

44



17B

PARTIAL RELEASE OF LIENS

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

This PARTIAL RELEASE OF LIENS (this “*Release*”) is executed by COMPASS BANK, successor in interest to Texas State Bank (“*Beneficiary*”), to evidence the release and discharge of the liens and security interests described below.

RECITALS

A. Pursuant to those certain instruments more particularly described on *Exhibit A* hereto (collectively, the “*Security Instruments*”), Fulshear Land Investment Partners, Ltd., a Texas limited partnership, conveyed or granted liens encumbering the property described in *Exhibit B* hereto (the “*Property*”), and certain other property described therein, to or for the benefit of Beneficiary.

RELEASE

NOW, THEREFORE, for sufficient consideration received, Beneficiary hereby releases and discharges the Property from any liens and security interests in favor of Beneficiary, including without limitation, those granted or created under the Security Instruments. It is expressly agreed and understood that this is a PARTIAL RELEASE only and that the same shall in no wise release, affect or impair said lien, liens, security interests or assignments against any other property described in the Security Instruments or in any other instrument securing payment of any of the indebtedness described in the Security Instruments (“*Indebtedness*”), and all rights, title, liens and interest securing payment of the Indebtedness, to the extent that they relate to any property other than the Property described on *Exhibit B* attached hereto, shall remain in full force and effect.

This Partial Release is executed on the date set out in the acknowledgment below, but is to be effective for all purposes as of May 18, 2012.

[Signature and acknowledgment are on the following page.]

CCM 10-23-12 #17B
Fort Bend County Clerk
Return Admin Serv Coord

BENEFICIARY:

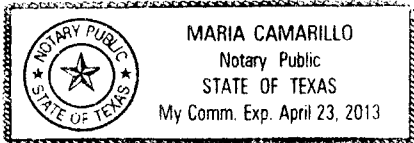
COMPASS BANK

By: *Brock*
Name: _____
Title: **BROCK TAUTENHAHN**
VICE PRESIDENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on May 18, 2012, by Brock Tautenhahn, VP of Compass Bank, an Alabama state chartered bank, for and on behalf of such bank and for the purpose and consideration herein stated.

Maria Camarillo
Notary Public in and for the State of Texas



After recording return to:

Porter Hedges LLP
1000 Main Street, 36th Floor
Houston, Texas 77002
Attn: Cindy K. Krauss

EXHIBIT A

SECURITY INSTRUMENTS FILED IN FORT BEND COUNTY, TEXAS

1. Deed of Trust dated effective October 3, 2006, recorded under Clerk's File No. 2006137094, Official Public Records of Fort Bend County.
 - a. Modification Agreement dated effective December 28, 2007, recorded under Clerk's File No. 2008000216, Official Public Records of Fort Bend County, Texas.
2. Deed of Trust dated effective November 16, 2006, recorded under Clerk's File No. 2006150742, Official Public Records of Fort Bend County, Texas.
3. Deed of Trust dated effective December 22, 2006, recorded under Clerk's File No. 2006163187, Official Public Records of Fort Bend County, Texas.
 - a. Assignment of Municipal Utility District Reimbursables dated December 22, 2006, recorded under Clerk's File No. 2006163188, Official Public Records of Fort Bend County, Texas.
 - b. Assignment of Contracts dated December 22, 2006, recorded under Clerk's File No. 2006163189, Official Public Records of Fort Bend County, Texas.
 - c. Modification Agreement dated December 28, 2007, recorded under Clerk's File No. 2008000216.
 - d. Modification Agreement dated December 28, 2007, recorded under Clerk's File No. 2008000217.
 - e. Modification Agreement dated December 31, 2010, recorded under Clerk's File No. 2011010677.
 - f. Modification Agreement dated December 31, 2010, recorded under Clerk's File No. 2011010678.
 - g. Modification Agreement dated March 1, 2011, recorded under Clerk's File No. 2011042522.
 - h. Modification Agreement dated March 1, 2011, recorded under Clerk's File No. 2011042523.
 - i. Modification Agreement dated July 1, 2011, recorded under Clerk's File No. 2011096018.
 - j. Modification Agreement dated July 1, 2011, recorded under Clerk's File No. 2011096019.
4. Deed of Trust dated effective December 28, 2007, recorded under Clerk's File No. 2008000218, Official Public Records of Fort Bend County, Texas.

EXHIBIT B

PROPERTY

Field notes for 0.5994 of one acre (26,109 square feet) parcel of land situated in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas, being out of a certain tract conveyed to Fulshear Land Investment Partners, Ltd. as recorded in File No. 2008000215 of the Official Public Records of Fort Bend County of Texas; said parcel is being further described by metes and bounds as follows: (Bearing orientation referenced to Texas Coordinate System, South Central Zone, NAD 83)

COMMENCING at a 5/8-inch iron rod found at the intersection of the south right-of-way line of FM 1093 (100.00 feet wide per Volume 285, Page 282 D.R.F.B.C.T.) and the west right-of-way line of James Lane (40.00 feet wide prescriptive easement per Fort Bend County, no deed found), said corner being the northeast corner of a certain tract conveyed to Kenneth G. McCann, Gerald W. McCann, and John D. McCann as recorded in File No. 2005014002 of the Official Public Records;

THENCE South 02° 45' 51" West, along the east line of said Kenneth G. McCann, Gerald W. McCann, and John D. McCann tract and the west right-of-way line of said James Lane, a distance of 1269.39 feet to a 3/8-inch iron rod with cap "Landtech" set for the northwest corner and the **POINT OF BEGINNING** of the herein described parcel;

THENCE South 80° 30' 29" East, a distance of 36.20 feet to a 3/8-inch iron rod with cap "Landtech" set for the northeast corner of the herein described parcel;

THENCE South 22° 39' 14" East, a distance of 68.35 feet to a 3/8-inch iron rod with cap "Landtech" set for an angle point of the herein described parcel;

THENCE South 04° 31' 54" East, a distance of 63.27 feet to a 3/8-inch iron rod with cap "Landtech" set for an angle point of the herein described parcel;

THENCE South 04° 48' 13" West, a distance of 182.57 feet to a 3/8-inch iron rod with cap "Landtech" set for an angle point of the herein described parcel;

THENCE South 20° 03' 02" West, a distance of 124.82 feet to a 3/8-inch iron rod with cap "Landtech" set for the southeast corner of the herein described parcel;

THENCE North 83° 41' 15" West, a distance of 30.01 feet to a 3/8-inch iron rod with cap "Landtech" set for an angle point on the west right-of-way line of said James Lane and on the east line of a certain tract conveyed to John Douglas McCann and wife, Janice Webb McCann, as recorded in File No. 2005106285 of the Official Public Records, said point being the southwest corner of the herein described parcel;

THENCE North 02° 45' 51" West, along the east line of said John Douglas McCann and wife, Janice Webb McCann tract, the west right-of-way line of said James Lane, and the east line of said Kenneth G. McCann, Gerald W. McCann, and John D. McCann tract, at a distance of 428.51 feet to the **POINT OF BEGINNING** and containing 0.5994 of one acre (26,109 square feet) of land.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas

November 01, 2012 02:45:36 PM

FEE: \$0.00
PARTREL

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