

N-4, 309  
Area not listed in  
deed for this tract.  
Carl C. Krueger, Jr.  
to  
Key Allegro Land Co.  
March 15, 1962  
Misclosure:  
S 12d02'25"E 10.09'  
252 Ac

Base Deed  
for 258.752 Ac.,  
+/-



42% Mineral Interest  
Conveyance from  
Carl C. Krueger, Jr., et al  
to State of Texas  
Dated Nov. 11, 1989

P4,201  
57.263 Ac.  
Key Allegro Land Co.  
to  
Key Allegro Sales & Development Co.  
March 23, 1962

(a)

(c) 108/485  
0.206 AC.  
SWIM CLUB

(d) X4/181-182  
0.814 AC.  
I. B. MAGEE  
LUMBER CO.

N-4, 309  
Area not listed in  
deed for this tract.  
Carl C. Krueger, Jr.  
to  
Key Allegro Land Co.  
March 15, 1962

Misclosure:  
S 12d02'25"E 10.09'  
252 Ac

Y4, P166-168  
35.405 AC  
Key Allegro Land Co.  
to

Key Allegro Development & Sales Co.  
January 20, 1964

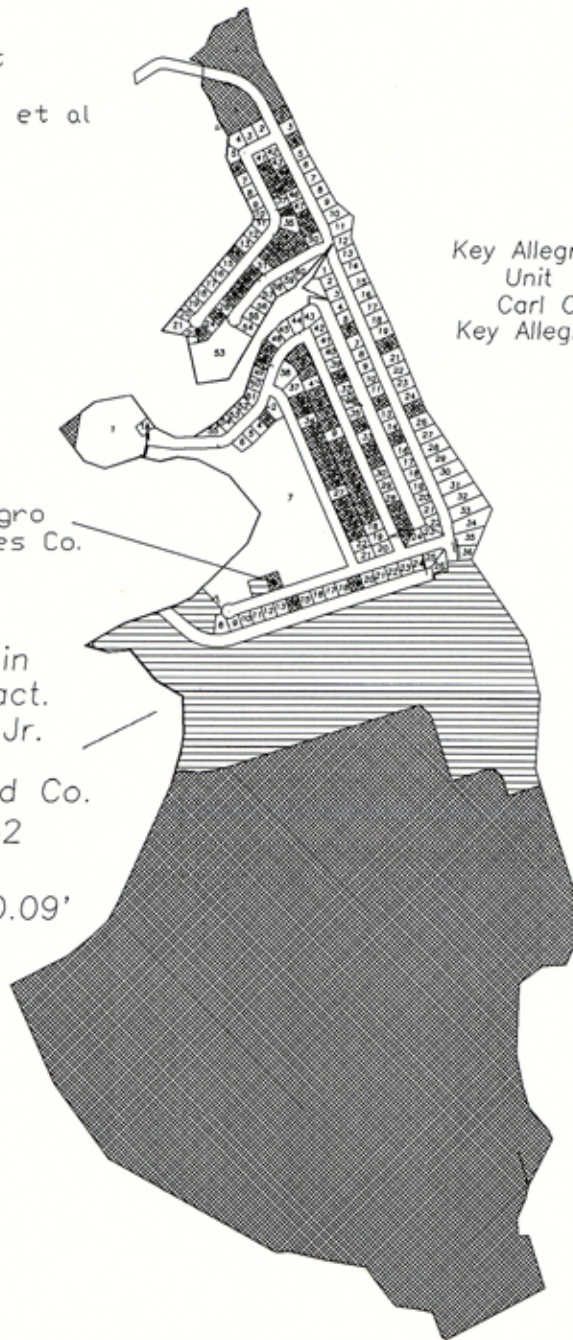
(b)

Save &  
Except:

(a), (b), (c),  
(d), leaving a  
residue of  
165.064 Ac., +/-



42% Mineral Interest  
 Conveyance from  
 Carl C. Krueger, Jr., et al  
 to State of Texas  
 Dated Nov. 11, 1989



Key Allegro Island Estates, 67.851 Ac.  
 Unit 1, Plat Vol 2, Page 106  
 Carl C. Krueger, Jr., President,  
 Key Allegro Development & Sales Co.

111/489  
 0.145 AC.  
 Key Allegro Marina  
 Company to Key Allegro  
 Development and Sales Co.

N-4, 309  
 Area not listed in  
 deed for this tract.  
 Carl C. Krueger, Jr.  
 to  
 Key Allegro Land Co.  
 March 15, 1962

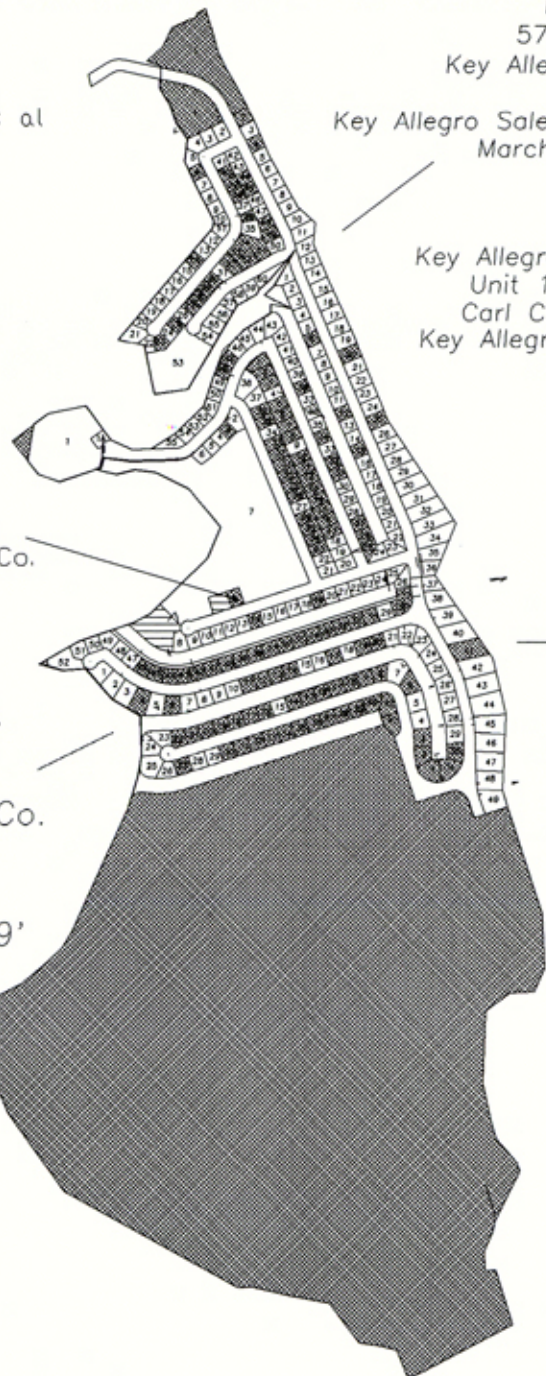
Misclosure:  
 S 12d02'25"E 10.09'  
 252 Ac

Key Allegro Island Estates, 35.405 Ac.,  
 Unit 2, Plat Vol. 2, Page 127,  
 Carl C. Krueger, Jr., Pres.  
 Key Allegro Island Estates

165.064 Ac. +/-  
 plus 14.359 Ac.  
 out of Unit 1  
 Key Allegro Island  
 Estates



42% Mineral Interest  
Conveyance from  
Carl C. Krueger, Jr., et al  
to State of Texas  
Dated Nov. 11, 1989



P4,201  
57.263 Ac.  
Key Allegro Land Co.  
to  
Key Allegro Sales & Development Co.  
March 23, 1962

Key Allegro Island Estates, 67.851 Ac.  
Unit 1, Plat Vol 2, Page 106  
Carl C. Krueger, Jr., President,  
Key Allegro Development & Sales Co.

111/489  
0.145 AC.  
Key Allegro Marina  
Company to Key Allegro  
Development and Sales Co.

N-4, 309  
Area not listed in  
deed for this tract.  
Carl C. Krueger, Jr.  
to  
Key Allegro Land Co.  
March 15, 1962

Misclosure:  
S 12d02'25"E 10.09'  
252 Ac

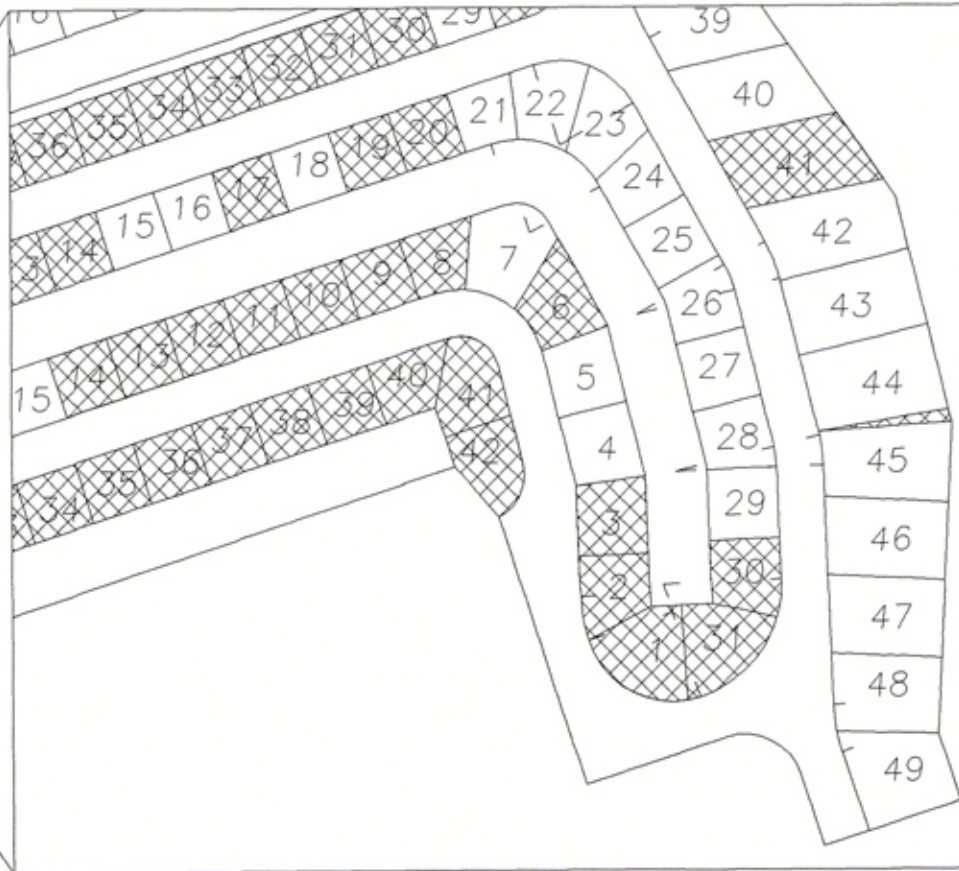
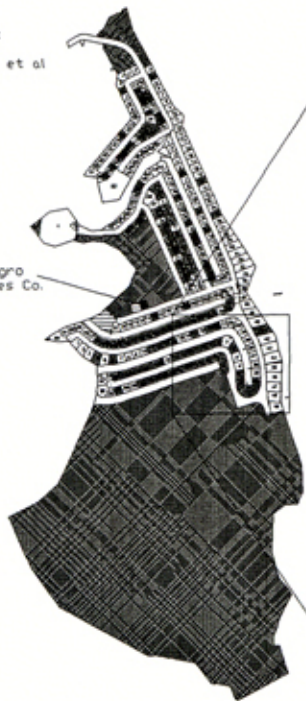
Y4, P166-168  
35.405 AC  
Key Allegro Land Co.  
to  
Key Allegro Development & Sales Co.  
January 20, 1964

Key Allegro Island Estates, 35.405 Ac.,  
Unit 2, Plat Vol. 2, Page 127,  
Carl C. Krueger, Jr., Pres.  
Key Allegro Island Estates

179.423 Ac. +/-  
plus 17.321 Ac.  
out of Unit 2  
Key Allegro island  
Estates

42% Mineral Interest  
Conveyance From  
Carl C. Krueger, Jr. et al  
to State of Texas  
Dated Nov. 11, 1989

111/489  
0.145 AC.  
Key Allegro Marina  
Company to Key Allegro  
Development and Sales Co.



KEY ALLEGRO DEVELOPMENT  
CD. TO ROBERT A. GRAY  
AND SIBYL GRAY,  
0.033 AC. PORTION OF  
LOT 44, BLK. 1, UNIT 2  
OF KEY ALLEGRO ISLAND  
ESTATES, AS RECORDED  
IN VOL. 106, P. 44-45,  
DEEDS RECORDS OF  
ARANSAS CO.

# COMPOSITE MAP OF EAST ROCKPORT AREA ARANSAS COUNTY, TEXAS

PREPARED BY  
**WARREN & SONS INC.**  
CORPUS CHRISTI, TEXAS

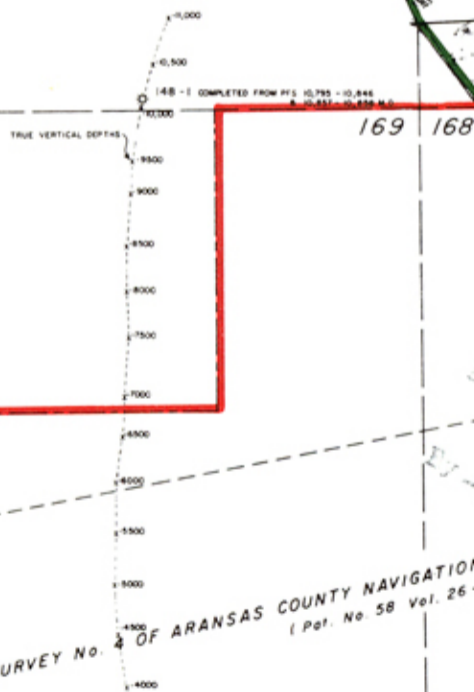
NOTE: This map was prepared from various published and recorded plats and/or instruments (as noted on map) and is oriented to the Texas coordinate system south central zone. Random ground checks on various existing monuments were made from U.S.C. & G.S. station "Shell 2" to verify the data used.

Houston Oil & Minerals  
State Tract 148  
11,608'

STATE TRACT 148  
HOUSTON OIL & MINERALS  
2900  
10-1-77 P.L.  
188 Ac.  
U.S.  
168 Ac.  
State of Texas 71279

SURVEY No. 3 OF ARANSAS COUNTY NAVIGATION DISTRICT No. 1  
604.296 ACRES  
(Pat. No. 137 Vol. 23-B)

STATE TRACT 149  
HOUSTON OIL & MINERALS  
2899  
10-1-77 P.L.  
270 Ac.  
U.S.  
270 Ac.  
State of Texas 71209



SKETCH FILE 36  
Deed of Mineral Interest on Frandolig ls. to State of Texas  
November 10, 1989  
956.72 ACRES  
GEO. W. S. CO., Com'r  
Douglas Howard

- UNIT NO. 2 OUTLINE
- ORIGINAL F.J. FRANDOLIG SURVEY
- DISPUTED TRACT

HOUSTON OIL & MINERALS CORPORATION  
**W. NINE MILE POINT AREA**  
ARANSAS COUNTY, TEXAS  
**GAS UNIT NO. 2**  
535.57 ACRES

SCALE 1" = 800'

DATE 8-1-77

COUNTER# 13365

SUBDIVISION PLAT  
OF  
**KEY ALLEGRO ESTATES**

12021

UNIT-1

BEING 67.851 ACRES OUT OF FRANDOLIG PENINSULA IN ARANSAS COUNTY, TEXAS.

STATE OF TEXAS  
COUNTY OF ARANSAS

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS TO BE CARRIED HERETO, AND IN WITNESS WHEREOF, I, THE SAID OWNER, HAVE CAUSED THIS PLAT TO BE MADE AND TO BE RECORDED IN THE PUBLIC RECORDS OF THIS COUNTY, TEXAS, FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

*Carl C. Krueger Jr.*  
Carl C. Krueger, Jr.  
KEY ALLEGRO DEVELOPMENT & SALES CO.

STATE OF TEXAS  
COUNTY OF ARANSAS

BEFORE ME, THE UNDER SIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED **CARL C. KRUEGER, JR.** KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26 DAY OF JULY A.D. 1962.

*John L. Reynolds*  
John L. Reynolds  
NOTARY PUBLIC  
TEXAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

*R. Marvin Shipman*  
R. Marvin Shipman  
REGISTERED PROFESSIONAL ENGINEER

SWORN AND RETURNED BEFORE ME THIS THE 26 DAY OF JULY A.D. 1962.

*John L. Reynolds*  
John L. Reynolds  
NOTARY PUBLIC  
TEXAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

I, **John D. Wendell**, DEPUTY OF THE COMMISSIONER OF COURTS OF ARANSAS COUNTY, AND CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED AND RECORDED BY SAID COMMISSIONER AND JUDGE OF THE SAID COUNTY ON THE 25 DAY OF OCTOBER 1962 AS ORDERED BY ORDER OF RECORD IN THE MINUTES OF SAID COUNTY IN VOL. 310 PAGE 310 PURSUANT TO ACT CAP. 160, VENUE IN TEXAS STATUTES, WITHIN MY HAND AND SEAL OF SAID COUNTY AT OFFICE IN HOUSTON, TEXAS, THIS 25 DAY OF OCTOBER A.D. 1962.

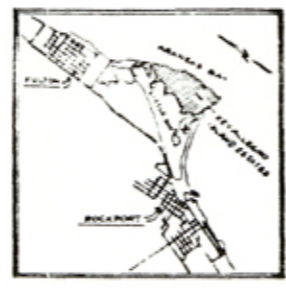
*John D. Wendell*  
John D. Wendell  
COUNTY CLERK  
ARANSAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

I, **W. E. Beasley**, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF DEED WAS FILED FOR RECORD IN MY OFFICE, ON THE 25 DAY OF OCTOBER 1962 AT 3:10 P.M. AND WAS RECORDED IN THE PUBLIC RECORDS OF SAID COUNTY, TEXAS, ON THE 25 DAY OF OCTOBER 1962 AT 3:10 P.M. IN THE BOOK OF 310 PAGE 310 OF SAID COUNTY, TEXAS, VOLUME 310 OR PAGE 310 OF SAID COUNTY, TEXAS, VOLUME 310.

IN WITNESS WHEREOF, WITHIN MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 25 DAY OF OCTOBER A.D. 1962.

