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We, Harry K. Johnson and Ada Modehee Johnson, President and Secretary respectively, of Highland Farms Corporation owner of the property of said property for and on behalf of said Highland Farms Corporation according lots, strewts, alleys, parks and easements thereon shown, and designate said is marris County, Texas, and on behalf of said Highland Farms Corporation designate said is marris County, Texas, and on behalf of said Highland Farms Corporation designate said is marris County, Texas, and on behalf of said Highland Farms Corporation dedicate blis use as such, all of the streets, elleys, parts, andeasements shown thereon

Dedication : Map

In testimony whereof, the Highland Farms Corporation aforesaid, has presents to be signed by Harry K. Johnson; its President, thareunto authorized, its Secret.ry, Ada McGenee Johnson, and its common seal hereunto affixed this

> Bighland Farms Corporation, By Harry K. Johnson, President. Attest: Ads MoGenes Johnson, Secretary. (Seal)

of Marris. Before ms, the undersigned authority, on this day personally appeared Harry K. Johnson, President, and Ada Modehee Johnson, including the foregoing instrument, and schnowledged to me that they executed and herein set out, and as the sot and deed of said corporation. Given under my hand and seal of office at Highlands, Texas,

> Louise Harrington, Notary Public in and for Harris County, Texas. (Seal)

of Marris. Before me, the undersigned authority, on this day personally appeared Harry K. Johnson, who, under oath, says that he knows fond the five mile limit of the City ofHouston, and does not come under the listion of the City Planing Commission.

Subscribed and sworn to before me, the undersigned authority

Louise Harrington, Notary Public in and for Harris County, Texas. (Seal)

This is to certify that I, Harry K. Johnson, Jr. a Civil Engineer, have surveyed and platted the above subdivision, and correct copy of that survey and plat made by me.

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A STATEMENT FROM MR. HOLLIS C. WILLS REGARDING THE TAKING OF SAMPLES OF SAND FROM HOLM? DRILLED ON THE HARRY K. JOHNSON 485 ACRE TRACT, ON THE EAST BANK OF THE SAN FACINTO RIVER WHENE THE INTERDEDAN TRACK CROSSES THE RIVER.

My name is Hollis C. Wells, J. I live at 5426 Calhoun Road, Houston, Texas. My telephone number is Jeckson 20175. I am presently employed by Mr. Harry K. Johnson Sr. and sm engaged in building his send dredge.

I was employed by Mr. Harry K. Johnson Sr. from the year 1936 through the month of March 1941. After 1941 I worked at other places until I joined the United States Havy March 14; 1944: I was honorably discharged from the Navy December 21, 1945, and have been employed by Mr. Harry K. Johnson Sr. since January 20, 1946.

On or about April, May, June and July of 1940, I worked with a party which engaged in making borings and taking samples of sand over parts of the Harry E. Johnson 485 acre tract. I was in charge of the party, took the samples, kept the note book and made entries therein. The party was composed of F. A. Janowski, Arthur Toung, and Woodrow Resser.

The lines on which these holes were bored were run with a transit and tape. I have examined a map, John C. Calhoun, Jr. Drewing No. 1522, on which the location of the borings are shown, and on which is also plotted the overburden and the depth of send which we encountered in our borings. I have examined this map on the ground and to the best of my knowledge and belief, it is an accurate representation of our findings.

I have looked at the bottles in Mr. Harry K. Johnson's office, containing the samples of send taken from our borings, and believe that the send in these bottles is the same send which was taken from our borings.

We employed the following method in taking our semples: we used four inch pipe in sections four feet long, suspended from an A Frame with a pullay. This pipe was used as a casing for the hole. We inserted a two and half foot section of two and half inch pipe inside of the four inch casing, and beled out the core. We recorded all changed of formation.

I have examined a note book kept in Mr. Johnson's office, which I recognize as being in my handwriting and the same notebook that I kept in the field while doing these borings.

The foregoing statement is true and correct to the best of my knowledge and belief.

Hollin C quelle J.

On this day, April 12, 1946, personally appeared Hollis C. Wells, before me, a Notary Fublic in and for Harris County, Texas, known to me to be the person whose signature is signed to this instrument.

COUNTER 82688

STATE OF TEXAS

COUNTY OF HANRIS

A STATEMENT FROM MR. F. A. JANDUSEI

My nems is F. A. Jenowski. I live in North Side Addition, Market Street Road of Marris County, Texas, 4.5 miles north of Goose Creek.

I was employed by Mr. Herry K. Johnson, president of Highland Farms Corporation, during the year 1936 and 1941. My business was to drill test holes for the purpose of ascertaining the quantity and depth of sand on the Johnson 485 acre tract, in the San Jacinto River Bottom, being part of the Jesse White Survey, Harris County, Texas.

I was foreman of a party engaged in drilling these test holes and kept a log of each hole, showing the amount of overburden or clay that we drilled through before we reached send, and a sample of sand every foot or two until we reached the bottom, which varied from 27 feet to 30 feet. These samples were collected by Hollis C. Wells, Jr. and Mr. Johnson and deposited in fruit jars and bottles. Each one of these bottles was marked with the number of the hole, the depth of the overburden and the depth of the sand, and are now in the office of Mr. Harry K.

The survey lines were run by Earry K. Johnson Jr. I was with the survey party when all the lines were surveyed and the holes located. A stake was sut where we were to dig each hole, and after we got our rig for drilling holes, we kept an accurate account of the findings. Some of the places where we drilled holes were covered with water and there was very little overburden and a great deal of sand. After we passed Grinnel Slue there was not much send.

Grinnel Elue is more then a mile from where we started to run the line and drill the holes. I do not know how many holes we drilled but we drilled them about every hundred feet and worked down there several months, and covered a territory of more than a mile from where we started and about a quarter of a mile wide.

I have examined the bottles now in Mr. Johnson's office and I am sure that is the send we took out of the holes.

Ra Janowski-

Before me, a Notery Fublic in and for Ha ris County, Texes, on this day, April 12, 1946, personally appeared F. A. Janowski, known to me to be the person whose signature is signed to this instrument.

Hy Commission expires 6-1-47

use Higgins. ublic Herris County, Texas Litery

COUNTER B2689



GENERAL LAND OFFICE

November 30, 1965

JERRY SADLER

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Mr. Bob Dabney 1640 Chamber of Commerce Bldg. Houston, Texas

Dear Mr. Dabney:

In response to your telephone call of this date regarding the Henry White survey (file Harris 1-220, Abstract No. 827) in Harris County, this is to advise that the peninsula at the southeast corner of this survey, now cut through by the man made channel, was included in the original field notes and patent, and, therefore, the State has no claim to this peninsula.

Under separate cover, a photostatic copy of the field notes and patent are being mailed to you.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/hf

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JACK KellAM 426-5603

DEPARTMENT OF THE ARMY

W-N-243-41-PERMIT-8416

PERMIT

Mr. Harry K. Johnson, Jr. P. O. Box 608 Highlands, Texas 77562

Galveston District Corps of Engineers Galveston, Texas 30 July 1970

COUNTER 82691

Bob fleming

Gentlemen:

Referring to written request dated 24 July 1970 upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899 (33 U.S.C. Sec. 403), entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army

to dredge sand for commercial purposes to a maximum depth of 36 feet ____

in the San Jacinto River

at a location extending from an existing cut at River Mile 6.5 and the west end of Clear Lake Street at Highlands, Texas,

in accordance with the plans and drawing's attached hereto entitled "Proposed Dredging In Harris Co. Tex."

subject to the following conditions:

SWG Form 328 27 May 1970 Please say dill rithtown to the second (a) That this instrument does not convey any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining State or local assent required by law for the structure or work authorized.

(b) That the structure or work authorized herein shall be in accordance with the plans and drawings attached hereto and construction shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the District in which the work is to be performed.

(c) That the District Engineer may at any time make such inspections as he may deem necessary to assure that the construction or work is performed in accordance with the conditions of this permit and all expenses thereof shall be borne by the permittee.

(d) That the permittee shall comply promptly with any lawful regulations, conditions, or instructions affecting the structure or work authorized herein if and when issued by the Federal Water Quality Administration and/or the State water pollution control agency having jurisdiction to abate or prevent water pollution, including thermal or radiation pollution. Such regulations, conditions or instructions in effect or hereafter prescribed by the Federal Water Quality Administration and/or the State agency are hereby made a condition of this permit.

(e) That the permittee will maintain the work authorized herein in good condition in accordance with the approved plans.

(f) That this permit may, prior to the completion of the structures or work authorized herein, be suspended by authority of the Secretary of the Army if it is determined that suspension is in the public interest.*

(g) That this permit may at any time be modified by authority of the Secretary of the Army if it is determined that, under existing circumstances, modification is in the public interest.* The permittee, upon receipt of notice of modification, shall comply therewith as directed by the Secretary of the Army or his authorized representative.

(h) That this permit may be revoked by authority of the Secretary of the Army if the permittee fails to comply with any of its provisions or if the Secretary determines that, under the existing circumstances, such action is required in the public interest.*

(i) That any modification, suspension or revocation of this permit shall not be the basis for a claim for damages against the United States.

(j) That the United States shall in no way be liable for any damage to any structure or work authorized herein which may be caused by or result from future operations undertaken by the Government in the public interest.

(k) That no attempt shall be made by the permittee to forbid the full and free use by the public of all navigable waters at or adjacent to the structure or work authorized by this permit.

(1) That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

(m) That the permittee shall notify the District Engineer at what time the construction or work will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of its completion.

(n) That if the structure or work herein authorized is not completed on or before the thirty-first day of December , <u>19 73</u>, this permit, if not previously revoked or specifically extended, shall cease and be null and void. (o) That the legal requirements of all Federal agencies be met.

(p) That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require action by the Congress or other agencies of the Federal Government.

(q) That all the provisions of this permit shall be binding on any assignee or successor in interest of the permittee.

(r) That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

(s) That the permittee agrees to make every reasonable effort to prosecute the construction or work authorized herein in a manner so as to minimize any adverse impact of the construction or work on fish, wildlife and natural environmental values.

(t) That the permittee agrees that it will prosecute the construction of work authorized herein in a manner so as to minimize any degradation of water quality.

(u) That this permit is revocable at the will of the Secretary of the Army.

*A judgment as to whether or not suspension, modification or revocation is in the public interest involves a consideration of the impact that any such action or the absence of any such action may have on factors affecting the public interest. Such factors include, but are not limited to navigation, fish and wildlife, water quality, economics, conservation, aesthetics, recreation, water supply, flood damage prevention, ecosystems and, in general, the needs and welfare of the people.

By authority of the Secretary of the Army:

FOR COLONEL FRANKLIN B. MOON, DISTRICT ENGINEER:

1 drawing attached

WILLIAM G. NEELY Permittee hereby accepts the terms and conditions of this permit.



GORDON FULCHER CHAIRMAN

JERRY L. BROWNLEE VICE-CHAIRMAN DAVID E. CLEMENS HOWARD B. BOSWELL

TEXAS WATER QUALITY BOARD



J. E. PEAVY, M.D. BEN RAMSEY J. R. SINGLETON

HUGH C. YANTIS, JR. EXECUTIVE DIRECTOR

1108 LAVACA ST. 475-2631 AUSTIN, TEXAS 78701

July 24, 1970

RE: Dredging Construction Materials, Highlands, Harris Co., Texas

Mr. Harry K. Johnson, Jr. P. O. Box 608 Highlands, Texas 77562

Dear Mr. Johnson:

We have reviewed your July 24, 1970 request for certification that your proposed dredging will not cause pollution of the waters of the State of Texas to such an extent as to cause a violation of the established Texas Water Quality Standards. We understand this proposal is to dredge sand for construction material from your private property adjacent to the San Jacinto River. Dredging will be 250 feet from the River proper with the sand barged from the site and any waste spoil returned to the dredged area.

After reviewing this proposal, we do hereby grant our certification subject to the following requirements:

- 1. The work must be done with the minimum production of increased turbidity in the waters where the work is taking place.
- 2. No spoil material will be discharged into the main stream of the River.
- The discharge of oil, gasoline or other fuels or materials capable of causing pollution arising from your operations are prohibited.

Mr. Harry K. Johnson, Jr. Page 2 July 24, 1970

4. Sanitary waste must be retained for disposal on shore in some legal manner.

We appreciate your cooperation in this matter, and if additional information is required, please let us know.

Very truly yours,

Hugh C. Yantis, Jr. Executive Director

ccs: U. S. Corps of Engineers Galveston, Texas Mr. Tom H. Chrisley, Jr. WQB District 7

Chrisley Sand Dredging Inc. 212 W. Houston Street Highlands, Taxas 77562

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August 6, 1970

INVOICE

Sand dredged as follows:	?	/16 th:	ru 7/31						
Houston Shell & Concrete	-	8,100	cyds.						
Lone Star Cement -	-	996							
		9,096	cyds.	@	\$.20	per	cyd.	-	\$ 1,819.20
Radcliff Materials -		4,255	cyds.	@	\$.15	"	"		 638.25
									\$ 2,457.45

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TO: Chrisley Sand Dredging, Inc. 212 West Houston Highlands, Texas 77562

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August 27, 1970

INVOICE

Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas

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September 8, 1970

INVOICE

Sand Dredged 8/16 thru 8/31 as follows: Houston Shell & Concrete - 12,743 cyds. Lone Star Cement Corp. - <u>1,201 "</u> 13,944 cyds. @ \$.20 per cyd. - \$ 2,788.80 Radcliff Materials, Inc. - 7,426 cyds. @ \$.15 per cyd. - <u>1,113.90</u> Total - \$ 3,902.70

TO: Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas 77562

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September 21, 1970

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INVOICE

Sand dredged 9/1 thru 9/15	as	follows	:				
Houston Shell & Concrete	-	9,268	cyds.				
Lone Star Cement -	-	2,670					
		11,938	cyds. @ \$.2	0 per	cyd.	-	\$ 2,387.60
Radcliff Materials, Inc.	-	3,126	cyds. @ \$.]	5 "	"	-	 468.90
							\$ 2,856.50

TO: Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas

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October 5, 1970

INVOICE

Sand dredged as follows:	9/	16 thru	9/30						
Radcliff Materials, Inc.	-	1,937	cyds.	@	\$.15	per	cyd.	-	\$ 290.55
Lone Star Cement Corp.	-	3,641	cyds.	@	\$.20	"	"	-	728.20
Houston Shell & Concrete	-	7,731	cyds.	@	\$.20	"		-	1,546.20
					Тс	otal		-	\$ 2,564.95

COUNTER 82701

Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas 77562

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October 7, 1970

\$ 21.20

Total

INVOICE

42 cyds. fill dir	t@\$.10	per cyd		-	-	-	\$ 4.20
10 feet of 1 inch	pipe @ :	\$.20 per	ft.	-	-	-	2.00
l door -	-	-	-	-	-	-	5.00
Light bill	-	-	-	-	-		 10.00

TO: Chrisley Band Dredging, Inc. 212 W. Houston Street Highlands, Texas 77562

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October 20, 1970

Total - \$ 2,570.05

Sand dredged and delivered as follows: 10/1 thru 10/15 Lone Star Cement Corp. - 2,599 cyds. Houston Shell & Concrete - 7,834 " 10,424 cyds. @ \$.20 per cyd. - \$2,084.80 Radcliff Material Inc. - 3,295 cyds. @ \$.15 " " - <u>494.25</u>

COUNTER BAYO3

TO: Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas

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November 10, 1970

INVOICE

Sand dredged 10/16 thru 10/31 as follows:			
Lone Star Cement Corp 3,641 cyds.			
Houston Shell 7,358 "			
10,999 cyds. @ \$.20 per c	cyd.	-	\$ 2,199.80
Radcliff Materials, Inc. 6,310 cyds. @ \$.15 per c	cyd.		946.50
	Total	-	\$ 3,146.30

TO: Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas 77562

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November 20, 1970

INVOICE

Sand dredged 11/1 thru 11/15 as follows:

Houston Shell & Concrete - 4,309 cyds. @ \$.20 per cyd. - \$ 861.80 Radcliff Materials, Inc. - 5,416 cyds. @ \$.15 per cyd. - <u>\$ 812.40</u> \$ 1,674.20

COUNTER 82705

TO: Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas

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December 5, 1970

Sand Dredged and delivered as follows: 11/16 thru 11/30 Radcliff Materials, Inc. - 4,899 cyds. @ \$.15 per cyd. - \$ 734.85 Houston Shell & Concrete - 8,616 cyds. @ \$.20 per cyd. - <u>\$1,723.20</u> Total - \$2,458.05

TO: Chrisley Sand Dredging, Inc. 212 W. Houston Street Highlands, Texas 77562

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December 19, 1970

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INVOICE

Sand dredged 12/1 thru 12/15 as follows:

Houston Shell & Concrete	-	9,465	cyds. @ \$.20	-	\$ 1,893.00
Radcliff Materials, Inc.	-	6,766	cyds. @ \$.15		1,014.90
			Total		\$ 2,907.90



DEPARTMENT OF THE ARMY GALVESTON DISTRICT. CORPS OF ENGINEERS P.O. BOX 1229 GALVESTON, TEXAS 77553-1229

REPLY TO ATTENTION OF:

December 29, 1987

Regulatory Branch

SUBJECT: Permit Inquiry

Mr. Robert L. Dabney 3000 Wesleyan Suite 375 Houston, Texas 77027

Dear Mr. Dabney:

In accordance with your verbal request to Mr. Barry Willey, a file search was conducted to locate a permit issued to Horton & Horton to dredge sand for commercial purposes. That was permit 9184, issued October 27, 1972. The permit expired and was destroyed in accordance with our regulations. However, a page was found in another permit that gives a brief description of the work.

If you have any questions, contact Ms. Loretta Carnes at (409) 766-3904.

Sincerely,

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Mary Nell Kunkel Chief, Administrative Section

Enclosure

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31 December 1977. The concerned permit authorises the dredging of sand for commercial purposes to a maximum depth of 40 feet below mean low tide from the applicant's property, at a location centered approximately 2,000 feet north from River Nile 4.0 at Highlands, Texas. This location is shown on the attached map as Location 1.

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APPLICANTS

Parker Brothers & Co., Inc. (Application No. 10612) P. O. Box 107 Houston, Texas 77001

APPLICATION:

Application to perform commercial sand dredging on applicant's property to a depth of 23 feet below mean low tide, and to maintain a channel of the same depth connecting the applicant's property with the San Jacinto River. The applicant's property is 'located approximately 100 feet upstream from Banana Bend and 3 miles northwest from Highlands, Texas. This location is shown on the attached map as Location 2.

