEY, ABSTRACT 62, FORT BEND COUNTY, TEXAS, BEING A PART OF A 102.26 ACRE TRACT OF LAND DESCRIBED IN DEED RECORDED IN VOLUME 588, PAGE 686, DEED RECORDS, FORT BEND COUNTY, TEXAS.

COMMENCING at an Iron Pipe set in the West right-of-way line of F.M. Highway 359 at its point of intersection with the centerline of Richmond-Foster Road at the Southeast corner of the said 80.8120 Acre Tract, same being the Southeast corner of the aforementioned 102.26 Acre Tract;

THENCE North 89 degrees 54 minutes 30 seconds West along the centerline of Richmond-Foster Road, same being the South line of said 80.8120 Acre Tract and the said 102.26 Acre Tract, 470.00 feet to an Iron Pipe set for the lower Southeast corner and Place of Beginning of the herein described 42.1400 Acre Tract, same being the Southwest corner of a certain adjoining 5.00 Acre Tract being a part of the said 80.8120 Acre Tract;

THENCE North 89 degrees 54 minutes 30 seconds West continuing along said line, 703.07 feet to an Iron Pipe set for the Southwest corner of the herein described 42.1400 Acre Tract, same being the Southeast corner of a certain adjoining 33.6720 Acre Tract being a part of said 80.8120 Acre Tract;

THENCE North 01 degree 59 minutes 52 seconds West along the common line of the herein described 42.1400 Acre Tract and the adjoining 33.6720 Acre Tract, 959.62 feet to an Iron Pipe set at a reentry corner to the herein described 42.1400 Acre Tract, same being the most Easterly Northeast corner of the said 33.6720 Acre Tract;

THENCE North 76 degrees 39 minutes 40 seconds West, 86.78 feet to a point in the centerline of Jones Creek for the lower Northwest corner of the herein described 42.1400 Acre Tract, same being the most Northerly Northeast corner of the said 33.6720 Acre Tract;

THENCE along the centerline of Jones Creek with its meanders, as follows:

North 18 degrees 46 minutes 11 seconds East, 132.70 feet;
North 22 degrees 38 minutes 27 seconds East, 106.24 feet;
North 04 degrees 12 minutes 32 seconds East, 208.79 feet;
North 19 degrees 34 minutes 37 seconds East, 168.55 feet;
North 13 degrees 41 minutes 21 seconds East, 183.80 feet; and,
North 11 degrees 09 minutes 04 seconds East, 142.26 feet to a point for the upper North
west corner of the herein described 42.1400 Acre Tract, same being the Northwest corner of
the 80.8120 Acre Tract;

THENCE South 76 degrees 39 minutes 40 seconds East, at 94.82 feet pass a 1/2 inch Iron Pipe found on said line, and continuing for a total distance of 1046.13 feet to a 1/2 inch Iron Pipe found in the West right-of-way line of F.M. Highway 359, same being the East line of said 80.8120 Acre Tract and the 102.26 Acre Tract for the Northeast corner of the herein described 42.1400 Acre Tract, same being the Northeast corner of said 80.8120 Acre Tract;

EXHIBIT "A"

AS PER ORIGINAL

DEED

963 816

FIELD NOTES - 42.1400 Acre Tract (Cont'd.)

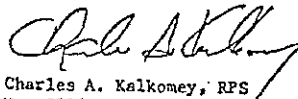
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THENCE South 03 degrees 16 minutes 18 seconds East along the West right-of-way line of P.M. Highway 359, same being the East line of said 80.8120 Acre Tract and the 102.26 Acre Tract, 1043.81 feet to an Iron Pipe set at an angle point in said line;

THENCE South 01 degree 59 minutes 52 seconds East continuing along said line, 137.56 feet to an Iron Pipe set for the upper Southeast corner of the herein described 42.1400 Acre Tract, same being the Northeast corner of the aforementioned adjoining 5.00 Acre Tract;

THENCE North 89 degrees 54 minutes 30 seconds West, 456.32 feet to an Iron Pipe set at a reentry corner to the herein described 42.1400 Acre Tract, same being the Northwest corner of the said 5.00 Acre Tract;

THENCE South 00 degrees 05 minutes 30 seconds West, 468.86 feet to the Place of BEGINNING and containing 42.1400 acres of land, more or less.



