

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

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

This Declaration of Covenants, Conditions and Restrictions (“Declaration”) is made by Crown Pine Timber 1, L.P., a Delaware limited partnership authorized to transact business in the State of Texas (“Declarant”) and whose mailing address is 415 S. First Street, Suite 300B, Lufkin, Texas 75901.

1. Declarant is the owner of the following described tracts of land (the “Property”) situated in Houston County, Texas, to-wit:

BEING all those lots, tracts or parcels of land situated in the Ramon De La Garza Survey, Abstract No. 33 in Houston County, Texas, which said lots, tracts or parcels of land are more particularly depicted, described and labeled as Lots 1 through 25 on the Exhibit “A” maps/plats attached hereto, incorporated herein by reference and made a part hereof for all purposes the same as if copied herein verbatim (containing an estimated total of 778 acres). These lots, tracts or parcels of land are out of, and a part of, the tracts of land situated in the Ramon De La Garza Survey, Abstract No. 33 in Houston County, Texas more particularly described on the Exhibit “B” attached hereto incorporated herein by reference and made a part hereof for all purposes the same as if copied herein verbatim.

When these lots, tracts or parcels of land are sold by Declarant to third parties, they will be surveyed and described by metes and bounds legal descriptions that will include the Lot No. references on the Exhibit “A” plats and there will be specific references to this Declaration.

2. Declarant has devised a general plan for the Property as a whole. This general plan provides a common scheme of development designed to protect and safeguard the Property over a specified period of time.
3. The general plan will benefit the Property in general, the lots, tracts and parcels that constitute the Property, the Declarant, and each successive owner of an interest in the Property.
4. Therefore, in accordance with both the doctrines of restrictive covenant and implied equitable servitude, the Declarant desires to restrict the Property according to these covenants, conditions and restrictions in furtherance of this general development plan.

NOW THEREFORE, it is declared that all of the Property shall be held, sold and conveyed subject to the following covenants, conditions and restrictions.

I.

Specific Prohibited Activities and Uses. The following uses of any part or portion of the Property are not permitted:

1. The Property is to be used as recreational, agricultural, and/or residential property. Modular, manufactured, and/or mobile homes are allowed, but they must be no more than 5 years old on the date of installation / construction on the Property and must be skirted within 90 days of installation/construction. No more than two primary residences can be constructed on any lot, tract or parcel that is out of, and a part of, the Property. All buildings must be maintained in good appearance at all times.
2. No portion of the Property may be used for the following uses:
  - a) Any use that is unlawful or that is offensive by reason of odor, gas, fumes, dust, smoke, noise, pollution or vibration or that otherwise constitutes a nuisance or is hazardous by reason of excessive danger of fire or explosion;
  - b) Dumping, disposal, incineration, or reduction of garbage, sewage, dead animals, or refuse; Burning of trash is allowed in compliance with Houston County rules and regulations;
  - c) Smelting of iron, tin, zinc or other ores and / or refining of petroleum or its products;
  - d) Storage in bulk of used materials, a junkyard, a scrap metal yard, or auto salvage yard;
  - e) Industries, including, without limitation, heavy manufacturing, fabrication facilities and testing facilities;
  - f) Resale or pawn shops, flea markets, or bankruptcy, fire sale or auction business;
  - g) A tavern, bar, nightclub, discotheque or any other establishment selling alcoholic beverages for on premises consumption;
  - h) An adult bookstore or other establishment selling, renting or exhibiting pornographic materials or any sexually oriented business;
  - i) Any sexually oriented business, as the term is generally construed;
  - j) Parking and/or storage of large vehicles, such as tractor/trailers and 18- wheelers; and
  - k) Storage containers are allowed but must be situated behind a residence and of (or painted) natural color so as not to stand out as a visual nuisance.
3. No used existing building or structure of any kind and no part of a used existing building or structure shall be moved onto the Property and/or any lot, tract or parcel that is out of, and a part of, the Property for the purpose of storing said structure. No tent, shack, garage, barn or other outbuildings of any character shall be placed or erected on any lot, tract or parcel at any time to be used as a temporary or permanent residence. New construction "barndominiums" are allowed. All new construction must be of new material and no tarpaper roof or siding materials, typically used for sheathing, will be used as an exterior covering on any structure. All buildings and structures shall be completely under skirted with no piers or pilings exposed to view.
4. No building or structure other than a fence shall be located nearer than twenty-five (25) feet of any property line of any lot, tract, or parcel that is out of, and a part of, the Property.

5. Animals, livestock or poultry are allowed, provided that no government regulations are violated: (a) dogs, cats, or other household pets may be kept, provided that they are not kept or bred in a commercial quantity; (b) no more than fifty (50) fowl may be kept on any lot, tract or parcel that is out of, and a part of, the Property.
6. No outside toilet or privy shall be erected or maintained on any lot, tract or parcel that is out of, and a part of, the Property. The materials installed in, and all sanitary plumbing shall conform with the requirements of the Health Department of the State of Texas and the local authorities having jurisdiction. This provision does not apply to "porta-can" temporary toilets on any lot, tract or parcel that is out of, and a part of, the Property so long as such "porta-can" does not remain thereon longer than sixty (60) days after any construction project is completed.
7. Any residential building, residential structure, or residential improvement commenced upon any portion of any lot, tract or parcel that is out of, and a part of, the Property must be completed as to the exterior finish and appearance within twelve (12) months from the commencement date.
8. No lot, tract, or parcel that is out of, and a part of, the Property shall be used as a dumping ground for rubbish or trash or any hazardous materials, or waste, nor for storage of items or materials (except during construction of a building) and all lots, tracts, parcels and portions of the Property shall be kept clean and free of any boxes, rubbish, trash, or other debris. No refrigerators or other large appliances shall be placed outdoors and no inoperative motor vehicles without current license plates and inspection stickers shall be placed on or allowed to remain on any lot, tract, or parcel. Aluminum foil shall not be used as a window covering on any and all front and side windows OR windows facing a public road.
9. No commercial, skeet, trap, or rifle range operation involving discharging of firearms is allowed.