Existing Permits

· PERMITTEE:

Horton & Horton, Inc., (Permit No. 9184) P. O. Box 1669 Houston, Texas 77001

Permit 9184 to dredge sand for commercial purposes from a specified area along the San Jacinto River in the vicinity of Whites Lake near Highlands, Texas. This permit, which expires on 31 December 1975, allows dredging to a depth of 30 feet below mean low tide. The area where dredging is permitted is shown on the attached map as Location 3.

Mr. Harry K. Johnson (Permit No. 8416), P. O. Box 608 Highlands, Texas 77562

PERMITE

PERMITTEE

Permit 8416 to dredge sand for commercial purposes from a specified area along the San Jacinto River in the vicinity of Grunnel Slough near Highlands, Texas. This permit, which expires on 31 December 1976, allows dredging to a depth of 36 feet below mean low tide. The area where dredging is permitted is shown on the attached map as Location 4.

996 003



INVOICE

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

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SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

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Date____August 9, 1972

Nº

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

N			
	Sand dredged 7/16 thru 7/31 as follows:		
	Houston Shell - 8,116 Cyds.		
	Radcliff - 5,360 Cyds.		
	Lone Star - 3,610 Cyds.		
			437 90
	17,086 Cyds. @ \$.20 per yd		\$3, \$77:38
			12
	Paid Check No. 259		
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		X	
	COUNTER 82711		
-			and the second s
Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS Courteous and Dependable Service

Telephone 426-2891

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232 N. Main

P. O. Box 656 HIGHLANDS, TEXAS 77562

Date_Sept. 25, 1972

Nº

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Sand dredged 9/	1/72 +	chru 9/15/	72 as follows:		10	
Houston Shell		5,497	Cyds.	1 Standard	- PAS	
Radcliff		5,349	Cyds.			
Lone Star	-	2,484	Cyds		and the second	
By Truck	- -	351	Cyds.			
Potashnick	-	663	Cyds.			
		14,344	Cyds. @ \$.20 per yd.		\$2,868.	80

Paid Check No. 335-

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY PRESIDENT

SAND DREDGED IN BARGE LOTS Courteous and Dependable Service

> P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

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Box 608

232 N. Main

Dec. 26, 1972 Date_ Harry K. Johnson Special Account Nº

Highlands, Texas

Sand dredged	12-1-72 th	ru 12-15-	-72 as	follow	/5:				-
Radcliff	**	621	Cyds.						
Lone Star	-	1,237	0						
Houston Shell	-	3,841	u					Constant of the second s	
		5.699	Cvds.0	\$.20	ner	eve.	 -	51 130	80

Thank you. Paid Ck, No. 498.

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

FRESIDENT

232 N. Main

Courteous and Dependable Service P. O. Box 656

HIGHLANDS, TEXAS 77562

Telephone 426-2891

TO Harry K. Johnson Special Account Box 608 Highlands, Texas

Jan. 9, 1973 Date_

N? 1125

	Sand dredged 12-16-7	3 thru 12-31-72 as follows:			
	Radcliff - 622	Cyds.			
	Lone Star - 2,465	H and a second			
	Houston Shell 587	•			
	3,674	Cyds. @ \$.20 per cyd			\$734.80
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in the second second					
			4		
		mbasik wan			
and a second sec		Thank you.			
		Paid Check No. 520			
C. Mayor					
				132	
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		COUNTER BO714			

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

232 N. Main

SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

1133

TO Harry K. Johnson Special Account Box 608 Highlands, Texas Date____Jan. 24, 1973

Nº

> Paid Check No. 550 Thank you.

Chrisley Sand Dredging, Inc.

Nº 1133

250

COUNTER 82716

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

PRESIDENT

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1148

то

232 N. Main

Date____Feb. 25, 1973

Nº

Harry K. Johnson Special Account Box 608 Highlands, Texas

C. C		and the second se			And a subscription of the second s	
	Sand dredged	2-1-73 thru	2-15-73	as follows:		
	Truck	-	318	Cyds.		
	Radcliff	-	2,475			
	Lone Star	-	3,674			And Ality and
	Houston Shell	L -	7,296	e		
			13,763	Cyds. @ \$.20]	per yd	\$2,752.60
			Pai	d Check No. 6	21	
				mk you.		
				and your		1
en. su						
	že.,					

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service P. O. Box 656

Telephone 426-2891

1154

то

HIGHLANDS, TEXAS 77562

Date____Mar. 9, 1973

Nº

Harry K. Johnson Special Account Box 608 Highlands, Texas

and the second sec	Sand dredged 2-15-73	thru 2-28-73 as follows:	
	Lone Star	- 3,047 Cyds.	
·····	Houston Shell	- 3,410 "	
-1111		6,457 Cyds. @ \$.20 p	er yd \$1,291.40
7			
		Paid Check No. 644	
		Thank you.	
T			
		COUNTER 827/8	- Indefinitions

Chrisley Sand Dredging, Inc.

SAND DREDGED IN BARGE LOTS

CHARLES F. RAMSEY

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

TO Harry K. Johnson Special Account Box 608 Highlands, Texas

Nº. 1165

Mar. 25, 1973

Date_

 Sand dredged 3-1 thru 3-15 as follows:

 Radcliff
 597 Cyds.

 Lone Star
 1,229 "

 Houston Shell
 7,765 "

 9,591
 Cyds. @ \$.20 per cyd. - -

 \$1,918.20

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

232 N. Main

SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

TO Harry K. Johnson Special Account Box 698 Highlands, Texas No. 1166

Sand dredged 3-16 th	1 3=31 ag	follow	a .					
Radcliff	1,229	Cyds.						
Lone Star	5,509	"						
Houston Shell	7,547	n						
	14,285	Cyds.	@ \$.20	per	vd.	 -	\$2,85	7.0

Paid Check No. 722.

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY PRESIDENT

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 **Telephone 426-2891**

то Harry K. Johnson Special Account Box 608 Highlands, Texas

Nº 1179

April 24, 1973

Date_

Sand dredged 4-1	L thru 4-1	5-73 as fo	llows:	and the second second			
Radcliff	-	4,928	Cyds.				
Lone Star	-	4,301	n				
Houston Shell	A -	6,634					
		15,863	Cyds. 0	\$.20 per	cyd	 \$3,172.	60

Paid Check No. 734.

Chrisley Sand Dredging, Inc.

SAND DREDGED IN RARGE LOTS

CHARLES F. RAMBEY

232 N. Math

Tagg-ora alsoudatar

P. 0. Box 658 ANDS, TEXAS 77562

Sozil 54, 19396

Nº 1179



Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY PRESIDENT

SAND DREDGED IN BARGE LOTS Courteous and Dependable Service

> P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

1183

232 N. Main

то

Date____May 10, 1973

Nº

Harry K. Johnson Special Account Box 608 Highlands, Texas

Sand dredged 4-16	thru 4=30	0-73 as follows:
Radcliff	-	1,237
Lone Star	-	3,060
Houston Shell	-	7,199
Highlands Shell	-	1,774 13,270 Cyds. @ \$.20 per cyd\$2,654.00

Paid Check No. 1010

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

то

232 N. Main

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas No. 1191

 Sand dredged 501 thru 5-15-73:
 Image: Constant of the star of the st

Paid Check No. 1041.

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

TO

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1198

Date____June 10, 1973

Nº

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

 Sand dredged 5-16 thru 5-31-73:

 Radcliff
 3,665

 Lone Star
 4,921

 Houston Shell
 9,727

 Highlands Shell
 1,251

 19,564 Cyds. @ \$.20 per yd. --- \$3,912.80

Paid Check No. 1080.

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

232 N. Main

SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

то

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas Date June 25, 1973

Nº 1305

	Sand dredged 6-1	thru 6-15-7	3:				
	Radcliff	1,219					
	Lone Star	3,081					
	Houston Shell	6,446					
	Highlands Shell	2,439			-		
		13,185	Cyds. @ \$.20 per yd			\$2,637	.00
					1.12.12.12		
-							
- 					3		
		P	aid Check No. 1104				
N. St							
					,	19	
				STOR -		•	
	de la construcción de la		COONTER 82726				
					1.4.7.	A MARINE	

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

232 N. Main

SAND DREDGED IN BARGE LOTS

HIGHLANDS, TEXAS 77562

Courteous and Dependable Service P. O. Box 656

Telephone 426-2891

1314

TO Harry K. JOhnson Special Account P.O. Box 603 Highlands, Texas Date_____July 10, 1973

N?

 Sand dredged 6-16 thru 6-30
 Radcliff
 2,884

 Rouston Shell
 4,302
 5 718.60

 7,186
 Cyds. 9 \$.10 per cyd. - - \$ 718.60

Paid Check 1128

Christey Sand Dredging, Inc.

Date Janly 10/ 1973

R: 1314

""" Larry E. Johnson Special Account V.G. Sox 565 Mighiande, Texas



Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

232 N. Main

SAND DREDGED IN BARGE LOTS Courteous and Dependable Service

> P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

TO Harry K. Johnson Special Account Date Aug. 9, 1973 P.O. Box 608 Highlands, Texas Nº 1332

Sand dredged 7-16 thru 7-31: Radcliff 1,230 Cyds. Lone Star 4,612 Highlands Shell 6,031 Houston Shell 7,051 18,924 Cyds. @ \$.20 per cyd. - -\$3,784.80 Paid Check No. 1190.

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1341

то

Date Aug. 24, 1973

Nº

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Sand dredged 9-1 th	ru 8-15-73:					-		1
Radcliff	4,326							
Lone Star	3,639					-		
Highlands Shell	3,687							
Houston Shell	10,869							
	22.521	Cvda. 0	\$.20	per ave	i		\$4.504	20

Paid Check No. 1242.

Chrisley Sand Dredging, Inc.

PRESIDENT

SAND DREDGED IN BARGE LOTS

232 N. Main

TO

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1342

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas



Nº

Date_Sept. 10, 1973

 Sand dredged 8-16 thru 8-30-73:

 Radcliff
 3,879

 Lone Star
 961

 Highlands Shell
 4,827

 Houston Shell
 9,793

 18,360 Cyds. 0 \$.20 per cyd. - - \$3,672.00

Paid Check No. 1287

COUNTER 82731

Chrisley Sand Dredging, Inc.

SAND DREDGED IN BARGE LOTS.

Courteous and Dependable Service

THISTIGAN

232 N. Main

Telephone 426-2891

To Harry K. Johnson Special Facoust

Sept. 19, 1973

Nº 1342

Sand diridges 5 15 Care 7 25-23 Radoliff 3.672 Kone Star 301 Souston Shall 6.827 Souston Shall 9.793

18,360 Cyds. # 5.30 per cyd.

92 0 h · h 8 h 1 2 9 2 2 h 2 1 5 2 6 · 0 5 2 1 0 · 2 6 9 2

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

Date Sept. 24. 1973

TO Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas



Radcliff	1,815	Cyds.		
Lone Star	2,894			
Highlands Shell	1,231	0		
Houston Shell	5,728			1
	11,668	Cyds. @ \$.20 per cyd	-	\$2,333.60
A LANCE AND A LANCE			1.1	
		the stand we		
South and the second se		and the standing		
		E and the second se		

Paid Check No. 1320

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1358

то

Date_Oct. 10, 1973____

Nº

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Sand dredged 9-16 thr	ru 9-30-73:	
Radcliff -	1,241	Cyds.
Lone Star	2,894	n
Highlands Shell	3,004	
Houston Shell	8,727	
	15,354	Cyds. @ \$.20 per cyd \$3,070.8
and the second second		
		Paid CHeck No. 1359.
		COUNTER BOT34

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

232 N. Main

SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

то

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas Date October 24, 1973 Nº 1364

 Sand dredged 1011 thru 10-15-73:

 Radcliff

 1, 495

 Lone Star
 2,724

 Highlands Shell
 3,012

 Houston Shell
 7,921

 15,152
 Cyds. @ \$.20 per cyd. -

Paid Check No. 1389.

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service

232 N. Main

P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

1376

то

Date___Nov. 7, 1973

Nº

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Sand dradgad 10-16 thru 10-31-73: Radeliff 2,476 Lone Star 603 Highlands Shell 7,944 Houston Shell 12,528 23,551 Cyds. 9 \$.20 per cyd			
		Radcliff 2,476 Lone Star 603 Highlands Shell 7,944 Houston Shell 12,528	\$4,710.20
	A STATE	COUNTER 83736	

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service P. O. Box 656

HIGHLANDS, TEXAS 77562

Telephone 426-2891

1377

Nov. 24, 1973

Nº

Date_

TO Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Sand dredged 11-1	thru 11-15-73	1:				
Radcliff	1,232					
Lone Star	2,905					
Highlands Shell	2,980					
Houston Shell	9,278					
	16,395	Cyds. @ \$.	20 per	evd.	\$ 3.2	79.00

Paid CHeck No. 1468.

COUNTER 82737

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

то

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

1385

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas



Nº

 Sand dredged 11-16 thru 11-30-73:

 Radcliff
 4,243 Cyds.

 Houston Shell
 9,344

 Highlands Shell
 3,663

 17,250
 Cyds. @ \$.20 per cyd.

 \$ 3,450.00

Paid CHeck No. 1513.

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY PREBIDENT

SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service

232 N. Main

то

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Date Dec. 26, 1973

Nº 1388

	Sand dredged 12-1 thru	12-15-73:	
	Radcliff	5,472	
	Lone Star	1,229	
	Highlands Sheel	2,467	
	Houston Shell	8,662	
		17,830 Cyds. @ \$.20 per cyd	\$ 3,566.00
:			
			1
1		Paid Check No. 1554	
-		and the second sec	5
R			
		COUNTER B2739	

Chrisley Sand Dredging, Inc.

SAND DREDGED IN BARGE LOTS

CHARLES F. RAMSEY

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1220

Mar. 25/1974

Nº

Date_

то

232 N. Main

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Section 21	Sand dredged 3-1 thr	1 3-15-74:	
	Radcliff	4,092	
	Highlands Shell	2,940	
	Houston Shell	3,984	
		11,016 Cyds. @ \$.20 per cyd \$2,203.20	,

Paid CHeck No. 1789

COUNTER 82740

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

PRESIDENT

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

Apr. 10, 1974 Date_ то Harry K. Johnson Special Account P.O. Box 608 Nº 1223 Highlands, Texas Sand dredged Mar. 16 thru March 31, 1974: Radcliff 2,433 Cyds. 1,203 Lone Star 3,029 Highlands Shell Houston Shell 4,680 22 \$2,269.00 11,345 Cyds. @ \$.20 per cyd. Paid Check No. 1843

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY PRESIDENT SAND DREDGED IN BARGE LOTS

Courteous and Dependable Service P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

то

232 N. Main

Harry K. Johnson Special Account

Apr. 24, 1974

Nº 1227

		and the second sec				
	Sand dredged App	cil 1, thr	u April 15,	1974:		
	Radcliff	1,711 0	yds.			01
	Lone Star	2,285	•			
	Highlands Shell	1,226	•		- Allen I	
	Houston SHell	6,419				
		11,641 C	yds. @ \$.20	per cyd		\$2,328.20
	many of all plants				2	
Concernal de				Dadd Chash Ma	1072	
				Paid Check No.	1873.	
in the second					9	
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- Contraction				TER OPPIA		
5			COUR	DTER 82742		

Chrisley Sand Dredging, Inc.

SAND DREDGED IN BARGE LOTS

CHARLES F. RAMSEY

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1231

May 23, 1974

Nº

TO Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Sand dredge	d May 1, 1974 t	hru May 15, 1974:	2	
Radoliff		4,280 Cyds.		
Lone Star		2,388 "		
Highlands S	Shell	643 "		
Houston She	911	8,762 "		
		16,073 Cyds. @	\$.20 per cyd.	\$3,214.60

Paid CHeck No. 1787

Date_

COUNTER 82743

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY PRESIDENT

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service P. O. Box 656

HIGHLANDS, TEXAS 77562

Telephone 426-2891

1233

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Date________7, 1974 Nº

Sand dredged May 16 thru May 31, 1974: Radcliff 2,887 Cyds. Lone Star 2,395 10 Highlands Shell 1,810 Southwestern Barge 597 -Houston Shell 42 8,810 16,499 Cyds. @ \$.20 per cyd. \$3,299.80

Paid Check No. 1963

COUNTER 82794

TO

Chrisley Sand Dredging, Inc.

CHARLES F. RAMBEY



659.96

65996 5)3299.80 30 29 25

COUNTER 82745

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service P. O. Box 656

Telephone 426-2891

1234

то

HIGHLANDS, TEXAS 77562

Date____June 25, 1974

Nº

Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

Sand dredged June	e 1, thru	June 15, 1974:		
Radcliff	1,874	Cyds.		-
Lone Star	2,479			
Highlands Shell	1,227	"		
Houston Shell	10,188	"		
	15,768	Cyds. @ \$.20 per c	yd	\$3,153.60

Paid Check No. 1979

COUNTER 82746

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY PRESIDENT

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

N? 1235

то P.O. Box 698

July 8, 1974 Date.

Harry K. Johnson Special Account Highlands, Texas

				Santa	
Sand dredged June 1	6 thru June	30, 1974:			
Radcliff	2,332	Cyds.			
Lone Star	2,467				
Highlands Shell	1,225				
Houston Shell	8,328				
	14,352	Cyds. @ \$.20 per	cyd	1	\$2,870.40

Paid Check No. 1997

COUNTER 82747
Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

1243

Aug. 8, 1974

NO

Date_

TO Harry K. Johnson Special Account P.O. Box 608 Highlands, Texas

						 1810
Sand dredged	July	15 thru	July 31.	1974 .		
Radcliff	-		Cyds.			
Lone Star	-	1,877	n			
Highlands She	-11-	1,214	n			
Houston Shell	L	8,648	v			
		14,789	Cyds.	@ \$.20	per cyd	 \$2,957.80
			·			

Paid Check No. 2070

COUNTER BR748

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

TO Earry K. Johnson Special Account P.O. Box 608 Highlands, Texas Date Sept. 5, 1974 Date Sept. 5, 1974 Nº 1250

	Sand dredged Aug.	16, thru A	ug. 31, 1	974 :				
	Radcliff	1,914	Cyds.					
	Lone Star	1,202						
	Highlands Shell	2,522						
	Houston Shell	8,084	H					
		13,722	Cyds. @	\$.20 per (cyd		\$2,744.	40
0								
			Paid	Check No.	2151	1	-	
-4						10		
								2
			Cou	NTER B2749				

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

232 N. Main

SAND DREDGED IN BARGE LOTS Courteous and Dependable Service

> P. O. Box 656 HIGHLANDS, TEXAS 77562

Telephone 426-2891

Nº 1451

Sept. 25, 1974

Date_

Harry K. Johason Special Account P.O. Box 608 Highlands, Texas

A CONTRACTOR OF THE OWNER			
and the second	Sand dredged Sept.	1, thru Sept. 15, 1974:	
	Radcliff	3,007 Cyd. Yds.	
	Lone Star	1,190 "	
	Highlands Shell	2,555 "	
	Houston, Shell	5,010 "	
		11,762 Cyds. 8 \$.20 per cyd	\$2,352.40
-			
-		Accession of the second se	
		Paid Check No.2190	-
A. C.			
To a			
1400			
		COUNTER 82750	

то

Chrisley Sand Dredging, Inc.

