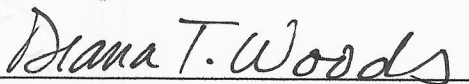


◇ CITY OF UHLAND ◇

Certificate

I, Diana Woods, hereby certify:

1. I am the City Administrator/City Secretary of the City of Uhlend, Texas and as such am the custodian of the records of the City.
2. Ordinance No. 73, an ordinance repealing Ordinance No. 67 and authorizing the release of a portion of the city's extraterritorial jurisdiction (ETJ) of the City of Uhlend, Texas over and within the boundary of those certain tracts of land described in Exhibit "A" was adopted on July 11, 2007 by the Board of Aldermen of the City of Uhlend, Texas, at a regularly scheduled meeting, held after due and legal notice.
3. Said Ordinance is filed in the City records, has not been amended, and is recorded in the minute books of the City.
4. The attached document is the original, including attachments, of the said Ordinance.



Diana T. Woods

City Administrator/City Secretary

15 N. OLD SPANISH TRAIL • UHLAND, TEXAS • 78640
PHONE: 512 398-7399 • FAX: 512 398-7359

ORDINANCE NO. 73

AN ORDINANCE REPEALING ORDINANCE NO. 67; AUTHORIZING THE RELEASE OF A PORTION OF THE CITY'S EXTRATERRITORIAL JURISDICTION ("ETJ"); PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Uhland desires to repeal Ordinance No. 67 as adopted on June 6, 2007; and

WHEREAS, the City Council of the City of Uhland desires to release that portion of its extraterritorial jurisdiction included in the area described in the attached Exhibit A;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Uhland:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Uhland, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

II. REPEAL OF ORDINANCE

This Ordinance hereby expressly repeals Ordinance No. 67 in its entirety.

III. RELEASE AND INCLUSION OF AREA IN ETJ; FILING & DISPLAY

1. THAT the City Council of the City Uhland hereby approves the release of that portion of its ETJ described by metes and bounds in the attached Exhibit A.
2. THAT any portion of Uhland's ETJ that becomes non-contiguous to the corporate boundaries or ETJ of the City of Uhland as a result of the release of ETJ pursuant to this Ordinance shall be deemed to have been hereby released by the City of Uhland.
3. THAT the official map and boundaries of the City are hereby amended and revised so as to exclude the area in Exhibit A.
4. THAT the City Secretary is hereby instructed to include this Ordinance in the records of the City.
5. THAT the Mayor is hereby instructed to file a certified copy of this Ordinance and attachments with the Hays County Clerk and other appropriate entities.
6. THAT the City Engineer is hereby instructed to have maps depicting the new municipal boundaries prepared.

IV. EFFECTIVE DATE

This Ordinance is effective and the release of the ETJ achieved herein shall be final and complete upon adoption of this Ordinance.

20507152 HCA
2617
11/8/05
36 000

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS §
 § KNOW ALL BY THESE PRESENTS
COUNTY OF HAYS §


GENERAL WARRANTY DEED


That **Randell G. Pendleton** (a/k/a **Randall G. Pendleton** and/or **Randall Pendleton**) and **Frances A. Pendleton** ("Grantors") for the consideration hereinafter stated paid and secured to be paid by **FM 150 and Heiderreich, L.P.**, a Texas limited partnership, **Gerald Kokoszka, Trustee of the Colorado River Trust** dated **March 4, 1989**; **To Quang Pham and Maikhanh Pham; William K. Nelson; and The Rock Foundation, L.L.C.** (collectively, "Grantees"), have **GRANTED, SOLD AND CONVEYED**, and by these presents do **GRANT, SELL AND CONVEY** unto Grantees, in accordance with the undivided interests set forth on Exhibit A attached hereto and incorporated herein by reference for all purposes, the real property, together with all improvements thereon and all appurtenances thereto, located in Hays County, Texas and more particularly described on the Exhibit B attached hereto and incorporated herein by reference for all purposes (collectively, the "Property"). **GRANTEES' ADDRESS** is c/o **Bob Reetz, 111 Congress, Suite 1400, Austin, Texas 78701.**

TO HAVE AND TO HOLD the Property, together with any and all rights and appurtenances thereto belonging, unto Grantees and Grantees' respective legal representatives, beneficiaries, heirs, successors and assigns forever; and Grantors, jointly and severally, do hereby bind Grantors and each Grantor's respective successors, heirs, assigns, executors and administrators, as applicable, to **WARRANT AND FOREVER DEFEND** all and singular the Property unto Grantees and Grantees' respective legal representatives, beneficiaries, heirs, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

However, this conveyance is made subject to the liens securing standby fees, taxes and assessments by any taxing authority for the year 2005 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership (collectively, "Ad Valorem Taxes"), as well as to the exceptions set forth on Exhibit C, attached hereto and incorporated herein by reference for all purposes to the extent that they are in effect and apply to the Property

Executed effective the 2 day of November, 2005.