## II.

These covenants, conditions and restrictions are for the purpose of protecting the value and desirability of the Property. Consequently, they shall run with the Property and shall be binding upon all Parties having any right, title, or interest in the Property in whole or in part and their heirs, successors, and assigns. These covenants, conditions and restrictions shall be for the benefit of the Property and each owner of any part or portion of the Property.

## III.

The covenants, conditions and restrictions of this Declaration shall be effective for a term of fifteen (15) years from and after the date of execution of this Declaration, as evidenced below, after which period the covenants, conditions and restrictions shall be automatically extended for successive periods of ten (10) years each, subject to change or termination of said covenants,

conditions and restrictions in whole or in part by an instrument signed by a majority (by number of acres, as contrasted to number of tracts) of the then owners of the Property that has been recorded which may extend to , and include, changes in the size, dimensions and boundary lines of any lot, tract or parcel that is out of, and a part of, the Property prior to the initial sale of any such lot, tract or parcel by Declarant to a third party. No change, amendment nor termination shall be effective until recorded in the Official Public Records of Houston County, Texas.

IV.

Invalidation of any one of these covenants, conditions or restrictions by judgment or court order shall in no way affect any other provision, and all other provisions shall remain in full force and effect.

V.

If any controversy, claim or dispute arises relating to this Declaration, it's breach, or enforcement, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees and costs.

VI.

Any owner of any part or portion of the Property shall have the right to enforce, by any proceeding at law or in equity, all covenants, conditions and restrictions imposed by this Declaration. Failure to enforce any covenant, condition or restriction shall not be deemed a waiver of the right of enforcement either with respect to the violation in question or any other violation. All waivers must be in writing and signed by the party to be bound.

VII.

This Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for the Property.

**[Signature Page to Follow]**

This Declaration is executed this \_\_\_\_ day of \_\_\_\_\_, 2023.

CROWN PINE TIMBER 1, L.P.,  
a Delaware limited partnership

By: Creek Pine Timber GP, LLC,  
a Delaware limited liability company,  
its General Partner

By: \_\_\_\_\_  
Name: John Lock  
Title: President

THE STATE OF TEXAS §

COUNTY OF ANGELINA §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2023 by John Lock, the President of Creek Pine Timber GP, LLC, a Delaware limited liability company, the General Partner of Crown Pine Timber 1, L.P., a Delaware limited partnership, on behalf of said limited liability company and limited partnership.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

EXHIBIT "A"

[See Attached Maps]



Parcel Number: 03321 Partial



 Subject Property

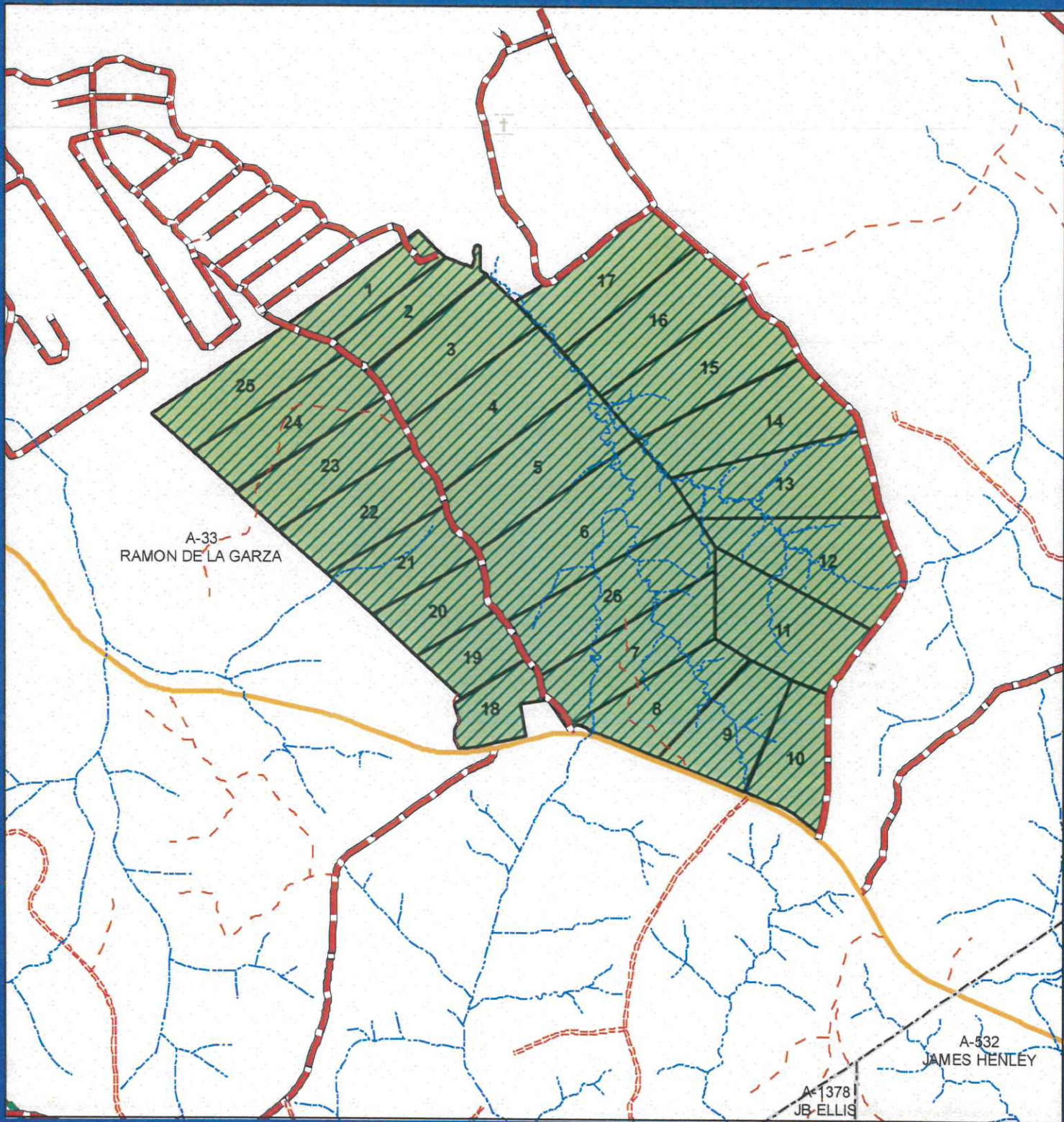
Information provided on this map is believed to be accurate and is based on the best information available at this time, however, this information is in no way guaranteed.