CHARLES F. RAMSEY

то

SAND DREDGED IN BARGE LOTS

232 N. Main

Courteous and Dependable Service

P. O. Box 656 HIGHLANDS, TEXAS 77562 Telephone 426-2891

Harry K. Johnson Special Account P.O.Box 608 Highlands, Texas 77562 Date___Nov. 25, 1974

N? 1481

	Sand Dredged 11/1 thru 11/15/74							
	Highlands Shell Houston Shell & Concrete Knudson Construction Co. Lome Star Industries, Inc Radcliff Materials, Inc.	2,776 " . 1,148 "						
:		15,724 Cyd/ @ \$.20 per c	yd. \$3,144 80					
.:								
No.								
			0.20					
2								
an an								
	and Branch	COUNTER 82751						

Chas. F. Ramsey President

and the se

Telephone 426-2891

Chrisley Sand Dredging, Inc.

SAND DREDGED IN BARGE LOTS 232 N. Main P. O. Box 656 HIGHLANDS, TEXAS 77562

Nov. 14, 1973

U. S. Army Corps of Engineer Box 1229 Galveston, Texas

> Re.: W-N-243-41 Permit 8416

Dear Sir;

I would greatly appreciate it if you would renew and extend the above captioned permit for a period of three years with the April 19, 1973 requested amendment to within 400 feet of center= line of Missouri Pacific Railroad. All other items will remain the same.

If there is any other information required, please don't hesitate to contact me.

Sincerely,

Chas. F. Ramsey President Chrisley Sand Dredging, Inc.

CFR/fr

Nov. 14, 1973

Re.: Permit No. W-N-243-41-Permit-8416

Galveston District Corps of Engineers Galveston, Texas

000000

To whom it may concern:

This document is to give authority to Chrisley Sand Dredging, Inc., Chas. F. Ramsey, President, to act as my agent in all matters concerning the licensing, permitting, extension or renewal of permits to dredge sand on the property described in the above captioned permit number.

We would appreciate it if all such permits, licenses, and/or renewals of permits be issued in the name of Harry K. Johnson, Jr.

Johnson, Acting Power of Attorney



DEPARTMENT OF THE ARMY CALVESTON DISTRICT, CORPS OF ENGINEERS F. O. BOX 1229 GALVESTON, TEXAS 77550

SUGCO-RP, W-X-26.3-41-1710-21-3410

17 January 1974

COUNTER 82754

Mr. Barry E. Johnson, Jr. F. O. Box 608 Bighlands, Texas 77562

Dear Mr. Johnson:

In accordance with your written request dated 14 November 1973 the sutherination granted by the Secretary of the Army, in latter dated 30 July 1970. from the District Engineer at Galvesten, Texas, to "dredge cand for connercial purposes to a maximum depth of 36 feet in the San Jacinto River at a location entending from an existing out at River Mile 6.5 and the west and of Glear Lake Street at Mighlands, Texas," is hereby specifically extended to 31 December 1975.

The conditions to which the euthority is made subject remain in full force and effect with the exception of the time limit for completion and the addition of conditions (v), (w) and (x) which read as follows:

(v) That the paralites shall employ technology that will reduce siltation and turbidity in the adjacent waters to the lowest practiceble level.

(w) That the permittee shall not discharge toxic or hasardous enterials during the proposed operations which would result in the degradation of the environment.

(a) That the permittee shall seed, riprap or provide any essences necessary to prevent subsequent soll prosion is areas along the bank disterbed by dredging.

If the work authorized is not completed on or before the date hereiu specified, the authorization, if not proviously revoked or specifically further extended, will caese and becaus sull and void.

EWCCO-R

Mr. Harry K. Johnson, Jr.

17 January 1974

You are requested to acknowledge receipt of this instrument.

2

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

FOR COLONEL DON S. MCGOY, DISTRICT ENGINEER:

J. E. PATE, JR. Chief, Permit Branch

Copies furnished: Commander, Righth Coast Guard District (can) Customhouse New Orleans, Louisians 70130

Area Engineer Fort Point Area Office F. O. Box 1220 Galveston, Texas 77550

Chrisley Sand Dredging, Inc. P. O. Box 656 Highlands, Texas 77562

(713) 621-2927

ROBERT L. DABNEY, JR. P.C.

A TEXAS PROFESSIONAL CORPORATION

ATTORNEY 3000 WESLAYAN, SUITE 375 HOUSTON, TEXAS 77027

ROBERT L. DABNEY, JR.

September 10, 1987

RECEIVED

General Land Office Mr. Jack Giberson, Chief Clerk Stephen F. Austin Building 1700 North Congress Suite 836 Austin, Texas 77801

SEP 2 3 1987 GENERAL LAND OFFICE

Re: Highland Farms Trust Henry White Survey, Abstract 827 Harris County, Texas

Dear Jack:

Recently I called you concerning the claim of the Highland Farms Trust to the some 281 acres more or less in the Henry White Survey A-827, Harris County, Texas.

For your ready reference the survey referred to is in Harris County in the bend of the San Jacinto River just north of where it crosses Interstate 10, which extends between Houston and Beaumont. We are enclosing a ready reference plat that I think explains the problem.

I am one of three Trustees of the Highland Farms Trust which is a simple Grantor Trust that has owned various lands in this vicinity going back to the early '40s.

On or about December 7, 1965 the Highland Farms Trust deeded to Horton and Horton, Inc.(a sand and gravel company), in Harris County 281.5 acres more or less, being all of the Henry White Survey. We reserved one-half (1/2)of all oil, gas and other minerals in and under that survey. Subsequently, Horton and Horton, Inc. after dredging a large part of this tract of land for sand and gravel use, either sold the land or Horton and Horton was acquired by Parker Brothers here in Houston, so that the other half of the minerals are owned by Parker Brothers or members of the Parker family.

On August 10, 1987 a mineral lease was submitted to us by American Hunter Exploration, Ltd. of Houston through its land men, Mr. Warren E. Dalton, Jr. and Mr. Stephen J. Owen. Mr. Dalton has informed me that at a conference in the land office, after I had called you previously, the land office has apparently taken the position today that there are some 77 acres of this land to which the State does not lay claim, but that the remaining acreage of the 281.5 acres is claimed by the State.



Sketchfiszage 1983 General Land Office Mr. Jack Giberson, Chief Clerk Stephen F. Austin Building Austin, Texas 77801

(713) 621-2927

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For your ready reference the survey referred to is in Harris County in the bend of the San Jacinto River just north of where it crosses Interstate 10, which extends between Houston and Beaumont. We are enclosing a ready reference plat that I think explains the problem.

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Page Two

Florers Co. St. File 96

D-325

Mr. Jack Giberson September 10, 1987

I would enclose herewith a letter from Mr. Jerry Sadler, Commissioner of the General Land Office dated November 30, 1965 pertaining to the little island which was on the southeast part of the Henry White Survey, which had been cut off by a man-made channel, but was included in the original field notes and patent. Mr. Sadler says the State had no claim to this peninsula. This arose, as the island had apparently been a title concern at the time of the sale of the land to Horton and Horton, Inc., the question being as to the ownership of the small island only. Apparently, the State did not consider that there was any question as to the remainder of the Henry White Survey, and released its claim to the little island.

The map enclosed, which is approximate only, shows on it in yellow, the original Henry White Survey with brown thatched lines showing the approximate location of the high land today that the State does not claim, which comprises some 77 acres.

We are attempting to obtain Affidavits from Mr. George Horton of Horton and Horton, Inc. as well as the engineer who did the dredging to prove that the land was dredged and therefore, did not disappear through submergence. I would like you to reconsider the position of the State, for we would like to lease the entire survey to American Hunter. The only claim that I see might possibly be a claim for the State is a 30 acre lake in the Northwest corner of the Henry White Survey. I don't know, however, if this lake is or was subject to the ebb and flow of the tides or was part of the San Jacinto River.

Upon receipt of this letter, I would appreciate it if you would get back in touch with me. We appreciate your cooperation as always. Further, we are enclosing a copy of the patent which was forwarded to us by Mr. Jerry Sadler showing the Henry White Survey.

Kolmit & Kalney

ROBERT L. DABNEY, JR. / Highland Farms Trustee

RLDjr/jad

Enclosures

cc: Mr. Herman Forbes, Director of Surveying
cc: Mr. John C. Moriniere
cc: Mr. M.C. Chiles

ROBERT L. DABNEY, JR. P.C. A TEXAS PROFESSIONAL CORPORATION

> ATTORNEYS 3000 WESLAYAN, SUITE 375 HOUSTON, TEXAS 77027

ROBERT L. DABNEY, JR. JO ANN WEISS SCHAFFER ASSOCIATE

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January 18, 1988

CERTIFIED MAIL RETURN RECEIPT REQUESTED

General Land Office Mr. Jack Giberson Chief Clerk Stephan F. Austin Building 1700 N. Congress, Suite 836 Austin, TX 77801

RE: Highland Farm Trust, Henry White Survey, Abstract 827, Harris County, Texas

Dear Jack;

Back in September 1987, I corresponded with you concerning the Highland Farms Trust's claim to an undivided 1/2 of the minerals, more or less, in the Henry White Survey, Abstract 827, Harris County, Texas which is located just north of the intersection of Interstate Highway 10 and the San Jacinto river. We forwarded to you various plats as well as a letter from the Honorable Jerry Sadler Commissioner of the General Land Office concerning this land. We further notified you that an undivided 1/2 of the minerals are owned by the the Highland Farms Trust, of which there are three trustees who are Robert L. Dabney, Jr., M. C. Chiles, and Jack C. Moriniere. The surface to the land and the other undivided 1/2 of the minerals were sold on or about December 7, 1965, to Horton & Horton, Inc., a sand and gravel company, who subsequently sold their interest to Parker Brothers who are located in Harris County.

American Hunter Exploration, Ltd., of Houston, through its landman, Mr. Warren E. Dalton, Jr. leased 77 acres of this land recently but stated that the State was claiming the remainder of the 281.5 acres as being land that was subject to submersion and State owned land.

As I informed you in my letter of September 10, 1987, after this land was sold to Horton & Horton in 1965, they subsequently began a sand dredging operation and actually dredged the land so that it became part of the San Jacinto river.

RLD1 #31

(713) 621-2927

General La Élice January 18, 1988 Page 2

Since my letter to you, I have delved into this matter further and found that Mr. Stephen A. Bryan of Houston was the engineer who was in charge of the dredging operation for Horton & Horton. In talking to him he has informed me that Horton & Horton had obtained a Corps of Engineer's permit to dredge this land in late 1972. Likewise, I have obtained his affidavit and the affidavit of Mr. George Horton, reflecting that in truth and fact, the land was dredged by Horton & Horton, beginning sometime in late 1972. To further verify this I contacted the Department of Army, Corps of Engineers in Galveston, Texas and talked to a Mr. Barry Willey. He investigated the old files for quite a period of time and informed me recently that the land in question had been part of several hearings for permits by Horton & Horton along the San Jacinto river and therefore there was no single permit, but a blanket permit that covered various locations. permit #9184, was issued October 27, 1972, which after it expired, was destroyed in accordance with the regulations of the Corps of Engineers. Mrs. Mary Nell Kunkel, Chief of the Administrative Section of the Corps of Engineers has forwarded me a letter verifying that the permit (#9184) did exist and also a plat which shows an arrow pointing to part of the San Jacinto river to which the Permit was applicable. If you will notice the first location (arrow) just north of Interstate 10, it is in fact, the location of the Henry White Survey, and reflects that that is where the dredging took place.

((

We are hereby notifying the State of Texas again that we are claiming an undivided 1/2 of the minerals under the Henry White Survey, which contains 281.5 acres, more or less. Parker Brothers, the record titleholder to the other half of the minerals I understand likewise makes the same claim to their one-half of the minerals. We hereby request that you take whatever steps necessary to relinquish any claims or clouds that the State has placed on our title and to clear this matter up so we may proceed. to lease the remainder of our land (totalling some 204.5) acres to American Hunter. By copy of this letter we are also notifying American Hunter Exploration that we claim the entire Henry White Survey of 281.5 acres. Again, we would like to clear this matter up as soon as possible, as we have no desire to be in litigation with the State, however, we feel we have furnished you with sufficient information to establish our claim as a valid one. addition, having already referenced the fact that the land was patented out of the State of Texas, Mr. Jerry Sadler also in his letter tacitly accepted the fact that there was no State ownership in an island and man made channel cut between it and the rest of the Survey off of its southeast end.

• General I 1 fice January 18, 1938 Page 3

We would appreciate it if you would tell us what step next to follow to assure our title is not in any way claimed by the State so that we may proceed to lease the remainder of this land to American Hunter.

Very truly yours,

((

ROBERT L. DABNEY, Jr., PC State Bar No. 05304000 3000 Weslayan, Suite 375 Houston, TX 77027 (713) 621-2927

cc: Mr. M. C. Chiles 2701 Westheimer Houston, TX 77000

> Mr. Jack C. Moriniere 5306 Greentree Houston, TX 77056

Mr. Rod Koenig Fulbright & Jaworski 1301 McKinney Houston, TX 77010

Mr. Herman Forbes Director of Surveying General Land Office Stephan F. Austin Building 1700 N. Congress, Suite 836 Austin, TX 77801

Mr. Allen Parker Parker Brothers 5303 Navigation Houston, TX 77011

RLD/ad

RLD1 #31

大学上的学校和"小学子"这些问题。这种教育的主要在外的教 Form 3800 PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT ADBRIDG R JUNE V. Date of Delivery 1985 eußis '9 1. 754 .11 1.24 primore theopy aread 8. Addressee's Address (OULY if requested and fee paid) 5. Signature - Addressee Part ("a. fad beturkean **OBRATE DELIVERED.** Always obtain signature of addresses or " any flaming records 10866 X lisM zzerqx3 56 Certified aan canna 98 Type of Service: C +Ceisod : pessed by aloing to: Article Number Show to whom delivered, date, and addresses a address. 2. D restricted Delivery. 968card from baing returned to you. The return receipt fee will provide you the came of the person delivered to and the date of delivery. For additional fees the following ser postmaster for fees and check box(es) for additional service(s) requested. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this 125.2134 SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. 144 1441, 141, 9 974 CN DEC NEED ET THE POST STATE OF A DA RECEIPT FOIL CENTIFICE MAL 540 651 895-d

OUNTER 82762

ROBERT L. DABNEY, JR. P.C. A TEXAS PROFESSIONAL CORPORATION ATTORNEYS 3000 WESLAYAN, SUITE 375 HOUSTON, TEXAS 77027

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Mr. Herman Forbes Director of Surveying General Land Office Stephan F. Austin Building 1700 N. Congress, Suite 836 Austin, TX 77801

COUNTER 82763

Garry Mauro Commissioner General Land Office



February 8, 1988

Mr. Robert L. Dabney, Jr. P.C. 3000 Weslayan, Suite 375 Houston, Texas 77027-5753

Re: The eastern 281.5 acre tract out of the Henry White Survey, Abstract 827, Harris County, File 1-220.

Dear Mr. Dabney:

After studying your letter dated January 18, 1988 with attachments, and discussing it with Jack Giberson, the Chief Clerk, we have concluded that the referenced land was dredged and became submerged thru man made changes according to the affidavits.

Therefore, this office no longer makes a claim to the subject 281.5 acre tract as described by field notes attached to the affidavits.

By copy of this letter, American Hunter Exploration, Ltd., the leasee of Tract 16, San Jacinto River, is being advised of this reduction in acreage and that the next rental payment will be computed on the basis of 458.5 acres, rather than 740 acres.

If I can be of further assistance, don't hesitate to let me know.

Sincerely,

les enman

Herman Forbes, Director Surveying Division

HF:sjr

cc: M-91984 Harris County Sketch File 96

Stephen F. Austin Building 1700 North Congress Avenue Austin. Texas 78701 (512) 463-5256

L987193

136-69-0534

STATE OF TEXAS S COUNTY OF HARRIS 5

12/28/88 00160681 L987193 . 1.

AFFIDAVIT - GEORGE HORTON

Before me the undersigned authority on this day did appear George Horton of Houston, Texas, who upon being duly sworn did depose and say.