*W. E. Beasley*  
W. E. Beasley  
COUNTY CLERK  
ARANSAS COUNTY, TEXAS

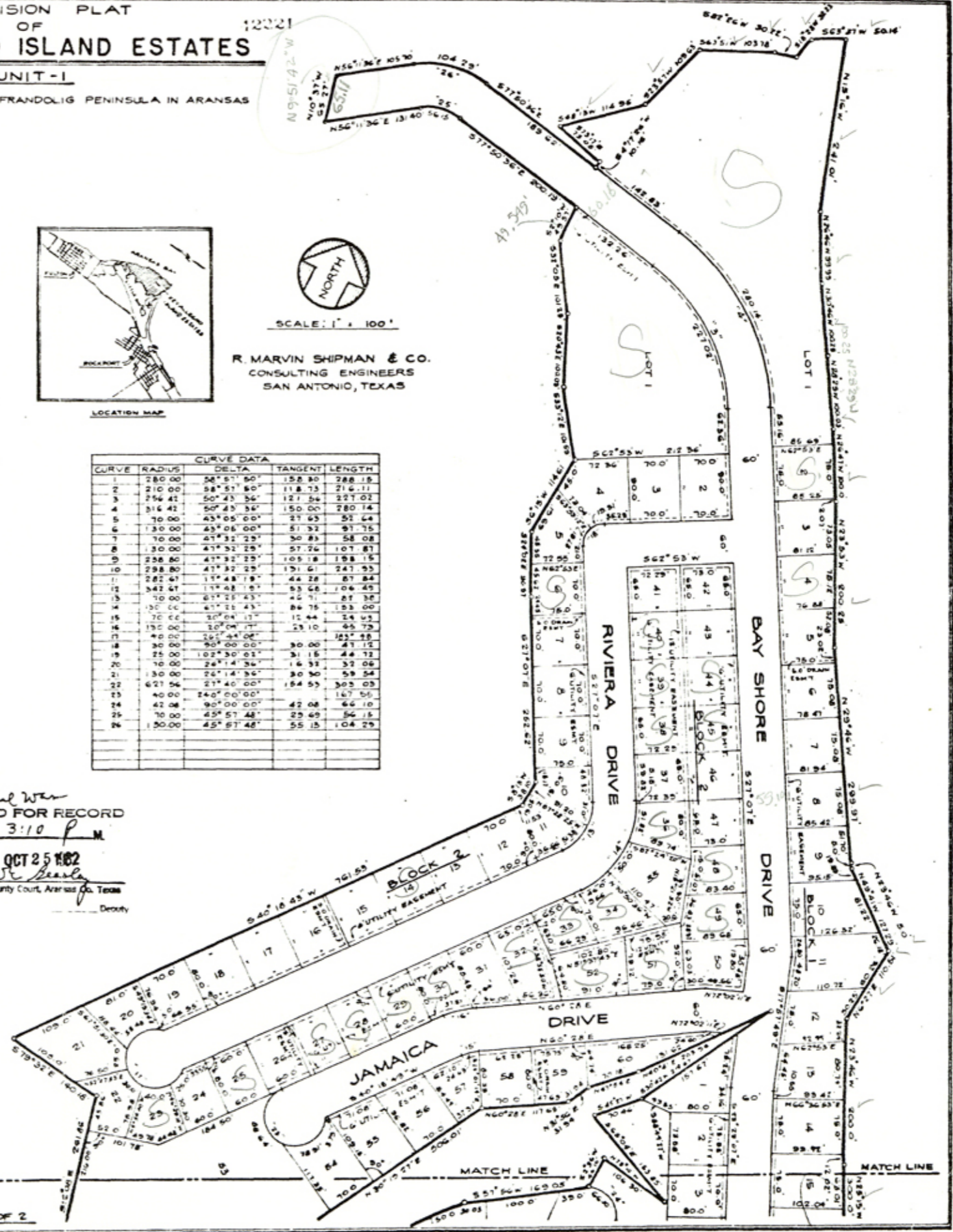


SCALE: 1" = 100'

R. MARVIN SHIPMAN & CO.  
CONSULTING ENGINEERS  
SAN ANTONIO, TEXAS

CURVE	RADIUS	DELTA	TANGENT	LENGTH
1	280.00	58° 51' 50"	158.80	288.18
2	210.00	58° 51' 50"	118.73	216.11
3	256.42	50° 43' 56"	127.56	227.02
4	316.42	50° 43' 56"	150.00	280.14
5	70.00	43° 05' 00"	27.63	32.64
6	130.00	43° 05' 00"	51.32	61.75
7	70.00	41° 32' 25"	30.83	58.08
8	130.00	41° 32' 25"	57.74	101.87
9	258.80	41° 32' 25"	105.18	198.15
10	298.80	41° 32' 25"	131.67	247.93
11	282.67	11° 48' 18"	44.28	87.84
12	342.67	11° 48' 18"	53.68	104.43
13	70.00	61° 22' 43"	45.71	81.38
14	130.00	61° 22' 43"	84.78	153.00
15	70.00	30° 04' 17"	10.44	24.03
16	130.00	30° 04' 17"	23.10	45.73
17	40.00	26° 44' 06"	30.00	45.18
18	30.00	90° 00' 00"	30.00	47.12
19	25.00	102° 30' 01"	31.15	44.72
20	70.00	28° 14' 36"	16.32	32.06
21	130.00	28° 14' 36"	30.30	59.54
22	627.56	21° 40' 00"	184.53	303.03
23	40.00	240° 00' 00"	40.00	167.56
24	42.08	90° 00' 00"	42.08	66.10
25	70.00	45° 57' 48"	23.69	56.18
26	130.00	45° 57' 48"	55.15	104.29

Original was  
FILED FOR RECORD  
At 3:10 P.M.  
OCT 25 1962  
*W. E. Beasley*  
Clark County Court, Aransas Co. Texas  
Deputy



MATCH LINE

MATCH LINE

MATCH LINE

# SUBDIVISION PLAT OF KEY ALLEGRO ESTATES

UNIT - I

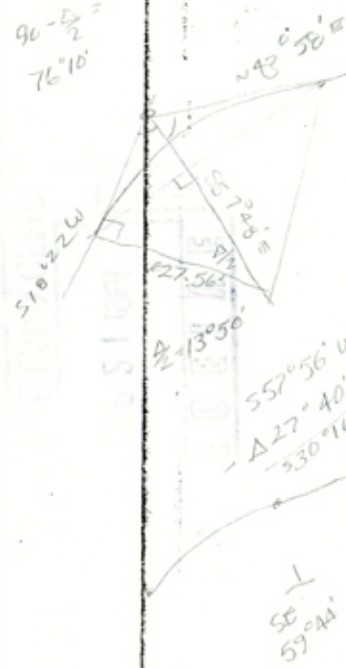
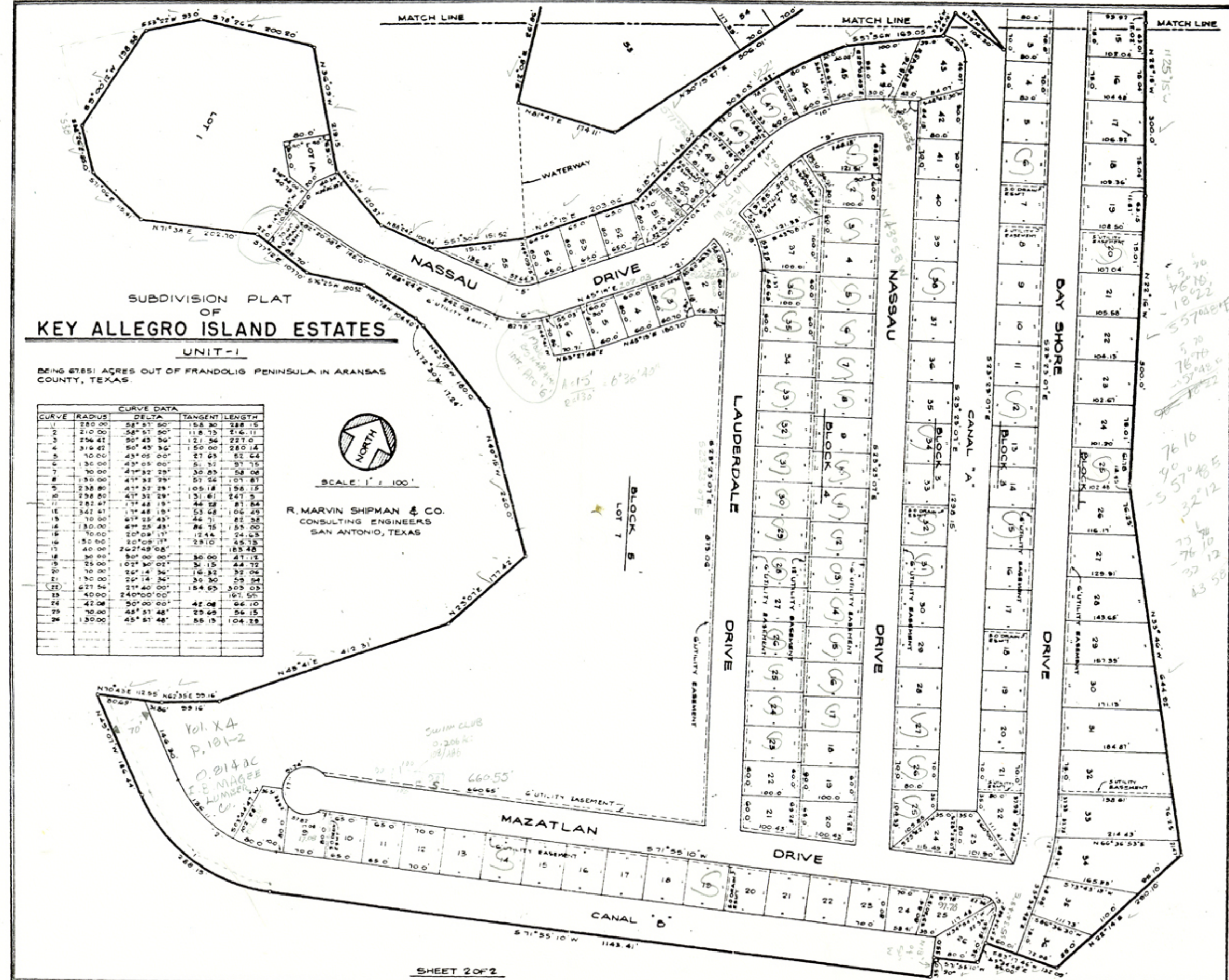
BEING 67.851 ACRES OUT OF FRANDOLIG PENINSULA IN ARANSAS COUNTY, TEXAS.

CURVE	RADIUS	DELTA	TANGENT	LENGTH
1	280.00	58° 51' 50"	158.30	288.15
2	210.00	58° 51' 50"	118.15	216.11
3	256.42	50° 45' 36"	121.54	227.0
4	319.42	50° 45' 36"	150.00	280.14
5	100.00	43° 05' 00"	51.51	57.15
6	100.00	41° 32' 25"	30.85	58.08
7	150.00	41° 32' 25"	57.24	101.81
8	238.80	41° 32' 25"	105.18	158.15
9	238.80	41° 32' 25"	131.61	247.5
10	282.87	71° 48' 19"	44.28	81.84
11	347.61	71° 48' 19"	53.62	106.25
12	70.00	67° 25' 43"	46.71	82.38
13	130.00	67° 25' 43"	84.15	155.00
14	70.00	20° 08' 17"	12.44	24.65
15	150.00	20° 08' 17"	28.10	45.15
16	40.00	262° 49' 08"	30.00	185.48
17	30.00	102° 30' 02"	31.15	41.12
18	25.00	26° 14' 34"	16.32	44.72
19	10.00	26° 14' 34"	30.30	58.84
20	130.00	240° 00' 00"	154.65	303.03
21	627.54	240° 00' 00"	167.55	328.15
22	40.00	50° 00' 00"	42.08	66.10
23	70.00	45° 51' 48"	29.69	96.15
24	130.00	45° 51' 48"	55.15	104.28



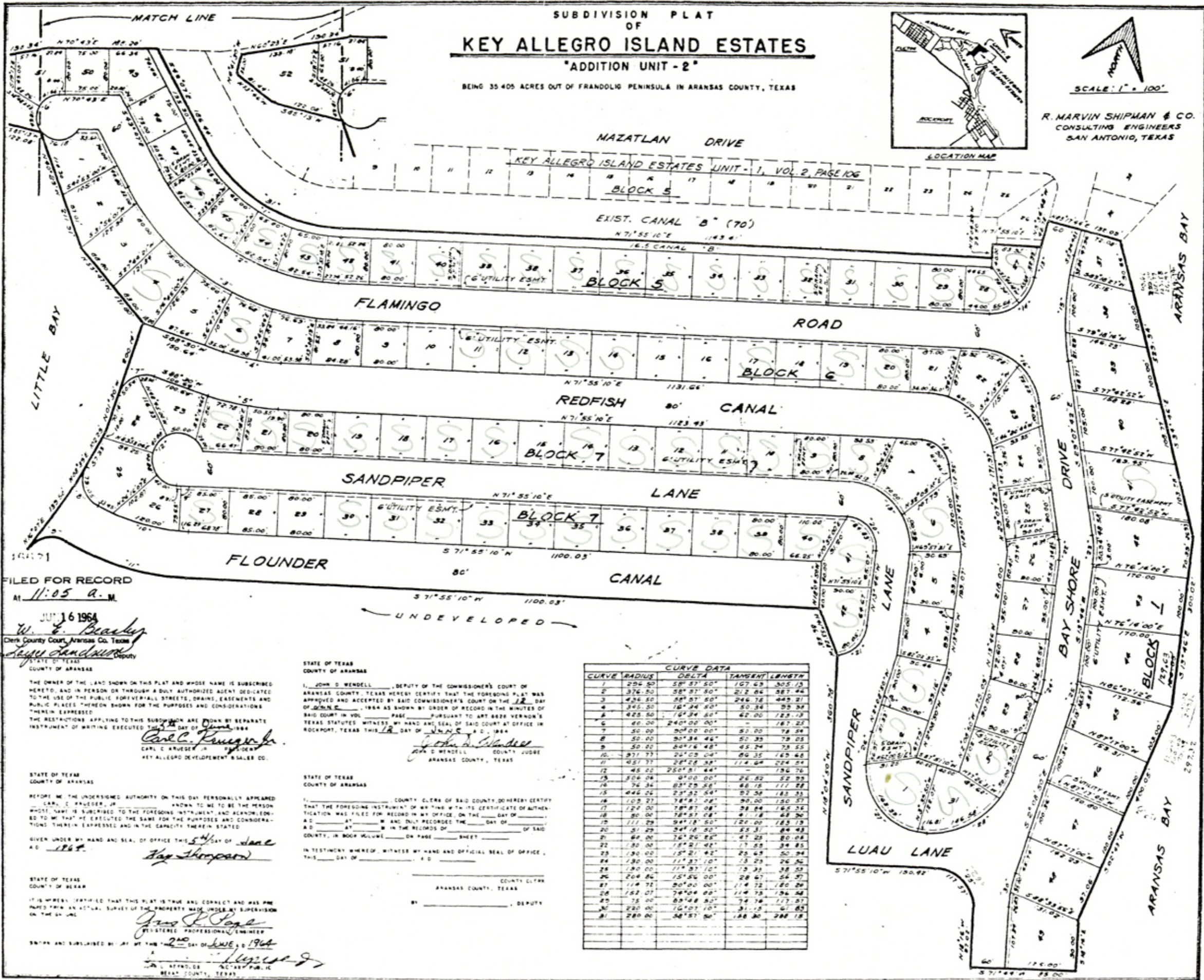
SCALE 1" = 100'

R. MARVIN SHIPMAN & CO.  
CONSULTING ENGINEERS  
SAN ANTONIO, TEXAS



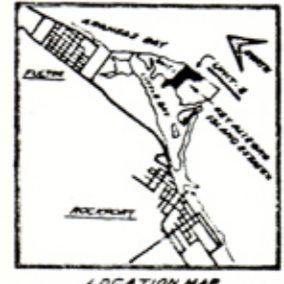
Handwritten notes and calculations on the right side of the plat, including bearings and distances such as 76.10, 90, 57° 48' E, 32° 12', 73, 76.10, 32, 43.58.





SUBDIVISION PLAT  
OF  
**KEY ALLEGRO ISLAND ESTATES**  
"ADDITION UNIT - 2"

BEING 35 405 ACRES OUT OF FRANDLIO PENINSULA IN ARANSAS COUNTY, TEXAS



R. MARVIN SHIPMAN & CO.  
CONSULTING ENGINEERS  
SAN ANTONIO, TEXAS

FILED FOR RECORD  
At 11:05 A.M.

JUN 16 1964  
W. E. Beasley  
Clerk County Court, Aransas Co. Texas  
L. J. Sanderson  
Deputy

STATE OF TEXAS  
COUNTY OF ARANSAS  
I, JOHN D. WENDELL, DEPUTY OF THE COMMISSIONER'S COURT OF ARANSAS COUNTY, TEXAS HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED AND ACCEPTED BY SAID COMMISSIONER'S COURT ON THE 12 DAY OF JUNE, 1964 AS SHOWN BY ORDER OF RECORD IN THE MINUTES OF SAID COURT IN VOL. PAGE PURSUANT TO ART. 6828, VERNON'S TEXAS STATUTES. WITNESS MY HAND AND SEAL OF SAID COURT AT OFFICE IN ROCKPORT, TEXAS THIS 12 DAY OF JUNE, 1964.

STATE OF TEXAS  
COUNTY OF ARANSAS  
I, JOHN D. WENDELL, DEPUTY OF THE COMMISSIONER'S COURT OF ARANSAS COUNTY, TEXAS HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OR WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE DAY OF MONTH, 1964, AND ONLY RECORDED THE DAY OF MONTH, 1964, IN THE RECORDS OF SAID COUNTY, IN BOOK VOLUME OR PAGE SHEET.

STATE OF TEXAS  
COUNTY OF ARANSAS  
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPLIED CARL C. KRUEGER, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

STATE OF TEXAS  
COUNTY OF ARANSAS  
I, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OR WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE DAY OF MONTH, 1964, AND ONLY RECORDED THE DAY OF MONTH, 1964, IN THE RECORDS OF SAID COUNTY, IN BOOK VOLUME OR PAGE SHEET.

STATE OF TEXAS  
COUNTY OF ARANSAS  
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE DAY AND DATE ABOVE WRITTEN.

STATE OF TEXAS  
COUNTY OF ARANSAS  
IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS DAY OF MONTH, 1964.

CURVE	RADIUS	CURVE DATA		TANGENT LENGTH
		DELTA	CHORD	
1	254.50	58° 57' 50"	167.65	305.13
2	376.50	58° 57' 50"	212.86	387.44
3	456.50	58° 57' 50"	246.78	449.21
4	345.50	16° 34' 50"	50.34	55.38
5	425.50	16° 34' 50"	62.00	123.73
6	60.00	240° 00' 00"	-	167.25
7	50.00	90° 00' 00"	57.00	74.24
8	50.00	90° 34' 46"	50.35	79.05
9	50.00	80° 18' 48"	45.24	73.55
10	377.75	24° 02' 04"	80.35	145.48
11	457.75	24° 02' 04"	114.64	224.54
12	45.00	250° 51' 44"	-	136.76
13	506.04	9° 00' 00"	24.82	52.05
14	74.34	83° 25' 58"	66.15	111.28
15	446.04	23° 32' 54"	52.58	183.33
16	109.27	78° 57' 28"	90.00	150.57
17	124.00	78° 57' 28"	98.84	166.25
18	80.00	78° 57' 28"	81.18	88.36
19	117.29	94° 18' 50"	121.00	183.13
20	51.29	34° 18' 50"	55.31	84.48
21	64.00	24° 26' 50"	47.25	80.04
22	180.00	18° 21' 42"	17.55	34.85
23	180.00	15° 21' 42"	25.45	50.94
24	180.00	11° 37' 10"	13.25	26.56
25	180.00	11° 37' 10"	13.25	38.53
26	209.84	15° 56' 00"	28.47	54.37
27	114.72	50° 00' 00"	114.72	180.29
28	152.07	74° 04' 00"	114.73	196.34
29	75.00	88° 48' 50"	74.74	117.57
30	280.00	10° 01' 10"	31.15	67.85
31	280.00	58° 57' 50"	158.30	248.18

169744

FILE NO. \_\_\_\_\_  
County Clerk, Aransas County, Texas

112873

DEED OF MINERAL INTEREST

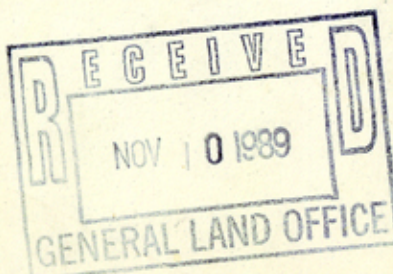
IMAGE NO. \_\_\_\_\_

THE STATE OF TEXAS )  
                                  (       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF ARANSAS    )

THAT WE, Carl C. Krueger, Jr., Robert M. Ayres, Jr., Tom N. Shults, A. H. Cadwallader, III, Paul DuBose, L. J. Hesson, Paul Hesson, Harlan Kelly, Allan F. May, R. Marvin Shipman and Robert H. Turk, each signing individually as none of the property herein conveyed constitutes any part of their respective homesteads, hereinafter called "Grantors", have GRANTED, SOLD AND CONVEYED and by these presents do hereby GRANT, SELL AND CONVEY unto the State of Texas, hereinafter called "Grantee", an undivided forty-two percent (42%) interest in the oil, gas and other minerals in and under the following described land located in Aransas County, Texas, to-wit:

196.744 acres of land, more or less, in three tracts, all as described on Exhibit A attached hereto and incorporated herein by reference for all purposes.