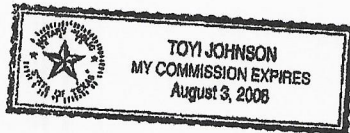

Randell G. Pendleton


Frances A. Pendleton

STATE OF TEXAS }
 }
COUNTY OF Tavis } ss.

On November 2, 2005, before me personally appeared **Randell G. Pendleton (a/k/a Randall G. Pendleton and/or Randall Pendleton)**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the above instrument and acknowledged to me that he executed the same for the consideration and purposes set forth above

WITNESS my hand and official seal.



Toyi Johnson
(Signature of Notary Public)

STATE OF TEXAS }
 }
COUNTY OF Tavis } ss.

On November 2, 2005, before me personally appeared **Frances A Pendleton**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the above instrument and acknowledged to me that she executed the same for the consideration and purposes set forth above.

WITNESS my hand and official seal



Toyi Johnson
(Signature of Notary Public)

AFTER RECORDING, PLEASE RETURN TO:

Robert E Reetz, Jr
Brown McCarroll, L L P
111 Congress Avenue, Suite 1400
Austin, Texas 78701

EXHIBIT A

Undivided interests of Grantees

FM 150 and Heiderreich, L.P.	27 77%
Gerald Kokoszka, Trustee of the Colorado River Trust dated March 4, 1989	16.67%
Quang Pham and Maikhanh Pham	22 22%
The Rock Foundation, L.L.C	16 67%
William F. Nelson	16.67%

EXHIBIT B

Property Description

BEING a 67.180 acre tract out of the William Hemphill Survey, Abstract No. 221 and the Albert Pace Survey, Abstract No. 367, Hays County, Texas out of a 68.21 acre tract called "Tract 1" conveyed in deed to Randall G. Pendleton and Frances A. Pendleton recorded in Volume 2477, Page 482, Official Public Records, Hays County, Texas, out of a 87.43 acre tract conveyed in Volume 1153, Page 827, Official Public Records, Hays County, Texas, said 67.180 acre tract being more particularly described as follows.

BEGINNING at a 1/2" iron rod set in the northwesterly Right-of-Way (R.O.W.) line of Heidenreich Lane in the southwesterly line of a 0.540 acre tract recorded in Volume 935, Page 589, Official Public Records, Hays County, Texas and the most easterly corner of the herein described tract, said 1/2" iron rod set being South 44°46'00" West, 105.00 feet and North 44°55'00" West, 5.00 feet from a 1/2" iron rod found in the northwesterly R.O.W. line of said Heidenreich Lane for the most easterly corner of said 87.43 acre tract;

THENCE, South 44°46'00" West, 971.49 feet along the southwesterly R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set,

THENCE, North 45°26'32" West, 5.00 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set;

THENCE, South 44°46'00" West, 850.00 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set;

THENCE, South 45°14'00" East, 5.00 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set;

THENCE, South 44°46'00" West, 806.51 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set for the most southerly corner of the herein described tract,

THENCE, North 45°01'56" West, 672.63 feet along the southwest line of said Tract 1 to a wood fence post found for the southwesterly corner of said Tract 1 and the southwesterly corner of the herein described tract,

THENCE, North 44°47'13" East, 2129.25 feet along the northwesterly line of said Tract 1 to a cedar post found,

THENCE, North 17°51'04" West, 562.64 feet along the southwesterly line of said Tract 1 to a wood fence post found;

THENCE, North 21°28'34" West, 83.82 feet along the southwesterly line of said Tract 1 to a 1/2" iron rod found;

THENCE, North 44°34'37" West, 271.24 feet along the southwesterly line of said Tract 1 to a 1/2" iron rod found;

THENCE, North 00°31'40" West, 20.71 feet along the southwesterly line of said Tract 1 to a 1/2" iron rod found,

THENCE, North 44°35'56" East, 282.19 feet to a cedar post found for the most northerly corner of said Tract 1 and the most northerly corner of the herein described tract;

THENCE, South 45°38'17" East, 1050.16 feet along the northeast line of said Tract 1 to a 1/2" iron rod found,

THENCE, South 45°19'06" East, 556.81 feet along the northeast line of said Tract 1 to a 1/2" iron rod set for the most northerly corner of said 0.540 acre tract;

THENCE, South 44°34'15" West, 104.15 feet along the northwest line of said 0.540 acre tract to a 1/2" iron rod set for the most westerly corner of said 0.540 acre tract,