My name is George Horton and I live at 617 W. Friar Tuck, Houston, Harris County, Texas; and

In 1965 Horton & Horton, Inc., a Texas Corporation, in which I was a stockholder, Director and Chief Executive Officer purchased from the Highland Farms Trust some 281.5 acres described on Exhibit "A" hereto and being all of the Henry White Survey, Abstract 827 in Harris County, Texas and lying north of Interstate Highway 10 where the San Jacinto crosses under that highway and being part of the East bank of that river immediately before it crosses under the Missouri Pacific Railroad Bridge; and

Horton & Horton, Inc. acquired said 281.5 acres of land in October 1965 from the Highland Farms Trust, through its Trustees, Robert L. Dabney, David B. Harris and Carl G. Stearns; and

In addition to the surface of the 281.5 acres acquired by Horton & Horton, Inc. an undivided one half (1/2) of the mineral estate was also acquired, with the Highland Farms Trust reserving an undivided one-half (1/2) of the minerals; and

In 1972 Horton & Horton, Inc. was in the sand and gravel business and obtained its sand and gravel from various sources, one of which was from the acquisition and dredging of river bottom land along the banks of rivers in Texas; and

Prior to purchasing said 281.5 acres of land from the Highland Farms Trust, Horton and Horton, Inc. had conducted core analysis of the land to determine its suitability for the

per 10

/ Robert L. Debney Jr X 3000 Weskyrn, Suite 3:5 V Houston, Tx 77027

COUNTER 82765

136-69-0535

dredging of sand as well as to ascertain that the State of Texas was making no claim to the property; and

At or just prior to the purchase of the 281.5 acres of land a question was raised concerning a small 10 acre island in the Southeast portion of the land lying in the San Jacinto River, but as this island had been created by a man made channel, the Honorable Jerry Sadler, the then Commissioner of the General Land Office, determined that the island was not State owned and I never heard of the State of Texas making any claim to the 281.5 acres of land or any part thereof; and

Sometime in 1972, after acquiring a permit from the Corps of Engineers, Horton and Horton, Inc. moved a dredge into the area with Mr. Stephen A. Bryan in charge of Marine Dredging Operations and

Mr. Stephen A. Bryan is a Professional Engineer and it was under his supervision that the dredging operations in the Henry White Survey Abstract 827 were begun and carried on until he was reassigned in 1973; and

Virtually all of the 281.5 acres of the survey was dredged by sometime in 1974 with the exception of about one-fourth of the land, being the land that was part of the original defined bank along the San Jacinto River. This land was left above the water table as dry land while the remainder of the 281.5 acre Henry White Survey was under water, the land being dredged to a depth of some 8-9 feet, and

The plat attached as Exhibit "B" to this affidavit appears to me to be a true and correct plat of the land that was dredged as well as the land remaining after the dredging operation; and

Subsequently, the assets of Horton & Horton, Inc. were sold to Parker Brothers who acquired the 281.5 acres in the Henry White Survey Abstract 827 and the undivided 1/2 of the minerals that was owned by Horton & Horton, Inc.

136-69-0536

Further Affiant Sayeth Naught.

AFFIANT: 2019 GEORGE HORTON

SUBSCRIBED AND SWORN to before me the this 16 day of

DECEMBER, 1988. i

My Commission Expires: an eliteral

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ublic in and for tary the State of Texas

ROBERT DUNCAN Notary Public in and for the State of Texas My Commission Expires May 2, 1992 1.

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ACKNOWLEDGMENT

THE STATE OF TEXAS

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COUNTY OF HARRIS

BEFORE ME, the undersigned authority on this day personally appeared George Horton, 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, this the 16 day of <u>DECEMBER</u>, 1987.

My Commission Expires:

Notary Public in and for

the State of Texas

ROBERT DUNCAN Notary Public in and for the State of Texas My Commission Expires May 9, 1992

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281.5 acres of land, more or less, being all of the Henry White Survey, Abstract 827, in Harris County, Texas situated East of the Missouri Pacific Railroad right-of-way crossing the Henry White Survey and being more particularly described by metes and bounds as follows: BEGINNING at the intersection of the North line of the Henry White Survey and the South line of the Jessie White Survey with the East line of the Missouri Pacific Railroad 100 foot Right-of-Way; THENCE East along the North Line of the Henry White Survey and the South line of the Jessie White Survey and the South line of the Jessie White Survey and the South line of the Jessie White Survey at 3210 feet, more or less, enter a lake and at 3515 feet, exit said lake, continuing in all 4485 feet, more or less, to a point on the west bank of White's Lake as follows: South 36° 43' East 410 feet; North 72° 15' East 488 feet; South 67° 17' East 465 feet; South 10° 30' West 260 feet; South 75° 37' West 913 feet; South 59° 65' East 385 feet; North 52° 20' East 415 feet; South 44° 42' East 552 feet; South 46° 50' East 400 feet; South 14° 39' East 220 feet; to a point where the San Jacinto River as follows: North 55° 49' West 800 feet; South 14° 48' East 555 feet; North 55° 01' West 1235 feet; North 56° 47' West 377.2 feet; North 55° 02' West 763.0 feet; South 78° 13' West 912.0 feet; South 67° 59' West 584.0 feet; South 73° 22' West 421.9 feet; South 67° 59' West 584.0 feet; South 73° 22' West 421.9 feet; South 67° 59' West 584.0 feet; South 73° 22' West 421.9 feet; South 67° 59' West 584.0 feet; South 55° 22' West 421.9 feet; South 67° 59' West 584.0 feet; South 55° 22' West 847.0 feet; South 67° 59' West 283.0 feet; South 71° 22' West 912.0 feet; North 85° 51' West 283.0 feet; North 80° 05' West 847.0 feet; North 80° 51' West 283.0 feet; North 80° 51' West 283.0 feet; North 65° 28' West 341.0 feet; North 83° 51' West 283.0 feet; North 65° 28' West 341.0 feet; Nor

Exhibit A





COUNTER 82770

Quite Laddenner COUNTY CLERK HARRIS COUNTY, TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE. RENTAL, OR USE OF THE DESCRIBED REAL PROFERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNEW ORCLARE UNDER FEDERAL LAW. THE STATE OF TEXAS } COUNTY OF MARRIS } I hereby certify that this instrument was FILED in File Number a the date and at the time stamped hereon by me; and was GRUP RECORDED, in the Official Public Records of Real Property of Herris County, Texas on DEC 28 1988

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L987192

STATE OF TEXAS COUNTY OF HARRIS

AFFIDAVIT

Stephen A. Bryan

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Before me the undersigned authority on the 27th day of December, 1988 appeared Stephen A. Bryan of Houston, Texas, who upon his oath did depose and say.

My name is Stephen A. Bryan and I resided at 1601-A Nantucket, Houston, Harris County, Texas; and

I am a Professional Engineer with a degree from Georgia Tech University and am licensed to practice in the State of Texas; and

In 1969 through 1974 I was employed as an engineer for Horton & Horton, Inc. in Houston, Harris County, Texas; and was in charge of their excavating and dredging operations which was one of its sources through which that company acquired sand and gravel, which it offered for sale to the public; and

About sometime in 1972 I was put in charge of The Marine Department and Dredging Operations and I directed the dredging of a tract of land bordering the San Jacinto River, just north of Interstate Highway 10 and east of the Missouri Railroad Bridge which was a 281.5 acre a tract of land that had been acquired sometime in late 1965 or early 1966 from the Highlands Farms Trust; and being all of the Henry White Survey Abstract 827 Harris County, Texas; and

As supervisor of such dredging project I obtained a Corps of Engineer Permit to cut into the bank of the San Jacinto River and move into the property. I dug a channel right across from the old "Riverside Inn". We created a channel 50 feet or more wide and went into the property approximately 100 yards and then backed the dredge backwards and proceeded parallel to and about 50 yards more less from the north bank of the river in a westerly

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Robert L. Debrey Jr. 3000 Weslayen, suite 375 X Houston, Tx 77027

136-69-0529 direction toward the Missouri Pacific Railroad Bridge making a cut 50 to 75 wide. On approaching the Railroad Bridge we turned the dredge to the right or northeast and parallel to the railroad trestle, and continued in a north easterly direction to the north boundary line of the tract. Upon reaching the north line, I pulled the dredge backwards, moving it over about 50 feet, and continued in a northeasterly direction making another cut parallel to the previous cut. We continued making cuts in this fashion until I was reassigned sometimes

in 1973. Horton & Horton, Inc. to my knowledge continued this operation and dredged the entire 281.5 acres.

At the beginning of the operation the land would be described as marshy in parts but had defined banks along the San Jacinto, River; and

Upon completion of my part of the dredging operation the excavated part of the land was at least 8 or 9 feet deep underwater. I would say a little over a fourth of the land was left above ground along the rivers edge on which spoil was also deposited by the dredge; and

During the entire time I was in charge of this dredging for Horton & Horton, Inc., I never heard of any person, governmental body, or the State of Texas questioning the legality of the dredging of the Horton & Horton, Inc. land in the Henry White Survey or making any claim adverse to the ownership of Horton & Horton, Inc. in and to such land; and

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The plat attached as Exhibit "A" hereto is a true and correct depiction of the land excavated and dredged by me and Horton & Horton, Inc. in the Henry White Survey Abstract 827 in Harris County, Texas, as well as the land remaining on which spoil was deposited.

136-69-0530

Further Affiant sayeth naught.

AFFIANT: Stephen Bryan AND SWORN TO BEFORE ME this 27th day of December 1980

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ACKNOWLEDGEMENT

Notary Public in and for The State of Texas

COUNTY OF HARRIS

THE STATE OF TEXAS

My Commission Expires 10-3-9

Alc

BEFORE ME, the undersigned authority on this day personally appeared Stephen A. Bryan, 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, this the 27th day of December, 1988.

My Commission Expires:

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10-3-9 for

Notary Public in and for the State of Texas

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281.5 acres of land, more or less, being all of the Henry White Survey, Abstract 827, in Harris County, Texas situated East of the Missouri Pacific Railroad right-of-way crossing the Henry White Survey and being more particularly described by metes and bounds as follows: BEGINNING at the intersection of the North line of the Henry White Survey and the South line of the Jessie White Survey with the East line of the Missouri Pacific Railroad 100 foot Right-of-Way; THENCE East along the North Line of the Henry White Survey and the South line of the Jessie White Survey at 3210 feet, more or less, enter a lake and at 3515 feet, exit said lake, continuing in all 4485 feet, more or less, to a point on the west bank of White's Lake; THENCE following the meanders of the West line of White's Lake as follows: South 36° 43' East 410 feet; North 72° 15' East 488 feet; South 67° 17' East 465 feet; South 10° 30' West 260 feet; South 75° 37' West 913 feet; South 59° 65' East 385 feet; North 80° 05' East 630 feet; South 44° 32' East 523.6 feet; South 60° 05' East 230.5 feet; South 41° 42' East 525 feet; South 60° 05' East 200 feet; South 11° 50' East 475 feet; South 60° 05' East 400 feet; South 14° 39' East 220 feet; to a point where the San Jacinto River intersects White's Lake. THENCE following the South boundary line of the Henry White Survey along the bank of the San Jacinto River as follows: North 55° 02' West 763.0 feet; North 73° 22' West 47.0 feet; North 53° 07' West 1235 feet; North 50° 37' West 377.2 feet; North 53° 07' West 318.5 feet; South 41° 48' East 555 feet; North 55° 02' West 763.0 feet; North 73° 22' West 471.9 feet; North 53° 13' West 763.0 feet; South 71° 22' West 471.9 feet; South 61° 50' West 318.5 feet; South 71° 22' West 471.0 feet; South 78° 13' West 786.7 feet; South 71° 22' West 341.0 feet; North 81° 351' West 283.0 feet; North 65° 28' West 341.0 feet; North 81° 351' West 283.0 feet; North 65° 28' West 341.0 feet; North 81° 37' West 283.0 feet; North 65° 28' West 341.0 feet; North 81° 37' West 283.0

Exhibit A

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COUNTER 82774

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136-69-0533



ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF EDUCE ON MACE IS LAVALID AND UNENFORCEABLE UNDER FEDERAL LAW. THE STATE OF TEXAS } COUNTY OF HARRIS } I hereivy certify that this instrument was FILED in file Number Sequence on the date and at the time stamped hereon by me; and was culy RECORDED, in the Official Public Records of Real Property of Harris Loundy, Texas on

DEC 28 1988 Onte Partement COUNTY CLERK MARRIS COUNTY, TEXAS

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20626 Hannington Lane Katy, Texas 77450 January 8, 1989

General Land Office State of Texas Stephen F. Austin Building 1700 North Congress Avenue Austin, Texas 78701

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Re: 485 acres situated in the Jessie White Survey, Abstract No. 83, Harris County, Texas.

To Whom It May Concern:

It has come to our attention that the State of Texas has leased part of the above mentioned land to American Hunter Exploration, Ltd. This is in error as this land, as described by metes and bounds in a certain deed dated December 27, 1971, from Clothilde Johnson to Harry Keene Johnson III, et al, recorded at County Clerk's Office, File Number D489907 of the Official Public Records of Harris County, Texas and/or by the attached description, is owned by my family. At no time previous to this claim have I or any one in my family been aware of any claim by the State of Texas or any other governmental body to the above described property, which has been owned by my family for over sixty (60) years.

I have included the sworn statements of Mr. Tom H. Chrisley, Jr. and Mr. Alton Larry Hook. Mr. Chrisley dredged on the above mentioned land from 1964 to 1972. Mr. Hook has hunted on this land for many years and can testify to the fact that the land that is now submerged was once above water. I have also included other papers dating back to 1948, which proves that this land was once dense forest and that the land was submerged only through man-made changes. In fact, my family actively dredged this land for approximately thirty (30) years, ending in 1976. The invoices pertaining to just two and a half $(2\frac{1}{2})$ years of the dredging operation are included to demonstrate the amount of dredging that was done on this property. During half a year in 1970, when Mr. Tom H. Chrisley was in charge of the operation, 152,884 yards of sand were dredged. In a two (2) year period when Chrisley Sand Dredging Inc. was owned and operated by Mr. Charles F. Ramsey, 508,089 yards of sand were dredged. This makes a total of 660,973 yards which were dredged from the land during this $2\frac{1}{2}$ year period. If one were to extend this amount over a thirty (30) year period, it would be evident that a very large amount of land was removed. Further, the only navigable waters on this land are the result of dredging operations and were not caused by any natural occurence.

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As you can see by the aerial photo taken in 1976, there are well defined banks all along the San Jacinto River. You can also see the cut that was made by Horton & Horton, Inc. in the lower right hand side of the picture. I understand that your office recently released claim to this land that was dredged by Horton & Horton, Inc. In fact the Permit #8416 that I have included is mentioned in the letter from your office to Mr. Robert L. Dabney in his successful attempt to get the State of Texas to release claim to land that was dredged by Horton & Horton, Inc.

We therefore request that you release your claim to the above mentioned property as you did for Mr. Robert L. Dabney, Jr. with his 281.5 acre tract out of the Henry White Survey, Abstract 827, Harris County, File 1-220.

If any further documentation is necessary, we will be more than happy to furnish it.

Please notify American Hunter Exploration, Ltd. of the reduction of the acreage of your office's lease by the amount incorporated in our 485 acre tract.

Sincerely, Ham K. Joh - 111

Harry K. Johnson III

Enclosures

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Being 485 acres of land, more or less, out of the Jessie

White and Henry White Surveys in Harris County, Texas,

BEGINNING at a stake 131 feet North of the Southwest corner of Block 24 of the town of Highlands, Harris County, Texas, per map recorded in Volume 7, Page 31, of the Map Records of Harris County, Texas; THENCE South 557 feet to a stake which is the Southwest

corner of Block 100 of said Highlands Townsite; THENCE West 447.4 feet to a stake on the West bank of White Lake;

THENCE in a Southwesterly direction following the meanders of said White Lake to a point where the line between the Jessie White and Henry White Surveys intersect the West line of said White Lake;

THENCE West along the dividing line between said Surveys to a stake on the West side of the right-of-way line of Houston North Shore Railroad;

THENCE in a Southwesterly direction along the West boundary line of said Houston North Shore Railroad right-of-way to the point of intersection of such right-of-way with the East bank of the San Jacinto River;

THENCE in a Northerly direction along the East bank of said San Jacinto River to the southwest corner of Lot 27, Block 101 of the San Jacinto River Addition, per map recorded in the Map Records of the County Clerk of Harris County, Texas;

County, Texas; THENCE in a Southeasterly direction along the South line of said Lot 27, Block 101, to the Southeast corner thereof; THENCE in a Northeasterly direction along the Southeasterly line of said Block 101, to the Southwest corner of Lot 7 of said Block 101;

THENCE in a Northwesterly direction along the West boundary line of said Lot 7, Block 101 to the San Jacinto River; THENCE following the meanders of the San Jacinto River around McComb's Lake to the Northeast corner of Lot 3 in said Block 101;

THENCE South along the East line of said Lot 3, 472 feet to a stake on the South Boundary line of a public road which is an extension of Clear Lake Drive;

133-27-2257

THENCE East along the South line of said Clear Lake Drive Extension 218 feet to a stake for corner; THENCE in a Southwesterly direction along the boundary line of the M. Miller tract 318 feet to a stake, which is the Northwest corner of said M. Miller tract; THENCE Southeast 477 feet along the Southwest line of said M. Miller tract;

THENCE 90 degrees to the left, 169 feet to a stake; THENCE 90 degrees to the right, 283 feet to a stake on the East boundary line of the Houston North Shore Railroad; THENCE in a Northeasterly direction along the East boundary line of said right-of-way to the Northwest corner of Block 44 of said Highlands Townsite;

THENCE South 1189.13 feet to the Southwest corner of the William Clemens tract;

THENCE East 2760 feet to the point of beginning, LESS that portion thereof which lies in the Houston North Shore Railway right-of-way,



STATE OF TEXAS COUNTY OF HARRIS

14

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AFFIDAVIT - ALTON LARRY HOOK

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Before me the undersigned authority on this day did appear Alton Larry Hook of Highlands, Texas, who upon being duly sworn did depose and say.

My name is Alton Larry Hook and I live at 607 Battlebell, Highlands, Texas.

Starting in 1963 to the present, I have hunted on the 485 acre tract owned by Harry K. Johnson, Jr. described on Exhibit "A" hereto. In the years from 1963 to 1967, I could walk on almost all of the land that had not been dredged. To the east of the Houston North Shore Railroad, I could walk past the small canal depicted on the map. The majority of the marsh was covered by salt grass and was a great area for all types of ducks. To the west of the Houston North Shore Railroad, I could walk from "Clear Lake" to the point where the Railroad meets the San Jacinto River thence northward to Block 101 of the San Jacinto River Addition.

At the present time I can walk over approximately 80 acres of the described property. All of the property over which I previously walked was dredged so as to prevent access by foot.

Further Affiant Sayeth Naught.

AFFIANT:

ACKNOWLEDGEMENT

Sworn to and subscribed before me this day of day of

Notary Public in and for the State of T E X A S



Commission Expires:



STATE OF TEXAS COUNTY OF HARRIS

AFFIDAVIT - TOM H. CHRISLEY, JR.

Before me the undersigned authority on this day did appear Tom H. Chrisley, Jr. of Groesbeck, Texas, who upon being duly sworn did depose and say.

My name is Tom H. Chrisley, Jr. and I live in Groesbeck, Texas. My mailing address is Route 2, Box 220, Groesbeck, Texas 76642.

I was the owner of Chrisley Sand Dredging Inc. from 1964 until 1972. In 1964 I started dredging operations on the 485 acre tract described on Exhibit "A" hereto, and owned by Harry K. Johnson, Jr. I continued dredging operations on this property until the year 1972, at which time I sold Chrisley Sand Dredging Inc. to Charles F. Ramsey. To the best of my knowledge, Mr. Ramsey continued dredging operations on the same 485 acre tract after the sale of Chrisley Sand Dredging Inc.