County: TX-Houston



Date: 3/28/2023

Scale: 1 inch = 0.3 miles



Parcel Number: 03321 Partial



 Subject Property

Information provided on this map is believed to be accurate and is based on the best information available at this time, however, this information is in no way guaranteed.

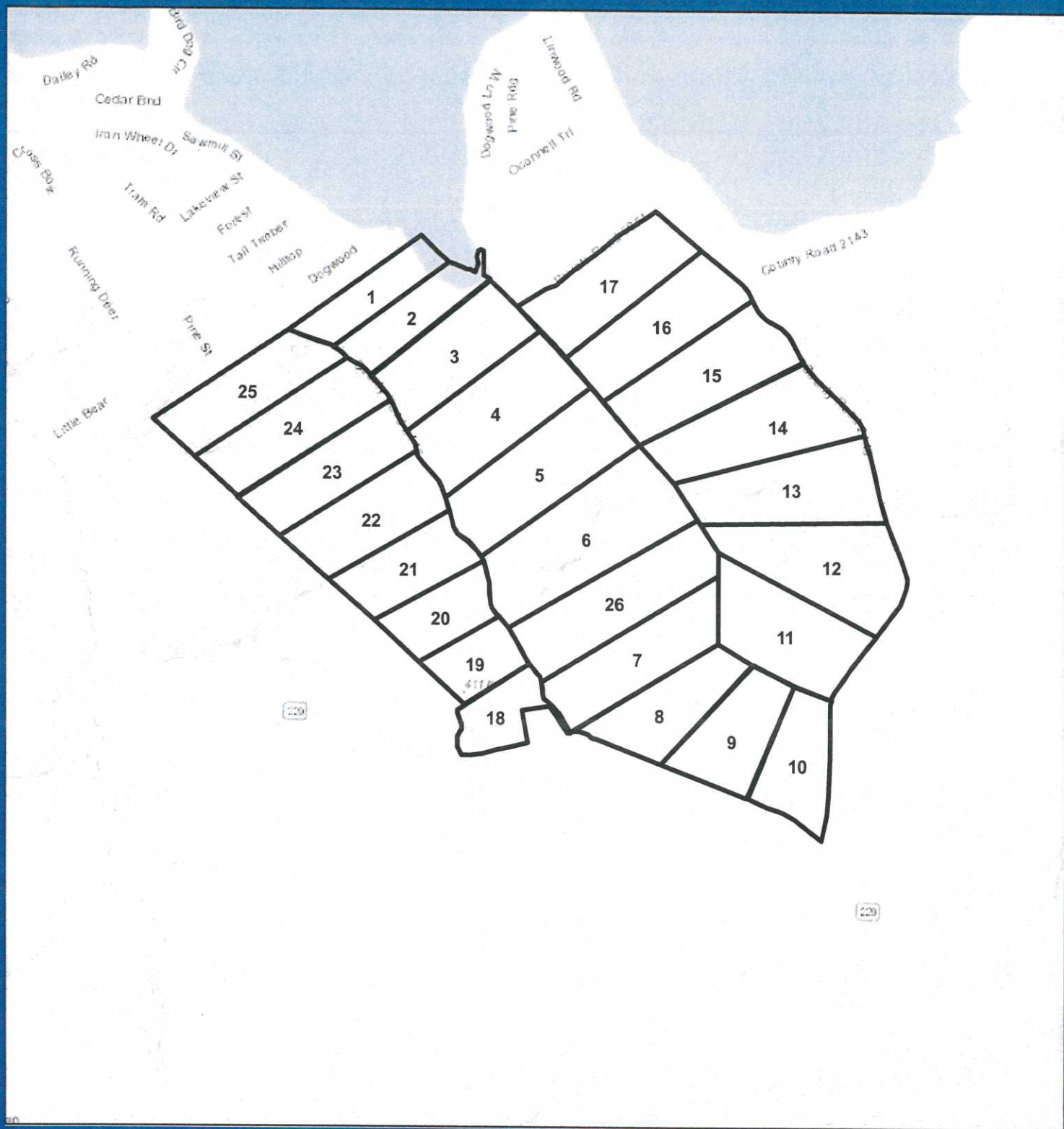
County: TX-Houston



Date: 3/28/2023

Scale: 1 inch = 0.3 miles





Parcel Number: 03321 Partial



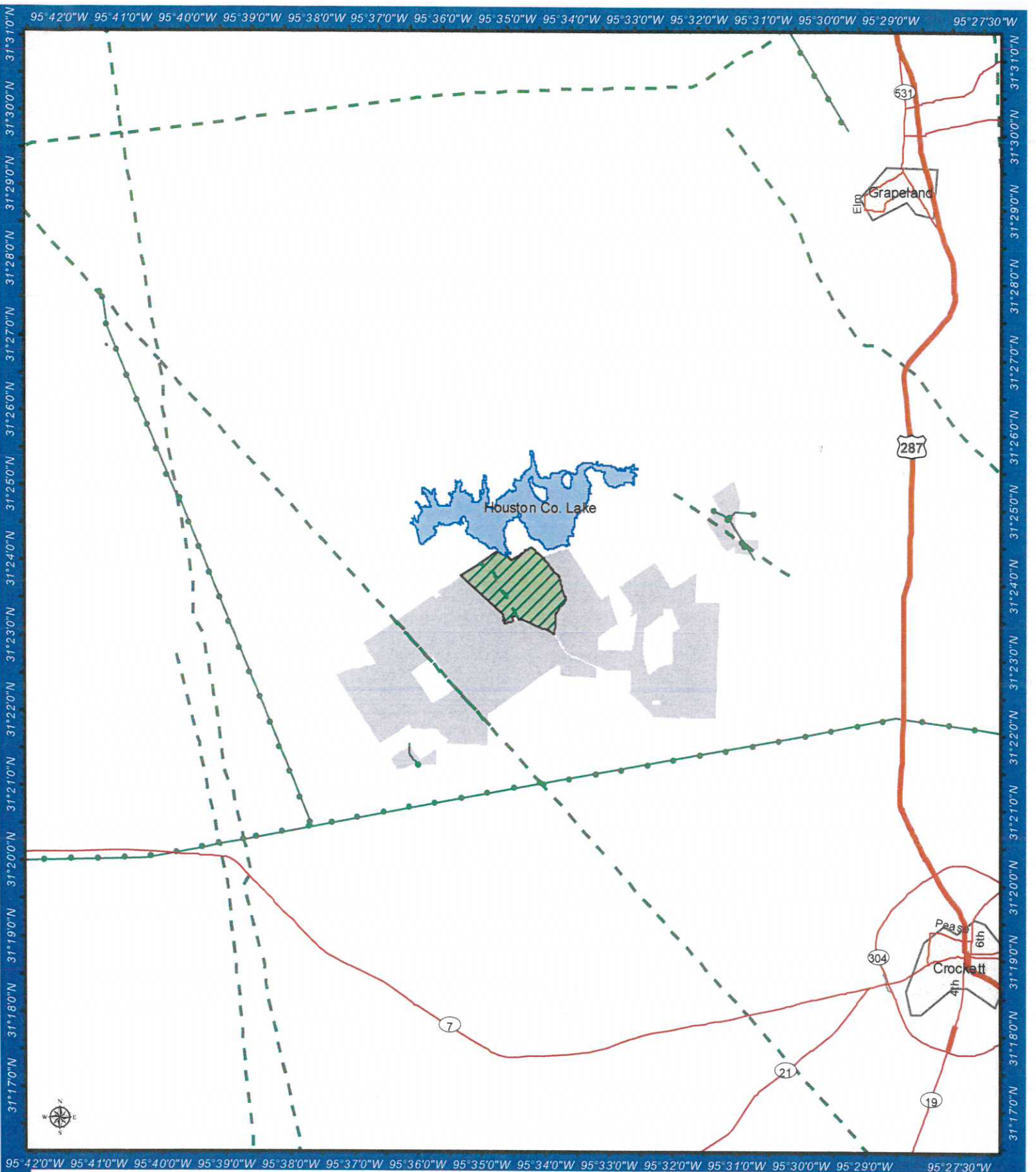
Information provided on this map is believed to be accurate and is based on the best information available at this time, however, this information is in no way guaranteed.

 Subject Property

County: TX-Houston



Date: 3/28/2023  
Scale: 1 inch = 0.3 miles



**Parcel Number: 03321 partial**

 **Subject Property**

County: TX-Houston



Date: 3/6/2023

Scale: 1 inch = 2 miles



Information provided on this map is believed to be accurate and is based on the best information available at this time, however, this information is in no way guaranteed.

EXHIBIT "B"

[See Attached Legal Descriptions]

BH05599/05.2817

STATE: Texas

COUNTY: Houston

Tract: HOU-106

LATS: 422250033 [01253, 01285, 03321, 03322, 03323, 03324, 03325, 03326]

Tax Parcel No.:

Compartment No.: 01253, 01285, 03321, 03322, 03323, 03324, 03325, 03326