THENCE, South 44°55'00" East, 226.00 feet along the southwesterly line of said 0.540 acre tract to the POINT OF BEGINNING

Stephen G Cook
Registered Professional Land Surveyor No. 5293
SGCE # 917-001-103

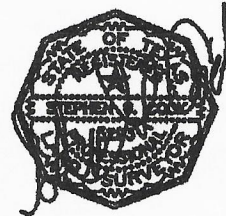


EXHIBIT C

~~Bk Vol Ps
05032820 OPR 2804 886~~

Exceptions to Conveyance

Easement granted to Arkansas Louisiana Gas Company by Ella K. Schmeltekopf in instrument dated October 27, 1973, recorded in Volume 263, Page 783, Hays County Deed Records.

Right of ingress and egress to and from water lines and appurtenances located on adjacent property as may continue to exist and as set forth in granted to County Line Water Supply Corp by Colonel R. A. Siebert and Sheran Kay Oliverio, Trustees of the Siebert Childrens Trust, in instrument dated May 2, 1999, recorded as Clerk's File No 9914315, Hay County Official Public Records.

Twenty foot (20') easement and right-of-way granted to Lower Colorado River Authority by William Terry Siebert and Sheran K. Siebert in instrument dated March 3, 1987, recorded in Volume 663, Page 332, Hays County Real Property Records

Right of ingress and egress to and from water lines and appurtenances located on adjacent property as may continue to exist and as set forth in grant to County Line Water Supply Corporation by Colonel R. A Siebert in instrument dated March 17, 2000, recorded in Volume 1646, Page 633, Hays County Official Public Records.

Reservation of one-half (1/2) of all oil, gas and other minerals to Grantor in Deed from Sheron Kay Siebert Oliverio to William Terry Siebert dated June 16, 1995, recorded in Volume 1155, Page 827, Hays County Official Public Records.

Filed for Record in:
Hays County
On: Nov 08, 2005 at 02:41P
Document Number: 05032820
Amount: 36.00
Receipt Number - 136159
By:
Lynn Curry, Deputy
Lee Carlisle, County Clerk
Hays County

Filed for Record in:
Hays County
On: Jul 27, 2007 at 01:57P
Document Number: 70022070
Amount: 84.00
Receipt Number - 175886
By:
Christina Sanchez, Deputy
Linda C. Friksche, County Clerk
Hays County

IV. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable. If any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or *ultra vires* by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written. The voiding by a court of any ETJ expansion previously approved by the City of Uhlend shall not be construed in any way to affect any other ETJ expansion by the City.

V. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this the 11th day of July, 2007, by a vote of 4 ayes, 0 nays, and 0 abstentions of the City Council.

THE CITY OF UHLAND, TEXAS

Daniel A. Healdman
Mayor

ATTEST:

Diana Woods
City Secretary

SUBJECT TO APPROVAL BY LEGAL COUNSEL:

Cynthia Boney
City Attorney

Exhibit "A"

Property Description

Attached hereto is a description of the tract(s) of land to be released and excluded from the City of Umland's extraterritorial jurisdiction.

Land R Us Realty Investments

P.O. Box 2710
Kyle, TX 78640

Bk Vol Pa
70022070 OPR 3217 443

July 6, 2007

City of Umland
15 N. Old Spanish Trl.
Umland, TX 78640

Dear Diana Woods:

We are requesting the following properties be release from the City of Umland's Extra Territorial Jurisdiction. The properties are identified by the Hays County Tax Assessor's office as R17243, R17276, R17241, R17242, R17268. These properties are also known as the Pecan woods project.

Please respond to our request at your earliest convenience.