At the beginning of the operations in 1964, the land was equally marshy and covered by dense forest. There were defined banks along the entire San Jacinto River.

That portion of the 485 acre tract that I dredged was left to a maximum depth of 36 feet as described in Permit #8416 from the Army Corps of Engineers. All permits required were obtained from the Army Corps of Engineers and not the State as the Army Corps of Engineers was the governing authority in dredging operations.

During the entire time I was in charge of dredging, I never heard of any person, governmental body, or the State of Texas questioning the legality of my dredging the Johnson property, or making any claim adverse to the ownership of the Johnson land.

Further Affiant Sayeth Naught.

AFFIANT:

Jon H. Shuly J. TOM H. CHRISLEY, JR.

ACKNOWLEDGEMENT

Sworn to and subscribed before me this 8 day of ____, 1989.

CAROL F. MARONEY

Commission Expires:

Notary Public in and for the State of T E X A S






Photostat of Aerial Photo by USGS, 4-3-75 Source: TNRIS, SFA BLOG, 4th FLOOR Scale: 1"= 1542'





ROBERT L. DABNEY, JR. P.C.

A TEXAS PROFESSIONAL CORPORATION

ATTORNEY 3000 WESLAYAN, SUITE 375 HOUSTON, TEXAS 77027

ROBERT L. DABNEY, JR.

(713) 621-2927

September 10, 1987

General Land Office Mr. Jack Giberson, Chief Clerk Stephen F. Austin Building 1700 North Congress Suite 836 Austin, Texas 77801

> Re: Highland Farms Trust Henry White Survey, Abstract 827 Harris County, Texas

Dear Jack:

Recently I called you concerning the claim of the Highland Farms Trust to the some 281 acres more or less in the Henry White Survey A-827, Harris County, Texas.

For your ready reference the survey referred to is in Harris County in the bend of the San Jacinto River just north of where it crosses Interstate 10, which extends between Houston and Beaumont. We are enclosing a ready reference plat that I think explains the problem.

I am one of three Trustees of the Highland Farms Trust which is a simple Grantor Trust that has owned various lands in this vicinity going back to the early '40s.

On or about December 7, 1965 the Highland Farms Trust deeded to Horton and Horton, Inc.(a sand and gravel company), in Harris County 281.5 acres more or less, being all of the Henry White Survey. We reserved one-half (1/2)of all oil, gas and other minerals in and under that survey. Subsequently, Horton and Horton, Inc. after dredging a large part of this tract of land for sand and gravel use, either sold the land or Horton and Horton was acquired by Parker Brothers here in Houston, so that the other half of the minerals are owned by Parker Brothers or members of the Parker family.

On August 10, 1987 a mineral lease was submitted to us by American Hunter Exploration, Ltd. of Houston through its land men, Mr. Warren E. Dalton, Jr. and Mr. Stephen J. Owen. Mr. Dalton has informed me that at a conference in the land office, after I had called you previously, the land office has apparently taken the position today that there are some 77 acres of this land to which the State does not lay claim, but that the remaining acreage of the 281.5 acres is claimed by the State.



General Land Office Asho? Mr. Jack Giberson, C Suite 836.

Henry White Survey Ab Highland Farms Tru :02 stract 827

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Mr. Jack Giberson September 10, 1987

I would enclose herewith a letter from Mr. Jerry Sadler, Commissioner of the General Land Office dated November 30, 1965 pertaining to the little island which was on the southeast part of the Henry White Survey, which had been cut off by a man-made channel, but was included in the original field notes and patent. Mr. Sadler says the State had no claim to this peninsula. This arose, as the island had apparently been a title concern at the time of the sale of the land to Horton and Horton, Inc., the question being as to the ownership of the small island only. Apparently, the State did not consider that there was any question as to the remainder of the Henry White Survey, and released its claim to the little island.

Harris Co. Staten File 96

The map enclosed, which is approximate only, shows on it in yellow, the original Henry White Survey with brown thatched lines showing the approximate location of the high land today that the State does not claim, which comprises some 77 acres.

We are attempting to obtain Affidavits from Mr. George Horton of Horton and Horton, Inc. as well as the engineer who did the dredging to prove that the land was dredged and therefore, did not disappear through submergence. I would like you to reconsider the position of the State, for we would like to lease the entire survey to American Hunter. The only claim that I see might possibly be a claim for the State is a 30 acre lake in the Northwest corner of the Henry White Survey. I don't know, however, if this lake is or was subject to the ebb and flow of the tides or was part of the San Jacinto River.

Upon receipt of this letter, I would appreciate it if you would get back in touch with me. We appreciate your cooperation as always. Further, we are enclosing a copy of the patent which was forwarded to us by Mr. Jerry Sadler showing the Henry White Survey.

KAmith Kabney ROBERT L. DABNEY, JR,

ROBERT L. DABNEY, JR

RLDjr/jad

Enclosures

cc: Mr. Herman Forbes, Director of Surveying cc: Mr. John C. Moriniere cc: Mr. M.C. Chiles Page Two

ROBERT L. DABNEY, JR. P.C. A TEXAS PROFESSIONAL CORPORATION ATTORNEY 3000 WESLAYAN, SUITE 375 HOUSTON, TEXAS 77027

> RECEIVED SEP 1 % 198/

GENERAL LAND OFFICE



General Lane Office Mr. Jack Giberson, Chief Clerk Stephen F. Austin Building 1700 North Congress Suite 836 Austin, Texas 77801

281.5 acres of land, more or less, being all of the Henry White Survey, Abstract 827, in Harris County, Texas situated East of the Missouri Pacific Railroad right-of-way crossing the Henry White Survey and being more particularly described by metes and bounds as follows: BEGINNING at the intersection of the North line of the Henry White Survey and the South line of the Jessie White Survey with the East line of the Missouri Pacific Railroad 100 foot Right-of-Way; THENCE East along the North Line of the Henry White Survey and the South line of the Jessie White Survey at 3210 feet, more of less, enter a lake and at 3515 feet, exit said lake, continuing in all 4485 feet, more or less, to a point on the west bank of White's Lake; THENCE following the meanders of the West line of White's Lake as follows; South 36° 43' East 410 feet; North 72° 15' East 488 feet South 67° 17' East 465 feet; South 10° 30' West 260 feet; South 75° 37' West 913 feet; South 59° 65' East 385 feet; North 80° 05' East 630 feet; South 38° 00' East 220 feet; North 52° 20' East 415 feet; South 44° 32' East 523.6 feet; South 82° 22' East 300 feet; South 71° 50' East 475 South 60° 05' East 239.5 feet; South 41° 42' East 585 feet; South 46° 50' East 400 feet; South 14° 39' East 220 feet; feet; to a point where the San Jacinto River intersects White's Lake. THENCE following the South boundary line of the Henry White Survey along the bank of the San Jacinto River as follows: North 56° 49' West 800 feet; South 41° 48' East 555 feet; North 53° 07' West 1235 feet; North 56° 47' West 377.2 feet; North 57° 40' West North 73° 22' West 421.9 feet; North 85° 02' West 13.4 454.0 feet; -76310 feet; North 80° 05' West 665 feet; South 78° 13' West South 73° 26' West 1115 feet; South 67° 59' West 740.5 feet; South 61° 50' West 584.0 feet; South 55° 32' West 847.0 feet; 318.5 feet; South 71° 22' West 912.0 feet; South 72° 43' West 700.0 feet; South 81° 57' West 291.0 feet; North 83° 51' West 283.0 feet North 65° 28' Wes 341.0 feet; North 41° 37' West 268.0 North 24° 00' West 264.9 feet to a point on the East line feet; of the 100 foot Missouri Pac fic Railroad right-or-way; THENCE North 37° 41' East along said East line of said right-of-way 3878.7 feet more or less, to the place of beginning containing 281.5 acres.

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Harris co Skofile 96

(priginal in M-91984

Harris co. Sk. File 96 (priginal in M-91984)

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GENERAL LAND OFFICE

November 30, 1965

JERRY SADLER

Mr. Bob Dabney 1640 Chamber of Commerce Bldg. Houston, Texas

Dear Mr. Dabney:

In response to your telephone call of this date regarding the Henry White survey (file Harris 1-220, Abstract No. 827) in Harris County, this is to advise that the peninsula at the southeast corner of this survey, now cut through by the man made channel, was included in the original field notes and patent, and, therefore, the State has no claim to this peninsula.

Under separate cover, a photostatic copy of the field notes and patent are being mailed to you.

Sincerely yours,

JERRY SADLER, COMMISSIONER

JS/hf

COUNTER BOYPE

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JERRY SADLER

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Sinferdly yours,

Wer The



February 8, 1988

Mr. Robert L. Dabney, Jr. P.C. 3000 Weslayan, Suite 375 Houston, Texas 77027-5753

Re: The eastern 281.5 acre tract out of the Henry White Survey, Abstract 827, Harris County, File 1-220.

Dear Mr. Dabney:

After studying your letter dated January 18, 1988 with attachments, and discussing it with Jack Giberson, the Chief Clerk, we have concluded that the referenced land was dredged and became submerged thru man made changes according to the affidavits.

Harris Co St. 1

Therefore, this office no longer makes a claim to the subject 281.5 acre tract as described by field notes attached to the affidavits.

By copy of this letter, American Hunter Exploration, Ltd., the lease of Tract 16, San Jacinto River, is being advised of this reduction in acreage and that the next rental payment will be computed on the basis of 458.5 acres, rather than 740 acres.

If I can be of further assistance, don't hesitate to let me know.

Sincerely,

orles erman Herman Forbes, Director

Surveying Division

HF:sjr

cc: M-91984 Harris County Sketch File 96



February 8, 1988

Mr. Robert L. Dabney, Jr. P.C. 3000 Weslayan, Suite 375 Houston, Texas 77027-5753

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Harris Co. St. File 96

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Sincerely,

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Surveying Division

HF:sjr

cc: M-91984 Harris County Sketch File 96



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Sincerely,

man Herman Forbes, Director

COUNTER STREED

Surveying Division

HF:sjr

cc: M-91984 Harris County Sketch File 96



February 8, 1988

Mr. Robert L. Dabney, Jr. 3000 Weslayan, Suite 375 Houston, Texas 77027-5753

GARBY MANPO, Com even The eastern 281.5 acre tract out :ofi the Henry White Survey, Abstract 827, Harris County, File 1-220.

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County

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File NO.

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CaUNTER 89799

If I can be of further assistance, don't hesitate to let me know.

Sincerely,

Erman Com Herman Forbes, Director

Surveying Division

HF:sjr

cc: M-91984 Harris County Sketch File 96

> Stephen F Austin Building. 1700 North Congress Avenu (512) 463-5256



February 8, 1988

Mr. Robert L. Dabney, Jr. P.C. 3000 Weslayan, Suite 375 Houston, Texas 77027-5753

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Harris Co. St. F.L. 96

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By copy of this letter, American Hunter Exploration, Ltd., the lease of Tract 16, San Jacinto River, is being advised of this reduction in acreage and that the next rental payment will be computed on the basis of 458.5 acres, rather than 740 acres.

COUNTER 82801

If I can be of further assistance, don't hesitate to let me know.

Sincerely,

orles erman Herman Forbes, Director

Surveying Division

HF:sjr

cc: M-91984 Harris County Sketch File 96















GENERAL LAND OFFICE

November 30, 1965

COMMISSIONER

Mr. Bob Dabney 1640 Chamber of Commerce Bldg. Houston, Texas

Dear Mr. Dabney:

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Under separate cover, a photostatic copy of the field notes and patent are being mailed to you.

Sincerely yours,

JERRY SADLER, COMMISSIONER

Marris Ca Ske

JS/hf

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DOCUMENTS FOR SAN JACINTO

- 4-12-46 Hollis C. Wells' statement regarding taking samples of sand from holes drilled on the Johnson's 485 acre tract in 1940.
 11-30-65 Letter from Commissioner Jerry Sadler, State has
- 2. 11-30-65 Letter from Commissioner Jerry Sadier, State has no claim on peninsula at SE corner survey (Abstract #827.)
- 3. 7-24-70 Letter from Texas Water Quality Board to Harry K. Johnson, Jr.
- 4. 7-30-70 Department of the Army Permit 8416 issued to Harry K. Johnson, Jr. to dredge sand for commercial purposes to a maximum depth of 36 feet.
- 5. 8-70 thru Invoices to Harry K. Johnson from Chrisley Sand 12-70 Dredging, Inc.
- 6. 12-27-71 Clothilde Johnson "quitclaimed" to Jacquelin Keene Kellam, Harriet Laverne Day, Ada Jane Johnson and Harry Keene Johnson III four-fifths of her interest in 485 acres out of the Jesse White & Henry White surveys.
- 7. 10-27-72 Department of the Army's permit to Horton & Horton to dredge sand for commercial purposes.
- 8-72 thru Invoices to Harry K. Johnson from Chrisley Sand 11-74 Dredging, Inc.
- 9. 1-17-74 Department of the Army extended Permit 8416 until December 31, 1976.
- 10. 9-10-87 Letter from Robert L. Dabney expressing his concern over the State's claim to most of the 281 acres that Highland Farms Trust deeded to Horton & Horton on December 7, 1965 (includes sketch).
- 11. 1-18-88 Letter from Robert L. Dabney to Jack Giberson notifying that they are claiming an undivided 1/2 of minerals under the 281.5 acres.
- 12. 2-8-88 Letter to Robert Dabney from Herman Forbes, states the eastern 281.5 acre tract out of the Henry White survey became submerged through man made changes, the GLO no longer makes any claim to this tract.

- 13. 12-16-88 Affidavit of George Horton, stockholder, Director & CEO of Horton & Horton, Inc., purchased 281.5 acres from Highland Farms Trust and comments concerning dredging operations.
- 14. 12-28-88 Affidavit of Stephen A. Bryan, comments concerning dredging operations on 281.5 acres and plat illustrating the location of operations.
- 15. 1-8-89 Harry K. Johnson III requests that the State release its claim to the 485 acres, indicates that the land was dredged for approximately 30 years ending in 1976 (includes photocopy of 1976 aerial photo).
- 16. 1-8-89 Affidavit of Alton Larry Hook, states he has hunted on the land since 1963, "could walk on almost all of the land that had not been dredged...the majority of the marsh was covered by salt grass".
- 17. 1-8-89 Affidavit of Tom H. Chrisley, Jr., states he was the owner of Chrisley Sand Dredging, Inc., started dredging the land in 1964 until he sold the company in 1972, in 1964 the land was equally marshy and covered by dense forest, there were defined banks along the entire San Jacinto River.

549°08'40 E 408.20'

468.52 Acres

PHOTOS FOR SAN JACINTO

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ALCONDUCTOR STREET

1. 1916	USGS Topo-sheet, Burnett Bay Quadrangle, 1944 Edition.
2. 1920	USGS Topo-sheet, Burnett Bay Quadrangle, 1928, 1945, 1949 reprints.
3. 2-4-1939	Aerial Photo Index, US Department of Agriculture.
4. 1943	USGS Topo-sheet, Highlands Quadrangle, 1955, 1967 revisions.
5. 1944	US Corp of Engineers, Burnett Bay Quadrangle.
6. 1944	Slide
7. 1952	Photostat of aerial photo, US Department of Agriculture, (BQY-4M-28).
8. 3-25-1953	Aerial photos, US Department of Agriculture, (BQY- 4M-28) (BQY-4M-29).
9. 3-8-1955	Photocopy of aerial photo, supplied by Harry K. Johnson.
10. 1956	Photocopy of aerial photo.
11. 3-26-1957	Aerial photo, US Department of Agriculture, (BQY- 3T-67).
12. 1969	Aerial photo, Wallace-Zingery Surveys.
13. 1973	Photocopy of aerial photo, included with letter from Harry K. Johnson III.
14. 4-3-1975	Aerial photo by USGS.
15. 1976	Aerial photo, Wallace Aerial Surveys.
16. 1982	USGS Topo-sheet, Highlands Quadrangle.
17. 9-10-1987	Sketch provided by Robert L. Dabney showing the land the State recognizes in Highland Farms Trust and the lands Highland Farms Trust claims, included with letter.
18. 6-9-1989	Aerial photo, GLO Mission 420, 1" = 1000'.
19. 1989	Slide, NASA Mission, Color Infra-Red.

COUNTER 82811

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2995-441 BIJKNETT BAT QUAD Ed. of 1920, Reprinted. 1928 Surveyind In 1916

Se]= 31680

File No. Sketch File 96 Harris -20 County Filed Feb. 9 GARRY MAURO, Cons'r By Denafors Howerd -19 88



2995-441 BUKNETT BAP Ed. of 1944 Contours from 1916 maps of USGS, Kevised by TVA plane-tobble surveys, 1943

SZALE: 1680














ROBERT L. DABNEY, JR. P.C. A TEXAS PROFESSIONAL CORPORATION ATTORNEY 3000 WESLAYAN, SUITE 375 HOUSTON, TEXAS 77027





SEP 2 3 1987

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GENERAL LAND OFFICE

Mr. Herman Forbes GENERAL LAND OFFICE Stephen F. Austin Building 1700 North Congress Suite 710 Austin, Texas 78701

Attn: Director of Surveying

COUNTER 82822

Jury made for Herry White in 177711 5. Square cours Schooled Hairs Buty, on the East ride of the Sanjacinto since below and regoining Lobe Whites which he is entitled by vistue of a costificate no: 440, epued by the board of hand Commissioners for the County of Harris herry for 2 08333 square varas - Beginning to the buth West Corner Survey a post bak marked & standing on the sand of the orre required firs in the little field forthe Corner po a which a today to a H heart SSI & don't this a courses 1 . Al 80 17 858 180 Cast. 280. 10 171 8 170. 655. 18 886 8 37 TV 11 N56 8 100. 320, 19 874 8 230, 12 1648 80, 20 162 & son 130. 100157.8 80. 21 Morths 220: 143 8 60. 14 N72 8 280 22 174 1 420 160 8 100, 15 184 2 100, 23 N58W 130 177 8 150 10 1718 240, 24 N36 t & to to a sprat Willow on the West Lank of the lake from which heatile inarker IT bears it 13 & dist; 14. varas. there along the Have tim of sin White Survey-4st. 2500, march to the filere of beginning. Come 1. 77 147 5. syrum varas of land, half a taker of affich is inghe the sest partice land. Surveyed this 28 pay of September 1838 -- Sec. While and chain Clot M In manys B. B. West Jeamin Jary Co. Hermohung Aport Cak.