Fee:  Leasehold: \_\_\_\_\_

5,130.415 acres of land, more or less, out of RAMON DE LA GARZA SURVEY, A-33, situated in Houston County, Texas, more particularly described by metes and bounds as follows:

**FIRST TRACT:**

Being 640 acres of land more or less, same being Section #38 according to the plat of said RAMON DE LA GARZA GRANT A-33 and described as follows:

BEGINNING at the SW cor of Section #39 on the SE bdy line of said Grant 360 vrs from the SE cor of said Grant, fin wh an Oak brs. N 38 W 50 links and a BJ brs N 15 E 79 links;

THENCE S 55 W with the Southeast bdy line of said Grant, 1900 vrs to the SE cor of Section #37, fm wh a hky brs N 85 W 49 links, and an Oak brs N 25 W 16 link;

THENCE N 35 W with the division line between Sections #37 and #38, 1900 vrs to cor being the NE cor of Section #37 and the SE cor of #24, and SW cor of #23, fr wh a BJ brs N 35 E 94 links a Do brs N 48 W 74 links, a do brs S 37 W 48 links and a Do brs S 63 E 61 links;

THENCE N 55 E on the line between Sections #23 and #38, 1900 vrs to cor being the SE cor of Section #23 and SW cor of #22 and NW cor of #39 fr wh a RO brs N 32 E 70 links a Do brs N 42 W 39 links a Do brs S 140 links and a Do brs S 63 E 114 links;

THENCE S 35 E on the line between Sections #38 and #39, 1900 vrs to the place of beginning.