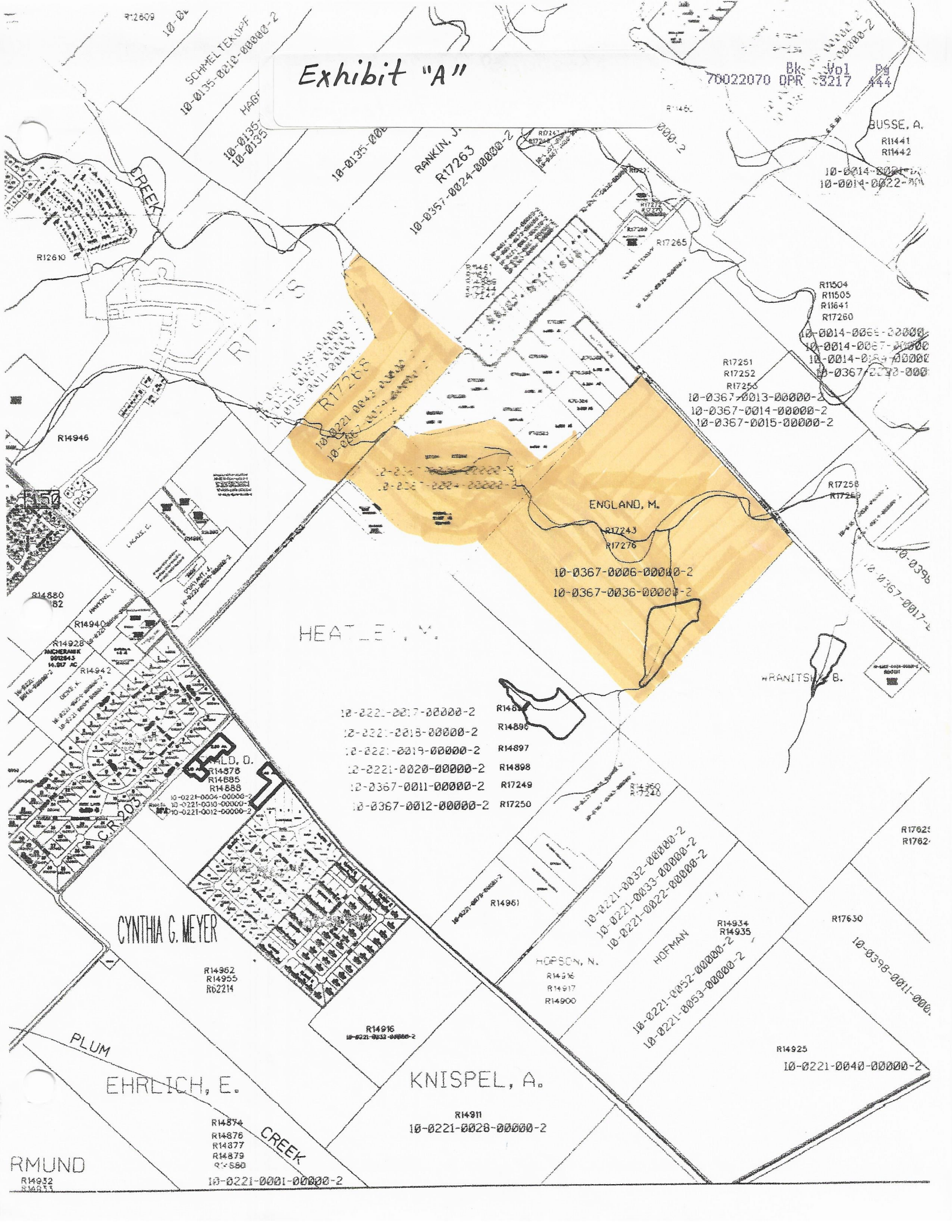
Sincerely,



Jerry Kokoszka
Managing Partner of FM 150 & Heiderreich L.P.

Exhibit "A"

70022070 Bk Vol Pg
OPR 3217 444



RANKIN, J.
R17263
10-0357-0024-00000-2

BUSSE, A.
R11441
R11442

10-0014-0021-00000-2
10-0014-0022-00000-2

R11504
R11505
R11641
R17260

10-0014-0066-00000-2
10-0014-0067-00000-2
10-0014-0069-00000-2
10-0367-0043-00000-2

R17251
R17252
R17253
10-0367-0013-00000-2
10-0367-0014-00000-2
10-0367-0015-00000-2

R17268
10-0221-0043-00000-2
10-0367-0017-00000-2

ENGLAND, M.
R17243
R17276
10-0367-0006-00000-2
10-0367-0036-00000-2

HEATLEY, M.

10-0221-0017-00000-2
10-0221-0018-00000-2
10-0221-0019-00000-2
10-0221-0020-00000-2
10-0367-0011-00000-2
10-0367-0012-00000-2

R14896
R14897
R14898
R17249
R17250

R14946
R14880
R14940
R14928
R14942
R14944
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CYNTHIA G. MEYER
R14962
R14955
R62214

HOPSON, N.
R14916
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R14900
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R14751
R14750

PLUM
EHRlich, E.