BECENESALING OFFICE

GENERAL LAND OFFICE, AUSTIN, TEXAS

NOV 3 0 1965

Harris Co. Sketch File 96

I, JERRY SADLER, Commissioner of the General Land Office of the State of Texas, do hereby certify that on the reverse hereof is a true and correct copy of the original of this instrument now on file in this office together with all endorsements thereon.

IN TESTIMONY WHEREOF, 1, hereunto set my hand and affix the seel of said office the day and date first above written.

JERRY SADLER

Commissioner of the General Land Office







Photostat of USDA BQY-4M-28.;1952 Source: GLO, SURVEYING DIV.

File No. Sketch File 96 GARAY MAURO, Constr By Douglas How and By Douglas How and

Parker Brothers & Co., Inc. 5101 Navigation Houston, Texas 77011 713-923-6633 Fax: 713-923-6655

July 23, 1998

Mr. Spence Reid, General Council **Texas General Land Office** 1700 North Congress Avenue, Room 720 Austin, Texas 78701

Subject: Two Properties in San Jacinto River, Harris County, Texas

Dear Mr. Reid:

I am writing to propose that Parker Brothers deed to your organization title for two properties located in the San Jacinto River. Both properties are essentially under water.

Parker Brothers is liquidating all its assets in anticipation of dissolving at the earliest possible date. These two properties are of no value to us, and we would like to give them to you at no cost. We are prepared to act immediately.

Enclosed are Phase One environmental studies, and a survey with meets & bounds. One site was a commercial site and one is actually seven residential lots. Both sites were lost to the river. Our problem is that we can not dissolve the corporation while still being listed as the owner. We feel that you are probably the owner anyway, but even if there are questions outstanding we would like to deed the land to you now, and then you could deal with any other issues in time.

We would pay all costs associated with filing the deed. I have enclosed a deed that we could use, or you could provide one. Either way, we would file it for your benefit.

Enclosed also are two title insurance commitments. Parker Brothers had originally proposed to gift these two properties along with a third to Texas A&M. Texas A&M was really only interested in the third property, but was willing to take these two in order to get the one they wanted. They are willing that your organization take the other two, for I have gone ahead and gifted to them the one they really wanted.

In summary, you now have the survey, meets & bounds, environmental study, title insurance commitment, and proposed deed. If you, after reviewing this material, are willing to accept these two parcels, please let me know, and we will implement.

Sincerely,

bert R. Ferris

President

copy to:

Mr. Robert Moreland Room 626 w/o enclosures

Parker Brothers & Co., Inc. P. O. Box 107 Houston, Texas 77001





Mr. Robert Moreland Texas General Land Office 1700 North Congress Ave., Room 626 Austin, TX 78701

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Hulladdan Mulladdadd COUNTER 82830

Parker Brothers & Co., Inc. 5101 Navigation Houston, Texas 77011 713-923-6633 Fax: 713-923-6655

19 August 1998

Ms. LaNeel Aspin Texas General Land Office 1700 North Congress Avenue Austin, Texas 78701 Phone: 512-475-1375

Subject: Donation of Two Properties in San Jacinto River

Dear Ms. Aspin:

It was a pleasure talking with you yesterday about our proposed donation of two parcels of land submerged in the San Jacinto River. We are interested in moving ahead to accomplish this at the earliest date.

One of the items you mentioned that needed resolved was the description of the land. I can understand this need, because Parker Brothers' records were never clear on the exact description. That is why I had asked Mr. Don Denson of Land Data Surveys here in Houston to prepare a drawing or map of the approximate location so we had some idea of where this property was. Mr. Denson has done a number of surveys for us, is highly professional and does excellent work.

Mr. Denson made it clear from the beginning that he would only prepare this as a drawing, not an actual survey. He would only be able to use public records, and get as close as those records would allow. He made it very clear from the beginning that he was not making a survey, and that the finished drawing was not suitable as representation for purposes of selling the land.

I understood his reluctance to do such a drawing but pressed him to get me something that I could use internally. I knew it was a work-in-progress, and that it is still a work-in-progress. What he prepared was for my internal use only, and not to be used with the public or as a selling document.

I shared this map with you as a way to expedite your understanding of what we were proposing. We knew that, if you were interested in our proposal, certain issues involving the description of the land would need to be resolved. In my letter to Mr. Reid, I referred to this as a survey, but only in the most generic way. It was a matter of convenience to reference this map this way.

It was not until yesterday when we talked that I had received any expression from the Texas General Land Office that our proposal might be accepted, and without my having to bring it up, you were able to quickly identify that the map would need to be up-graded or ignored when making a final description of the land to be donated. I have asked Mr. Denson to provide your office (Mr. Kavas or Mr. Flowers) with all assistance and information that he has that will expedite the resolution of the outstanding issues that appeared as a result of Mr. Denson's preliminary work. I had instructed Mr. Denson not to pursue resolving all the issues until I knew there was a real possibility that the donation might be accepted.

Mr. Denson has again cautioned me not to call his map a survey, but rather to be sure everyone involved knows that it is a work-in-progress.

I hope I have done that. If there are any questions, please call me. In the meantime, Mr. Denson has advised me that he is ready to work with your people to bring the map or its equivalent to the level required by your office.

Sincerely,

Robert R. Ferris President

Copy to: Mr. Ben Thomson Texas General Land Office 1700 North Congress Avenue Austin, Texas 78701

LAND DATA SURVEYS, INC.



DON DENSON Registered Professional Land Surveyor

August 20, 1998

Mr. Ben Thomson, RPLS GENERAL LAND OFFICE/ STATE OF TEXAS 1700 No. Congress Ave., Room 720 Austin, Tx. 78701

Re: Parker Bros. & Co. (LDS File 98-023) on IH 10 East Former Land or inundated areas on the San Jacinto River, Harris Co., Tx.

Dear Mr. Thomson,

Per your request, we are waiting for a courthouse copy of the map of San Jacinto River Addition for your file. For temporary purposes, you may find the enclosed photocopy/ part copies to be of help.

After talking with you on the phone yesterday, I called Mr. Bob Ferris, President of Parker Bros. to discuss the confusion on this map. I understand he will write and forward an explanation about this. This drawing was done for his in-house use only, to help him determine what to have done, what to order about any further work in the future. It was not for distribution, and upon reflection, we should not have placed a seal on it which apparently generated the confusion. As I told you, this map was not a survey, and was performed in order to show him the general shapes, and to begin understanding the flaws in the record description. I am taking steps to avoid such confusion in the future.

When the official copy of the subject subdivision comes in, I will relay it immediately to your office for your permanent file. Please advise if I can be of further assistance.

Very truly yours,

Don Denson, RPLS LAND DATA SURVEYS, INC.

(file)



P.O. Box 890027 • Houston, Texas 77289-0027 Office: (713) 643-8585 • Fax: (281) 332-0950





Texas General Land Office Garry Mauro, Commissioner

Stephen F. Austin Building 1700 North Congress Avenue Austin, Texas 78701-1495 (512) 463-5001

Spencer L. Reid Senior Deputy Commissioner (512) 463-5236 Fax (512) 463-9042 spencer.reid@glo.state.tx.us

COUNTER 82834

November 2, 1998

Mr. Robert R. Ferris Parker Brothers & Co., Inc. 5101 Navigation Houston, Texas 77011

Dear Mr. Ferris:

The enclosed QuitClaim Deed is completed and ready for Commissioner Mauro's signature. After my conversation with you this morning, the General Counsel, Spencer Reid, advised me that it is appropriate for you, on behalf of Parker Brothers Company, Inc., (Parker) to execute the Deed first because Parker is conveying property to the State of Texas on behalf of the Permanent School Fund.

Therefore, enclosed please find two originals of a QuitClaim Deed ready for execution. Please execute both originals, have them acknowledged before a Notary Public, and return both originals to my attention. The Commissioner's signature and seal will be affixed immediately upon receipt and one original will be returned to you for recordation in the Harris County Real Property Records.

Thank you for your patience with the process of executing this QuitClaim.

Sincerely,

sNeel H. Astr

LaNell H. Aston Director, Office of Senior Deputy Commissioner

512-475-1375



Stephen F. Austin Building 1700 North Congress Avenue Austin, Texas 78701-1495 (512) 463-5001

Spencer L. Reid Senior Deputy Commissioner (512) 463-5236 Fax (512) 463-9042 spencer.reid@glo.state.tx.us

November 9, 1998

Mr. Robert R. Ferris Parker Brothers & Co., Inc. 5101 Navigation Houston, Texas 77011

Dear Mr. Ferris:

Enclosed please find one original, fully executed QuitClaim Deed in which Parker Brothers Company, Inc. is conveying certain property located in Harris County, Texas to the State of Texas on behalf of the Permanent School Fund. Please have the deed recorded in the Harris County Real Property Records and return a file stamped copy to me for recording in the records of the General Land Office.

Sincerely,

Larkell H. Astr

LaNell H. Aston Director, Office of Senior Deputy Commissioner

512-475-1375

T381198

OUITCLAIM DEED

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11/12/98 300245219 T381198

STATE OF TEXAS

KNOW ALL BY THESE PRESENTS:

COUNTY OF HARRIS

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1..":

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That the undersigned, PARKER BROTHERS AND COMPANY, INC., a Texas corporation, hereinafter referred to as "Grantor", whether one or more, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid by the Grantee herein named, the receipt and sufficiency of valuable consideration paid by the Grantee nerein named, the receipt and sufficiency of which is hereby acknowledged, has QUITCLAIMED, and by these presents does QUITCLAIM unto the STATE OF TEXAS, ON BEHALF OF THE PERMANENT SCHOOL FUND, herein referred to as "Grantee", whether one or more, all of Grantor's right, title and interest in and to the real property described in Exhibit "A" attached hereto and made a part of this instrument. The acceptance of this Quitclaim Deed is not intended to be and shell not be used to execut a walkap or relinquishment of an independent claim to be, and shall not be used to assert, a waiver or relinquishment of an independent claim of ownership by the State of Texas to all or any portion of the real property subject to this Quitclaim Deed which is or may be land submerged, or subject to inundation, by tidally influenced waters or the San Jacinto River.

NO RIGHT, DEFENSE OR MITIGATION AVAILABLE TO THE STATE OF TEXAS NO RIGHT, DEFENSE OR MITIGATION AVAILABLE TO THE STATE OF TEXAS UNDER ANY APPLICABLE FEDERAL OR STATE LAW IS WAIVED, RELEASED OR RELINQUISHED AS A RESULT OF THE RECORDING OF THIS QUITCLAIM DEED AND/OR THE SUBSEQUENT FAILURE TO DISCLAIM THIS QUITCLAIM BY THE STATE OF TEXAS. THE STATE OF TEXAS DOES NOT ASSUME, RECOGNIZE THE VALIDITY OF, OR TAKE SUBJECT TO, ANY LIEN, CHARGE, ASSESSMENT, ENCUMBRANCE OR RESTRICTION ON OR AGAINST ANY PORTION OF THE REAL PROPERTY SUBJECT HERETO, REGARDLESS OF WHEN OR HOW CREATED. THE REAL PROPERTY DESCRIBED IN EXHIBIT "A" IS SUBJECT TO ACCRETION AND OTHER LEGAL PRINCIPLES RELATING TO OWNERSHIP OF LITTORAL PROPERTY. LITTORAL PROPERTY.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described real property unto the Grantee and Grantee's administrators, successors and assigns forever; so that neither Grantor nor Grantor's administrators, successors or assigns shall have, claim or demand any right, title or interest in all or any part of the said real property.

day of NOVEMBER .1998. **EXECUTED** this

_ Deputy

DEG 7 1998

ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR, OR RACE, IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW.

A CERTIFIED COPY NOV 2 5 1998 ATTEST:

BEVERLY B. KAUFMAN, County Clerk Harris County, Texas

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SALLY S.	00.

COUNTER 82836



FILED 38 NOV 12 PH 2: 51

EXHIBIT "A"

(Attached to and made a part of Quitclaim Deed from Parker Brothers And Company, Inc., "Grantor" to The State of Texas, "Grantee")

LEGAL DESCRIPTION

Two tracts of land located in Harris County, Texas and more particularly described as follows:

Tract One being approximately 281.5 acres, more or less, the same being all of the Henry White Survey, Abstract No. 827, in Harris County, Texas, situated east or southeast of the Missouri Pacific Railroad right-of-way crossing the Henry White Survey.

Tract Two being all of Lots 10 through 16, inclusive, Block 101, San Jacinto River Subdivision, according to the map or plat thereof recorded in Volume 15 at Page 1 of the Harris County Map records.

> NY FRONDENI MENERI MARIN REFINICIS WE GALLARDINE, OR UNE OF DIE OBSCHRED REM. MARYENTIEGNIE OF OLEN OF MARE BANKD AND UNDFUNDSHEE UNDER FEBERAL UNV HE STATE OF TEXAS 3 SOUNTY OF HAARIS. 3 SOUNTY OF HAARIS. 3 SOUNTY OF HAARIS. 3 SAME DIE STATE OF STA

> > NOV 1 2 1998

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COUNTY CLERK HARRIS COUNTY TEXAS

After recording, send deed to Texas General Land Office Asset Management Division Room 720 1700 North Congress Avenue Austin, Texas 78701-1495

Page 3 of 3 pages

ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR, OR RACE, IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW.

A CERTIFIED COPY

ATTEST: NOV 2 5 1998 BEVERLY B. KAUFMAN, County Clerk Harris County, Texas

Sally S. Jungar SALLY S. ZUNIGA

, Deputy

COUNTER 82837

x * / the state of the state of the 522-23-2150 10 PARKER BROTHERS AND COMPANY, INC., poration xasz aTe ATTEST: By: President Its: GRANTOR Ameron Secretary STATE OF TEXAS) **COUNTY OF HARRIS**) This instrument was acknowledged before me on <u>November</u> Robert R. Ferris of Parke _, 1998 by 4th of Parker Brothers And 00/45 Company, Inc., a Texas corporation, on behalf of said corporation. SYLEI SU UN mean at P Sing Anara **Notary Public** State of Texas 135001 Printed name of Notary: Pat Moone 六百姓的 MY COMMISSION EXPIRES: 12-51-2 ACCEPTED: THE STATE OF TEXAS . On behalf of the Permanent School Fund ·::-WITNESS MY HAND and the seal of the Texas General Land Office this 6 (1998. -....: day of November 13.1 THE STATE OF TEXAS :.: : Herri APPROVED: < h Mauro LEGAL X ·:···: By: Garry Maure Commissioner, Texas General Land Office and Chairman of the School Land Bhard 045 SURVEY DEPUTY COMM. SR. DEPUTY COMM. EXECUTIVE STATE OF Page 2 of 3 pages A superit rife ANY PROVISIONS HEREIN WHICH RESTRICT THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR, OR RACE, IS INVALID AND UNENFORCEABLE UNDER THE FEDERAL LAW. A CERTIFIED COPY NOV 2 5 1998 ATTEST: **BEVERLY B. KAUFMAN, County Clerk** Harris County, Texas Dally & Gun 8 SALLYS ZUNIGA , Deputy

E.

O'CONNOR, WISNER & CRAIG P.C.

ATTORNEYS AT LAW 2603 AUGUSTA SUITE 800 HOUSTON, TEXAS 77057

DEC





LaNell H. Aston Director, Office of Senior Deputy Commissioner Texas General Land Office 1700 North Congress Avenue Austin, Texas 78701-1495

Const.

COUNTER 82839

P.01

SAN LUIS ENERGY 8705 Katy Freeway, Suite 208 Houston, Texas 77024 (713) 882-5241 (713) 682-4094, fax

August 10, 2005

FAX

To: Mr. Jesse Arcliano

Pages: 20

281.5 Acres

150 acres* (or 61% of the 245 acres)

245 acres

Re: Robert I. Dabney, et al (Highlands Farms Trust) Deed, part of Tract 16, San Jacinto River, Harris County, Texas.

Per our conversation today, faxed are the following:

1. A copy of the deed dated March 23, 1940 by which Robert L. Dabney, et al was deeded the subject property. (3 pages)

2. A copy of a Settlement Agreement dated September 26, 1991, which is a result of a judgment to cause No. 484,918 in the District Court of Travis County, Texas. (16 pages)

Title reflects that Highland Farms Trust (HFT) shares ½ of the minerals under the 281.5 acres with present owner Parker Brothers Company under the 281.5 acres. The Settlement Agreement granted Highland Farms Trust an amount of royalty as follows:

Subject tract acreage: Amount of subject tract within San Jacinto Unit No. 1: Acreage the attached settlement credited to HFT/Parker Bros.:

*The State of Texas is credited with the remaining 39% of the acreage, or 95 acres [245 - 150]

This lawsuit pertains to the way that royalty interests were to be divided for this particular well.

Please call me if you have any additional questions or comments. Thank you.

Regards,

John Wells, RLP (713) 882-5241

cc: Mark Colerick/Bob Ramsey

Aug-10-05 04:14P

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et aside to Mary Kate Kennedy and myself in cause No. 237424, in the Eleventh District Court of Warris County, Texas, whereby the hereinafter described property was partitioned between me and Mary Kate Kennedy as plaintiffs and Doris Olive Wright at al as defendants, said property which was so partitioned in said partition suit being described as follows, to-wit: Nine and pac-half acres of land out of the Glenn M. Harris Home Tract in the Wm. P. Harris Survey in Harris County, Texas, situated on the waters of Galveston Bay, and more particularly described as follows: Beginning at a stake 71 feet North 54 degrees East of the Northeast corner of the Compton Tract; Thence North 16 degrees West 1006 feet to a stake Thence North 37 degrees East 326 feet to stake; Thence South 32 degrace East 1042 feet to a stake; Thence South 54 dogrees West 590 feet to the place of beginning, reserving a roadway 60 feet in width lying along the North line of the present enclosure, and being the property fully described in deed from Leab M. Harris to R. W. P. Harris, of record in vol. 297 page 202 of the Deod Records of Larris County, Texas, to which reference is made for all purposes. It is specifically understood that where was set apart to Doris Olive Wright and Leah Allene Wright, minors, two and one half acres out of said nine and one-half acre tract, and that it is the intention hereof to convey to suid Mary Nate Kennedy only that portion of the property which was set apart to her and myself in said partition suit, and so that she shall nereafter own all of the property awarded to horself and myself in said partition suit. To have and to hold the above described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Mary Kate Kennedy, her heirs and assigns forever. And i do hereby bind myself, my heirs, executors and administrators, to warrant and forever defend, all and singular the above described property unto the said Mary Kate Kennedy, her heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. Witness my hand this the 9th day of March, A. D. 1940. E.B. Harrison. State of Texas, County of Jones: Before me, the undersigned authority, on this day personally appeared E. B. Harrison, known to me to be the person whose name is subscribed to the above and 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 this the 9th day of March, A.D. 1940.