**FOURTH TRACT:**

590 acres of land, more or less, out of Section 25 RAMON DE LA GARZA GRANT, A-33, situated in Houston County, Texas, more particularly described by metes and bounds as follows:

All that certain tract or parcel of land, being 590 acres of land, more or less, out of Section 25 according to the plat of said RAMON DE LA GARZA, A-33, described as follows:

BEGINNING at the NE cor of Section 26 on said Grant;

THENCE N 55 E with line between #16 and #25, 1900 vrs to NEC of #25, and SE cor of #16, the SW cor of #17, and NW cor of #24, a BJ brs N 50 W 233 links, a Do brs N 40 E 180 links, a D brs 65 E 130 links and a D brs S 7 E 10 links;

THENCE S 35 E with line between Sections #25 and #24, 1900 vrs to the SE cor of #25, and NE cor of #36, and NW cor of #37, and SE cor of #24;

THENCE S 55 W with line between Nos. 25 and 36, 1149 vrs to the SE cor of the Demby 50 acre survey, a BJ 12 in brs S 3 varas, a Hky 6 in brs S 78 E 4 vrs;

THENCE N 35 W 375 ½ vrs to NEC of said Demby tract a Sand Jack 10 in brs S 61 E 15 vrs, a Pine 4 in brs N 20 W 2 vrs;

THENCE S 55 W with the N bdy line of said Demby tract, 751 vrs to his NW cor on the division line between Sections #25 and #26, a PO 18 in brs N 43 E 7 vrs, a BJ 4 in brs S 56 W 53 vrs;

THENCE N 35 W with line between #25 and #26, 1524.5 vrs to the place of beginning.

**SAVE AND EXCEPT from the FOURTH TRACT:**

**BEING 3.00 acres of land in Houston County, Texas, within the R. De La Garza Survey, A-33, described as follows:**

**BEGINNING at the point at which the Southwest right-of-way line of State FM Road No. 229 intersects the Northwest boundary line of Section 25 of said survey, same being located S54°42'00"W 3145.01 feet from a 2" iron pipe found, set a 5/8" iron rod for corner;**

**THENCE in a Southeasterly direction with said right-of-way line, in a curve to the left which has a central angle of 3°21'26", a radius of 992.91 feet, an arc length of 58.18 feet, and a descriptive long chord which bears S62°54'57"E 58.17 feet to a concrete right-of-way monument found for corner;**

**THENCE S64°40'08"E continuing with said right-of-way line, at 153.47 feet a concrete right-of-way monument found for corner;**

**THENCE** in a Southeasterly direction continuing with said right-of-way line in a curve to the right which has a central angle of 5°52'13", a radius of 1393.29 feet, an arc length of 142.75 feet, and a descriptive long chord which bears S61°44'02"E 142.69 feet to a 5/8" iron rod set for corner;

**THENCE** S54°42'00"W 498.16 feet to a 5/8" iron rod set for corner;

**THENCE** N35°18'00"W 313.07 feet to a 5/8" iron rod set for corner;

**THENCE** N54°42'00"E 332.41 feet to the PLACE OF BEGINNING.

**FIFTH TRACT:**

640 acres of land, more or less, out of Section 24 RAMON DE LA GARZA SURVEY, A-33, situated in Houston County, Texas, more particularly described by metes and bounds as follows:

All that certain tract or parcel of land being 640 acres of land, more or less, and being Section 24, according to the plat of said RAMON DE LA GARZA GRANT, A-33, and described as follows:

BEGINNING at the South West cor of said Section #24, and being also the South East cor of Section #25, the North East corner of Section #36 and the Northwest cor of Section #37;

THENCE N 35 W with division line between Sections 24 and 25, 1900 varas to NW corner of #24 and NE cor of #26, and SW cor of #17;

THENCE N 55 E with line between Sections #17 & 24, 1900 vrs to corner being also the NW cor of Section #23, BJ brs N 64 W 62 links, a Do brs N 5 W 56 links, a Do brs E 70 links and a Hky brs S 28 W 50 links;

THENCE S 35 E 1900 vrs to NE cor of Section #37;

THENCE S 55 W with line between Section #24 and Section #37 1900 varas to the place of beginning.

**SIXTH TRACT:**

640 acres of land, more or less, out of Section 37 RAMON DE LA GARZA SURVEY, A-33, situated in Houston County;

More particularly described by metes and bounds as follows:

Being 640 acres of land more or less same being Section 37, according to the plat of said Roman de la Garza and being described as follows:

BEGINNING at the Southwest cor of Section Number 38 of said Grant, which is also the SE cor of Section #37, in the South body line of said Grant, 5700 varas from the South East corner thereof;

BH05599/05.2817

THENCE N 35 W with the division line between Sections #37 and #38 at 1900 vrs to the NW cor of Section #38, same being the NE cor of Section #37, same being the SE cor of Section #24, and SW cor of #23;

THENCE S 55 W on the division line between Sections #24 and #37, 1900 vrs to cor being also NW cor of Section #37, the NE cor of Section #36, the SE cor of #25, and SW cor of #24, from which a Hky brs N 9 E 27 links a Do brs N 50 W 28 links a Do brs SSE 60 links and a Do bears S 51 E 38 links;

THENCE S 35 E between Sections #37 and #36 at 1900 vrs stk on S body line of said Grant same being the SE core of Section #36, and SW cor of #37;

THENCE N 55 E with the boundary line of said Grant 1900 varas to the place of beginning, containing 640 acres of land more or less.

SAVE AND EXCEPT: 2.841 acres conveyed to Lakeview Cable Company, by virtue of Deed recorded in Vol. 926, Page 679 Official Records of Houston County, Texas.