Charles A. Kalkomey, RPS

No. 2506

April 20, 1981

EXHIBIT "B"

DEED

963 817

1. Any liens created by Grantee.
2. Rights of Parties in Possession.
3. Easement for existing power lines and the easement for electrical lines dated August 14, 1969, from A. M. Askew to Houston Lighting and Power Company, recorded in Volume 518, Page 373, Deed Records, Fort Bend County, Texas, describing an easement ten feet wide from the ground upward and twenty feet wide from a plane twenty feet above the ground upward.
4. A 1/16th mineral interest (the "Outstanding Mineral Interest") and all rights connected therewith reserved and excepted forever in a Deed dated October 8, 1945, from R. L. Stuart and wife, Letha Stuart to A. M. Askew, recorded in Volume 230, Page 534, Deed Records, Fort Bend County, Texas.
5. Changes in the boundaries bordering Jones Creek caused by forces of erosion, accretion and avulsion.
6. Any and all rights, titles, interests, or claims (valid or invalid) of any character had or asserted by the State of Texas or by any government or governmental authority, or by the public generally (1) in and to portions of the Property which may be within the bed, shore or banks of the perennial stream, or of a stream or lake navigable in fact or in law; or within the bed or shore of the beach adjacent to the body of water affected by the ebb and flow of the tide; and (2) in and to portions of the above described property which may be between the water's edge and line of vegetation on the upland or any claim or right for ingress thereto or egress therefrom.
7. Easement rights of others in that portion of the Property within the limits of Jones Creek.
8. Oil, gas and mineral lease dated April 4, 1978 (the "Outstanding Mineral Lease"), between Rex G. Baker and Kennedy & Mitchell, Inc., recorded in Volume 770, Page 731, Deed Records, Fort Bend County, Texas.
9. An unrecorded "drainage and flood control easement" between Rex G. Baker and Fort Bend County Drainage District.
10. That portion of the Property lying within the Richmond-Foster Road and within the FM 359 Road.
11. The Property may be in the 100-year floodplain.
12. Any and all matters of record and any and all apparent easements and encroachments affecting the Property.

DEED
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CHARLIE KALKOMEY SURVEYING, INC.
1916 HONS AVENUE
ROSENBERG, TEXAS 77471

CHARLIE KALKOMEY
REGISTERED PUBLIC SURVEYOR

OFFICE: PHONE 342-2033
HOME: PHONE 232-2208

FIELD NOTES FOR A 33.6720 ACRE TRACT OF LAND OUT OF AN 80.8120 ACRE TRACT OF LAND IN THE RANDALL JONES 1/2 LEAGUE, ABSTRACT 42, AND THE WILLIAM MORTON SURVEY, ABSTRACT 62, FORT BEND COUNTY, TEXAS, BEING A PART OF A 102.26 ACRE TRACT OF LAND DESCRIBED IN DEED RECORDED IN VOLUME 588, PAGE 686, DEED RECORDS, FORT BEND COUNTY, TEXAS.

COMMENCING at an Iron Pipe set in the West right-of-way line of F.M. Highway 359 at its point of intersection with the centerline of Richmond-Foster Road at the Southeast corner of the said 80.8120 Acre Tract, same being the Southeast corner of the aforementioned 102.26 Acre Tract;

THENCE North 89 degrees 54 minutes 30 seconds West along the centerline of Richmond-Foster Road, same being the South line of said 80.8120 Acre Tract and the said 102.26 Acre Tract, 1173.07 feet to an Iron Pipe set for the Southeast corner and Place of Beginning of the herein described 33.6720 Acre Tract, same being the Southwest corner of a certain adjoining 42.1400 Acre Tract being a part of said 80.8120 Acre Tract;

THENCE North 89 degrees 54 minutes 30 seconds West continuing along said line, 1764.67 feet to an Iron Pipe set at the point of intersection of said line with the high bank of the Brazos River for the lower Southwest corner of the herein described 33.6720 Acre Tract, same being the lower Southwest corner of said 80.8120 Acre Tract;

THENCE along the high bank meanders of the Brazos River, as follows:

North 31 degrees 24 minutes 26 seconds West, 35.18 feet;
North 27 degrees 02 minutes 18 seconds West, 170.36 feet;
North 36 degrees 19 minutes 04 seconds West, 104.50 feet;
North 46 degrees 58 minutes 28 seconds West, 89.09 feet;
North 51 degrees 34 minutes 52 seconds West, 170.40 feet;
North 65 degrees 20 minutes 33 seconds West, 242.08 feet;
North 69 degrees 17 minutes 21 seconds West, 176.70 feet; and,
North 82 degrees 28 minutes 32 seconds West, 225.17 feet to the point of intersection of said line with the centerline of Jones Creek for the upper Southwest corner of the herein described 33.6720 Acre Tract, same being the upper Southwest corner of said 80.8120 Acre Tract;