While the mineral interest conveyed hereby is a fully participating mineral interest and not a non-participating royalty interest, nevertheless Grantors herein (hereby) reserve unto themselves, their heirs, legal representatives and assigns, the exclusive power and right, without the joinder of Grantee to execute oil, gas and mineral leases covering any of the mineral interests in the lands described herein or any part or parts thereof, to execute pooling, unitization, pressure maintenance, water flood, secondary recovery and other contracts relating to such lease or leases, and without limitation by reason of the foregoing particularization, to execute any other instrument or instruments affecting or relating to the operation, prospecting, drilling for, mining and producing any of the mineral interests in land conveyed herein, on such terms and provisions and for such royalties, bonus and other con-



File No. SKETCH FILE 36  
ARANSAS County  
Deed of Mineral Interest on Fractional Int. to St. of Texas  
Filed November 10 19 89  
GARRY MAURO, Com'r  
By Douglas Howard

**169744**FILE NO. \_\_\_\_\_  
County Clerk, Aransas County, Texas**112874**

IMAGE NO. \_\_\_\_\_

siderations as to Grantors, their heirs, legal representatives and assigns, seem reasonable and proper, all to the same extent and purpose as if this conveyance had never been made, provided however, Grantors are not hereby empowered and do not reserve unto themselves the power to execute any instrument mortgaging or conveying or contracting to mortgage or convey all or any portion of the mineral interest conveyed hereby; and all of such leases, contracts and other instruments so executed by Grantors, their heirs, legal representatives and assigns, shall be fully binding upon Grantee herein, its successors and assigns, and the mineral interest conveyed hereby, as if Grantee had joined in and executed each such lease, contract and instrument; provided, however, that Grantee shall be entitled to receive its proportionate part, as herein conveyed to it, of any and all cash payments, bonus payments, rental payments, royalties and other considerations, if any, paid or to be paid under any such leases, contracts and other instruments, as to the mineral interest in land conveyed herein, but Grantors, their heirs, legal representatives and assigns, shall have the exclusive right to enforce the obligations of such existing or future leases, contracts, and other instruments and to contract and negotiate with the lessee thereunder with respect to each such obligation. It is further understood that for so long as the executive rights reserved hereby are in existence, the Grantee may not develop, prospect, drill for, mine or produce any of the mineral interests hereby conveyed, except under lease from Grantors, their heirs, legal representatives and assigns.

The reservation of executive rights made herein shall be considered and construed as a power given as security and as a power coupled with an interest in the mineral interests

conveyed hereby and shall not be revocable by Grantee herein or its successors or assigns and shall continue with respect to any of the lands described herein for so long as the holder of the reservation maintains an undivided interest in the mineral estate in such lands. Grantors herein, by the execution of this conveyance, and Grantee herein, by acceptance thereby, hereby waive any and all right to a partition of the interests conveyed hereby in the lands described above. Without regard to any change in or assignment or conveyance of the interest of the Grantors or of the Grantee in whole or in part, Grantors agree by the execution hereof, and Grantee agrees by acceptance hereof, that their interests in any bonus payments, royalties and other considerations, if any, paid and to be paid under any leases, contracts and other instruments covering said land, or any part or parts thereof, shall be payable to Grantors and to Grantee, respectively, and to their successors, heirs, devisees, legal representatives or assigns, in the ratio or proportion that their respective interests in the oil, gas and other minerals in the lands described above bear to all of the oil, gas and other minerals in the lands described above.

If any term, provision, covenant, or reservation relating to the rights retained herein by Grantors or restrictions imposed hereby, all with respect to the mineral interest hereby conveyed, is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the conveyance of the mineral interest hereby conveyed shall not be affected thereby and the remainder of the terms, provisions, covenants and restrictions herein contained shall remain in full force and effect and in no way shall be affected, impaired, or invalidated.

It is not the intention that this instrument operate as or constitute, in and of itself, an instrument pooling or unitizing any mineral interests in the lands described herein, but this sentence shall not be construed as a limitation on Grantors' rights to pool or unitize such mineral interest conveyed hereby pursuant to the provisions set forth hereinabove.

TO HAVE AND TO HOLD the above described mineral interest, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors, legal representatives and assigns, forever, and Grantors do hereby bind themselves, their heirs, legal representatives and assigns, to warrant and forever defend all and singular the said mineral interest unto the said Grantee, its successors, legal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, claiming by, through or under Grantors only.

EXECUTED and effective this 2nd day of April, 1985.

Carl C. Krueger, Jr.  
Carl C. Krueger, Jr.

Tom N. Shults  
Tom N. Shults

Paul DuBose  
Paul DuBose

Paul Hesson  
Paul Hesson

Allan F. May  
Allan F. May

Robert M. Ayres, Jr.  
Robert M. Ayres, Jr.

A. H. Cadwallader, III  
A. H. Cadwallader, III

L. J. Hesson  
L. J. Hesson by Paul Hesson

Harlan Kelly  
Harlan Kelly

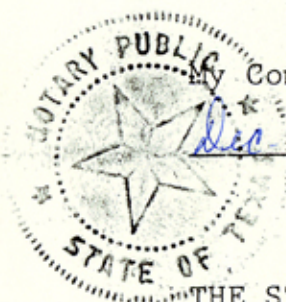
R. Marvin Shipman  
R. Marvin Shipman

\_\_\_\_\_  
Robert H. Turk

THE STATE OF TEXAS )  
COUNTY OF ARANSAS )

THIS INSTRUMENT was acknowledged before me on the  
27 day of April, 1985, by CARL C. KRUEGER, JR.

Wynell McLain  
Notary Public, Aransas County,  
Texas



Commission Expires:

Dec 31, 1988

**WYNELL McLAIN**

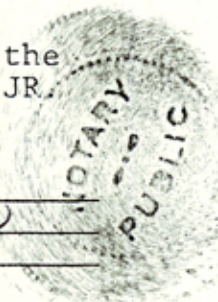
**My Commission Expires Dec. 31, 1988**

Please print name

THE STATE OF Tennessee )  
COUNTY OF Franklin )

18<sup>th</sup> THIS INSTRUMENT was acknowledged before me on the  
day of August, 1985, by ROBERT M. AYRES, JR.

Theda Stovall  
Notary Public, Franklin  
County, Tennessee

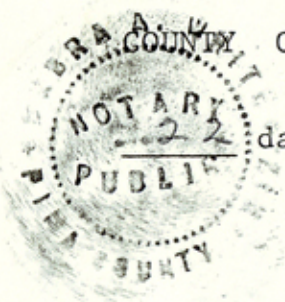


My Commission Expires:

12-4-90

Theda Stovall  
Please print name

THE STATE OF Arizona )  
COUNTY OF Pima )



THIS INSTRUMENT was acknowledged before me on the  
day of Sept, 1985, by TOM N. SHULTS.

Debra A. White  
Notary Public,  
County, Pima

My Commission Expires:

My Commission Expires Sept. 26, 1989

Debra A. White  
Please print name

THE STATE OF TEXAS )  
COUNTY OF BEXAR )

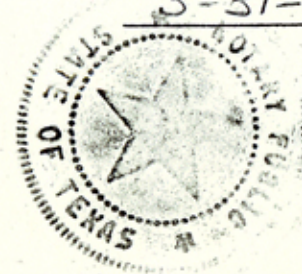
THIS INSTRUMENT was acknowledged before me on the  
22<sup>ND</sup> day of JUNE, 1987, by A. H. CADWALLADER, III.

Helen A. Restau  
Notary Public, BEXAR  
County, SAN ANTONIO, TEXAS

My Commission Expires:

3-31-91

HELEN A. RESTAU  
Please print name



169744

FILE NO. \_\_\_\_\_  
County Clerk, Aransas County, Texas

THE STATE OF TEXAS  
COUNTY OF BLANCO

IMAGE NO. 112878

THIS INSTRUMENT was acknowledged before me on the  
5 day of OCT, 1985, by PAUL DuBOSE.

Roy H Byars  
Notary Public,  
County, BLANCO

My Commission Expires:

JUNE 30, 1988

ROY H BYARS  
Please print name

THE STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

THIS INSTRUMENT was acknowledged before me on the  
\_\_\_\_\_ day of \_\_\_\_\_, 1985, by L. J. HESSON.

Notary Public, \_\_\_\_\_  
County, \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_

Please print name

THE STATE OF TEXAS  
COUNTY OF BEXAR

THIS INSTRUMENT was acknowledged before me on the  
day of May, 1985, by PAUL HESSON.

Paul Hesson  
Notary Public, Bexar  
County, Texas

My Commission Expires:  
March 26, 1989

Please print name

THE STATE OF TEXAS  
COUNTY OF DALLAS

THIS INSTRUMENT was acknowledged before me on the  
30th day of SEPTEMBER, 1985, by HARLAN KELLY.

Margaret Lowe  
Notary Public,  
County, Dallas

My Commission Expires:

12-88

MARGARET LOWE, Notary Public  
State of Texas  
My commission expires

Please print name

169744

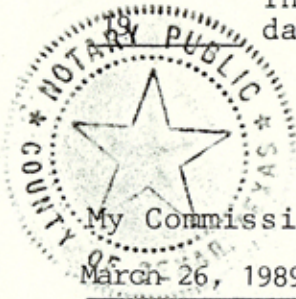
FILE NO. \_\_\_\_\_  
County Clerk, Aransas County, Texas

112879

IMAGE NO. \_\_\_\_\_

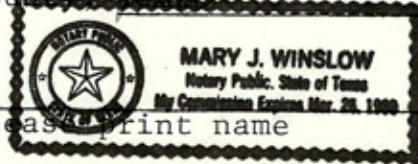
THE STATE OF TEXAS  
COUNTY OF BEXAR

THIS INSTRUMENT was acknowledged before me on the  
day of May, 1985, by ALLAN F. MAY.



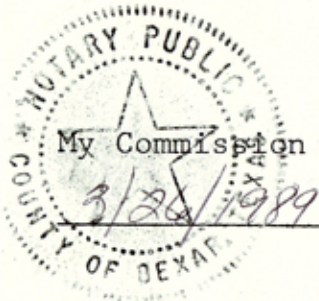
My Commission Expires:  
March 26, 1989

*Mary J. Winslow*  
Notary Public, Bexar County,  
County, Texas



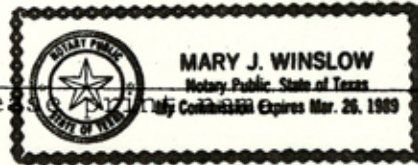
THE STATE OF Texas  
COUNTY OF Bexar

28 THIS INSTRUMENT was acknowledged before me on the  
day of August, 1985, by R. MARVIN SHIPMAN.



My Commission Expires:

*Mary J. Winslow*  
Notary Public, Bexar  
County, Texas



THE STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

THIS INSTRUMENT was acknowledged before me on the  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 1985, by ROBERT H. TURK.

My Commission Expires:

Notary Public, \_\_\_\_\_  
County, \_\_\_\_\_

Please print name \_\_\_\_\_





architecture October 9, 1987

169744

FILE NO. \_\_\_\_\_  
County Clerk, Aransas County, Texas

112880

IMAGE NO. \_\_\_\_\_

To Whom It May Concern:

By this letter, I hereby swear and affirm that I am the sole survivor of the Lynn J. Hesson immediate family which was comprised of Lynn J. Hesson, his wife Clara A. Hesson, and two sons, Robert J., and Paul A.

L.J. Hesson, Clara Hesson, and Robert J. Hesson are all deceased.

Signed:

Paul A. Hesson  
Paul A. Hesson

Date:

October 9, 1987

Mary J. Winslow  
Mary J. Winslow

Notary Public and for  
Bexar County, Texas

"My commission expires the 26 day of  
March, 1989."

112881

EXHIBIT A  
TO DEED OF MINERAL INTEREST  
FROM CARL C. KRUEGER, JR., ET AL  
TO STATE OF TEXAS

IMAGE NO. \_\_\_\_\_

196.744 acres, more or less, described as follows:

1. 258.752 acres, more or less, being all that certain land described in Deed dated March 15, 1962, from Carl C. Krueger, Jr. to Key Allegro Land Co. of record in Volume N-4, <sup>Plotted</sup> page 309, Deed Records of Aransas County, Texas.

SAVE AND EXCEPT:

(a) 57.263 acres, more or less, described in Deed from Key Allegro Land Co., to Key Allegro Development and Sales Company, dated March 23, 1962, of record in Volume P-4, <sup>Plotted</sup> page 201, Deed Records, Aransas County, Texas.

(b) 35.405 acres, more or less, described in Deed from Key Allegro Land Co., to Key Allegro Development and Sales Company, dated January 20, 1964, of record in Volume Y-4, <sup>Plotted</sup> page 166, Deed Records, Aransas County, Texas.

(c) 0.206 acres, more or less, described in the Deed from Key Allegro Marina Co. to Key Allegro Swimming Club, Inc., dated March 30, 1965, of record in Volume 108, page 485, <sup>Plotted</sup> Deed Records, Aransas County, Texas.

(d) 0.814 acres, more or less, described in the Deed from Key Allegro Marina Co. to J. B. Magee Lumber Co., dated March 30, 1964, of record in Volume X-4, page 181, <sup>Plotted</sup> Deed Records, Aransas County, Texas.

LEAVING A RESIDUE OF 165.064 acres, more or less.

2. 14.359 acres, more or less, being all of the below listed lots in Unit 1 of Key Allegro Island Estates as shown by plat recorded in Volume 2, page 106, <sup>Plotted</sup> Map and Plat Records of Aransas County, Texas;

<u>BLOCK 1</u>	<u>BLOCK 2</u>	<u>BLOCK 3</u>	<u>BLOCK 4</u>	<u>BLOCK 5</u>		
Lot No. 1	Lot No. 1	39	Lot No. 6	Lot No. 1	17	Lot No. 3
2	6	40	12	2	23	7
4	14	44	15	3	24	14
20	23	45	25	5	25	19
25	25	48	26	6	26	
	27	49	27	7	28	
	28	51	31	8	29	
	29	52	32	10	30	
	30		34	11	31	
	32		38	12	32	
	33		47	13	33	
	34		48	14	35	
	36			15	36	
	38			16		

Insofar and only insofar as to 0.145 acres out of Lot 7, described in that certain Deed dated July 15, 1965, from Key Allegro Marina Company to Key Allegro Development and Sales Company, of record in Volume 111, page ~~429~~ <sup>489</sup>, Deed Records of Aransas County, Texas.

169744

FILE NO. \_\_\_\_\_  
County Clerk, Aransas County, Texas

112882

IMAGE NO. \_\_\_\_\_

3. 17.321 acres, more or less, being all of the below listed lots in Unit II of Key Allegro Island Estates as shown by plat recorded in Volume 2, page 127, Map and Plat Records of Aransas County, Texas.

<u>BLOCK 1</u>	<u>BLOCK 5</u>	<u>BLOCK 6</u>	<u>BLOCK 7</u>
Lot No. 41	Lot No. 27 38	Lot No. 4	Lot No. 1 14 31
	28 39	6	2 16 32
	30 40	11	3 17 33
	31 41	12	6 18 34
	32 42	13	8 19 35
	33 43	14	9 20 36
	34 44	17	10 21 37
	35 45	19	11 22 38
	36 46	20	12 27 39
	37	30	13 30 40
		31	41
			42

SAVE AND EXCEPT a 0.033 acre portion of Lot 44, described in that certain deed dated October 30, 1964, from Key Allegro Sales & Development Company to Robert L. Gray, et ux, of record in Volume 106, page 44, Deed Records of Aransas County, Texas.

FILED  
RECORDED

FILED FOR RECORD  
MAY 25 1985

State of Texas )

County of Aransas )

I hereby certify that this instrument was Filed on 11-3-85 at 8:25A.M. and was duly Recorded in the Real Property Records of Aransas County, Texas, under File No. 169744 on 11-7-85



*Val Jean Eaton*  
VAL JEAN EATON  
COUNTY CLERK  
ARANSAS COUNTY, TEXAS

183744

FILE NO. County Clerk, Arkansas County, Texas

113882

IMAGE NO.

3. 17.321 acres, more or less, being all of the below listed lots in Unit II of Key Allegro Island Estates as shown by plat recorded in Volume 2, page 127, Map and Plat Records of Arkansas County, Texas.

BLOCK 7			BLOCK 6			BLOCK 5			BLOCK 4		
Lot No.	Acres	Lot No.	Acres	Lot No.	Acres	Lot No.	Acres	Lot No.	Acres	Lot No.	Acres
1	.14	1	.14	1	.14	1	.14	1	.14	1	.14
2	.16	2	.16	2	.16	2	.16	2	.16	2	.16
3	.17	3	.17	3	.17	3	.17	3	.17	3	.17
4	.18	4	.18	4	.18	4	.18	4	.18	4	.18
5	.19	5	.19	5	.19	5	.19	5	.19	5	.19
6	.20	6	.20	6	.20	6	.20	6	.20	6	.20
7	.21	7	.21	7	.21	7	.21	7	.21	7	.21
8	.22	8	.22	8	.22	8	.22	8	.22	8	.22
9	.23	9	.23	9	.23	9	.23	9	.23	9	.23
10	.24	10	.24	10	.24	10	.24	10	.24	10	.24
11	.25	11	.25	11	.25	11	.25	11	.25	11	.25
12	.26	12	.26	12	.26	12	.26	12	.26	12	.26
13	.27	13	.27	13	.27	13	.27	13	.27	13	.27
14	.28	14	.28	14	.28	14	.28	14	.28	14	.28
15	.29	15	.29	15	.29	15	.29	15	.29	15	.29
16	.30	16	.30	16	.30	16	.30	16	.30	16	.30
17	.31	17	.31	17	.31	17	.31	17	.31	17	.31
18	.32	18	.32	18	.32	18	.32	18	.32	18	.32
19	.33	19	.33	19	.33	19	.33	19	.33	19	.33
20	.34	20	.34	20	.34	20	.34	20	.34	20	.34
21	.35	21	.35	21	.35	21	.35	21	.35	21	.35
22	.36	22	.36	22	.36	22	.36	22	.36	22	.36
23	.37	23	.37	23	.37	23	.37	23	.37	23	.37
24	.38	24	.38	24	.38	24	.38	24	.38	24	.38
25	.39	25	.39	25	.39	25	.39	25	.39	25	.39
26	.40	26	.40	26	.40	26	.40	26	.40	26	.40
27	.41	27	.41	27	.41	27	.41	27	.41	27	.41
28	.42	28	.42	28	.42	28	.42	28	.42	28	.42

SAVE AND EXCEPT a 0.033 acre portion of Lot 44, described in that certain deed dated October 30, 1964, from Key Allegro Sales & Development Company to Robert L. Gray, et ux, of record in Volume 106, page 44, Deed Records of Arkansas County, Texas.

INDEXED  
RECORDED

FILED FOR RECORD  
At 8:25 A.M.

NOV 03 1989

*Val Jean Eaton*

VAL JEAN EATON  
COUNTY CLERK, ARKANSAS CO., TEXAS

② 20.00 *not due*

filed by: *Lynnda Kahn*  
mail to: *General Land Office*  
*Stephen F. Austin Bldg. Rm 620*  
*Austin, TX 78701-1495*

COUNTER # 13379

THE STATE OF TEXAS  
COUNTY OF ARANSAS

SKETCH FILE 36  
DEED OF MINERAL INTEREST  
Aransas County  
on Frondella Is. to St. of Texas.  
Filed November 10 1989  
GARRY MAURO, Com'r  
Douglas Howard

FILE NO. 169745  
County Clerk, Aransas County, Texas

112883

IMAGE NO.