2.841 acres out of and apart of RAMON DE LA GARZA SURVEY, A-33, Section No. 37, Houston County, Texas and being out of and a part of that certain Eighteenth tract, a 640 acre tract described in a deed from Rosine Blount McFaddin et al to Temple Industries, Inc. by deed dated August 15, 1969, and being recorded in Volume 452, Page 38 of the Houston County Deed Records, which 2.841 acre of land, more or less, is more particularly described as follows:

BEGINNING on an iron post found for a South East corner of this tract and the North East corner of the Contel of Texas Inc. 0.080 acre tract described in a Lease Agreement recorded in Vol. 773, Page 962 of the Official Records of Houston County and being in the West line of a Public Paved Road;

THENCE S 66°32' 14"W 50.78 feet to iron post for corner;

THENCE S 12°11 '34"E 77.87 feet to iron pipe found for corner in the North R.O.W. line of F.M. Hwy No. 229, and also being the South West corner of said Contel Tract;

THENCE S 78°56'38" W 232.61 feet and S 73°43'54"W 151.33 feet to iron rod set for corner in the North R.O.W. line of said F.M. Hwy No. 229;

THENCE N 14°56'19"W 300.0 feet to iron rod set for corner;

THENCE N 68°20'46"E 300.0 feet to iron rod set for corner in the West line of a Public Road;

**EIGHTH TRACT:**

All of SECTION No. 23 consisting of 640 ACRES, according to the subdivision plat of the RAMON DE LA GARZA 11 LEAGUE GRANT, A-33 and described as follows:

BEGINNING at the North West corner of Section 23 and the North East corner of Section 24 and the South East corner of Section 17 and the South West corner of Section 16;

THENCE South 35 East between Section 23 and 24 at 1900 varas to the South West corner of said Section 23;

THENCE North 55 East at 1900 varas to the South East corner of said Section 23, THENCE N 35 W 1900 varas to the North East corner of said Section 23;

THENCE South 55 West between Sections 23 and 18 at 1900 varas to the North West corner of said Section 23 to the place of beginning containing 640 acres.

**SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

0.669 acre of land, a part of and out of that certain 340 acre tract in the RAMON DE LA GARZA XI LEAGUE GRANT, A-33, Sec 23 in Houston County, Texas, described in a deed from Mamie Blount Stewart et al to Anna Mary Blount Vance et al, dated October 31, 1938 and recorded in Vol. 194, Page 108 of the Houston County Deed Records; which 0.669 acre is described as follows:

BEGINNING on a 1/2" iron rod set in the North boundary of a proposed roadway at the southeast corner of lot 30 and the southwest corner of lot 31 of a subdivision made along the shoreline of the Houston County Lake;



THENCE along said road boundary: S 75 29' W, 143.0 feet and S 71 03' W, 209.0 feet to a point in the Northwest line of the 340 acre tract and the southeast line of the Johnson heirs 91.3 acre tract;

THENCE N 55 18' E, 482.2 feet along said Northwest line to the East boundary of Lot 30;

THENCE S 7 41' E 140.0 feet with said lot line to the place of beginning, containing 0.669 acre of land.

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

0.195 acre of land, a part of and out of that certain 340 acre tract in the RAMON DE LA GARZA XI LEAGUE GRANT, A-33, Sec 23 in Houston County, Texas, described in a deed from Mamie Blount Stewart et al to Anna Mary Blount Vance et al dated October 31, 1938 and recorded in Vol. 194, Page 108 of the Houston County Deed Records; which 0.195 acre is described as follows:

BEGINNING on a 1/2" iron rod set in the East line of the 340 acre tract and in the west line of the Johnson heirs 65 acre tract; same being in the North boundary of a proposed roadway and the southeast corner of lot 44 of a subdivision made along the shoreline of Houston County Lake;

THENCE S 66 deg. 25' W, 92.0 feet with said road to a 1/2" iron rod and the southwest corner of lot 44;

THENCE N 3 deg. 33' W, 197.0 feet to an iron rod set in the shoreline of said lake and in the East line of the 340 acre tract;

THENCE S 31 deg. 06' E, 186.9 feet with said line to the place of beginning containing 0.195 acre of land.

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

15.9 acres out of and a part of the RAMON DE LA GARZA Survey, A-33, in Houston County, Texas, and also being out of and a part of the original 196.0 acre tract being recorded in Vol. 77, Page 207, of the Houston County Deed Records, which 15.9 acres being more particularly described by metes and bounds as follows:

BEGINNING on an iron rod found for the most North Westerly corner of Section 1, of the South Side Subdivision and also being the North West corner of Lot 1, of said subdivision;

THENCE with the South West boundary line of the Section 1, of said subdivision as follows: S 27° 48' E 354.5 ft., S 36° 23' E 99.7 ft., S 52° 55' E 100.5 ft., S 63° 45' E 205.0 ft., S 66° 40' E 105.0 ft., S 66° 52' E 200.0 ft., S 70° 07' E 180.0 ft., S 75° 44' E 89.7 ft. and S 61° 17' E 39.5 ft. to corner, same being the South boundary line of Lot #14, of said subdivision, and also being the South West corner of a road-way;

THENCE S 34° 07' 50" E 902.8 ft. to intersection with another road-way;

THENCE with the North West boundary line of said roadway, S 58° 25' 16" W 236.8 ft. to corner at intersection with the North East boundary line of a County road;

THENCE with the meanders of said county road as follows: N 51° 00' W 103.0 ft., N 53° 48' W 200.0 ft., N 52° 20' W 200.0 ft., N 50° 35' W 199.7 ft., N 50° 42' W 210.3 ft., N 49° 50' W 210.0 ft., N 48° 34' W 210.0 ft., N 44° 04' W 130.0 ft., N 38° 30' W 130.0 ft., N 33° 11' W 150.0 ft., N 32° 00' W 50.0 ft., N 39° 15' W 100.0 ft., and N 35° 55' W 300.0 ft., to iron stake for corner in same;

THENCE N 58° 33' E 222.0 ft. to the place of beginning and containing 15.9 acres of land;

(Field notes furnished by C. R. Hodges, Registered Public Surveyor)

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

12-7/10 ACRES recovered by Savage Johnson in a Judgment styled Mrs. E A Blount vs. Savage Johnson dated May 2 1923 recorded in Vol. T Page 147 of the Civil Minutes of the District Court of Houston County, Texas, described as follows:

12-7/10 acres out of the North East corner of said Section 23, and designated by field notes as follows:

BEGINNING at a stake in Savage Johnson's field at the North East corner of Section No. 23;

THENCE South 55 West 105 varas to a stake for corner;

THENCE South 35 East 682 varas to a stake for corner;

THENCE North 55 East 105 varas to a stake for corner of the Section line;

THENCE with the Section line North 35 West 682 varas to the PLACE OF BEGINNING, containing 12-7/10 acres.