J. Frank Fleming, Notary Public, Jones County, Texas.

Filed for record March 30, 1940 at 9:40 o'clock A.M. Recorded April 15,1940 at 12:00 o'clock M.

	No. 259544		
Mrs. Eugenia Dahney Kendall, et al	To	Robert L. Dabney	, et al Trustees
	Deed		1 1

The State of Texas, County of Harris: Execution and order of sale issued out of the District Court of the first Judicial District of Harris County, Texas, in Cause No. 250,851 (wherein Clarence Kendall, Wayne C. Depew, Mrs. Cecil Waters Depew, a feme sole, and Mrs. Annie E. Dabney, Independent Executrix and sole legatee and deviace under the will of Samuel E.Dabney, deceased, as plaintiff, recovered judgment against Highland Farms Corporation as defendant), Norfleet Hill, Sheriff of Harris County. Texas, did, on the 7th day of February, 1939, convey all the estate, right, title, interest and claim of the said Highland Farms Corporation in and to the hereinafter described property to the said Clarence Kendall, Wayne C. Depew, Mrs. Cecil Waters Depew, a feme sole, and Mrs. Ancie E. Dabney, Independent Executrix and sole legatee and devisee under the will of Samuel

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(Seal)

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P.03

B. Dabney; which deed is of record in Vol. 1116 on pages 433-435 of the Deed Records of Harris County, Texas, and to which deed and the record thereof reference is here made for Whereas, all the estate, right, title, further description; and, interest and claim of Clarence Kendall in and to the property so conveyed is now held and owned by Mrs. Eugenia Dabney Kendall, individually and as Independent Executrix of the estate of Clarence Kendall, deceased; . Now, Therefore, Know all men by these presents: That we, Mrs. Eugenia Dabney Kendall, a fone sole, individually and as Independent Executrix of the estate of Clarence Kendall, daceased, Mrs. Annie E. Dabney, a feme sole, Independent Executrix and sole legatee and devisee under the will of Samuel B. Dabney, Wayne C. Depew, all of Harris County, Texas, and Mrs. Cecil Waters Depew, a feme sole, of Shreveport, Caddo Parish, Louisiana, for and in consideration of the sum of One Dollar (#1.00) and other good and valuable considerations to us in hand paid by Nobert L. Dabney and John H. Crooker, as joint Trustees, of Harris County, Texas, the receipt and sufficiency of which is hereby scknowledged and confessed, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said Robert L. Dabney and John H. Crooker, as joint Trustees, all our right, title and interest in and to the following described land: Situated in Harris County, Texas, and being a part of the town of Highlands as shown by the supplemental plat of said townsite, which plat is recorded in the Map Records of Harris County, Texas, in Vol. 9, Fage 14, to which reference is here made, to wit: Lots 9-C, 9-D and 10-D, in Block Six (6); Lot Four (4) in Block Seven (7); Lots Four (4) and Five (5) in Block Seventeen (17); (South 1/2 Lot Two (2); North 1/2 Lot Three (3); South 1/2 of Lot Three (3); South 1/2 of Lot Six (6); North 1/2 of Lot Six (6); South 1/2 of Lot Seven (7); and North 1/2 of Lot Seven (7), in Block Nineteen (19); 7 Also Lot 8A and Lot 8-B in Block Nineteen (19); / Lots 4-C and 4D, in Block Twenty-three (23); Lots 1C, 1D, 4C and 4D, in Block Twenty-seven (27); Lots 1A, 1B, 1C, 1D, 2A, 2B, 2C, 3C, 3D, 4A, 4B, 4C, and 4D, in Block Twenty-eight (28); Lot Seventeen (17) in Block One Hundred (100). All of the Henry White Survey, lying South and East of the Houston North Shore Railway containing 258 scres, said survey being situated in Harris County, Texas, on the North bank of the San Jacinto River about fifteen miles east of the City of Houston, and being part of the same land conveyed by Marry K. Johnson Trust to Highland Farms Corporation by deed recorded in Vol. 787, page 159, Harris County Deed Records. Also the following described property situated in Harris County, Texas, and being part of the Highland Farms Subdivision according to the map records of Harris County, Texas, to-wit: Lots 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 28, 29, 30, 34, 35, 36 and 37, in Block 6, containing 85 acres: Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, all in block 7; containing 110 scres; Lots 1, 2, 3, 4, and 5, 1m Block 13, contairing 25 acres; Lots 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20 and 21, in block 15, containing 90 seres; Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 27, 28, 29, 30, 31, 32, 33, and 34, in block 23, containing 167.6 acres. To have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Robert L. Dabney and John H. Orooker, joint Trustees, and their assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said Robert L. Dabney and John H. Crooker, as joint Trustees, and their assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under us. Witness our hands in seven couterpart originals of Mrs. Eugenia Dabney Kendall, individually equal dignity, this 23rd day of March, 1940.

J. R. Murdock, et ux

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and as Independent Executrix of the estate of Clarence Kendall, deceased. Mrs. Annie E. Dabney, Independent Executrix and sole legates and devisee under the will of Samuel B.Dabney, deceased.

Wayne C. Depew. Mrs. Cecil Waters Depew.

State of Texas, County of Harris: Before me, the undersigned authority, on this day personally appeared Mrs. Eugenia Dabney Kendell, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacities therein set forth. Oven under my hand and seal of office, this the 23 day of March, A. D. 1940.

Katy Mae Murray, Notary Public in and for Harris County, Texas. (Seal) State of Texas, County of Harris; Before me, the undersigned authority, on this day personally appeared Mrs. Annie E. Dabney, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacities therein set forth. Given under my hand and seal of office, this the 23 day of March, A. D. 1940.

Katy Mae Murray, Notary Public in and for Harris County, Texas. (Seal) State of Texas, County of Harris: Before me, the undersigned authority, on this day personally appeared Wayne C. Depew, 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, this the 27 day of March, A. D. 1940.

Erne Buhler, Hotary Fublic in and for Harris County, Texus. (Seal) State of Louisians, Parish of Caddo: Before me, the undersigned authority, on this hay personally appeared Mrs. Cecil Waters Depew, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 25 day of warch, A.D. 1940.

R. T. Russ, Notory Public in and for Caddo Parish, Louisiana.

My Commission expires for life. (Seal)

Filed for record March 30, 1940 at 10:50 o'clock A.M. Recorded April 15, 1940 at 2:35 o'clock P.M.

No. 259610 To Deed

Nella Snead

The State of Texas, County of Harris: Know all men by these presents: That we, J. R. Murdock and wife, Rosa Murdock hereInafter called Grantors, of Harris County, Texas, for and in consideration of the sum of Fifty and No/100 (\$50.00) Dollars cash, and other good and valuable considerations to us in hand paid by Nella Snead, a feme sole, of Harris County, Texas, hereinafter called Grantee, the receipt of which is hereby acknowledged, and for the further consideration of the execution and delivery to us by the said Grantee of her one certain promissory note of even date herewith for the principal sum of \$500.00, payable to the order of the Grantors herein, at Houston, Texas, bearing interest from date until maturity at the rate of 6% per annum, interest payable monthly as it accrues, the principal and interest thereof being due and payable in monthly installments of not less than \$10.00 each, the first of said installments being due and payable on or before the l4th day

COUNTER 83297

OF TEXAS,

P.05 Dabien, 7-28-5

NO. 484,918 (Consolidated)

CLOTHILDE JOHNSON, JACQUELIN IN THE DISTRICT COURT OF § KEENE JOHNSON, HARRIET LAVERNE § DAY, HARRY KEENE JOHNSON III S AND ADA JANE GANZE, Plaintiffs 5 § vs. § TRAVIS COUNTY, TEXAS 5 THE STATE OF TEXAS, THE 5 HONORABLE GARRY MAURO, TEXAS § LAND COMMISSIONER OF THE 5 GENERAL LAND OFFICE, AND THE § SCHOOL LAND BOARD OF THE STATE 5

345TH JUDICIAL DISTRICT

SETTLEMENT AGREEMENT

Defendants

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This partial Settlement Agreement dated the 26 day of 1991, is entered into by Clothilde Johnson, Jacquelin Keene Kellam (formerly Jacquelin Keene Johnson), Harriet LaVerne Day, Harry Keene Johnson III, Ada Jane Ganze (collectively referred to herein as the "Johnson Plaintiffs"); Robert L. Dabney, Jr., John Code Moriniere and Martha Alice Chiles Tillett, Trustees of the Highland Farms Trust (such trustees and trust being collectively referred to herein as "Highland Farms Trust"); and Parker Brothers & Company, Inc., a Texas corporation (referred to herein as "Parker Brothers"), all plaintiffs in the above-entitled and numbered cause and collectively referred to herein as "Plaintiffs"; and the State of Texas, the Honorable Garry Mauro, Commissioner of the General Land Office of the State of Texas, and the School Land Board, defendants in the above-entitled and numbered cause (such defendants collectively referred to herein as "Defendants") .. This agreement sets forth the basis on which the

EXHIBIT A

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parties have agreed to compromise and settle portions of their respective claims in this consolidated action. The consideration for this agreement is the mutual promises and agreements contained herein and the representations contained herein.

I.

RECITALS

(1) The Plaintiffs are authorized to bring this cause of action against the Defendants herein by virtue of House Concurrent Resolution 228, adopted by The House of Representatives of the State of Texas on or about May 22, 1989, and adopted by The Senate of the State of Texas on or about May 28, 1989, and signed by the Governor of the State of Texas on June 14, 1989, for the purpose of adjudicating title to the surface and mineral estates of the lands at issue in this consolidated cause of action subject to Chapter 107, Civil Practice and Remodies Code, as added by Chapter 524, Acts of the 70th Legislature, Regular Session 1987.

(2) The parties have stipulated that venue of the subject matter of this lawsuit lies in Travis County, Texas.

II.

NA THE PARTIES' CLAIMS AND ALLEGATIONS

Get 2 (1) The Johnson Plaintiffs claim title to the following 477.2 acres of land, more or less, originally included in the Henry White Survey, Abstract 827, and the Jessie White Survey, Abstract 83, Harris County, Texas, as such surveys are described in the original field notes of said surveys and by metes and bounds as follows:

SETTLEMENT AGREEMENT

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BEGINNING at a stake 131 fect North of the Southwest corner of Block 24 of the town of Highlands, Harris County, Texas, per map recorded in Volume 7, Page 31, of the Map Records of Harris County, Texas: THENCE South 557 feet to a stake which is the Southwest corner of Block 100 said Highlands of Townsite; THENCE West 447.4 feet to a stake on the West bank of White Lake; THENCE in a Southwesterly direction following the meanders of said White Lake to a point where the line between the original Jessie White and Henry White Surveys intersect the West line of said White Lake; THENCE West along the dividing line between said Surveys to a stake on the West side of the right-of-way line of Houston North Shore Railroad; THENCE in B southwesterly direction along the West boundary line of said Houston North Shore Railroad right-of-way to the point of intersection of such right-of-way with the East bank of the San Jacinto River; THENCE in a Northerly direction along the East bank of said San Jacinto River to the Southwest corner of Lot 27, Block 101 of the San Jacinto River Addition, per map recorded in the Map Records of the County Clerk of Harris County, Texas; THENCE in a Southeasterly direction along the South line of said Lot 27, Block 101, to the Southeast corner thereof; THENCE in a Northeasterly direction along the Southeasterly line of said Block 101, to the Southwest corner of Lot 7 of said Block 101; THENCE in a Northwesterly direction along the West boundary line of said Lot 7, Block 101 to the San Jacinto River; THENCE following the meanders of the San Jacinto River around McComb's Lake to the Northeast corner of Lot 3 in said Block 101; THENCE South along the East line of said Lot 3, 472 feet to

SETTLEMENT AGREEMENT

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a stake on the South boundary line of a public road which is an extension of Clear Lake Drive; THENCE East along the South line of said Clear Lake Drive Extension 218 feet to a stake for corner; THENCE. in a Southwesterly direction along the boundary line of the M. Miller tract 318 feet to a stake, which is the Northwest corner of said M. Miller tract; THENCE Southeast 477 feet along the Southwest line of said M. Miller tract; THENCE 90 degrees to the left, 169 feet to a stake; THENCE 90 degrees to the right, 283 feet to a stake on the East boundary line of the Houston North Shore "Railroad; THENCE in a Northeasterly direction along the East boundary line of said rightof-way to the Northwest corner of Block 44 of said Highlands Townsite; THENCE South 1189.13 feet to the Southwest corner of the William Clemens tract; THENCE East 2760 feet to the point of beginning, LESS that portion thereof which lies in the Houston North Shore Railway rightof-way; and

LESS AND EXCEPT the following two tracts of land:

TRACT 1: 4.00 acres of land, more or less, being situated in the original Jessie White Survey, A-83, Harris County, Texas, and being more particularly described in that certain deed from Highlands Material Company to H. O. Cherry dated July 9, 1959, and recorded in Volume 3753, Page 75 of the Deed Records of Harris County, Texas;

TRACT 2: 3.80 acres of land, more or less, situated in the original Jessie White Survey, A-83, Harris County, Texas, and being more particularly described in that certain deed from Highland Farms Corporation to Harris County Water

SETTLEMENT AGREEMENT

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Control & Improvement District #1 dated March 7, 1940, and recorded in Volume 1158, Page 573 of the Deed Records of Harris County, Texas.

The above described lands are referred to herein as the "477.20 Acres". The Johnson Plaintiffs purport to deraign title to the 477.20 Acres by mesne conveyances and/or inheritance from the sovereignty of the soil. Each of the Johnson Plaintiffs claims to own a 1/5 undivided interest in the 477.20 Acres.

(2) The Highland Farms Trust and Parker Brothers claim title to the following 281.5 acres of land, more or less, originally included in the Henry White Survey, Abstract 827, Harris County, Texas, as such survey is described in the original field notes of said survey and by metes and bounds as follows:

> BEGINNING at the intersection of the North line of the original Henry White Survey and the South line of the original Jessie White Survey with the East line of the Missouri Pacific Railroad 100 foot right-ofway; THENCE East along the North line of the original Henry White Survey and the South line of the original Jessie White Survey at 3210 feet, more or less, enter a lake and at 3515 feet, exit said lake, continuing in all 4485 feet, more or less, to a point on the west bank of White's Lake ; THENCE following the meanders of the West line of White's Lake as follows: South 36° 43' East 410 feet; North 72° 15' East 488 feet; South 67° 17' East 465 feet; South 10° 30' West 260 feet; South 75° 37' West 913 feet; South 59° 65' East 385 feet; North 80° 05' East 630 feet; South 38° 00' East 220 feet; North 52° 20' East 415 feet; South 44° 32' East 523.6 feet; South 82° 22' East 300 feet; South 71° 50'

SETTLEMENT AGREEMENT

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SETTLEMENT AGREEMENT

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(8) The Johnson Plaintiffs, Highland Farms Trust and Parker Brothers claim the following respective ownership in the oil, gas and other minerals within the Unit:

Johnson:	All of the oil, gas and other minerals in and under the 255 Unit Acres.		
Highland Farms:	An undivided 1/2 of the oil, gas and other minerals in and under the 245 Unit Acres.		
Parker Brothers: `	The remaining undivided 1/2 of the oil, gas and other minerals in and under the 245 Unit Acres.		

(9) The State disputes the Plaintiffs' claims to the oil, gas and other minerals in and under all or a portion of both the 255 Unit Acres or the 245 Unit Acres and claims title to these interests itself. In addition, the State claims title to another 180 acres of land, more or less, included within the Unit, which ownership claim is not disputed by Plaintiffs.

(10) The parties have agreed, after taking into consideration all relevant factors, that a reasonable, fair and equitable adjustment and division of interest as to the gas produced from the Unit is as follows:

(a) State of Texas:

.14000000 Royalty Interest

Interest

(Being equivalent to a 56 per cent ownership of the mineral estate within the Unit -- 380.00 Acres/680.00 Acres x .25 royalty).

(b) The Johnson Plaintiffs: .05500000 Royalty

(Being equivalent to a 22 per cent ownership of the

East 475 feet; South 60° 05' East 239.5 feet; South 41° 42' East 585 feet; South 46° 50' East 400 feet; South 14° 39' East 220 feet; to a point where the San Jacinto River intersects White's Lake. THENCE following the South boundary line of the original Henry White Survey along the bank of the San Jacinto River as follows: North 56° 49' West 800 feet; South 41° 48' East 555 feet; North 53° 07' West 1235 feet; North 56° 47' West 377.2 feet; North 57° 40' West 454.0 feet; North 73° 22' West 421.9 feet; North 85° 02' West 763.0 feet; North 80° 05' West 665 feet; South 78° 13' West 740.5 feet; South 73° 26' West 1115 feet; South 67° 59' West 584.0 feet; South 55° 32' West 847.0 feet; South 61° 50' West 318.5 feet; South 71° 22' West 912.0 feet; South 72° 43' West 700.0 feet; South 81° 57' West 291.0 feet; North 83° 51' West 283.0 feet; North 65° 28' West 341.0 feet; North 41° 37' West 268.0 feet; North 24° 00' West 264.9 feet to a point on the East line of the 100 foot Missouri Pacific Railroad right-ofway; THENCE North 37° 41' East along said East line of said right-ofway; 3878.7 feet more or less, to the place of beginning containing 281.5 acres. X

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Control & Improvement District #1 dated March 7, 1940, and recorded in Volume 1158, Page 573 of the Deed Records of Harris County, Texas.

The above described lands are referred to herein as the "477.20 Acres". The Johnson Plaintiffs purport to deraign title to the 477.20 Acres by mesne conveyances and/or inheritance from the sovereignty of the soil. Each of the Johnson Plaintiffs claims to own a 1/5 undivided interest in the 477.20 Acres.