WHEREAS, Robert H. Turk, Jr. is deceased and by his will dated September 13, 1983, probated in the Probate Records of Bexar County, Texas (copy of which is attached), he devised all of his property to his three children hereinafter named who wish to join with Carl C. Krueger, Jr. and other owners of the minerals in the settlement with the State of Texas as to the minerals under 196.744 acres of land constituting the area known as the Key Allegro Area:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That we, Kenneth Schmidt, Beverlee Lemes and Stella Gene Stevens, as heirs and devisees of Robert H. Turk, Jr., each signing individually as none of the property herein conveyed constitutes any part of their respective homesteads, hereinafter called "Grantors", have GRANTED, SOLD AND CONVEYED and by these presents do hereby GRANT, SELL AND CONVEY unto the State of Texas, hereinafter called "Grantee", all of their proportionate part of an undivided Forty-Two Per Cent (42%) interest in the oil, gas and other minerals in and under the following described land located in Aransas County, Texas, to-wit:

196.744 acres of land, more or less, in three tracts, all as described on Exhibit A attached hereto and incorporated herein by reference for all purposes.

It is the intent of Grantors to convey Forty-Two Per Cent (42%) of what they own so that this conveyance, together with the conveyance by Carl C. Krueger, Jr. and others will place title to Forty-Two Per Cent (42%) of the minerals in the State of Texas, subject to the provisions of this conveyance.

While the mineral interest conveyed hereby is a fully participating mineral interest and not a non-participating royalty interest, nevertheless Grantors herein hereby reserve unto themselves, their heirs, legal representatives and assigns, the exclusive power and right, without the joinder of Grantee to execute oil, gas and mineral leases covering any of the mineral interests in the lands described herein or any part or parts thereof, to execute pooling, unitization, pressure maintenance, water flood,

secondary recovery and other contracts relating to such lease or leases, and without limitation by reason of the foregoing particularization, to execute any other instrument or instruments affecting or relating to the operation, prospecting, drilling for, mining and producing any of the mineral interests in land conveyed herein, on such terms and provisions and for such royalties, bonus and other considerations as to Grantors, their heirs, legal representatives and assigns, seem reasonable and proper, all to the same extent and purpose as if this conveyance had never been made, provided, however, Grantors are not hereby empowered and do not reserve unto themselves the power to execute any instrument mortgaging or conveying or contracting to mortgage or convey all or any portion of the mineral interest conveyed hereby; and all of such leases, contracts and other instruments so executed by Grantors, their heirs, legal representatives and assigns, shall be fully binding upon Grantee herein, its successors and assigns, and the mineral interest conveyed hereby, as if Grantee had joined in and executed each such lease, contract and instrument, provided, however, that Grantee shall be entitled to receive its proportionate part, as herein conveyed to it, of any and all cash payments, bonus payments, rental payments, royalties and other considerations, if any, paid or to be paid under any such leases, contracts and other instruments, as to the mineral interest in land conveyed herein, but Grantors, their heirs, legal representatives and assigns, shall have the exclusive right to enforce the obligations of such existing or future leases, contracts, and other instruments and to contract and negotiate with the lessee thereunder with respect to each such obligation. It is further understood that for so long as the executive rights reserved hereby are in existence, the Grantee may not develop, prospect, drill for, mine or produce any of the mineral interests hereby conveyed, except under lease from Grantors, their heirs, legal representatives and assigns.

The reservation of executive rights made herein shall be considered and construed as a power given as security and as a power coupled with an interest in the mineral interests conveyed hereby and shall not be revocable by Grantee herein or its successors or assigns and shall continue with respect to any of the lands described herein for so long as the holder of the reservation maintains an undivided interest in the mineral estate in such lands. Grantors herein, by the execution of this conveyance, and Grantee herein, by acceptance thereby, hereby waive any and all right to a partition of the interests conveyed hereby in the lands described above. Without regard to any change in or assignment or conveyance of the interest of the Grantors or of the Grantee in whole or in part, Grantors agree by the execution hereof, and Grantee agrees by acceptance hereof, that their interests in any bonus payments, royalties and other considerations, if any, paid and to be paid under any leases, contracts and other instruments covering said land, or any part or parts thereof, shall be payable to Grantors and to Grantee, respectively, and to their successors, heirs, devisees, legal representatives or assigns, in the ratio or proportion that their respective interests in the oil, gas and other minerals in the lands described above bear to all of the oil, gas and other minerals in the lands described above.

If any term, provision, covenant or reservation relating to the rights retained herein by Grantors or restrictions imposed hereby, all with respect to the mineral interest hereby conveyed, is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the conveyance of the mineral interest hereby conveyed shall not be affected thereby and the remainder of the terms, provisions, covenants and restrictions herein contained shall remain in full force and effect and in no

way shall be affected, impaired, or invalidated. IMAGE NO. \_\_\_\_\_

It is not the intention that this instrument operate as or constitute, in and of itself, an instrument pooling or unitizing any mineral interests in the lands described herein, but this sentence shall not be construed as a limitation on Grantors' rights to pool or unitize such mineral interest conveyed hereby pursuant to the provisions set forth hereinabove.

TO HAVE AND TO HOLD the above described mineral interest, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors, legal representatives and assigns, forever, and Grantors do hereby bind themselves, their heirs, legal representatives and assigns, to warrant and forever defend all and singular the said mineral interest unto the said Grantee, its successors, legal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, claiming by, through or under Grantors only.

EXECUTED and effective this 2<sup>nd</sup> day of February, 1988.

Kenneth Schmidt 2-22-88  
Kenneth Schmidt

Beverlee Lemes 4-6-88  
Beverlee Lemes

Stella Gene Stevens 3-15-88  
Stella Gene Stevens



112887

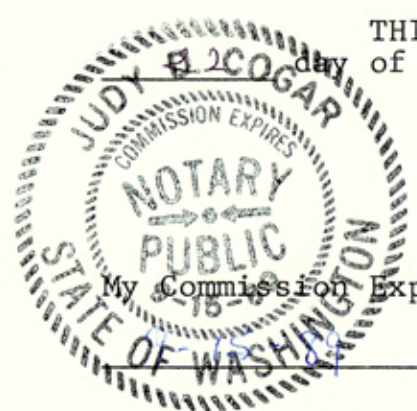
IMAGE NO. \_\_\_\_\_

THE STATE OF WASHINGTON  
COUNTY OF OKANOGAN }

THIS INSTRUMENT was acknowledged before me on the  
12 day of FEBRUARY, 1987, by KENNETH SCHMIDT  
1988

Judy D Cogar  
Notary Public, State of  
Washington

Judy D Cogar  
Please print name



My Commission Expires:  
\_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF Howard }

THIS INSTRUMENT was acknowledged before me on the  
15 day of March, 1988, by STELLA GENE STEVENS..

Gayle Bledsoe  
Notary Public, State of Texas

Gayle Bledsoe  
Please print name

My Commission Expires:  
6-30-88

THE STATE OF TEXAS  
COUNTY OF BEXAR }

THIS INSTRUMENT was acknowledged before me on the  
6 day of April, 1987, by BEVERLEE LEMES.

Caroline F. Hillabrant  
Notary Public, State of Texas

Caroline F. Hillabrant  
Please print name

My Commission Expires:  
16 July 1987

EXHIBIT A  
TO DEED OF MINERAL INTEREST  
FROM CARL C. KRUEGER, JR., ET AL  
TO STATE OF TEXAS

---

196.744 acres, more or less, described as follows:

1. 258.752 acres, more or less, being all that certain land described in Deed dated March 15, 1962, from Carl C. Krueger, Jr. to Key Allegro Land Co. of record in Volume N-4, page 309, Deed Records of Aransas County, Texas.

SAVE AND EXCEPT:

(a) 57.263 acres, more or less, described in Deed from Key Allegro Land Co., to Key Allegro Development and Sales Company, dated March 23, 1962, of record in Volume P-4, page 201, Deed Records, Aransas County, Texas.

(b) 35.405 acres, more or less, described in Deed from Key Allegro Land Co., to Key Allegro Development and Sales Company, dated January 20, 1964, of record in Volume Y-4, page 166, Deed Records, Aransas County, Texas.

(c) 0.206 acres, more or less, described in the Deed from Key Allegro Marina Co. to Key Allegro Swimming Club, Inc., dated March 30, 1965, of record in Volume 108, page 485, Deed Records, Aransas County, Texas.

(d) 0.814 acres, more or less, described in the Deed from Key Allegro Marina Co. to J. B. Magee Lumber Co., dated March 30, 1964, of record in Volume X-4, page 181, Deed Records, Aransas County, Texas.

LEAVING A RESIDUE OF 165.064 acres, more or less.

2. 14.359 acres, more or less, being all of the below listed lots in Unit 1 of Key Allegro Island Estates as shown by plat recorded in Volume 2, page 106, Map and Plat Records of Aransas County, Texas;

<u>BLOCK 1</u>	<u>BLOCK 2</u>	<u>BLOCK 3</u>	<u>BLOCK 4</u>	<u>BLOCK 5</u>
Lot No. 1	Lot No. 1	Lot No. 6	Lot No. 1	Lot No. 3
2	6	12	2	7
4	14	15	3	14
20	23	25	5	19
25	25	26	6	26
	27	27	7	28
	28	31	8	29
	29	32	10	30
	30	34	11	31
	32	38	12	32
	33	47	13	33
	34	48	14	35
	36		15	36
	38		16	

Insofar and only insofar as to 0.145 acres out of Lot 7, described in that certain Deed dated July 15, 1965, from Key Allegro Marina Company to Key Allegro Development and Sales Company, of record in Volume 111, page 429, Deed Records of Aransas County, Texas.

3. 17.321 acres, more or less, being all of the below listed lots in Unit II of Key Allegro Island Estates as shown by plat recorded in Volume 2, page 127, Map and Plat Records of Aransas County, Texas.

<u>BLOCK 1</u>	<u>BLOCK 5</u>	<u>BLOCK 6</u>	<u>BLOCK 7</u>
Lot No. 41	Lot No. 27 38	Lot No. 4	Lot No. 1 14 31
	28 39	6	2 16 32
	30 40	11	3 17 33
	31 41	12	6 18 34
	32 42	13	8 19 35
	33 43	14	9 20 36
	34 44	17	10 21 37
	35 45	19	11 22 38
	36 46	20	12 27 39
	37	30	13 30 40
		31	41
			42

SAVE AND EXCEPT a 0.033 acre portion of Lot 44, described in that certain deed dated October 30, 1964, from Key Allegro Sales & Development Company to Robert L. Gray, et ux, of record in Volume 106, page 44, Deed Records of Aransas County, Texas.

**84PC1146**

IMAGE NO. **112890**

*Christie Chandler*

STATE OF TEXAS X  
COUNTY OF BEXAR X

KNOW ALL PERSONS BY THESE PRESENTS:

THAT I, ROBERT H. TURK, JR., of Bexar County, Texas, being of sound and disposing mind and memory, do make, publish and declare this my Last Will and Testament, hereby revoking all Wills and Codicils by me at anytime heretofore made.

I.

I direct that all my just debts and my burial expenses be fully paid as soon as practicable after my death.

II.

I give, devise and bequeath all of my property, real, personal and mixed, to my three children, KENNETH SCHMIDT, BEVERLEE LEMES and STELLA GENE STEVENS, share and share alike, per stirpes.

III.

I hereby appoint JESS M. CARNAL of San Antonio, Texas, as Independent Executor of this my Will and provide that no bond shall be required of the Independent Executor and that no other action shall be had in the Probate Court in relation to the settlement of my estate than the probating and recording of this my Will and the return of an inventory and appraisalment and list of claims of such estate. However, if for any reason JESS M. CARNAL shall fail to serve as Independent Executor, then I appoint RUTH K. CARNAL in his place to serve as Independent Executrix without bond.

IV.

Among my estate assets is a Money Market at Alamo Savings Association of San Antonio, Texas, with a value at the time of the making of this Will of approximately \$44,000.00. I direct that my Executor allow this Money Market to mature before making distribution of my estate to my devisees. However, the Executor shall make monthly distribution between the three devisees of all interest payments and payment of principal of one certain real estate note that is an asset of my estate.

**84042293**

This I make, publish and declare as my Last Will and Testament, hereunto signing and subscribing my name this 13<sup>th</sup> day of September, 1983, in the presence of Lynda Harris and

Gary Harris, who attest same at my request.

Robert H. Turk, Jr.  
ROBERT H. TURK, JR.  
Testator

The above instrument was now here published and signed and subscribed by ROBERT H. TURK, JR., the Testator, in our presence, and we, at his request, in his presence, and in the presence of each other, sign and subscribe our names thereto as attesting witnesses on the day aforesaid.

Bonnie Harris whose address is 2811 Bee Cave  
WITNESS SAN ANTONIO, TEXAS

Gary Harris whose address is 2811 Bee Cave  
WITNESS SAN ANTONIO, TEXAS

State of Texas )  
County of Aransas )  
I hereby certify that this instrument was Filed on 11-3-89 at 8:25A M., and was duly Recorded in the Real Property Records of Aransas County, Texas, under File No. 169745, on 11-7-89



Val Jean Eaton  
VAL JEAN EATON  
COUNTY CLERK  
ARANSAS COUNTY, TEXAS

CERTIFIED COPY CERTIFICATE  
STATE OF TEXAS, COUNTY OF BEKAS  
The above is a true and correct copy of the original instrument now in my lawful custody and possession, as the same is recorded in the Official Public Records of Probate Court in my office and preserved on Microfilm and having Microfilm Identification Number stamped thereon.



OCT 20 1987

BY Consuelo C. Vose  
COUNTY CLERK  
BEKAS COUNTY, TEXAS

PORTIONS OF THIS INSTRUMENT  
ILLEGIBLE WHEN FILED

84042294

183742

THE NO. COUNTY CLERK, ARANSAS COUNTY, TEXAS

112891

IMAGE NO.

who attest same at my request.

*Henry Thomas*

*Robert H. Turk, Jr.*  
ROBERT H. TURK, JR.  
Testator

The above instrument was now here published and signed and  
subscribed by ROBERT H. TURK, JR., the Testator, in our presence,  
and we, at his request, in his presence, and in the presence of each  
other, sign and subscribe our names thereto as attesting witnesses  
on the day aforesaid.

*Henry Thomas*  
whose address is 2811 Bee Cove  
SAN ANTONIO, TEXAS

*Henry Thomas*  
Witness

*Henry Thomas*  
whose address is 2811 Bee Cove  
SAN ANTONIO, TEXAS

*Henry Thomas*  
Witness

INDEXED  
RECORDED

FILED FOR RECORD  
At 8:25 A.M.

NOV 03 1989

*Val Jean Eaton*

VAL JEAN EATON  
COUNTY CLERK, ARANSAS CO., TEXAS

② 19.00 *Due*  
filed by: *Lymnda Kahn*  
mail to: *General Land Office*  
*Stephen F. Austin Bldg. Rm 620*  
*Austin, Tx 78701-1495*

SEARCHED ONLY CERTIFICATE  
STATE OF TEXAS COUNTY OF ARANSAS  
I, the undersigned, County Clerk of the County of Aransas, State of Texas, do hereby certify that the within and foregoing instrument is the true and correct copy of the original instrument as the same is on file in my office.

OCT 21 1989



40664

WARRANTY DEED

STATE OF TEXAS        ◊  
COUNTY OF ARANSAS   ◊        KNOW ALL MEN BY THESE PRESENTS:

That I, CARL C. KRUEGER, JR., owning, occupying and claiming other property as my homestead, of the County of Bexar, State of Texas, for and in consideration of the sum of Ten & No/100 (\$10.00) Dollars and other good and valuable consideration to me in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto KEY ALLEGRO LAND CO., a Texas corporation with its principal offices and place of business in San Antonio, Bexar County, Texas, all of the following described three (3) tracts of land in Aransas County, Texas, to-wit:

FIRST TRACT: All those certain lands and premises above mean high tide known as the "PENINSULA OF FIVE MILE POINTE," as was granted by the State of Texas to F. J. Frensdolig by Letters Patent dated July 5, 1890, of record in Volume 0, at Page 450, of the Deed Records of Aransas County, Texas, as the same now exists, including all of the accumulated land, whether the same be by accretion or by a receding of the waters of the bay, said lands being located in Aransas County, Texas, approximately two miles Northeast of the Courthouse at Rockport, Texas, the County Seat of Aransas County, Texas, and are particularly described as commencing at the Northeast corner of the Joseph Head Survey, the same being the Southeast corner of the Terrance Crecoline Survey, at a point in the old Frensdolig Peninsula fence line;

THENCE, N. 52° 32' E. with the East line of the said Terrance Crecoline Survey a distance of 520.85 feet to a stake and tack point, said stake bears S. 0.51 feet and Southeast 0.05 feet from an old broken-off concrete monument;

THENCE, N. 7° 00' W. a distance of 71.10 feet where an old cedar post was set with a tack point in center;

THENCE, S. 62° 50' W. a distance of 174.90 feet to the place of BEGINNING;

THENCE, with the meanders of Little Bay, Aransas Bay, that lie within the boundaries of the herein described tract, as follows:

County Clerk Re-  
corded poor  
quality! Hope you  
can read it.