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

91-3/10 ACRES conveyed to Savage Johnson by Mrs. E A Blount by deed dated May 5 1923 recorded in Vol. 118 Page 161 of the Houston County Deed Records described as follows:

All that certain tract or parcel of land, lying and being situated in Houston County, Texas about 10 miles North West from the City of Crockett, same being a part of Section Number 23 according to the Subdivision plat of the RAMON DE LA GARZA ELEVEN LEAGUE GRANT and described by field notes as follows:

BEGINNING at the North West corner of a tract of 12.7 acres 105 varas S 55 W from the NE corner of the said Section No. 23;

THENCE South 35 East 682 varas to the South West corner of the 12.7 acre tract;

THENCE North 55 East 105 varas to the South East corner of the 12.7 acre tract;

THENCE South 35 East with the Section line 200 varas to a stake for corner, a Pin Oak brs N 55 E 4 varas;

THENCE South 55 West 640 varas to a stake for corner, a Hickory brs N 9 W 6 varas;

THENCE North 35 West 782 varas to a stake for corner in a marsh, a sweet gum brs S 72 W 1 vara;

THENCE South 55 West 240 varas to a stake for corner in the edge of the Crockett and Daily Road, a Sand Jack brs N 78 E 3 varas;

THENCE North 35 West 100 varas to a stake for corner on the Section Line;

THENCE with the Section line North 55 East 775 varas to the place of beginning, containing 91.3 acres of land.

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

The SURFACT ESTATE in and to 0.538 acre, 16.337 acres and 2.278 acres as described in a judgment styled Houston County Water Control & Improvement District No. 1 vs. Rosine Blount McFaddin et al being cause No. 3254 in County Court of Houston County, Texas, dated or filed Jan 24, 1967 recorded in Vol. 4 Page 562 of the minutes of that court described as follows:

- (1) 0.538 ACRES being all that certain tract or parcel of land situated in Houston County, Texas, a part of the Ramon de la Garza Eleven League Grant, Abstract No. 33 and being a part of that certain 340.00 acre "Eleventh Tract" conveyed to Anna Mary Blount Vance, et al, by Mamie Blount Stewart, et al on October 31, 1938, and recorded in Volume 194, Page 108 of the Deed Records of Houston County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a point for corner, at the North corner of the above mentioned 340.00 acre tract, and at the East corner of that certain 91.3 acre tract conveyed to Andrew Johnson by A B Spence on December 41958 and recorded in Volume 326 Page 400 of the deed records of Houston County, Texas;

THENCE South 35 deg 41 min East with the Northeast line of the said 340.00 acre tract, a distance of 209.68 feet to a point for cor in the shore line of Little Elkhart reservoir at an elevation of 262.00 feet above sea level;

THENCE with the shore line of Little Elkhart Reservoir, as follows: North 76-12 W 175.99 feet, and South 77-56 W 198.23 feet to a point for corner on the Northwest line of the said 340.00 acre tract, and on the Southeast line of the said 91.3 acre tract;

THENCE North 55-00 East with the Northeast line of the said 340.00 acre tract, a distance of 295.98 feet to the place of beginning, containing 0.538 of an acre of land, as surveyed by John Cowan Reg Pub Sur No. 243 during the month of October and November, 1965.

- (2) 16.337 ACRES being all that certain tract or parcel of land situated in Houston County, Texas, a part of the Ramon de la Garza Eleven League Grant, Abstract No. 33 and being a part of that certain 196.00 acre "Twelfth Tract" conveyed to Anna Mary Blount Vance, et al, by Mamie Blount Stewart et al on October 31, 1933, and recorded in Volume 194 Page 108 of the deed records of Houston County, Texas and being more completely described as follows, to wit:

BEGINNING at a point for corner on the Northwest line of the above mention 196.00 acre tract, and being South 55-31 West a distance of 1601.95 feet from the West corner of that certain 91.3 acre tract conveyed to Andrew Johnson by A B Spence on December 4, 1956 and recorded in Volume 326 Page 400 of the deed records of Houston county, Texas;

THENCE with the shoreline of Little Elkhart Reservoir at an elevation of 262.00 feet above sea level, as follows: South 50-12 East 69.91 feet; South 55-20 East 70.00 feet; South 9-58 E 195.36 feet; South 36-52 East 197.78 feet; South 26-50 East 180.87 feet; South 67-12 East 113.48 feet; South 23-58 West 190.21 feet; South 18-16 West 73.76 feet; South 3-20 East 83.90 feet; South 51-26 East 192.27 feet; South 39-18 East 119.78 feet; South 86-22 West 148.16 feet; South 31-47 West 105.68 feet; North 79-35 W 127.02 feet; North 44-46 West 165.86 feet; North 41-11 West 286.23 feet; North 79-59 West 139.48 feet; North 71-03 West 126.15 feet; North 38-17 West 344.17 feet; and North 39-03 West 189.17 feet to a point for corner on the Northwest line of the above mentioned 196.00 acre tract;

THENCE North 55/31 East with the Northwest line of the said 196.00 acre tract, and with the Southeast line of that certain 1495.5 acre "Second Tract" conveyed to Balis E Dailey et ux by Leoti Dailey on November 20 1939 and recorded in Volume 202 Page 536 of the deed records of Houston County, Texas, a distance of 778.91 feet to the place of beginning, containing 16.337 acres of land.