KNISPTEL, A.
R14911
10-0221-0028-00000-2

RMUND
R14952
R14953
R14874
R14876
R14877
R14879
R14880
10-0221-0001-00000-2

R17621
R17622
R17650
R14925
10-0221-0040-00000-2

HOFFMAN
R14934
R14935
10-0221-0052-00000-2
10-0221-0053-00000-2

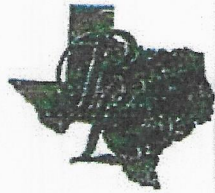
10-0396-0011-00000-2

249 acres on Gristmill

(England tract)
Bk Vol Pg
05034282 DPR 2013 377

EXHIBIT B

Legal Description



Land Surveyors, Inc.
8333 Cross Park Drive
Austin, Texas 78754
Office: 512.374-9722
Fax: 512.873-9743

Bk Vol Pg
70022070 DPR 3217 445

METES AND BOUNDS DESCRIPTION

BEING 249.51 ACRES OF LAND, OUT OF THE ALBERT PACE SURVEY NO. 55, ABSTRACT NO. 367, IN HAYS COUNTY, TEXAS, AND BEING THE REMAINDER OF A 148.41 ACRE TRACT OF LAND CONVEYED TO MURIEL SCHEH ENGLAND, TRUSTEE OF THE KYLE FARM AND RANCH TRUST BY DEED OF RECORD IN VOLUME 2369, PAGE 335 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS AND DOCUMENT NO. 03039794 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, THEREIN DESCRIBED AS "FIRST TRACT", AND ALSO BEING THE REMAINDER OF A 100.44 ACRE TRACT OF LAND CONVEYED TO MURIEL SCHEH ENGLAND, TRUSTEE OF THE KYLE FARM AND RANCH TRUST BY DEED OF RECORD IN VOLUME 2369, PAGE 335 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS AND DOCUMENT NO. 03039794 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, THEREIN DESCRIBED AS "SECOND TRACT", AND ALSO BEING A THIRTY FOOT WIDE STRIP OF LAND RESERVED FOR ROADWAY PURPOSES BY DEED FROM GARBRECHT AND SEELINGER TO GUS SEELINGER AS CITED BY DEED OF RECORD IN VOLUME 209, PAGE 623 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an automobile axle in concrete found for the northwest corner of a 3.00 acre tract of land conveyed to Sally R. Windham by deed of record in Volume 2261, Page 672 of the Deed Records of Hays County, Texas and Document Number 03021658 of the Official Public Records of Hays County, Texas, same being the southwest corner of said thirty foot wide strip of land reserved for roadway purposes, and being in the east right-of-way line of Hays County Road 152 (Heidenreich Road - R.O.W. varies), from which a 1/2" rebar found for the southwest corner of said 3.00 acre tract of record in Volume 2261, Page 672 of the Deed Records of Hays County, Texas and Document Number 03021658 of the Official Public Records of Hays County, Texas, the northwest corner of a 3.00 acre tract of land conveyed to Sally R. Windham by deed of record in Volume 2354, Page 482 of the Deed Records of Hays County, Texas and Document Number 03037252 of the Official Public Records of Hays County, Texas, and being in the east right-of-way line of said Hays County Road 152, bears South 44°06'43" West a distance of 208.42 feet (record per Volume 2261, Page 672 - South 45°18'06" West a distance of 208.63 feet);

THENCE North 44°41'40" East (record per Volume 2261, Page 672 - North 46°35'35" East), along the west line of the thirty foot wide strip of land reserved for roadway purposes and the east right-of-way line of Hays County Road 152, a distance of 29.23 feet (record per Volume 2261, Page 672 - 29.37 feet) to a 1" by 2" square iron rod found for the northwest corner of the thirty foot wide strip of land reserved for roadway purposes, and the southwest corner of a 72.553 acre tract of land conveyed to Judith Higgins by instrument of record in Volume 1160, Page 500 of the Deed Records of Hays County, Texas;

Bk Vol Ps
OPR 3217 446

THENCE South 46°22'53" East (record per Volume 1160, Page 500 - South 45°02'58" East), along the north line of the thirty foot wide strip of land reserved for roadway purposes and the south line of said 72.553 acre tract, a distance of 1905.70 feet (record per Volume 1160, Page 500 - 1905.33 feet) to a 1/2" rebar found for the southeast corner of the 72.553 acre tract and the southwest corner of said remainder of a 148.41 acre tract;

THENCE North 42°43'51" East (record per Volume 2369, Page 335 - North 44°03'00" East), along the west line of the remainder of a 148.41 acre tract, the east line of the 72.553 acre tract, and the east line of a remainder of a 151.16 acre tract of land conveyed to Antone by deed of record in Volume 102, Page 35 of the Deed Records of Hays County, Texas as cited in Volume 1160, Page 500 of the Deed Records of Hays County, Texas, a distance of 3686.39 feet to a 1/2" rebar found for the northwest corner of the remainder of a 148.41 acre tract and being in the south right-of-way line of Hays County Road 153 (Grist Mill Road - R.O.W. varies);

THENCE South 41°36'59" East (record per Volume 2369, Page 335 - South 40°40'00" East), along the north line of the remainder of a 148.41 acre tract, the north line of said remainder of a 100.44 acre tract, and the south right-of-way line of Hays County Road 153, a distance of 2444.46 feet to a 1/2" rebar set with plastic cap which reads "BASELINE INC" for an angle point in the north line of the remainder of a 100.44 acre tract,