(2) The Highland Farms Trust and Parker Brothers claim title to the following 281.5 acres of land, more or less, originally included in the Henry White Survey, Abstract 827, Harris County, Texas, as such survey is described in the original field notes of said survey and by metes and bounds as follows:

> BEGINNING at the intersection of the North line of the original Henry White Survey and the South line of the original Jessie White Survey with the East line of the Missouri Pacific Railroad 100 foot right-ofway; THENCE East along the North line of the original Henry White Survey and the South line of the original Jessie White Survey at 3210 feet, more or less, enter a lake and at 3515 feet, exit said lake, continuing in all 4485 feet, more or less, to a point on the west bank of White's Lake ; THENCE following the meanders of the West line of White's Lake as follows: South 36° 43' East 410 feet; North 72° 15' East 488 feet; South 67° 17' East 465 feet; South 10° 30' West 260 feet; South 75° 37' West 913 feet; South 59° 65' East 385 feet; North 80° 05' East 630 feet; South 38° 00' East 220 feet; North 52° 20' East 415 feet; South 44° 32' East 523.6 feet; South 82° 22' East 300 feet; South 71° 50'

SETTLEMENT AGREEMENT

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East 475 feet; South 60' 05' East 239.5 feet; South 41' 42' East 585 feet; South 46° 50' East 400 feet; South 14' 39' East 220 feet; to a point where the San Jacinto River intersects White's Lake. THENCE following the South boundary line of the original Henry White Survey along the bank of the San Jacinto River as follows: North 56° 49' West 800 feet; South 41° 48' East 555 feet; North 53° 07' West 1235 feet; North 56° 47' West 377.2 feet; North 57' 40' West 454.0 feet; North 73" 22' West 421.9 feet; North 85" 02' West 763.0 feet; North 80' 05' West 665 feet; South 78° 13' West .740.5 feet; South 73° 26' West 1115 feet; South 67° 59' West 584.0 feet; South 55' 32' West 847.0 feet; South 61° 50' West 318.5 feet; South 71' 22' West 912.0 feet; South 72° 43' West 700.0 feet; South 81° 57' West 291.0 feet; North 83' 51' West 283.0 feet; North 65° 28' West 341.0 feet; North 41º 37' West 268.0 feet; North 24° 00' West 264.9 feet to a point on the East line of the 100 foot Missouri Pacific Railroad right-ofway; THENCE North 37' 41' East along said East line of said right-ofway; 3878.7 feet more or less, to the place of beginning containing 281.5 acres.

The above-described lands are referred to herein as the "281.50 Acres". The Highland Farms Trust and Parker Brothers purport to deraign title to the 281.50 Acres by mesne conveyances from the sovereignty of the soil. Highland Farms Trust claims an undivided 1/2 mineral interest in and under the 281.50 Acres. Parker Brothers claims title to all of the surface and an undivided 1/2 mineral interest in and under the 281.50 Acres.

SETTLEMENT AGREEMENT

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(3) The waters of the San Jacinto River, an arm of the Gulf of Mexico subject to the influence of the tides at the location involved herein, have encroached upon portions of the lands originally included in the Jessie White Survey, Abstract 83, and the Henry White Survey, Abstract 827. The parties disagree as to the cause or causes for this water encroachment.

(4) Plaintiffs purported to lease, for the exploration of oil and gas, the 477.20 Acres and 281.50 Acres to either American Hunter Exploration, Ltd. or Exxon Corporation. Such leases, including their Microfilm Numbers in the Real Property Records of Harris County, Texas, are described as follows:

MICROFILM NUMBER	DATE OF LEASE	LESSOR	LESSEE
186-34-1883	04-17-87	Parker Bros. & Co., Inc.	American Hunter Exploration, Ltd.
153-71-2374	10-26-87	Robert L. Dabncy, Jr., Trustee	American Hunter Exploration, Ltd.
145-62-1758	03-15-89	Harriet Laverne Day	Exxon Corporation
145-62-1743	03/15/89	Ada Jane Ganze	Exxon Corporation
145-62-1748	03/15/89	Clothilde Johnson, a widow	Exxon Corporation
145-62-1738	03/15/89	Harry Keene Johnson III	Exxon Corporation
145-62 - 1753	03/15/89	Jacquelin Keene Johnson	Exxon Corporation

(5) American Hunter Exploration, Ltd. and Exxon Corporation hold State Oil and Gas Lease Nos. M-91984 and M-91985, which leases are of record in the Archives of the General Land Office

SETTLEMENT AGREEMENT

and cover those portions of the San Jacinto River involved herein. The Permanent School Fund of the State of Texas is the fce owner of the mineral estate in, on and under the San Jacinto River.

(6) On August 6, 1989, American Hunter Exploration, Ltd., and Exxon Corporation completed the Exxon-San Jacinto #1 Well. The surface location for this well is located in the J. T. Harrell Survey, Abstract 330, Harris County, Texas.

(7) On October 16, 1990, the School Land Board of the State of Texas approved the application of Exxon Corporation, as operator, and American Hunter Exploration, as non-operator, for a 680 acre pooled unit, designated as the San Jacinto Unit No. 1 (the "Unit"), which gas pooled unit includes lands claimed by Plaintiffs and Defendants. The lands included within the Unit are described in that certain Pooling Agreement recorded in File No. 030-12-1295 of the Real Property Records of Harris County, Texas, and in the records of the General Land Office. The lands within the Unit, which are also described in Exhibit "A" attached hereto and incorporated by reference herein, total 680 acres, more or \leq less, of which 245 acres, more or less, are out of that portion of (the original Henry White Survey, Abstract 827, claimed jointly by Highland Farms Trust and Parker Brothers (hereinafter the "245 ".... (Unit Acres") and 255 acres, more or less, are out of those portions of the original Jessie White Survey, Abstract 83, and out of those portions of the original Henry White Survey, Abstract 827, claimed by the Johnson Plaintiffs (hereinafter the "255 Unit Acres").

SETTLEMENT AGREEMENT

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(8) The Johnson Plaintiffs, Highland Farms Trust and Parker Brothers claim the following respective ownership in the oil, gas and other minerals within the Unit:

Johnson: All of the oil, gas and other minerals in and under the 255 Unit Acres.

Highland Farms: An undivided 1/2 of the oil, gas and other minerals in and under the 245 Unit Acres.

Parker Brothers: ' The remaining undivided 1/2 of the oil, gas and other minerals in and under the 245 Unit Acres.

(9) The State disputes the Plaintiffs' claims to the oil, gas and other minerals in and under all or a portion of both the 255 Unit Acres or the 245 Unit Acres and claims title to these interests itself. In addition, the State claims title to another 180 acres of land, more or less, included within the Unit, which ownership claim is not disputed by Plaintiffs.

(10) The parties have agreed, after taking into consideration all relevant factors, that a reasonable, fair and equitable adjustment and division of interest as to the gas produced from the Unit is as follows:

(a) State of Texas:

.14000000 Royalty Interest

(Being equivalent to a 56 per cent ownership of the mineral estate within the Unit -- 380.00 Acres/680.00 Acres x .25 royalty).

(b) The Johnson Plaintiffs: .05500000 Royalty Interest

(Being equivalent to a 22 per cent ownership of the mineral estate within the Unit -- 150.00 Acres/680.00 Acres x .25 royalty).

SETTLEMENT AGREEMENT

acreage 150 Credited PAGE 9 * Johnson Wascrødited with : 255 claimed this amound, instead of 100% - : 58.800

7136824094 Parkit HFT only were credited With this amount instead of 100% .02750000 Royalty each-Interest

(c) Parker Brothers:

(Being equivalent to an 11 per cent ownership of # the mineral estate within the Unit. -- 75.00 Acres/680.00 Acres x .25 royalty).

(d) Highland Farms Trust:

.02750000 Royalty Interest

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credited

is claimed

(Being equivalent to an 11 per cent ownership of the mineral estate within the Unit --75.00 Acres/680.00 Acres x .25 royalty).

This division of interest in the Unit shall be effective as of the date of first production from the Unit. Gas is defined for purposes of this Settlement Agreement as natural gas, condensate, distillate, and all other hydrocarbons produced from a well recognized as a gas well by the Texas Railroad Commission.

(11) As to title to the oil, gas and other minerals in and under those portions of the 477.20 Acres and the 281.50 Acres located outside the Unit and described in the attached Exhibit "B", which is incorporated by reference herein for all purposes, (the "Non-Unit Lands"); to the mineral interests in and under the 245 Unit Acres and 255 Unit Acres that are not presently included in the Unit; to the gas in and under the 245 Unit Acres and 255 Unit Acres upon the Unit's dissolution or termination; and to the surface of the 477.20 Acres and the 281.50 Acres, the parties have been unable to settle their disputes. By order of September 26, 1991, that part of this lawsuit relating to the title to the oil, gas and other minerals in and under the Non-Unit Lands; to the oil and any minerals other than gas in and under the 245 Unit Acres and 255 Unit Acres; to the gas in and SETTLEMENT AGREEMENT PAGE 10

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under the 245 Unit Acres and 255 Unit Acres upon the Unit's dissolution or termination; and to the surface of the 477.20 Acres and 281.50 Acres has been severed from this docket number and assigned a separate docket number.

(12) All accrued and accruing royalties from production from the San Jacinto Gas Unit Well No. 1 and any future production from the Unit, whether from this well or from other wells within the Unit, shall be paid to the Plaintiffs and Defendant State of Texas as their interests are set forth in Subparagraph 10 above.

(13) This agreement does not cover title to the surface of any of the lands subject hereto or any rights to the use of waters on the lands subject hereto or any other riparian rights.

(14) By the execution hereof, the parties do not admit the truth of any of the statements, claims or allegations contained herein, and this Settlement Agreement may not be used by the parties hereto in any future trials of any of the matters at issue in this consolidated action, specifically including, but not limited to, any trials in Cause No. <u>484,918</u>.

The parties agree that all costs shall be borne and paid by the party incurring same.

SETTLEMENT AGREEMENT

APPROVED:

SCOTT, DOUGLASS & LUTON

BY NW H. Philip Whitworth, Jr.

One American Center 600 Congress Avenue, 15th Fl. Austin, Texas 78701 (512) 495-6300 FAX # (512) 474-0731 State Bar No. 21417500

ATTORNEYS FOR PLAINTIFFS CLOTHILDE JOHNSON, JACQUELIN KEENE KELLAM, HARRIET LAVERNE DAY, HARRY KEENE JOHNSON III, ADA JANE GANZE, ROBERT L. DABNEY, JR., JOHN CODE MORINIERE AND MARTHA ALICE CHILES TILLETT, TRUSTEES OF THE HIGHLAND FARMS TRUST AND PARKER BROTHERS & COMPANY, INC.

ATTORNEY GENERAL OF TEXAS

BY

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JOSE MANUEL RANGEL State Bar No. 16543550 LIZ BILLS State Bar No. 02318000 Assistant Attorneys General

Energy Division P. O. Box 12548, Capitol Station Austin, Texas 78711-2548 (512) 463-2003 FAX # (512) 442-9889

ATTORNEYS FOR DEFENDANTS THE STATE OF TEXAS, COMMISSIONER MAURO, AND THE SCHOOL LAND BOARD

SETTLEMENT AGREEMENT

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EXHIBIT A

680 acres of land, more or less, out of the original Henry White Survey, Abstract 327, and the original Jessie White Survey, Abstract 83, Harris County, Texas, and more particularly described as follows:

Beginning at a point on the south shore of Bear Bayou where X = 3,238,734.325' and Y = 736,437.138'

Thence North 46'10'03" E 4,426.39'

Thence North 74'19'46" E 2,733.59'

Thence East 2,659.27' to a point where X = 3,247,218.639' and Y = 740,241.001'

Thence South 2,032.781 "

Thence South 43 '08'09" W 3,883.08'

Thence West along the meanders of the San Jacinto River to the point of beginning.

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EXHIBIT 3

The Non-Unit Lands, as referenced in this instrument, consist of two parcels of land that are described by metes and bounds as follows:

Parcel 1: BEGINNING at a stake 131 feet North of the Southwest corner of Block 24 of the town of Highlands, Harris County, Texas, per map recorded in Volume 7, Page 31, of the Map Records of Harris County, Texas; THENCE South 557 feet to a stake which is the Southwest corner of Block 100 of said Highlands Townsite; THENCE West 447.4 feet to a stake on the West bank of White Lake; THENCE in a Southwesterly direction following the meanders of said White Lake to a Point where the line between the original Jessie White and Henry White Surveys intersect the West line of said White Lake; THENCE West along the dividing line between said Surveys to a stake on the West side of the right-of-way line of Houston North Shore Railroad; THENCE in a southwesterly direction along the West boundary line of said Houston North Shore Railroad right-of-way to the point of intersection of such right-of-way with the East bank of the San Jacinto River; THENCE in a Northerly direction along the East bank of said San Jacinto River to the Southwest coner of Lot 27, Block 101 of the San Jacinto River Addition, per map recorded in the Map Records of the County Clerk of Harris County, Texas; THENCE in a Southeasterly direction along the South line of said Lot 27, Block 101, to the Southeast corner thereof; THENCE in a Northeasterly direction along the Southeasterly line of said Block 101, to the Southwest corner of Lot 7 of said Block 101; THENCE in a Northwesterly direction along the West boundary line of said Lot 7, Block 101 to the San Jacinto River: THENCE following the meanders of the San Jacinto River around McComb's Lake to the Northeast corner of Lot 3 in said Block 101; THENCE South along the East line of said Lot 3, 472 feet to a stake on the South boundary line of a public road which is an extension of Clear Lake Drive; THENCE East along the South line of said Clear Lake Drive Extension 218 feet to a stake for corner; THENCE in a Southwesterly direction along the boundary line of the M. Miller tract 318 feet to a stake, which is the Northwest corner of said M. Miller tract; THENCE Southeast 477 feet along the Southwest line of said M. Miller tract; THENCE 90 degrees to the left, 169 feet to a stake; THENCE 90 degrees to the right, 283 feet to a stake on the East boundary line of the Houston North Shore Railroad; THENCE in a Northeasterly direction along the East boundary line of said right-of-way to the Northwest corner of Block 44 of said Highlands Townsite; THENCE South 1189.13 feet to the Southwest corner of the William Clemens tract; THENCE East 2760 feet to the point

281.5AC

of beginning, LESS that portion thereof which lies in the Houston North Shore Railway right-of-way;

LESS AND EXCEPT from said Parcel 1 the following three tracts of land:

TRACT 1: 4.00 acres of land, more or less, being situated in the original Jessie White Survey, A-83, Harris County, Texas, and being more particularly described in that certain deed from Highlands Material Company to H. O. Cherry dated July 9, 1959, and recorded in Volume 3753, Page 75 of the Deed Records of Harris County, Texas;

TRACT 2: 3.80 acres of land, more or less, situated in the original Jessie White Survey, A-83, Harris County, Texas, and being more particularly described in that certain deed from Highland Farms Corporation to Harris County Water Control & Improvement District #1 dated March 7, 1940, and recorded in Volume 1158, Page 573 of the Deed Records of Harris County, Texas;

TRACT 3: All of the lands included in the San Jacinto Unit No. 1 that are described as follows:

That certain 680 acres of land situated in the original Henry White Survey, A-827, and the original Jessie White Survey, A-83, Harris County, Texas, beginning at a point on the south shore of Bear Bayou where X = 3,238,734.325 feet and Y = 736,437.138 feet; thence North 46°10'03" E 4,426.39 feet; thence North 74°19'46" E 2,733.59 feet; thence East 2,659.27 feet to a point where X = 3,247,218.639 and Y = 740,241.001 feet; thence South 2,032.78 feet; thence South 43°08'09" W 3,883.08 feet; thence West along the meanders of the San Jacinto River to the point of beginning.

Parcel 2: BEGINNING at the intersection of the North line of the original Henry White Survey and the South line of the original Jessie White Survey with the East line of the Missouri Pacific Railroad 100 foot rightof-way; THENCE East along the North Line of the original Henry White Survey and the South line of the original Jessie White Survey at 3210 feet, more or Less, enter a lake and at 3515 feet, exit said lake, continuing the all 4485 feet, more or less, to a point on the west bank of White's Lake as follows: South 36° 43' East 410 feet; North 72° 15' East 488 feet; South 67° 17' East 465 feet; South 10° 30' West 260 feet; South 75° 37' West 913 feet; South 59° 65' East 385 feet; North 80° 05' East 630 feet; South 38° 00' East 220 feet; North 52° 20' East 415 feet; South 44° 32' East 523.6 feet; South 82° 22' East 300

feet; South 71° 50' East 475 feet; South 60° 05' East 239.5 feet; South 41° 42' East 585 feet; South 46° 50' East 400 feet; South 14' 39' East 220 feet; to a point where the San Jacinto River intersects White's Lake. THENCE following the South boundary line of the original Henry White Survey along the bank of the San Jacinto River as follows: North 56° 49' West 800 feet; South 41' 48' East 555 feet; North 53' 07' West 1235 feet; North 56° 47' West 377.2 feet; North 57° 40' West 454.0 feet; North 73° 22' West 421.9 feet; North 85° 02' West 763.0 feet; North 80° 05' West 665 feet; South 78° 13' West 740.5 feet; South 73° 26' West 1115 feet; South 67' 59' West 584.0 feet; South 55' 32' West 847.0 feet; South 61' 50' West 318.5 feet; South 71° 22' West 912.0 feet; South 72° 43' West 700.0 feet; South 81° 57' West 291.0 fect; North 83° 51' West 283.0 feet; North 65° 28' West 341.0 feet; North 41° 37' West 268.0 feet; North 24' 00' West 264.9 feet to a point on the East line of the 100 foot Missouri Pacific Railroad right-of-way; THENCE North 37" 41' East along said East line of said right-of-way; 3878.7 feet, more or less, to the place of beginning containing 281.5 acres.

LESS AND EXCEPT from said Parcel 2 the following lands:

All of the lands included in the San Jacinto Unit No. 1 that are described as follows:

That certain 680 acres of land situated in the original Henry White Survey, A-827, and the original Jessie White Survey, A-83, Harris County, Texas, beginning at a point on the south shore of Bear Bayou where X=3,238,734.325feet and Y = 736,437.138 feet; thence North 46°10'03" E 4,426.39 feet; thence North 74°19'46" E 2,733.59 feet; thence East 2,659.27 feet to a point where X =3,247,218.639 and Y = 740,241.001 feet; thence South 2,032.78 feet; thence South 43°08'09" W 3,883.08 feet; thence West along the meanders of the San Jacinto River to the point of beginning.