THENCE along the centerline of Jones Creek with its meanders, as follows:

North 49 degrees 40 minutes 38 seconds East, 92.68 feet;
North 39 degrees 47 minutes 38 seconds East, 78.98 feet;
North 54 degrees 26 minutes 49 seconds East, 46.12 feet;
North 75 degrees 03 minutes 49 seconds East, 76.88 feet;
South 77 degrees 13 minutes 18 seconds East, 49.51 feet;
North 29 degrees 09 minutes 05 seconds East, 26.81 feet;
South 76 degrees 16 minutes 56 seconds East, 83.54 feet;
South 68 degrees 39 minutes 54 seconds East, 149.97 feet;
South 85 degrees 44 minutes 35 seconds East, 96.50 feet;
North 78 degrees 00 minutes 10 seconds East, 107.21 feet;
South 57 degrees 06 minutes 56 seconds East, 79.53 feet;

EXHIBIT "C"

AS PER ORIGINAL

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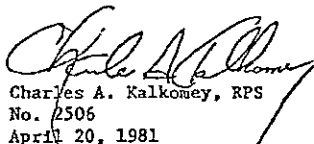
FIELD NOTES - 33.6720 Acre Tract (Cont'd.)

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South 30 degrees 47 minutes 01 second East, 106.39 feet;
South 43 degrees 43 minutes 10 seconds East, 102.15 feet;
South 58 degrees 51 minutes 37 seconds East, 133.85 feet;
South 50 degrees 55 minutes 59 seconds East, 222.88 feet;
North 85 degrees 25 minutes 11 seconds East, 88.10 feet;
South 52 degrees 48 minutes 28 seconds East, 34.31 feet;
South 88 degrees 44 minutes 33 seconds East, 67.39 feet;
North 55 degrees 22 minutes 12 seconds East, 111.79 feet;
North 24 degrees 39 minutes 38 seconds East, 65.54 feet;
North 40 degrees 48 minutes 23 seconds East, 47.61 feet;
North 25 degrees 23 minutes 24 seconds East, 62.49 feet;
North 49 degrees 33 minutes 44 seconds East, 48.47 feet;
North 43 degrees 05 minutes 07 seconds East, 114.13 feet;
North 33 degrees 59 minutes 50 seconds East, 56.95 feet;
North 52 degrees 44 minutes 43 seconds East, 44.29 feet;
North 34 degrees 45 minutes 23 seconds East, 77.25 feet;
North 43 degrees 30 minutes 37 seconds East, 78.67 feet;
North 69 degrees 15 minutes 16 seconds East, 113.68 feet;
South 89 degrees 55 minutes 46 seconds East, 304.78 feet;
North 77 degrees 28 minutes 44 seconds East, 65.86 feet;
South 74 degrees 37 minutes 05 seconds East, 46.36 feet;
North 77 degrees 11 minutes 53 seconds East, 148.62 feet; and,
North 59 degrees 58 minutes 48 seconds East, 127.73 feet to a point for the most North-
erly Northeast corner of the herein described 33.6720 Acre Tract, same being the lower North
west corner of the aforementioned adjoining 42.1400 Acre Tract;

THENCE South 76 degrees 39 minutes 40 seconds East along the common line of the herein des-
cribed 33.6720 Acre Tract and the adjoining 42.1400 Acre Tract, 86.78 feet to an Iron Pipe
set at the most Easterly Northeast corner of the herein described 33.6720 Acre Tract, same
being a reentry corner to the said 42.1400 Acre Tract;

THENCE South 01 degree 59 minutes 52 seconds East continuing along said common line, 959.62
feet to the Place of BEGINNING and containing 33.6720 acres of land, more or less.


Charles A. Kalkomey, RPS
No. 2506
April 20, 1981

FILED FOR RECORD

MAY 11 1981


COUNTY CLERK, FORT BEND COUNTY, TEX.

STATE OF TEXAS COUNTY OF FORT BEND
I, herby certify that this instrument was filed on the
date and time stamp shown by me and was duly recorded
in the volume and page of the public records of Fort Bend
County, Texas as stamped hereon by me on

MAY 12 1981




County Clerk, Fort Bend Co., Tex.