THENCE along the north line of the remainder of a 100.44 acre tract and the south right-of-way line of Hays County Road 153, the following two (2) courses:

1. South 42°07'13" East (record per Volume 2369, Page 335 - South 40°20'00" East), a distance of 250.00 feet, to a 1/2" rebar set with plastic cap which reads "BASELINE INC";
2. South 43°56'56" East (record per Volume 2369, Page 335 - South 42°10'00" East), a distance of 357.69 feet to a fence post found for the northeast corner of the remainder of a 100.44 acre tract and the northwest corner of a 151.16 acre tract of land conveyed to B.R. Wranitzky by deed of record in Volume 133, Page 49 of the Deed Records of Hays County, Texas, therein described as "First Tract";

THENCE South 43°16'36" West (record per Volume 2369, Page 335 - South 44°35'00" West), along the east line of the remainder of a 100.44 acre tract and the west line of said 151.16 acre tract, a distance of 3456.36 feet to a 8" diameter cedar fence post found for the southeast corner of the remainder of a 100.44 acre tract, the southwest corner of the 151.16 acre tract, the northwest corner of a 45.2855 acre tract of land conveyed to Gary R. Hutzler and Nancy H. Hutzler by deed of record in Volume 874, Page 676 of the Deed Records of Hays County, Texas and Document Number 307675 of the Official Records of Hays County, Texas, and the northeast corner of a remainder of a 140.1 acre of

land conveyed to Maurice D. Heatly Revocable Living Trust by deed of record in Volume 1669, Page 513 of the Deed Records of Hays County, Texas and Document Number 00011176 of the Official Public Records of Hays County, Texas, from which a 1/2" rebar found with cap for a reference point, bears North 18°54'20" West a distance of 8.31 feet (record per Volume 2606, Page 885 - North 13°06'00" West a distance of 7.39 feet);

THENCE North 46°07' 11" West (record per Volume 1669, Page 513 - North 45°05'00" West), along the south line of the remainder of a 100.44 acre tract, the south line of the remainder of a 148.41 acre tract, and the north line of said remainder of a 140.1 acre tract, a distance of 1632.88 feet (record per Volume 1669, Page 513 - 1632.88 feet) to a 1/2" rebar set with plastic cap which reads "BASELINE INC" for the northeast corner of the thirty foot wide strip of land reserved for roadway purposes, the northwest corner of the remainder of a 140.1 acre tract, and the northwest corner of a twenty foot wide access easement conveyed to A.F. Garbrecht by deed of record in Volume 82, Page 144 of the Deed Records of Hays County, Texas, from which a 1/2" rebar found for the southwest corner of the 148.41 acre tract, the southeast corner of the 72.553 acre tract, and being in the north line of the thirty foot wide strip of land reserved for roadway purposes, bears North 46°23'38" West a distance of 1373.34 feet;

THENCE South 43°27'49" West (record per Volume 1669, Page 513 - South 44°30'00" West), along the east line of the thirty foot wide strip of land reserved for roadway purposes, the west line of the remainder of a 140.1 acre tract, and the west line of said twenty foot wide access easement, a distance of 30.86 feet to a 1/2" rebar set with plastic cap which reads "BASELINE INC" for the southeast corner of the thirty foot wide strip of land reserved for roadway purposes and the northeast corner of a remainder of a 256.6 acre tract of land conveyed to Maurice D. Heatly Revocable Living Trust by deed of record in Volume 1669, Page 516 of the Deed Records of Hays County, Texas and Document Number 00011177 of the Official Public Records of Hays County, Texas;

THENCE North 46°22'53" West (record per Volume 1669, Page 516 - North 45°05'00" West), along the south line of the thirty foot wide strip of land reserved for roadway purposes and the north line of said remainder of a 256.6 acre tract, a distance of 2444.60 feet to a 1/2" rebar found for the northeast corner of said 3.00 acre tract of record in Volume 2354, Page 482 of the Deed Records of Hays County, Texas and Document Number 03037252 of the Official Public Records of Hays County, Texas, from which a 1/2" rebar found for the southeast corner of the 3.00 acre tract of record in Volume 2354, Page 482 of the Deed Records of Hays County, Texas and Document Number 03037232 of the Official Public Records of Hays County, Texas, and being an angle point in the north line of the remainder of a 256.6 acre tract, bears South 44°06'14" West a distance of 313.07 feet (record per Volume 2354, Page 482 - South 45°18'06" West a distance of 313.05 feet);