ARANSAS CO. SK.F. 36

THENCE, S. 2° 10' W., 110.49 Ft.; S. 32° 05' E., 101.25 Ft.; S. 20° 42' E., 100.09 Ft.; S. 33° 12' E., 101.59 Ft.; S. 6° 15' W., 114.61 Ft.; S. 24° 02' E., 90.27 Ft.; S. 27° 07' E., 252.62 Ft.; S. 8° 13' W., 38.10 Ft.; S. 40° 18' 43" W., 761.53 Ft.; S. 79° 32' E., 140.18 Ft.; S. 12° 08' E., 261.86 Ft.; N. 81° 47' E., 174.11 Ft.; N. 30° 19' 27" E., 506.01 Ft.; N. 60° 28' E., 117.69 Ft.; N. 31° 56' E., 31.94 Ft.; N. 47° 54' E., 70.18 Ft.; N. 40° 41' E., 203.96 Ft.; S. 30° 42' W., 214.57 Ft.; S. 45° 27' W., 70.46 Ft.; S. 65° 04' E., 153.85 Ft.; N. 79° 10' W., 106.30 Ft.; S. 2° 36' W., 46.10 Ft.; S. 57° 56' W., 169.05 Ft.; S. 46° 02' W., 146.27 Ft.; S. 20° 30' W., 102.84 Ft.; S. 18° 22' W., 207.69 Ft.; S. 45° 19' W., 203.96 Ft.; S. 57° 30' W., 151.52 Ft.; S. 88° 24' W., 100.84 Ft.; N. 65° 11' W., 120.37 Ft.; N. 36° 09' W., 219.15 Ft.; S. 76° 26' W., 200.20 Ft.; S. 53° 22' W., 239.30 Ft.; S. 38° 26' E., 223.89 Ft.; S. 71° 06' E., 115.41 Ft.; N. 71° 38' E., 202.70 Ft.; S. 77° 12' E., 107.70 Ft.; N. 76° 25' E., 100.32 Ft.; S. 82° 18' E., 104.40 Ft.; S. 72° 30' E., 17.24 Ft.; S. 63° 15' E., 180.00 Ft.; S. 40° 15' E., 260.00 Ft.; S. 23° 07' W., 177.42 Ft.; S. 45° 41' W., 412.31 Ft.; S. 62° 35' W., 99.16 Ft.; S. 70° 43' W., 310.37 Ft.; S. 60° 23' W., 235.27 Ft.; S. 73° 46' E., 126.37 Ft.; N. 85° 13' E., 122.08 Ft.; S. 40° 29' E., 211.91 Ft.; S. 59° 47' E., 171.80 Ft.; S. 1° 30' E., 200.14 Ft.; S. 8° 39' W., 102.29 Ft.; S. 16° 07' W., 187.80 Ft.; S. 24° 13' W., 700.00 Ft.; S. 29° 55' W., 100.49 Ft.; S. 46° 05' W., 107.32 Ft.; S. 50° 14' W., 172.95 Ft.; S. 63° 13' W., 346.80 Ft.; S. 24° 17' E., 574.80 Ft.; S. 36° 17' E., 499.81 Ft.; S. 61° 17' E., 1033.00 Ft.; N. 88° 31' E., 77.53 Ft.; S. 77° 27' E., 208.24 Ft.; S. 80° 04' E., 211.25 Ft.; S. 36° 07' E., 110.50 Ft.; S. 37° 47' E., 151.68 Ft.; S. 82° 53' E., 98.29 Ft.; S. 77° 32' E., 101.79 Ft.; S. 20° 40' E., 144.27 Ft.; S. 66° 47' E., 27.87 Ft.; N. 62° 13' E., 600.22 Ft.; N. 17° 47' W., 295.10 Ft.; S. 89° 13' W., 59.01 Ft.; N. 0° 47' W., 98.99 Ft.; N. 23° 26' E., 109.65 Ft.; N. 11° 55' E., 68.24 Ft.; to a point, said point bears S. 16° 17' 30" E., a distance of 184.62 Ft. from U.S.C. & G.S. triangulation station 9; #9 "NINE"

THENCE, continuing with said meanders N. 27° 14' E., 282.07 Ft.; N. 23° 47' W., 49.99 Ft.; N. 46° 07' W., 66.01 Ft.; N. 37° 58' W., 95.29 Ft.; N. 17° 34' W., 97.13 Ft.; N. 12° 33' E., 196.74 Ft.; N. 2° 13' E., 386.96 Ft.; N. 54° 13' E., 157.03 Ft.; N. 86° 31' E., 124.61 Ft.; N. 24° 07' E., 132.63 Ft.; N. 2° 17' W., 283.04 Ft.; N. 15° 16' W., 678.96 Ft.; N. 2° 43' E., 400.03 Ft.; N. 15° 46' W., 309.02 Ft.; N. 34° 46' W., 529.94 Ft.; N. 22° 14' E., 290.10 Ft.; N. 33° 45' W., 604.22 Ft.; N. 22° 16' W., 500.00 #100 Ft.; N. 25° 15' W., 300.00 Ft.; N. 23° 46' W., 200.00 Ft.; N. 6° 27' E., 110.51 Ft.; N. 40° 41' W., 127.29 Ft.; N. 23° 46' W., 5.00 Ft.; N. 29° 46' W., 221.97 Ft.; N. 23° 53' W., 200.25 Ft.; N. 25° 47' W., 100.00 Ft.; N. 23° 23' W., 100.03 Ft.; N. 30° 46' W., 100.25 Ft.; N. 25° 45' W., 99.99 Ft.; N. 15° 16' W., 241.01 Ft.; #112



S.  $63^{\circ} 37'$  W. 50.14 Ft.; S.  $18^{\circ} 23'$  E., 32.23 Ft.; S.  $82^{\circ} 26'$  E., 30.22 Ft.; S.  $63^{\circ} 51'$  W., 103.78 Ft.; S.  $23^{\circ} 57'$  E., 109.63 Ft.; S.  $48^{\circ} 13'$  W., 114.26 Ft.; S.  $73^{\circ} 17'$  E., 75.05 Ft.; #119 to the place of BEGINNING.

SECOND TRACT: All of the rights, titles and interests of the Grantor in and to that certain tract or parcel of land lying in the County of Aransas and State of Texas, described as follows, to-wit:

BEGINNING at a point N.  $10^{\circ} 37'$  W., 9.8 feet from the original South corner of Lot Fifteen (15) of the Oak Shore Groves Addition, as shown on Page 52 of the Plat Records of Aransas County, Texas;

THENCE, N.  $44^{\circ} 00'$  E. across said Addition 217.8 feet for a corner;

THENCE, S.  $74^{\circ} 55'$  E., 61.2 feet for a corner on the shore of Aransas Bay;

THENCE, with the said shore of Aransas Bay S.  $29^{\circ} 02'$  E., 97.2 feet for a corner;

THENCE, with the said shore of Aransas Bay S.  $54^{\circ} 56'$  E., 130 feet for a corner;

THENCE, N.  $10^{\circ} 37'$  W., 13.7 feet to the place of BEGINNING.

Together with the waters and channel and the land thereunder lying between the Lucia Garcia described and the land known as Mine Mile Point of Prudolig Peninsula, with the right and privilege to deepen and lengthen said channel to the North and West out to where the waters of the bay are at a natural depth of six (6) feet or more.

THIRD TRACT: Being a 2.05 acre tract of land out of the T. Cecelie Survey, Abstract No. 40, Aransas County, Texas, more particularly described by metes and bounds as follows:

BEGINNING at a point in the South line of the Harry Hertzberg Tract, described in a deed recorded in Vol. V-2, page 144, of the Deed Records of Aransas County, Texas, which point bears North  $24^{\circ} 02'$  East 163 feet from the Southwest corner of said tract;

THENCE North  $29^{\circ} 02'$  East 97.2 feet to the East corner of said Hertzberg Tract to the South line of the William Flevins property;

THENCE North  $62^{\circ} 24'$  East across a small harbor at 250 feet the Southeast corner of the William Flevins property, at the South side of the bulkhead of a channel and at 327.9 feet the Aransas Bay shore;

THENCE following the Aransas Bay Shore South  $11^{\circ} 11'$  East 310.5 feet to a point on the shore at right angles to the common point between the T. Cecelie Survey and the Prudolig Survey;

THENCE North 82 deg. 46' East 164.5 feet to a point on the North line of the F. J. Frandolig Survey;

THENCE South 7 deg. 30' West 50.4 feet to an old concrete monument in common point on the T. Crocoline Survey and F. J. Frandolig Survey lines;

THENCE South 52 deg. 30' West 273.7 feet with the common line between the T. Crocoline Survey and F. J. Frandolig Survey to a creosote post;

THENCE North 40 deg. 23' West approximately 234.6 feet to the place of BEGINNING, and being 3.05 acres more or less.

Tract One and Tract Two being the same property conveyed to Grantor by Arkansas County Navigation District No. 1, by deed dated January 5, 1962 and recorded in Volume H-4, pages 402-412, Deed Records of Arkansas County, Texas; said Third Tract being the same property conveyed to Grantor by Emory N. Spencer, et al, by deed dated December 5, 1961, and recorded in Volume H-4, pages 413-419, Deed Records of Arkansas County, Texas.

SUBJECT TO restrictions, conditions and limitations as to the first tract and second tract, contained in the aforesaid deed from Arkansas County Navigation District No. 1, dated January 5, 1962 and recorded in Volume H-4, pages 402-412, Deed Records of Arkansas County, Texas; and restriction of perpetual right to use all channels now existing or hereafter constructed in, on or across said third tract contained in the aforesaid deed from Emory N. Spencer, et al, dated December 5, 1961, and recorded in Volume H-4, pages 413-419, Deed Records of Arkansas County, Texas.

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 grantee, its successors and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whatsoever lawfully claiming or to claim the same or any part thereof, by, through or under me.

Current taxes have been provided and payment thereof is assumed by Grantee.

EXECUTED this 15<sup>th</sup> day of March,

A. D., 1962.

\_\_\_\_\_  
G. J. [Name], Jr.



SPECIAL WARRANTY DEED

1124 77

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF ARANSAS

That KEY ALLEGRO LAND CO., a Texas corporation with its principal offices and place of business in San Antonio, Bexar County, Texas, for and in consideration of the sum of Ten & No/100 (\$10.00) Dollars and other good and valuable consideration to it in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto KEY ALLEGRO DEVELOPMENT & SALES CO., a Texas corporation with its principal offices and place of business in San Antonio, Bexar County, Texas, all of the following described property in Aransas County, Texas, to-wit:

A 35.405 acre tract out of Frondoleg Pennisula in Aransas County, Texas and being further described as follows:

BEGINNING at a point, said point being the southeast corner of Lot 36, Block 1 of Key Allegro Island Estates, Unit 1, a subdivision filed in Volume 2, Page 106 of the Map and Plat Records of Aransas County, Texas;

THENCE along the Aransas Bay side of Frondoleg Pennisula, the following bearings and distances:

S. 34° 46' E a distance of 529.94 feet;  
S. 13° 46' E a distance of 300.02 feet;  
S. 02° 43' W a distance of 400.05 feet;  
S. 18° 16' E a distance of 90.00 feet to an angle point;

THENCE: S 71° 44' W a distance of 185.00 feet to an angle point;

ARANSAS CO. S.R.F. 36

Vol. 4-166

COUNTER # 13395

THENCE: N 18° 16' W a distance of 97.02 feet to the P.C. of a curve;

THENCE: 117.57 feet along an arc of a curve to the left, said curve having a radius of 75.00 feet;

THENCE: S 71° 55' 10" W a distance of 190.42 feet to an angle point;

THENCE: N 18° 04' 50" W a distance of 360.78 feet to an angle point;

THENCE: N 41° 53' 28" W a distance of 86.58 feet to an angle point;

THENCE: S 71° 55' 10" W a distance of 1,100.03 feet to the P.C. of a curve;

THENCE 224.54 feet on an arc of a curve to the right, said curve having a radius of 451.77 feet to a point of reverse curvature;

THENCE 73.55 feet on an arc of a curve to the left, said curve having a radius of 50.00 feet to a point on the Little Bay Side of Frondoleg Peninsula;

THENCE along the Little Bay Side of Frondoleg Peninsula the following bearings and distances:

N 16° 07' E a distance of 139.50 feet;

N 08° 39' E a distance of 102.29 feet;

N 01° 30' W a distance of 200.14 feet;

N 59° 47' W a distance of 171.80 feet;

N 40° 29' W a distance of 211.91 feet;

S 85° 13' W a distance of 122.08 feet;

N 73° 46' W a distance of 31.44 feet;

N 06° 41' 30" W a distance of 35.00 feet;

N 60° 23' E a distance of 190.34 feet;

N 70° 43' E a distance of 188.20 feet to an angle point, said point being the westernmost corner of Canal "B" in Key Allegro Island Estates, Unit 1;

THENCE following along the south line of Canal "B" of Key Allegro Island Estates, Unit 1, S 49° 07' E a distance of 186.44 feet to the P.C. of a curve;

THENCE 288.15 feet on an arc of a curve to the left, said curve having a radius of 280.00 feet;

THENCE: N 71° 55' 10" E a distance of 1,143.41 feet to an angle point;

THENCE N 18° 04' 50" W a distance of 35.00 feet to an angle point, said point being the southernmost corner of Lot 26, Block 5 of Key Allegro Island Estates, Unit 1;

THENCE N 71° 55' 10" E a distance of 30.00 feet to an angle point;

THENCE N 05° 34' 48" W a distance of 35.00 feet to an angle point;

THENCE N 85° 17' 46" E a distance of 132.09 feet to the POINT OF BEGINNING, containing 35.405 acres more or less.

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 grantee, its successors and assigns forever; and grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under it.

Current taxes have been prorated and payment thereof

is assumed by Grantee.

EXECUTED this 20th day of January, A. D. 1964.

ATTEST:

KEY ALLEGRO LAND CO.

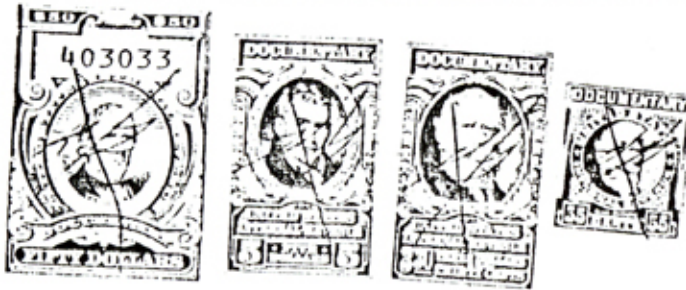
Paul Hesson  
Secretary

By Carl C. Krueger, Jr.  
President

E 1019—ACKNOWLEDGMENT OF CORPORATION—Class 1.

For Sale by Movable Clerks of Texas

THE STATE OF TEXAS  
 County of ARANSAS } BEFORE ME, the undersigned,  
a Notary Public in and for said County and State, on  
 this day personally appeared CARL C. KRUEGER, JR., known to me to be the person  
 whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed  
 of KEY ALLEGRO LAND CO., ~~XXX~~ ~~XXXX~~ ~~XXXX~~ and as the  
President thereof and for the purposes and consideration therein expressed.  
 Given under my hand and seal of office, this 1st day of April, 1964.  
 (Seal) FAYENELL C. HARRELL  
 Notary Public, Aransas County, Texas



*Key Allegro Land Co.*  
 Foster, Lewis, Langley & O'Connell  
 Attorneys at Law  
 Houston, Texas

FILED FOR RECORD  
 at 2:40 P.M.  
 JUN 16 1964  
 W. E. Beasley  
 Clerk, County Court, Aransas Co., Texas

Key Allegro Land Co.  
 Key Allegro Rec. &  
 Sales Co.

SPECIAL WARRANTY DEED

RECORDED: JUNE 24, 1964 --- W.E. Beasley COUNTY CLERK  
 W. E. BEASLEY, ARANSAS COUNTY, TEXAS

SPECIAL WARRANTY DEED

41530

STATE OF TEXAS        0

COUNTY OF ARANSAS   0

KNOW ALL MEN BY THESE PRESENTS:

That KEY ALLEGRO LAND CO., a Texas corporation with its principal offices and place of business in San Antonio, Bexar County, Texas, for and in consideration of the sum of Ten & No/100 (\$10.00) Dollars and other good and valuable consideration to it in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD and CONVEYED, and by these presents does

ARANSAS Co. SK. F. 36

COUNTER# 13398

Plotted 12-11-91  
sh

P 4 - 201

Grant, Sell and Convey unto KEY ALLEGRO DEVELOPMENT & SALES CO., a Texas corporation with its principal offices and place of business in San Antonio, Bexar County, Texas, all of the following described property in Aransas County, Texas, to-wit:

A 57.263 acre tract out of Frandolig Peninsula in Aransas County, Texas, and being further described as follows:

BEGINNING: At a point on the above described survey, said point being N 24° 40' 27" W a distance of 297.39 feet from a cedar post for the common corner of the J. Hond Survey A-77 and F. Crocoline Survey A-48;

THENCE: N 56° 11' 36" E a distance of 105.70 feet to the P.C. of a curve;

THENCE: 104.29 feet along an arc of a curve to the right having a radius of 130.00 feet;

THENCE: S 77° 50' 36" E a distance of 189.62 feet to a point for an angle point;

THENCE: N 4° 17' 26" E a distance of 10.16 feet to a point for an angle point;

THENCE: N 73° 17' W a distance of 75.05 feet to a point for an angle point;

THENCE: N 48° 13' E a distance of 114.96 feet to a point for an angle point;

THENCE: N 23° 57' E a distance of 109.63 feet to a point for an angle point;

THENCE: N 63° 51' E a distance of 102.78 feet to a point for an angle point;

THENCE: N 32° 26' E a distance of 30.22 feet to a point for an angle point;

THENCE: N 19° 23' E a distance of 32.23 feet to a point for an angle point;

THENCE: N 63° 37' E a distance of 50.14 feet to a point on the Aransas Bay side of Frandolig Peninsula, said point being the north corner of said 57.263 acre tract;

THENCE: Along the Aransas Bay side of Frandolig Peninsula the following bearings and distances:

S 15° 16' E - 241.01 feet  
 S 26° 46' E - 99.99 feet  
 S 30° 45' E - 109.25 feet  
 S 29° 29' E - 100.03 feet  
 S 26° 47' E - 109.00 feet  
 S 23° 53' E - 200.25 feet  
 S 29° 46' E - 299.97 feet  
 S 23° 46' E - 5.00 feet  
 S 49° 41' E - 127.29 feet  
 S 6° 27' E - 110.51 feet  
 S 23° 46' E - 200.00 feet  
 S 23° 15' E - 300.00 feet  
 S 22° 16' E - 500.00 feet  
 S 33° 46' E - 644.92 feet  
 S 22° 14' W - 290.10 feet

THENCE: S 83° 17' 46" W a distance of 132.09 feet to a point for an angle point;

THENCE: S 5° 34' 48" E a distance of 35.00 feet to a point for an angle point;

THENCE: S 71° 55' 10" W a distance of 80.00 feet to a point, for an angle point;



THENCE: S 18° 04' 50" E a distance of 35.00 feet to a point for an angle point;

THENCE: S 71° 55' 10" W a distance of 1143.41 feet to a point, said point being the P.C. of a curve;

$\Delta = 58^{\circ} 57' 49''$

THENCE: 288.15 feet along the arc of a curve to the right having a radius of 280.00 feet;

THENCE: N 49° 07' W a distance of 186.44 feet to a point, said point being on the Little Bay side of Frandolig Peninsula;

THENCE: N 70° 43' E a distance of 80.69 feet along the Little Bay side of Frandolig Peninsula to a point for an angle point;

THENCE: S 49° 07' E a distance of 146.30 feet to a point for an angle point;

$\Delta = 35^{\circ} 08' 09''$

THENCE: 136.11 feet along an arc of a curve to the left having a radius of 210.00 feet;

THENCE: N 3° 44' 47" E a distance of 102.28 feet to a point for an angle point;

THENCE: N 71° 55' 10" E a distance of 36.51 feet to a point on a curve;

$\Delta = 131^{\circ} 24' 28'' 33$

THENCE: In a northwesterly direction 91.74 feet along an arc of a curve having a radius of 40.00 feet and the center of which lies N 71° 55' 10" E a distance of 40.00 feet;

THENCE: N 71° 55' 10" E a distance of 660.55 feet to a point for an angle point;

THENCE: N 23° 23' 07" W a distance of 873.06 feet to a point for an angle point;

THENCE: S 66° 36' 53" W a distance of 46.90 feet to a point for an angle point;

THENCE: S 45° 19' W a distance of 180.70 feet to a point for an angle point;

THENCE: S 53° 27' 48" W a distance of 70.71 feet to a point for an angle point;

THENCE: N 44° 41' W a distance of 70.86 feet to a point for an angle point;

$\Delta = 39^{\circ} 40' 20''$   
 $\Delta = 36^{\circ} 28' 15''$

THENCE: In a southwesterly direction 82.75 feet along an arc of a curve to the right having a radius of 130.00 feet;

THENCE: S 86° 24' W a distance of 242.03 feet to a point for an angle point;

THENCE: N 82° 20' 58" W a distance of 145.00 feet to a point for an angle point;

THENCE: S 14° 20' 35" W a distance of 70.60 feet to a point, said point being on the Little Bay side of Frandolig Peninsula;

THENCE: Along the Little Bay side of Frandolig Peninsula the following bearings and distances;

- N 77° 12' W - 22.00 feet
- S 71° 38' W - 202.70 feet
- N 71° 05' W - 115.41 feet
- N 38° 26' W - 85.00 feet
- N 9° 00' 12" E - 193.55 feet
- N 53° 22' E - 93.00 feet ?
- N 78° 26' E - 200.20 feet
- S 36° 09' E - 219.15 feet
- S 65° 11' E - 120.37 feet
- N 88° 24' E - 100.84 feet
- N 57° 30' E - 151.52 feet
- N 45° 19' E - 203.96 feet
- N 18° 22' E - 148.60 feet

TIDENCE: In a northeasterly direction 303.03 feet along an arc of a curve to the right having a radius of 627.56 feet;  $\Delta = 27^{\circ} 39' 59.1$

THENCE:

- N 57° 56' E - 169.05 feet
- N 2° 36' E - 46.10 feet
- S 79° 10' E - 106.30 feet
- N 65° 04' W - 153.85 feet
- N 45° 27' E - 70.46 feet
- N 30° 42' E - 214.67 feet
- S 40° 41' W - 203.96 feet
- S 47° 54' W - 70.18 feet
- S 31° 56' W - 31.94 feet
- S 60° 28' W - 117.69 feet
- S 30° 19' 27" W - 506.01 feet
- S 81° 47' W - 174.11 feet
- N 12° 08' W - 261.86 feet
- N 79° 32' W - 140.18 feet

- N 40° 18' 43" E - 761.53 feet
- N 8° 13' E - 38.10 feet
- N 27° 07' W - 252.62 feet
- N 24° 02' W - 90.97 feet
- N 6° 15' E - 114.61 feet
- N 33° 12' W - 101.59 feet
- N 20° 43' W - 100.09 feet
- N 32° 05' W - 101.25 feet
- N 2° 10' E - 49.57 feet

THENCE: N 77° 50' 36" W a distance of 200.19 feet to the P.C. of a curve;

THENCE: 56.15 feet along an arc of a curve to the left having a radius of 70.00 feet;

THENCE: S 56° 11' 36" W a distance of 131.40 feet to a point for an angle point;

THENCE: N 10° 37' W a distance of 65.27 feet to the POINT OF BEGINNING, containing 57.263 acres, more or less.