(3) 2.278 ACRES, described as follows:

BEGINNING at a fence corner for corner, at the most Easterly North corner of the above mentioned 196.00 acre tract, and at the Southwest re-entrant or ell corner of that certain 91.3 acre tract conveyed to Andrew Johnson by A B Spence on December 4 1956 and recorded in Volume 326 Page 400 of the deed records of Houston County, Texas;

THENCE South 37-42 East with the most Easterly Northeast line of the said 196.00 acre tract, and the most Southerly Southwest line of the said 91.3 acre tract, a distance of 763.82 feet to a point for corner on the shore line of Little Elkhart Reservoir at an elevation of 262.00 feet above sea level;

THENCE with the shore line of Little Elkhart Reservoir as follows: North 71-20 West 232.84 feet; North 45-38 West 247.01 feet; North 37-53 West 204.08 feet, and North 18-51 West 133.59 feet to a point for corner on the most Easterly Northwest line of the said 196.00 acre tract, and on the most Westerly Southeast line of the said 91.3 acre tract;

THENCE North 54-46 East with the most Easterly Northwest line of the said 196.00 acre tract, a distance of 120.66 feet to the place of beginning, containing 2.278 acres on land as surveyed by John Cowan Reg Pub Sur No 243 during the months of October and November, 1965.

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

0.159 of an acre conveyed to W J Gentry & Bill Bitner by Rosine Blount McFaddin et al by deed of May 15, 1969 recorded in Vol. 449 Page 518 of the Houston County Deed Records, described as follows:

0.159 ACRE of land, a part of and out of that certain 196 acre tract in the RAMON DE LA GARZA XI LEAGUE GRANT, A-33 SEC 23 in Houston County, Texas, described in a deed from Mamie Blount

Stewart et al to Anna Mary Blount Vance et al dated October 31, 1938 and recorded in Vol. 194 Page 100 of the Houston County Deed Records which 0.159 acre is described as follows:

BEGINNING on a 1/2" iron rod set in the North boundary of a proposed roadway; same being the southeast corner of lot 12 and the southwest corner of lot 13 of a subdivision made along the shoreline of Houston county lake;

THENCE N 9deg. 57' E 110.2 feet along the boundary between lots 12 and 13 to a point in the southeast line of the 196 acre tract;

THENCE S 35 deg, 28' E 189.7 feet with said boundary to a point in the North boundary of said road;

THENCE WITH SAID ROAD N 61 deg. 17' W, 50.0 feet and N 75 44' W 89.0 feet to the place of beginning, containing 0.159 acre

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

Being 49.983 acres of land in Houston County, Texas, within the RAMON DE LA GARZA SURVEY A-33, out of and a part of that certain TWELFTH TRACT which was conveyed from Rosine Blount McFaddin, et al, to Temple Industries, Inc. by deed dated August 15, 1969 and recorded in Volume 452, on Page 38 of the Deed Records of Houston County, Texas, to which reference is hereby made for any and all purposes, being more particularly described by metes and bounds as follows, to wit:

BEGINNING at the point at which the recognized N.B.L. of Section 23 of said survey intersects the centerline of a county road known as "Linwood Marina Road", a point from which a 1/2" iron rod set for witness corner brs. S 54deg. 47min. 52sec. W 25.00 feet;

THENCE seven (7) lines following the centerline of said road, as follows:

1. S 33deg. 20min. 15sec. E 480.57 feet,
2. S 35deg. 54min. 37sec. E 320.45 feet,
3. S 35deg. 30min. 19sec. E 151.72 feet,
4. S 40deg. 17min. 32sec. E 123.60 feet,
5. S 43deg. 16min. 19sec. E 83.98 feet,
6. S 49deg. 38min. 38sec. E 41.19 feet,
7. S 49deg. 45min. 56sec. E 63.43 feet to a point for corner from which A 10" Sand Jack X brs. S 08deg. 39min. W 56.63 feet, a 13" Sand Jack X brs. S 25deg. 05min. W 52.51 feet, a 7" Post Oak X brs. S 36deg. 47min. W 42.52 feet, and a 1/2" iron rod set for witness corner brs. S 52deg. 22min. 57sec. W 25.00 feet;

THENCE S 52deg. 22min. 57sec. W at 1800.32 feet pass on line a 1/2" iron rod set for witness corner, and in all 1830.32 feet to an inaccessible point for corner in the Fee Taking Line of Houston County Lake;

THENCE N 40deg. 07min. 00sec. W 119.78 feet to a 1/2" iron rod set for corner;

THENCE N 52deg. 15min. 00sec. W 192.27 feet to an inaccessible point for corner;

THENCE N 04deg. 09min. 00sec. W 83.90 feet to a 1/2" iron rod set for corner;

THENCE N 17deg. 27min. 00sec. E 73.76 feet to a 1/2" iron rod set for corner;

THENCE N 23deg. 09min. 00sec. E 190.21 feet to a 1/2" iron rod set for corner;

THENCE N 68deg. 01min. 00sec. W 113.48 feet to an inaccessible point for corner;

THENCE N 27deg. 39min. 00sec. W 180.87 feet to an inaccessible point for corner;

THENCE N 37deg. 41min. 00sec. W 197.78 feet to an inaccessible point for corner;

THENCE N 10deg. 47min. 00sec. W 195.36 feet to a 1/2" iron rod set for corner;

THENCE N 56deg. 09min. 00sec. W 70.00 feet to an inaccessible point for corner;

THENCE N 51deg. 01min. 00sec. W at 106.03 feet intersect the recognized N.B.L. of said Section 23 of said survey, an inaccessible point for corner from which a 1/2" iron rod set for witness corner brs. N 54deg. 47min. 52sec. E 69.62 feet;

THENCE N 54deg. 47min. 52sec. E at 396.13 feet pass on line a 1/2" iron pipe found, at 521.37 feet pass on line a 1/2" iron pipe found, and in all 1612.83 feet to the place of BEGINNING.

**FURTHER SAVE AND EXCEPT FROM THE EIGHTH TRACT:**

BEING all those certain lots out of the "Southside Sub-Division" within the Ramon De La Garza League, Abstract No. 33, in Section No. 23, in Houston County, Texas, as same are shown on a map recorded in Plat Book 1, Page 152, of the Deed Records of Houston County, Texas, described as follows:

BEING all of lots numbered one (1) through twelve (12) inclusive, and lots thirty-one (31) through forty-three (43) inclusive, as same are described on said map above referred to;