THENCE North 46°15'32" West (record per Volume 2354, Page 482 - North 45°05'00" West), along the south line of the thirty foot wide strip of land reserved for roadway purposes and the north line of the 3.00 acre tract of record in Volume 2354, Page 482 of the Deed Records of Hays County, Texas and Document Number 03037252 of the Official Public Records of Hays County, Texas, a distance of 208.04 feet (record per Volume 2354, Page 482 - 208.00 feet), to a 1/2" rebar found for the northeast corner of the 3.00 acre tract of record in Volume 2261, Page 672 of the Deed Records of Hays County, Texas and Document Number 03021658 of the Official Public Records of Hays County, Texas, from which a 1/2" rebar found for the southeast corner of the 3.00 acre tract of record in Volume 2261, Page 672 of the Deed Records of Hays County, Texas and Document Number 03021658 of the Official Public Records of Hays County, Texas, and being an angle point in the north line of the 3.00 acre tract

of record in Volume 2354, Page 482 of the Deed Records of Hays County, Texas and Document Number 03037252 of the Official Public Records of Hays County, Texas bears South 44°07'07" West a distance of 208.58 feet (record per Volume 2261, Page 672 - South 45°18'06" West a distance of 208.45 feet);

THENCE North 46°18'00" West (record per Volume 2261, Page 672 - North 45°05'00" West), along the south line of the thirty foot wide strip of land reserved for roadway purposes and the north line of the 3.00 acre tract of record in Volume 2261, Page 672 of the Deed Records of Hays County, Texas and Document Number 03021658 of the Official Public Records of Hays County, Texas, a distance of 627.04 feet (record per Volume 2261, Page 672 - 627.01 feet) to the POINT OF BEGINNING.

This parcel contains 249.51 acres of land, more or less, out of the Albert Pace Survey No. 55, Abstract No. 367, in Hays County, Texas.

Bearing Basis: Texas State Plane Coordinate System, South Central Zone, NAD 83.

J. Scott Laswell

J. Scott Laswell Date
Registered Professional Land Surveyor
State of Texas No. 5583
File: S:\Projects\Koko\Docs\Fieldnotes\KokoTitle2.doc
Dwg: S:\Projects\Koko\Dwg\KokoTitle2.dwg



72 acres (Cox tract)

METES AND BOUNDS DESCRIPTION
12.553 ACRES ±
OUT OF THE ALBERT PACE SURVEY, ABSTRACT No. 167
RAIS COUNTY, TEXAS

Bk Vol Pg
70022070 OFR 3217 449

ALL THAT CERTAIN PARCEL OR TRACT OF LAND BEING 12.553 ACRES IN THE ALBERT PACE SURVEY, ABSTRACT No. 167, IN RAIS COUNTY, TEXAS, AND BEING A PORTION OF THAT TRACT CALLED 151.16 ACRES IN A DEED TO AYCOBE, OF RECORD IN VOLUME 102, PAGE 35 OF THE DEED RECORDS OF RAIS COUNTY, TEXAS, SAID 12.553 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" Iron pin found at the south corner of said Antone tract and west corner of that certain 140.41 acre tract described in a quitclaim deed to Worrel Jesse England, of record in Volume 790, Page 213 of the Deed Records of Rais County, Texas. In the northeast line of that certain 30 foot strip of land reserved for roadway purposes in a deed from Garbrocht and Seelinger to Gus Seelinger, as described in Volume 209, Page 623, for the south corner and POINT OF BEGINNING hereof

THENCE with the northeast line of said 30' roadway strip and southwest line of said Antone tract, N45°02'58"W for a distance of 1905.33 feet (called N45°05'11", 1905') to a square rod found in the southeast line of County Road 152, for the east corner hereof, and from which point an axle found at the west corner of said Garbrocht-Seelinger tract bears S47°26'35"W at a distance of 29.94 feet

THENCE with the southeast line of County Road 152, N44°15'33"E (Called N44"E) for a distance of 1160.66 feet to a fence corner post for the north corner hereof

THENCE with a fence crossing through said Antone tract, the following 17 calls:

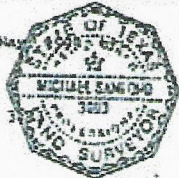
1. S28°39'39"E for a distance of 268.62 feet to a 1/2" pin set
2. S82°32'29"E for a distance of 144.70 feet to a fence post
3. N85°23'11"E for a distance of 43.06 feet to a 1/2" pin set
4. N83°12'29"E for a distance of 51.33 feet to a fence post
5. N79°30'30"E for a distance of 55.41 feet to a 1/2" pin set
6. N77°09'23"E for a distance of 703.29 feet to a fence post
7. N00°16'24"E for a distance of 15.96 feet to a fence corner post
8. S41°09'47"E for a distance of 612.94 feet to a fence corner post
9. S03°51'27"W for a distance of 220.61 feet to a fence corner post
10. N10°52'19"E for a distance of 113.65 feet to a fence post
11. N62°33'39"E for a distance of 107.45 feet to a 1/2" pin set
12. N37°37'40"E for a distance of 22.29 feet to a fence post
13. N56°20'41"E for a distance of 140.63 feet to a fence post
14. N56°09'29"E for a distance of 30.14 feet to a 1/2" pin set
15. N12°35'53"E for a distance of 86.84 feet to a fence post
16. N53°19'23"E for a distance of 344.22 feet to a fence corner post
17. S39°23'05"E for a distance of 34.26 feet to a fence corner post in the southeast line of said Antone tract and northwest line of said England tract, for the east corner hereof

THENCE with the northwest line of said England tract and southeast line of said Antone tract, along a fence S44°03'00"W (called S44°03'14") for a distance of 2559.42 feet to the POINT OF BEGINNING hereof and containing 12.553 acres of land, more or less.

As surveyed in April and May

MSB

Michael Sanford, S.P.L.S. I
May 9, 1994
S40200



Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

62 acres Pendleton on Heidenreich

EXHIBIT B

Bk Vol Pg
85032820 DPR 2804 884
Bk Vol Pg
70022070 DPR 3217 450

Property Description

BEING a 67.180 acre tract out of the Wilham Hemphill Survey, Abstract No. 221 and the Albert Pace Survey, Abstract No. 367, Hays County, Texas out of a 68.21 acre tract called "Tract 1" conveyed in deed to Randall G. Pendleton and Frances A. Pendleton recorded in Volume 2477, Page 482, Official Public Records, Hays County, Texas, out of a 87.43 acre tract conveyed in Volume 1153, Page 827, Official Public Records, Hays County, Texas, said 67.180 acre tract being more particularly described as follows.

BEGINNING at a 1/2" iron rod set in the northwesterly Right-of-Way (R.O.W.) line of Heidenreich Lane in the southwesterly line of a 0.540 acre tract recorded in Volume 935, Page 589, Official Public Records, Hays County, Texas and the most easterly corner of the herein described tract, said 1/2" iron rod set being South 44°46'00" West, 105.00 feet and North 44°55'00" West, 5.00 feet from a 1/2" iron rod found in the northwesterly R.O.W. line of said Heidenreich Lane for the most easterly corner of said 87.43 acre tract;

THENCE, South 44°46'00" West, 971.49 feet along the southwesterly R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set,

THENCE, North 45°26'32" West, 5.00 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set;

THENCE, South 44°46'00" West, 850.00 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set;

THENCE, South 45°14'00" East, 5.00 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set;

THENCE, South 44°46'00" West, 806.51 feet along the northwest R.O.W. line of said Heidenreich Lane to a 1/2" iron rod set for the most southerly corner of the herein described tract,

THENCE, North 45°01'56" West, 672.63 feet along the southwest line of said Tract 1 to a wood fence post found for the southwesterly corner of said Tract 1 and the southwesterly corner of the herein described tract,

THENCE, North 44°47'13" East, 2129.25 feet along the northwesterly line of said Tract 1 to a cedar post found,

THENCE, North 17°51'04" West, 562.64 feet along the southwesterly line of said Tract 1 to a wood fence post found;

THENCE, North 21°28'34" West, 83.82 feet along the southwesterly line of said Tract 1 to a 1/2" iron rod found;

THENCE, North 44°34'37" West, 271.24 feet along the southwesterly line of said Tract 1 to a 1/2" iron rod found;

THENCE, North 00°31'40" West, 207.1 feet along the southwesterly line of said Tract 1 to a 1/2" iron rod found,

THENCE, North 44°35'56" East, 282.19 feet to a cedar post found for the most northerly corner of said Tract 1 and the most northerly corner of the herein described tract;

THENCE, South 45°38'17" East, 1050.16 feet along the northeast line of said Tract 1 to a 1/2" iron rod found,

THENCE, South 45°19'06" East, 556.81 feet along the northeast line of said Tract 1 to a 1/2" iron rod set for the most northerly corner of said 0.540 acre tract;

THENCE, South 44°34'15" West, 104.15 feet along the northwest line of said 0.540 acre tract to a 1/2" iron rod set for the most westerly corner of said 0.540 acre tract,

THENCE, South 44°55'00" East, 226.00 feet along the southwesterly line of said 0.540 acre tract to the POINT OF BEGINNING

Stephen G Cook
Registered Professional Land Surveyor No. 5293
SGCE # 917-001-103