SUBJECT TO restrictions, conditions and limitations contained in the deed from Aransas County Navigation District No. 1, dated January 5, 1962, and recorded in Volume M-4, pages 402-412, Deed Records of Aransas County, Texas

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 grantee, its successors and assigns forever; and grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under it.

Current taxes have been prorated and payment thereof is assumed by Grantee.

EXECUTED this 23 day of March, A. D. 1962.

ATTEST:

KEY ALLEGRO LAND CO.

William F. May  
Secretary

By Carl C. Allegro  
President

STATE OF TEXAS  
COUNTY OF BEXAR

205

BEFORE ME, the undersigned authority, on this day personally appeared Carl C. Krueger, Jr., President of Key Allegro Land Co., 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 and in the capacity therein stated as the act and deed of said corporation.

GIVEN under my hand and seal of office on this the 19 day of March A. D., 1962.

*Marion S. ...*  
Notary Public in and for Bexar  
County, Texas

41530

SPECIAL WARRANTY DEED

KEY ALLEGRO LAND CO.

TO

KEY ALLEGRO DEVELOPMENT  
& SALES CO.

FILED FOR RECORD

At 2:15 P. M.

JUL 26 1962

*W. E. Peasley*  
Clerk County of Aransas Co., Texas

*Ruby Hunt*, Deputy

*Plt: Key allegro dev. \* Sale & Co.  
1026 Milam Bldg.  
San Antonio  
3/50  
FOSTER, LEWIS, LANGLEY & ONION  
ATTORNEYS AT LAW  
EIGHTEENTH FLOOR MILAM BUILDING  
SAN ANTONIO*

RECORDED: JULY 31, 1962

*W. E. Peasley*  
W. E. PEASLEY

COUNTY CLERK  
ARANSAS COUNTY, TEXAS

50375

THE STATE OF TEXAS :

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF ARANSAS :

That KEY ALLEGRO MARINA COMPANY, a Texas Corporation, with its principal Office in San Antonio, Bexar County, Texas, acting herein by and through its undersigned Officer, duly authorized by Corporate Resolution, of record in the Minutes of said Corporation, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, to it paid by KEY ALLEGRO DEVELOPMENT AND SALES COMPANY, the receipt and sufficiency of all of which is acknowledged and confessed; has Granted, Sold and Conveyed, and by these presents does Grant, Sell and Convey unto the said Key Allegro Development and Sales Company, a Texas Corporation, with its principal Office in Rockport, Aransas County, Texas, all that certain piece, parcel or tract of land in Aransas County, Texas, described as follows, to-wit:

A 0.145 acre tract out of Lot No. SEVEN (7) in Block No. FIVE (5) of KEY ALLEGRO ISLAND ESTATES, UNIT ONE, Aransas County, Texas, reference being made to the Official Subdivision Plat of Key Allegro Island Estates, Unit One, of record in Volume 2, Page 106 of the Map and Plat Records of Aransas County, Texas, this tract being more particularly described by metes and bounds thus:

Begin at the Northeast corner of Lot 7, Block 5, Key Allegro Island Estates, Unit One, being also the point of intersection of North R.O.W. line of Mazatlan Drive and the West R.O.W. line of Lauderdale Drive.

Thence, S 71° 55' 10" W along and with the North line of Mazatlan Drive a distance of 368.48 feet to an iron rod for the place of beginning and Northeast corner of this tract,

Thence, N 18° 04' 50" W and perpendicular to Mazatlan Drive a distance of 90.0 feet to an iron rod and the Northwest corner of this tract,

Thence, S 71° 55' 10" W and parallel to Mazatlan Drive a distance of 70.0 feet to an iron rod and the Southwest corner of this tract,

Thence, S 18° 04' 50" E a distance of 90.0 feet to an iron rod on the North R.O.W. line of Mazatlan Drive and the Southeast corner of this tract,

Thence, N 71° 55' 10" E along and with the North R.O.W. line of Mazatlan Drive a distance of 70.0 feet to the place of beginning and being 0.145 acres more or less.

This conveyance, however, is MADE SUBJECT TO the following:

1. Restrictions, covenants and conditions in Deed from Aransas County Navigation District No. One to Carl C. Krueger, Jr., dated January 5, 1962, which is of record in Volume M-4, Page 402 et seq. of the Deed Records of Aransas County, Texas.

2. Those certain restrictions and conditions governing Key Allegro Island Estates Subdivision, Unit One, which are of record in Volume Q-4, Pages 325-333 of the Deed Records of Aransas County, Texas, and to which reference is made for all purposes; and Grantee by accepting this Deed, acknowledges such restrictions and conditions to be in full force and effect.

3. Subdivision Plat of record in Volume 2, Page 106 of the Map and Plat Records of Aransas County, Texas, and easements shown thereon.

Grantee assumes the payment of 1965 taxes.

ARANSAS CO. SK.F. 36

COUNTER # 13403

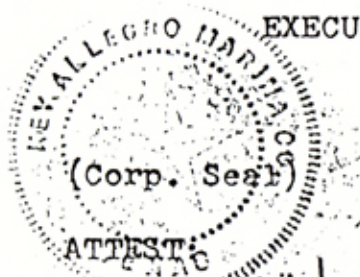
VOL 111 PAGE 489

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 Key Allegro Development and Sales Company, its successors and assigns, forever, and Grantor hereby binds itself, its successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto the said Key Allegro Development and Sales Company, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this 15th day of July, 1965.

KEY ALLEGRO MARINA COMPANY

BY Carl C. Krueger, Jr.  
 Carl C. Krueger, Jr., President



Paul Hesson  
 Secretary



THE STATE OF TEXAS  
 COUNTY OF ARANSAS

BEFORE ME, the undersigned, a Notary Public in and for said State and County, on this day personally appeared CARL C. KRUEGER, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of KEY ALLEGRO MARINA COMPANY, and as the President thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11th day of August, A. D. 1965.



Kay Stouby  
 Notary Public in and for Aransas County, Texas.

State of Texas }  
 County of Aransas }  
 I hereby certify that this instrument was FILED on 8-18-65 at 4:45 PM and was duly RECORDED in Vol. 111 Page 489 of the Deed RECORDS of Aransas County, Texas, on Aug. 19-1965

W. E. Beasley  
 Deputy  
 W. E. BEASLEY  
 County Clerk  
 Aransas County, Texas

WARRANTY DEED

46057

STATE OF TEXAS  
COUNTY OF ARANSAS

KNOW ALL MEN BY THESE PRESENTS:

That KEY ALLEGRO MARINA CO., a Texas corporation with its principal offices and place of business in San Antonio, Bexar County, Texas, for and in consideration of the sum of Ten & No/100 (\$10.00) Dollars and other good and valuable consideration to it in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and convey unto I. B. MAGEE LUMBER CO. of Nueces County, Texas, all of the following described property in Aransas County, Texas, to-wit:

A 0.814 acre tract being a part of Lot 7, Block 5, KEY ALLEGRO ISLAND ESTATES, UNIT 1, Aransas County, Texas.

BEGINNING: At a point, said point being the northwest corner of Lot 8, Block 5 of Key Allegro Island Estates, Unit 1, a subdivision filed in Volume 2, Page 106 of the Deed and Plat Records of Aransas County, Texas;

THENCE S 03° 44' 47" W a distance of 102.28 feet to a point on a curve;

THENCE: 136.11 feet on an arc of a curve to the right, said curve having a radius of 210.00 feet;

THENCE: N 49° 07" W a distance of 146.30 feet to an angle point, said point being on the Little Bay Side of Key Allegro Island Estates, Unit 1;

THENCE: The following bearings and distances along the Little Bay Side of Key Allegro Island Estates, Unit 1:

- N 70° 43" E a distance of 31.86 feet;
- N 62° 35" E a distance of 99.16 feet;
- N 45° 41" E a distance of 68.00 feet;

THENCE: S 44° 08' 14" E a distance of 156.41 feet to a point on a curve;

A-  
35° 40' 35"

THENCE: In a southerly direction 25.00 feet on an arc of a curve to the left, said curve having a radius of 40.00 feet;

THENCE: S 71° 55' 10" W a distance of 36.51 feet to the POINT OF BEGINNING, containing 0.814 acres more or less.



- 1 -



Plotted

SUBJECT TO:

(1) Restrictions, covenants and conditions in deed from Aransas County Navigation District No. 1 to Carl C. Krueger, Jr., dated 1-5-62, which is of record in Volume M4, Page 402 et seq of the Deed Records of Aransas County, Texas.

(2) That certain agreement by and between Key Allegro Development and Sales and Key Allegro Canal Owners Association dated 7-26-62, recorded in Volume Q4, pages 334-338, Deed Records of Aransas County, Texas.

(3) Sub-division plat of record in Volume 2, page 106 of the Map and Plat Records of Aransas County, Texas, and easements shown thereon.

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 grantee, its successors and assigns forever; and grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The property conveyed hereby shall be used by the Grantee, its successors and assigns only for single or multi-family residence purposes.

Current taxes have been prorated and payment thereof is assumed by Grantee.

EXECUTED this 30th day of March, A. D. 1964.

ATTEST:

KEY ALLEGRO MARINA CO.

*Paul Hession*  
Secretary

By *Carl C. Krueger, Jr.*  
President

STATE OF TEXAS      0

COUNTY OF ARANSAS   0

BEFORE ME, the undersigned authority, on this day personally appeared CARL C. KRUEGER, JR., President of KEY ALLEGRO MARINA CO., 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 and in the capacity therein stated as the act and deed of said corporation.

GIVEN under my hand and seal of office on this the *30th* day of *April*, A.D. 1964.

FRANKEL C. HARRIS  
Notary Public, Aransas County, Texas

*Frankel C. Harris*  
Notary Public in and for Aransas  
County, Texas

46057

\*\*\*\*\*  
WARRANTY DEED  
\*\*\*\*\*

KEY ALLEGRO MARINA CO.  
TO  
I. B. MAGEE LUMBER CO.  
\*\*\*\*\*

FILED FOR RECORD  
At 5:00 P. M.

APR 3 1964

W. E. Brasley  
Clerk County Court, Aransas Co. Texas  
by Sepe Landrum Deputy

W. E. Brasley  
County Clerk  
W. E. HASLEY, ARANSAS COUNTY, TEXAS

2 <sup>25</sup>/<sub>2</sub> pl  
Return to:  
I. B. Magee Lumber Co. Inc.  
1521 So. Port Loop,  
FOSTER, LEWIS, LANGLEY & UNION  
ATTORNEYS AT LAW  
EIGHTEENTH FLOOR MILAM BUILDING  
SAN ANTONIO  
Corporate Clerk - Texas

193

COUNTER # 13407

RECORDED: APRIL 8, 1964 ---



49187

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

THAT,

KEY ALLEGRO MARINA COMPANY, a corporation organized and existing under the laws of the State of Texas, with its office and principal place of business in Rockport, Aransas County, Texas, acting herein by and through its officers hereunto duly authorized by resolution of record in the minutes of said corporation, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to it in hand paid by KEY ALLEGRO SWIMMING CLUB, INC., and the further consideration of the desire of KEY ALLEGRO MARINA COMPANY to promote the development of recreational facilities of KEY ALLEGRO ISLAND ESTATES, the receipt and sufficiency of all of which is hereby acknowledged and confessed, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto KEY ALLEGRO SWIMMING CLUB, INC., a non-profit corporation organized and existing under the laws of the State of Texas, with its office and principal place of business in Rockport, Aransas County, Texas, the following described Lot, Tract or Parcel of land, lying and being situate in Aransas County, Texas, to-wit:

An 0.206 Acre Tract out of Lot Seven (7), Block Five (5), KEY ALLEGRO ISLAND ESTATES, UNIT 1, Aransas County, Texas, according to the Subdivision Map or Plat of record in Volume 2, Page 106 of the Map and Plat Records of Aransas County, Texas, to which record reference is made for all purposes, and being more particularly described by metes and bounds as follows:

STARTING at the Northeast corner of Lot Seven (7), Block Five (5), KEY ALLEGRO ISLAND ESTATES, UNIT ONE (1), being also the point of intersection of North R.O.W. line of MAZATLAN DRIVE and the West R.O.W. line of

ARANSAS CO. SK. F. 36

e

Plotted  
12-2-91

VOL 108 PAGE 485

COUNTER # 13408

LAUDERDALE DRIVE, THENCE S 71° 55' 10" W along and with the North line of Mazatlan Drive a distance of 438.46 feet to an iron rod for THE PLACE OF BEGINNING and the Northeast corner of this Tract;

THENCE N 18° 04' 50" W and perpendicular to Mazatlan Drive a distance of 90.0 feet to an iron rod and the Northwest corner of this Tract;

THENCE S 71° 55' 10" W and parallel to Mazatlan Drive a distance of 100.0 feet to an iron rod and the Southwest corner of this Tract;

THENCE S 18° 04' 50" E a distance of 90.0 feet to an iron rod on the North R.O.W. line of Mazatlan Drive and the Southeast corner of this Tract;

THENCE N 71° 55' 10" E along and with the North R.O.W. line of Mazatlan Drive a distance of 100.0 feet to the PLACE OF BEGINNING, and being 0.206 acres more or less;

SUBJECT TO:

1. Restrictions, covenants and conditions in Deed from Aransas County Navigation District No. One to Carl C. Krueger, Jr., dated January 5, 1962, which is of record in Volume M-4, Page 402, et seq., of the Deed Records of Aransas County, Texas;

2. Subdivision Plat of record in Volume 2, Page 106, of the Map and Plat Records of Aransas County, Texas, and utility easements shown thereon.

TO HAVE AND TO HOLD the above described property and premises, together with all and singular, the rights and appurtenances thereto in anywise incident, appertaining or belonging unto the said KEY ALLEGRO SWIMMING CLUB, INC., its successors and assigns forever, and the said corporation, Grantor herein, does hereby bind itself, its

U

successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said KEY ALLEGRO SWIMMING CLUB, INC., its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF the said corporation has caused these presents to be signed by its president, and its common seal to be hereunto affixed by its secretary, this the 30th day of March, 1965.

*No Stamps Required*

KEY ALLEGRO MARINA COMPANY

BY: *Carl C. Krueger, Jr.*  
CARL C. KRUEGER, JR., President

ATTEST:

*Allan F. May*  
ALLAN F. MAY, Secretary

0-----0

THE STATE OF TEXAS :  
COUNTY OF ARANSAS :

BEFORE ME, the undersigned authority in and for the foregoing State and County, on this day personally appeared CARL C. KRUEGER, JR., President of KEY ALLEGRO MARINA COMPANY, a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said KEY ALLEGRO MARINA COMPANY, a corporation, that he was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

*April* GIVEN UNDER MY HAND AND SEAL OF OFFICE this the *30th* day of ~~March~~, A. D., 1965.

*Leah L. Lawrence*

NOTARY PUBLIC in and for  
Aransas County, Texas.

(SEAL)

State of Texas }  
County of Aransas }

I hereby certify that this instrument was FILED on *4-14-65*  
*at 4:15 PM* and was duly RECORDED in Vol. *108* Page *485* of  
the *Seed* RECORDS of Aransas County, Texas,  
on *4-19-65*



*Lester Landrum*  
Deputy

W. E. BEASLEY  
County Clerk  
Aransas County, Texas

VOL 108 PAGE 487

X COUNTER# 13910

48039

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

That KEY ALLEGRO DEVELOPMENT AND SALES COMPANY, a Texas Corporation, with its principal Office in Aransas County, Texas, acting herein by and through its Officer duly authorized by Corporate Resolution, copy of which is of record in Volume N-4, Page 325 of the Deed Records of Aransas County, Texas, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, to it paid by ROBERT A. GRAY and SIBYL GRAY, the receipt and sufficiency of all of which is acknowledged and confessed; has Granted, Sold and Conveyed, and by these presents does Grant, Sell and Convey unto the said Robert A. Gray and Sibyl Gray, husband and wife, of Harris County, Texas, all that certain piece, parcel or tract of land in Aransas County, Texas, described as follows:

All of Lot No. FORTY-FIVE (45) and a portion of Lot No. FORTY-FOUR (44) in Block No. ONE (1) in KEY ALLEGRO ISLAND ESTATES, UNIT TWO, Aransas County, Texas, together with riparian rights thereto incident and appertaining, according to the Map or Plat of said Subdivision and Unit, of record in Volume 2, Page 127 of the Map and Plat Records of Aransas County, Texas, to which reference is made for all purposes; said portion of said Lot Forty-four (44) hereby conveyed being more particularly described by metes and bounds thus:

BEGINNING at a point, said point being the Southwest corner of Lot Forty-four (44), Block One (1), Key Allegro Island Estates, Unit Two, which is also the Northwest corner of Lot Forty-five (45), for the Westerly corner of this tract;  
THENCE North 86° 07' 12" East a distance of 172.56 feet along the common line between said Lot Forty-four (44) and Lot Forty-five (45) to an angle point;  
THENCE North 13° 46' West a distance of 17.00 feet;  
THENCE South 80° 28' 56" West a distance of 170.47 feet to the POINT OF BEGINNING.

This conveyance, however, is MADE SUBJECT TO the following:

1. Restrictions, covenants and conditions in Deed from Aransas County Navigation District No. One to Carl C. Krueger, Jr., dated January 5, 1962, of record in Volume M-4, Page 402 of the Deed Records of Aransas County, Texas.
2. Those certain restrictions and conditions governing Key Allegro Island Estates Subdivision, Unit Two, and the above described lot, which are of record in Volume Z-4, Page 68 of the Deed Records of Aransas County, Texas, and to which reference is made for all purposes; and Grantees by accepting this Deed, acknowledges such restrictions and conditions to be in full force and effect.
3. Subdivision Plat of record in Volume 2, Page 127 of the Map and Plat Records of Aransas County, Texas, and easements shown thereon.

Grantor assumes the payment of ad valorem taxes for 1964.

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 A. Gray and Sibyl Gray, their heirs and assigns forever, and Grantor hereby binds itself, its successors and assigns, to WARRANT AND FOR-

ARANSAS Co. SK F. 36

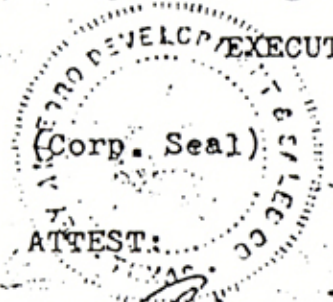
Vol 106 PAGE 44

C  
COUNTER # 13411

EVER DEFEND, all and singular, the said premises unto the said Robert A. Gray and Sibyl Gray, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 30th day of October, 1964.

KEY ALLEGRO DEVELOPMENT AND SALES COMPANY



BY Carl C. Krueger, Jr.  
Carl C. Krueger, Jr. President

Oliver F. May  
Secretary



THE STATE OF TEXAS :  
COUNTY OF ARANSAS :

BEFORE ME, the undersigned, a Notary Public in and for said State and County, on this day personally appeared CARL C. KRUEGER, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of KEY ALLEGRO DEVELOPMENT AND SALES COMPANY, and as the President thereof, and for the purposes and consideration therein expressed.

Vol. 106 PAGE 45

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3rd day of November, 1964.



Ray Simpson  
Notary Public in and for Aransas County, Texas.

State of Texas }  
County of Aransas }  
I hereby certify that this instrument was FILED on 11-23-64  
at 1:50 PM and was duly RECORDED in Vol. 106 Page 44 of  
the Deed RECORDS of Aransas County, Texas,  
on Nov. 24, 1964



W. E. BEASLEY  
County Clerk  
Aransas County, Texas

Loyce Sandrum  
Deputy

COUNTER # 13412

SUBDIVISION PLAT  
OF  
**KEY ALLEGRO ISLAND ESTATES**  
UNIT - I  
42221

STATE OF TEXAS  
COUNTY OF ARANSAS  
BEING 67.851 ACRES OUT OF FRANDOLIG PENINSULA IN ARANSAS COUNTY, TEXAS:

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATED BY THE USE OF THIS PUBLIC MONUMENT ALL STREETS, ALLEYS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.  
THE RESTRICTIONS APPLYING TO THIS SUBDIVISION ARE SHOWN BY SEPARATE INSTRUMENT OF WRITING EXECUTED THE 26 DAY OF JULY 1962.

*Carl C. Krueger, Jr.*  
CARL C. KRUEGER, JR., PRESIDENT  
KEY ALLEGRO DEVELOPMENT & SALES CO.

STATE OF TEXAS  
COUNTY OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CARL C. KRUEGER, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26 DAY OF JULY A.D. 1962.

*John L. Reynolds*  
NOTARY PUBLIC  
BRYAN COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF TEXAS

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

*R. Marvin Shipman*  
REGISTERED PROFESSIONAL ENGINEER

SWORN AND SUBSCRIBED BEFORE ME THIS 26 DAY OF JULY A.D. 1962.

*John L. Reynolds*  
NOTARY PUBLIC  
BRYAN COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

I, John D. Wendell, DEPUTY OF THE COMMISSIONER'S COURT OF ARANSAS COUNTY, TEXAS HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED AND AUTHORIZED BY SAID COMMISSIONER'S COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1962 AS SHOWN BY ORDER OF RECORD IN THE MINUTES OF SAID COURT IN VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_ PURSUANT TO THE 6626 VERSION OF THE TEXAS STATUTES. WITNESS MY HAND AND SEAL OF SAID COURT AT OFFICE IN ROCKPORT, TEXAS THIS 25 DAY OF OCT. A.D. 1962.

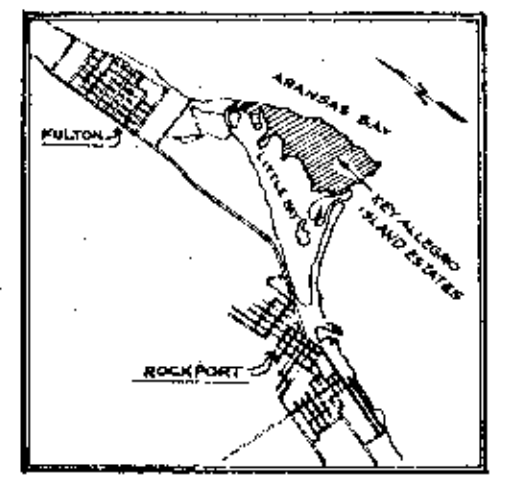
*John D. Wendell*  
COUNTY JUDGE  
ARANSAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

I, W. B. Beasley, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE 25 DAY OF OCTOBER 1962 AT 3:10 P.M. AND DULY RECORDED THE 25 DAY OF OCTOBER 1962 IN THE RECORDS OF SAID COUNTY, IN BOOK VOLUME 2 ON PAGE 163, SHEET 142.

IN TESTIMONY WHEREOF, WITH MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 25 DAY OF OCTOBER A.D. 1962.

*W. B. Beasley*  
COUNTY CLERK, ARANSAS COUNTY, TEXAS

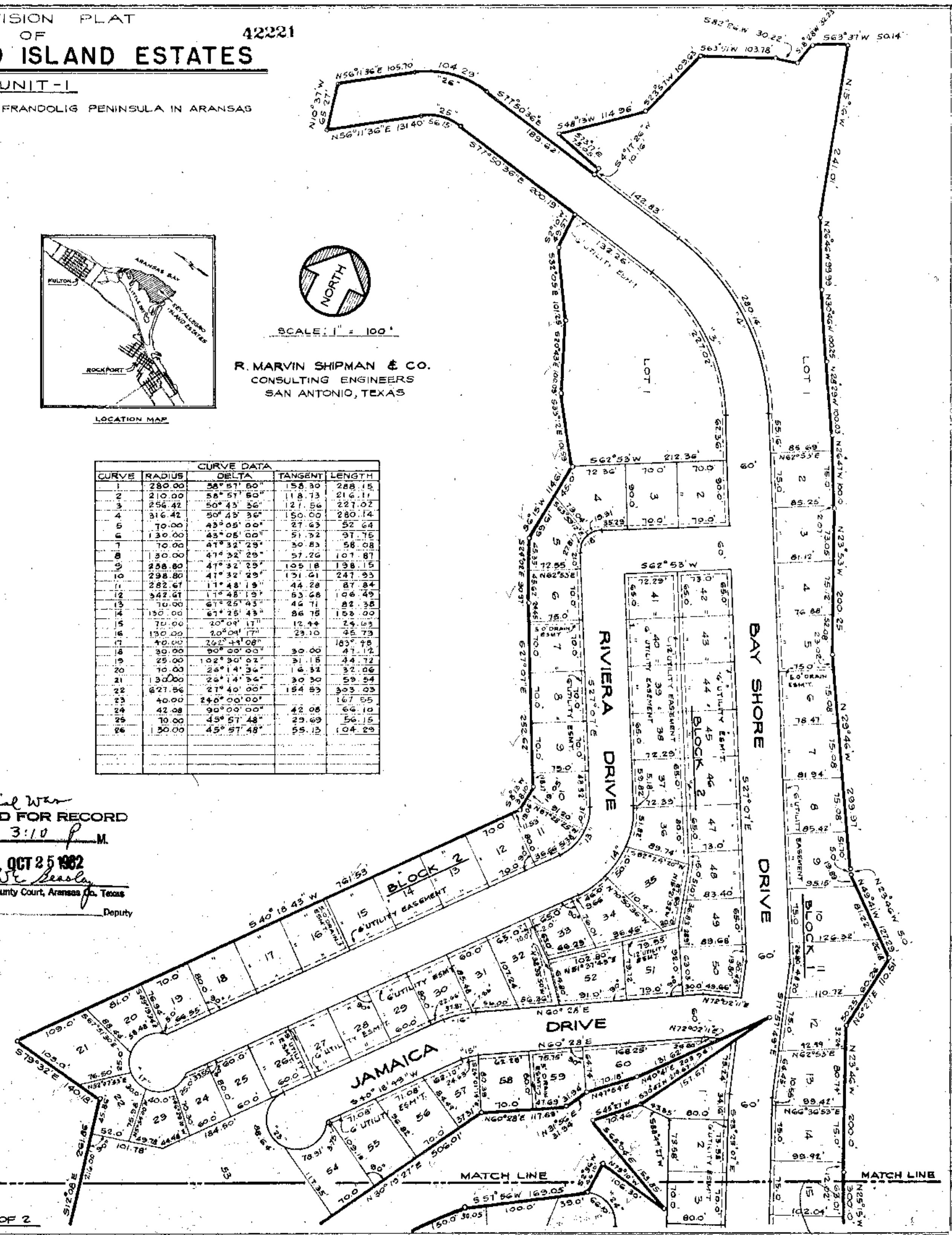


SCALE: 1" = 100'

R. MARVIN SHIPMAN & CO.  
CONSULTING ENGINEERS  
SAN ANTONIO, TEXAS

CURVE	RADIUS	DELTA	TANGENT	LENGTH
1	280.00	56° 57' 50"	158.30	288.15
2	210.00	58° 57' 50"	118.73	216.11
3	256.42	50° 43' 36"	121.56	227.02
4	316.42	50° 43' 36"	150.00	280.14
5	10.00	43° 05' 00"	27.63	52.64
6	130.00	43° 05' 00"	51.32	97.78
7	10.00	47° 32' 29"	30.83	58.08
8	130.00	47° 32' 29"	57.26	107.87
9	258.80	47° 32' 29"	105.18	198.15
10	298.80	47° 32' 29"	121.01	247.93
11	282.67	11° 48' 15"	44.28	87.84
12	542.67	11° 48' 15"	63.68	106.49
13	10.00	67° 25' 43"	46.71	82.38
14	130.00	67° 25' 43"	86.75	158.00
15	75.00	20° 00' 17"	13.44	24.93
16	130.00	20° 00' 17"	23.10	45.73
17	40.00	262° 34' 08"	183.78	353.03
18	30.00	90° 00' 00"	30.00	47.12
19	25.00	102° 30' 02"	31.15	44.72
20	15.00	28° 14' 36"	4.14	32.06
21	30.00	28° 14' 36"	20.30	59.54
22	627.86	27° 40' 00"	154.83	303.03
23	40.00	24° 00' 00"	42.08	66.10
24	42.08	90° 00' 00"	42.08	66.10
25	10.00	45° 57' 48"	23.69	56.15
26	130.00	45° 57' 48"	55.13	104.29

Original Was  
FILED FOR RECORD  
At 3:10 P.M.  
OCT 25 1962  
*W. B. Beasley*  
Clerk County Court, Aransas Co. Texas  
Deputy



MATCH LINE  
SHEET 1 OF 2

Sketch File 36 (Plat 1 of 3)  
County Aransas

SUBDIVISION PLAT  
OF  
**KEY ALLEGRO ISLAND ESTATES**  
UNIT - I

BEING 67.851 ACRES OUT OF FRANDOLIG PENINSULA IN ARANSAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN DEED OR THROUGH A DULY AUTHORIZED AGENT DEDICATED TO THE USE OF THE PUBLIC FOREVER ALL STREETS, DRAINAGE, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED. THE RESTRICTIONS APPLYING TO THIS SUBDIVISION ARE SHOWN BY SEPARATE INSTRUMENT OF WRITING EXECUTED THE 26 DAY OF JULY 1962.

*Carl C. Krueger, Jr.*  
CARL C. KRUEGER, JR., PRESIDENT  
KEY ALLEGRO DEVELOPEMENT & SALES CO.

STATE OF TEXAS  
COUNTY OF DEWEE

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CARL C. KRUEGER, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 26 DAY OF JULY A.D. 1962.

*John L. Reynolds*  
NOTARY PUBLIC  
DEWEE COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF DEWEE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACCURATE SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

*R. Marvin Shipman*  
REGISTERED PROFESSIONAL ENGINEER

SWORN AND SUBSCRIBED BEFORE ME THIS 26 DAY OF JULY A.D. 1962.

*John L. Reynolds*  
NOTARY PUBLIC  
DEWEE COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

I, John D. Wendell, DEPUTY OF THE COMMISSIONER'S COURT OF ARANSAS COUNTY, TEXAS HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED AND ACCEPTED BY SAID COMMISSIONER'S COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 1962 AS SHOWN BY ORDER OF RECORD IN THE MINUTES OF SAID COURT IN VOL. \_\_\_\_\_ PAGE \_\_\_\_\_ PURSUANT TO ART. 6066, VERNON'S TEXAS STATUTES, WITNESS MY HAND AND SEAL OF SAID COURT AT OFFICE IN ROCKPORT, TEXAS THIS 25 DAY OF OCT. A.D. 1962.

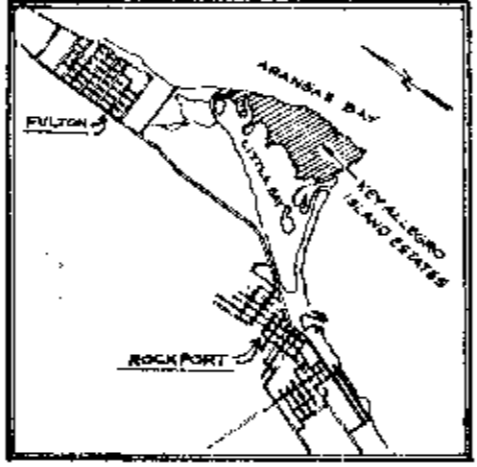
*John D. Wendell*  
COUNTY CLERK  
ARANSAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS

I, W. B. Beasley, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICITY WAS FILED FOR RECORD IN MY OFFICE, ON THE 25 DAY OF October 1962 AT 3:10 P.M. AND FULLY RECORDED THE 25 DAY OF October A.D. 1962 IN THE RECORDS OF SAID COUNTY, IN BOOK VOLUME 2 ON PAGE 142.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 25 DAY OF October A.D. 1962

*W. B. Beasley*  
COUNTY CLERK, ARANSAS COUNTY, TEXAS

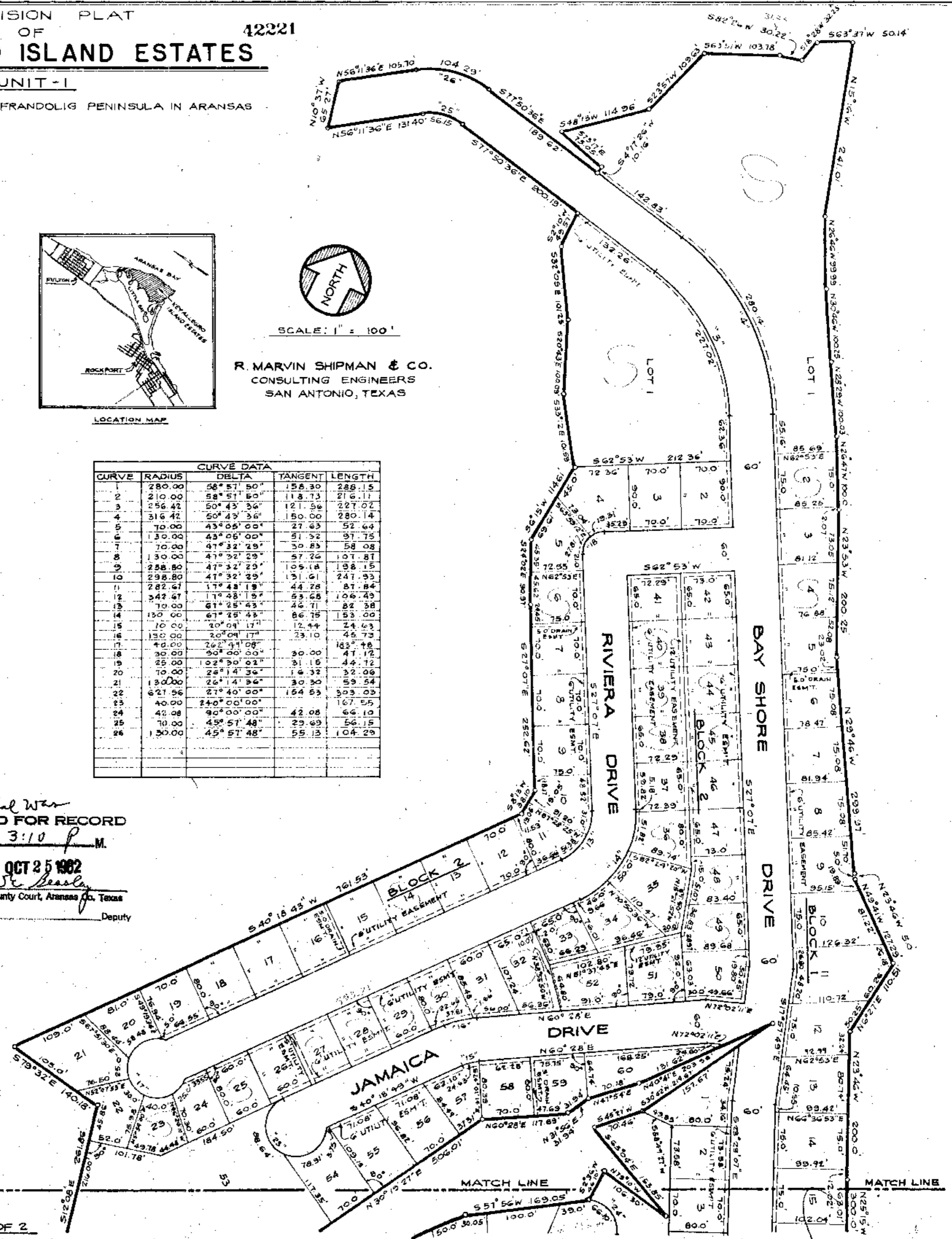


SCALE: 1" = 100'

R. MARVIN SHIPMAN & CO.  
CONSULTING ENGINEERS  
SAN ANTONIO, TEXAS

CURVE	RADIUS	DELTA	TANGENT	LENGTH
1	280.00	58° 57' 50"	158.30	288.15
2	210.00	58° 57' 50"	113.73	216.11
3	256.42	50° 43' 36"	121.56	327.02
4	316.42	50° 43' 36"	150.00	280.14
5	70.00	43° 06' 00"	27.63	52.44
6	130.00	43° 06' 00"	51.32	97.75
7	70.00	47° 32' 29"	30.83	58.08
8	130.00	47° 32' 29"	57.26	107.81
9	288.80	47° 32' 29"	109.14	198.15
10	298.80	47° 32' 29"	131.61	247.93
11	282.47	17° 43' 18"	44.28	87.84
12	342.47	17° 43' 18"	53.68	106.49
13	70.00	61° 25' 43"	46.71	82.38
14	130.00	61° 25' 43"	86.16	153.00
15	70.00	20° 04' 17"	12.44	24.63
16	130.00	20° 04' 17"	23.10	46.73
17	70.00	26° 34' 08"	30.00	60.00
18	30.00	90° 00' 00"	30.00	47.12
19	25.00	102° 30' 21"	31.16	44.12
20	70.00	22° 14' 36"	16.32	32.06
21	130.00	22° 14' 36"	30.30	59.54
22	627.96	27° 40' 00"	194.69	309.03
23	40.00	24° 00' 00"	42.08	66.19
24	42.08	90° 00' 00"	42.08	66.19
25	70.00	45° 57' 48"	29.69	56.15
26	130.00	45° 57' 48"	55.13	104.29

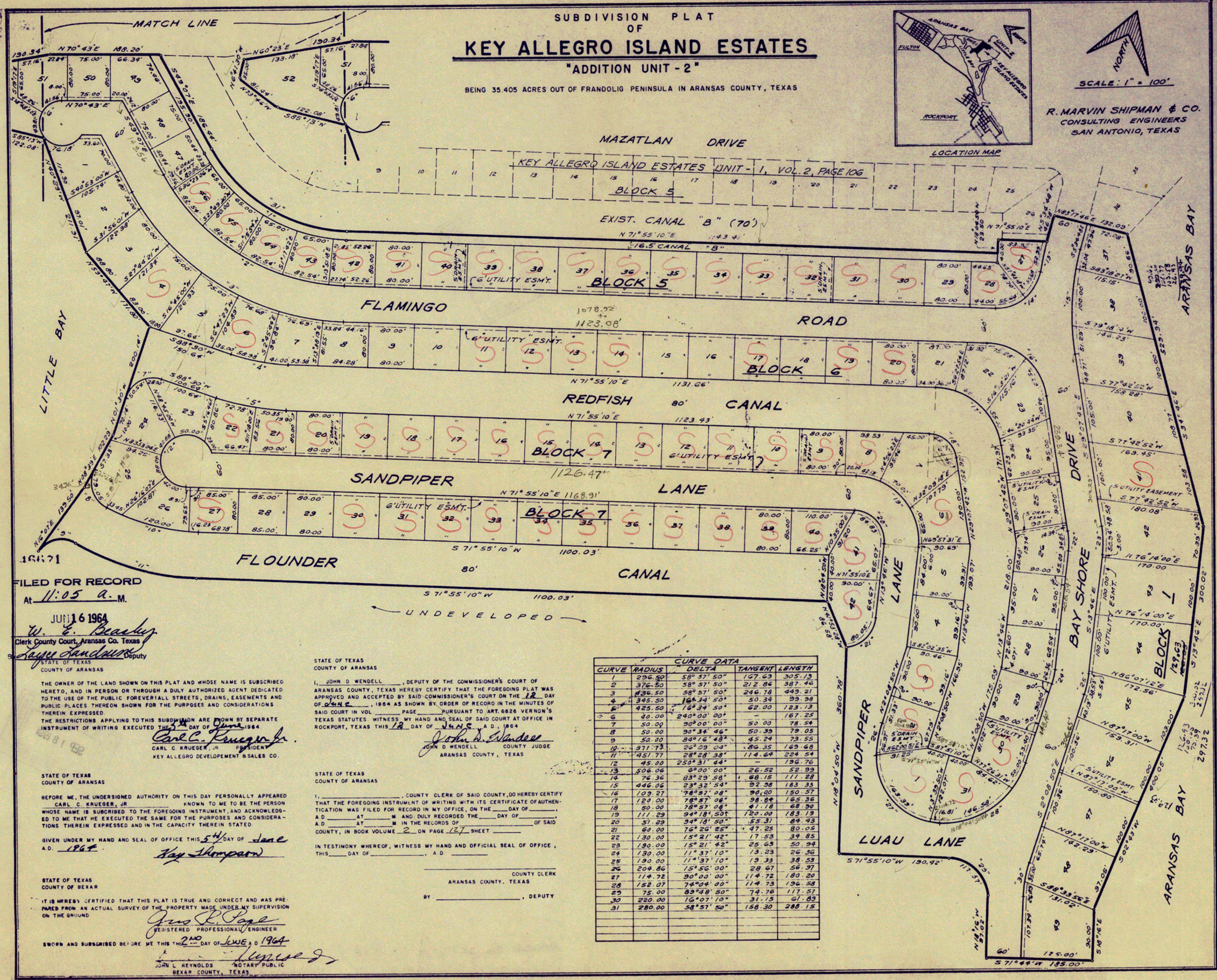
Original Was  
FILED FOR RECORD  
At 3:10 P.M.  
OCT 25 1962  
*W. B. Beasley*  
Clerk County Court, Aransas Co. Texas  
Deputy



MATCH LINE

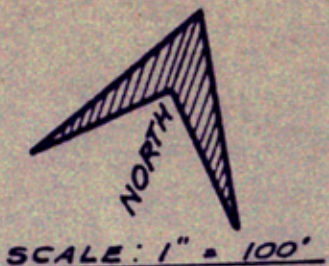
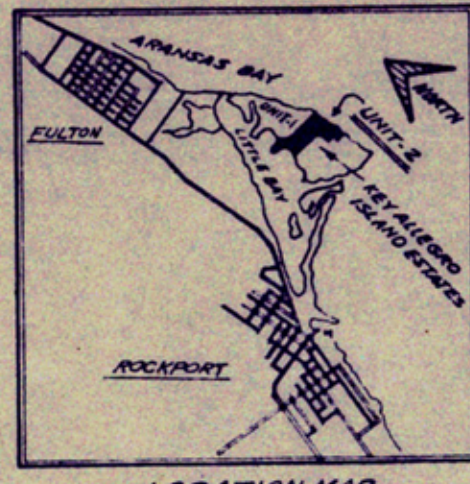
MATCH LINE

MATCH LINE



SUBDIVISION PLAT  
OF  
**KEY ALLEGRO ISLAND ESTATES**  
"ADDITION UNIT - 2"

BEING 35.405 ACRES OUT OF FRANDOLIG PENINSULA IN ARANSAS COUNTY, TEXAS



R. MARVIN SHIPMAN & CO.  
CONSULTING ENGINEERS  
SAN ANTONIO, TEXAS

FILED FOR RECORD  
At 11:05 A.M.

JUN 16 1964  
W. E. Beasley  
Clerk County Court, Aransas Co. Texas  
Ray Thompson Deputy

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATED TO THE USE OF THE PUBLIC FOREVERIAL STREETS, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED  
THE RESTRICTIONS APPLYING TO THIS SUBDIVISION ARE SHOWN BY SEPARATE INSTRUMENT OF WRITING EXECUTED THE 24 DAY OF June 1964.  
Carl C. Krueger, Jr. PRESIDENT  
KEY ALLEGRO DEVELOPMENT & SALES CO.

STATE OF TEXAS  
COUNTY OF ARANSAS  
I, JOHN D. WENDELL, DEPUTY OF THE COMMISSIONER'S COURT OF ARANSAS COUNTY, TEXAS HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED AND ACCEPTED BY SAID COMMISSIONER'S COURT ON THE 12 DAY OF JUNE, 1964 AS SHOWN BY ORDER OF RECORD IN THE MINUTES OF SAID COURT IN VOL. PAGE PURSUANT TO ART. 6626 VERNON'S TEXAS STATUTES. WITNESS MY HAND AND SEAL OF SAID COURT AT OFFICE IN ROCKPORT, TEXAS THIS 12 DAY OF JUNE, A. D. 1964  
John D. Wendell COUNTY JUDGE  
ARANSAS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF ARANSAS  
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CARL C. KRUEGER, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED  
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 5th DAY OF June A.D. 1964  
Ray Thompson

STATE OF TEXAS  
COUNTY OF ARANSAS  
I, COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE, ON THE DAY OF A D AT M AND DULY RECORDED THE DAY OF A D AT M IN THE RECORDS OF COUNTY, IN BOOK VOLUME 2 ON PAGE 127 SHEET  
IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS DAY OF A D

STATE OF TEXAS  
COUNTY OF BEXAR  
IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND  
John L. Reynolds REGISTERED PROFESSIONAL ENGINEER  
SWORN AND SUBSCRIBED BEFORE ME THIS 2nd DAY OF JUNE 1964  
John L. Reynolds NOTARY PUBLIC  
BEXAR COUNTY, TEXAS

CURVE	RADIUS	CURVE DATA		LENGTH
		DELTA	TANGENT	
1	296.50	58° 37' 50"	127.63	305.13
2	376.50	58° 37' 50"	212.84	387.46
3	436.50	58° 37' 50"	246.78	449.21
4	345.50	16° 34' 50"	50.34	99.98
5	425.50	16° 34' 50"	62.00	123.13
6	30.00	240° 00' 00"	-	167.25
7	50.00	90° 00' 00"	50.00	78.54
8	50.00	90° 34' 46"	50.39	79.05
9	50.00	84° 16' 48"	45.24	73.55
10	371.77	26° 29' 04"	86.35	169.68
11	451.77	28° 28' 38"	114.64	224.54
12	45.00	250° 31' 44"	-	196.76
13	506.06	8° 00' 00"	26.52	52.99
14	76.36	83° 29' 58"	68.15	111.28
15	446.06	23° 32' 54"	92.98	183.33
16	109.27	78° 37' 08"	98.00	150.57
17	120.00	78° 37' 08"	98.84	165.36
18	80.00	78° 37' 08"	41.18	68.90
19	111.29	94° 18' 50"	120.00	183.19
20	57.29	94° 18' 50"	55.31	84.43
21	60.00	76° 26' 25"	47.25	80.05
22	130.00	15° 21' 42"	17.53	34.85
23	190.00	15° 21' 42"	25.69	50.94
24	130.00	11° 37' 10"	13.23	26.36
25	190.00	11° 37' 10"	19.33	38.53
26	204.86	15° 56' 00"	28.67	56.97
27	114.72	90° 00' 00"	114.72	180.20
28	152.07	74° 04' 00"	114.73	196.58
29	75.00	83° 48' 50"	74.76	117.57
30	220.00	16° 07' 10"	31.15	61.89
31	280.00	58° 57' 50"	158.30	288.15



County # 18722

KEY ALLEGRO ISLAND ESTATES  
 OF  
 SUBDIVISION PLAT  
 UNIT-1

BEING 67.81 ACRES OUT OF PRANDIS PENINSULA IN ARKANSAS  
 COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF BROWN

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND ALSO THE INTERESTED PARTIES, AND THE PUBLIC OFFICERS AND AGENTS OF THE STATE OF TEXAS, HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

*Carl C. Hedges, Jr.*  
 Carl C. Hedges, Jr., Engineer  
 KEY ALLEGRO DEVELOPMENT & SALES CO.

STATE OF TEXAS  
 COUNTY OF BROWN

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, CARL C. HEDGES, JR., HAS PERSONALLY APPEARED AND ACKNOWLEDGED TO ME THAT HE HAS EXECUTED THE FOREGOING INSTRUMENT AND THAT HE IS THE OWNER OF THE LAND SHOWN ON THIS PLAT AND ALSO THE INTERESTED PARTIES.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20 DAY OF JULY, 1991.

*John C. Hedges*  
 Notary Public  
 In and for the County of Brown, State of Texas

STATE OF TEXAS  
 COUNTY OF BROWN

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

*Carl C. Hedges, Jr.*  
 Carl C. Hedges, Jr., Engineer  
 KEY ALLEGRO DEVELOPMENT & SALES CO.

STATE OF TEXAS  
 COUNTY OF BROWN

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, CARL C. HEDGES, JR., HAS PERSONALLY APPEARED AND ACKNOWLEDGED TO ME THAT HE HAS EXECUTED THE FOREGOING INSTRUMENT AND THAT HE IS THE OWNER OF THE LAND SHOWN ON THIS PLAT AND ALSO THE INTERESTED PARTIES.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20 DAY OF JULY, 1991.

*John C. Hedges*  
 Notary Public  
 In and for the County of Brown, State of Texas

STATE OF TEXAS  
 COUNTY OF BROWN

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20 DAY OF JULY, 1991.

*John C. Hedges*  
 Notary Public  
 In and for the County of Brown, State of Texas

STATE OF TEXAS  
 COUNTY OF BROWN

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20 DAY OF JULY, 1991.

STATE OF TEXAS  
 COUNTY OF BROWN



SCALE: 1" = 100'  
 R. MARVIN SHEPMAN & CO.  
 CONSULTING ENGINEERS  
 SAN ANTONIO, TEXAS

LOT	ACRES	AREA (SQ. FT.)	PERCENTAGE
1	0.01	690	0.01
2	0.01	690	0.01
3	0.01	690	0.01
4	0.01	690	0.01
5	0.01	690	0.01
6	0.01	690	0.01
7	0.01	690	0.01
8	0.01	690	0.01
9	0.01	690	0.01
10	0.01	690	0.01
11	0.01	690	0.01
12	0.01	690	0.01
13	0.01	690	0.01
14	0.01	690	0.01
15	0.01	690	0.01
16	0.01	690	0.01
17	0.01	690	0.01
18	0.01	690	0.01
19	0.01	690	0.01
20	0.01	690	0.01
21	0.01	690	0.01
22	0.01	690	0.01
23	0.01	690	0.01
24	0.01	690	0.01
25	0.01	690	0.01
26	0.01	690	0.01
27	0.01	690	0.01
28	0.01	690	0.01
29	0.01	690	0.01
30	0.01	690	0.01
31	0.01	690	0.01
32	0.01	690	0.01
33	0.01	690	0.01
34	0.01	690	0.01
35	0.01	690	0.01
36	0.01	690	0.01
37	0.01	690	0.01
38	0.01	690	0.01
39	0.01	690	0.01
40	0.01	690	0.01
41	0.01	690	0.01
42	0.01	690	0.01
43	0.01	690	0.01
44	0.01	690	0.01
45	0.01	690	0.01
46	0.01	690	0.01
47	0.01	690	0.01
48	0.01	690	0.01
49	0.01	690	0.01
50	0.01	690	0.01
51	0.01	690	0.01
52	0.01	690	0.01
53	0.01	690	0.01
54	0.01	690	0.01
55	0.01	690	0.01
56	0.01	690	0.01
57	0.01	690	0.01
58	0.01	690	0.01
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60	0.01	690	0.01
61	0.01	690	0.01
62	0.01	690	0.01
63	0.01	690	0.01
64	0.01	690	0.01
65	0.01	690	0.01
66	0.01	690	0.01
67	0.01	690	0.01
68	0.01	690	0.01
69	0.01	690	0.01
70	0.01	690	0.01
71	0.01	690	0.01
72	0.01	690	0.01
73	0.01	690	0.01
74	0.01	690	0.01
75	0.01	690	0.01
76	0.01	690	0.01
77	0.01	690	0.01
78	0.01	690	0.01
79	0.01	690	0.01
80	0.01	690	0.01
81	0.01	690	0.01
82	0.01	690	0.01
83	0.01	690	0.01
84	0.01	690	0.01
85	0.01	690	0.01
86	0.01	690	0.01
87	0.01	690	0.01
88	0.01	690	0.01
89	0.01	690	0.01
90	0.01	690	0.01
91	0.01	690	0.01
92	0.01	690	0.01
93	0.01	690	0.01
94	0.01	690	0.01
95	0.01	690	0.01
96	0.01	690	0.01
97	0.01	690	0.01
98	0.01	690	0.01
99	0.01	690	0.01
100	0.01	690	0.01

FILED FOR RECORD  
 N 310 P M  
 OCT 7 1991  
 THE CLERK OF COURTS  
 COUNTY OF BROWN, TEXAS

successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said KEY ALLEGRO SWIMMING CLUB, INC., its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF the said corporation has caused these presents to be signed by its president, and its common seal to be hereunto affixed by its secretary, this the 30th day of March, 1965.

KEY ALLEGRO MARINA COMPANY

BY: Carl C. Krueger, Jr.  
CARL C. KRUEGER, JR., President

*H. Stange Repressed*

ATTEST:  
Allan F. May  
ALLAN F. MAY, Secretary

THE STATE OF TEXAS :  
COUNTY OF ARANSAS :

BEFORE ME, the undersigned authority in and for the foregoing State and County, on this day personally appeared CARL C. KRUEGER, JR., President of KEY ALLEGRO MARINA COMPANY, a corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said KEY ALLEGRO MARINA COMPANY, a corporation, that he was duly authorized to perform the same by appropriate resolution of the board of directors of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

April: GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 30th day of March, A. D., 1965.

W. E. Hasty

NOTARY PUBLIC in and for  
Aransas County, Texas.

State of Texas  
County of Aransas  
I hereby certify that this instrument was filed on 4-14-65  
and was duly RECORDED in Vol. 108 Page 485 of  
the RECORD of Aransas County, Texas.  
on 4-14-65  
W. E. HASTLEY  
County Clerk  
Aransas County, Texas



Vol 108 Page 487

Counter # 18730





Vol. Y-4

P. 166

168

is assumed by Grantee.

EXECUTED this 20th day of January, A. D. 1964.

KEY ALLEGRO LAND CO.

ATTEST:

By [Signature]  
President

[Signature]  
Notary Public

THIS ACKNOWLEDGMENT OF INCORPORATION—Class 1

THE STATE OF TEXAS  
County of ARANSAS  
BEFORE ME, the undersigned,  
a Notary Public  
this day personally appeared CARL C. KRUEGER, JR.,  
whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the  
of KEY ALLEGRO LAND CO.,  
President thereof and for the purposes and consideration therein expressed.  
Given under my hand and seal of office, this 17th day of April, 1964.  
Notary Public in and for Aransas  
County, Texas.  
WILLIAM C. HANDELL  
Notary Public, Aransas County, Texas



100/201

SPECIAL WARRANT DEED

[Handwritten notes]  
Call for  
Call for  
Call for

FILED FOR RECORD

[Handwritten notes]  
JAN 21 1964

[Vertical handwritten notes]  
FORSTER LEWIS

RECORDED: JUNE 24, 1964  
COUNTY CLERK  
ARANSAS COUNTY, TEXAS

168

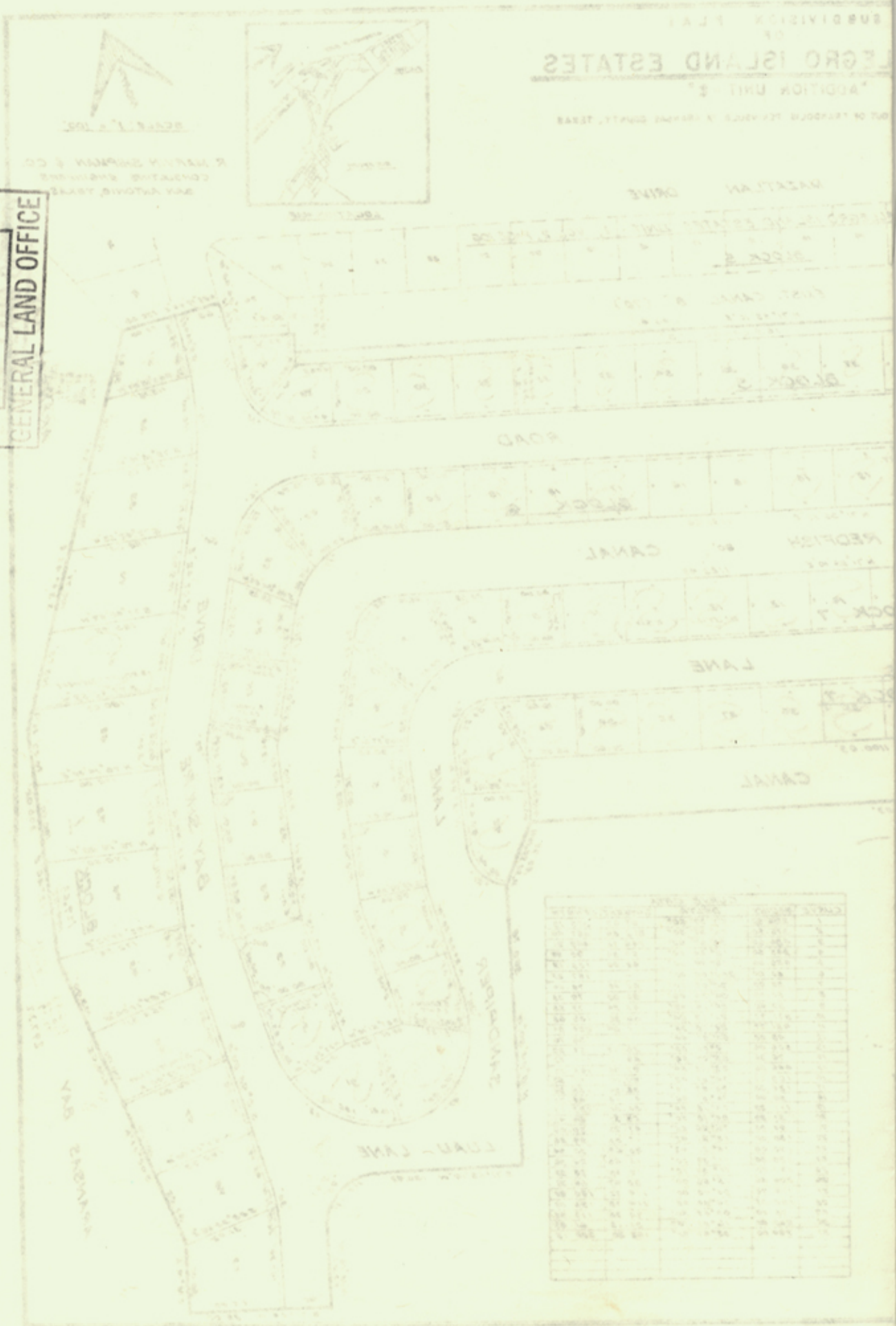
Counter 78727



SUBDIVISION PLAN  
 OF  
LEGRO ISLAND ESTATES  
 ADDITION UNIT 2  
 OUT OF 140000 SQ. YARDS, 3.16 ACRES, 2000 SQ. YARDS



**RECEIVED**  
 SEP 21 1991  
 GENERAL LAND OFFICE



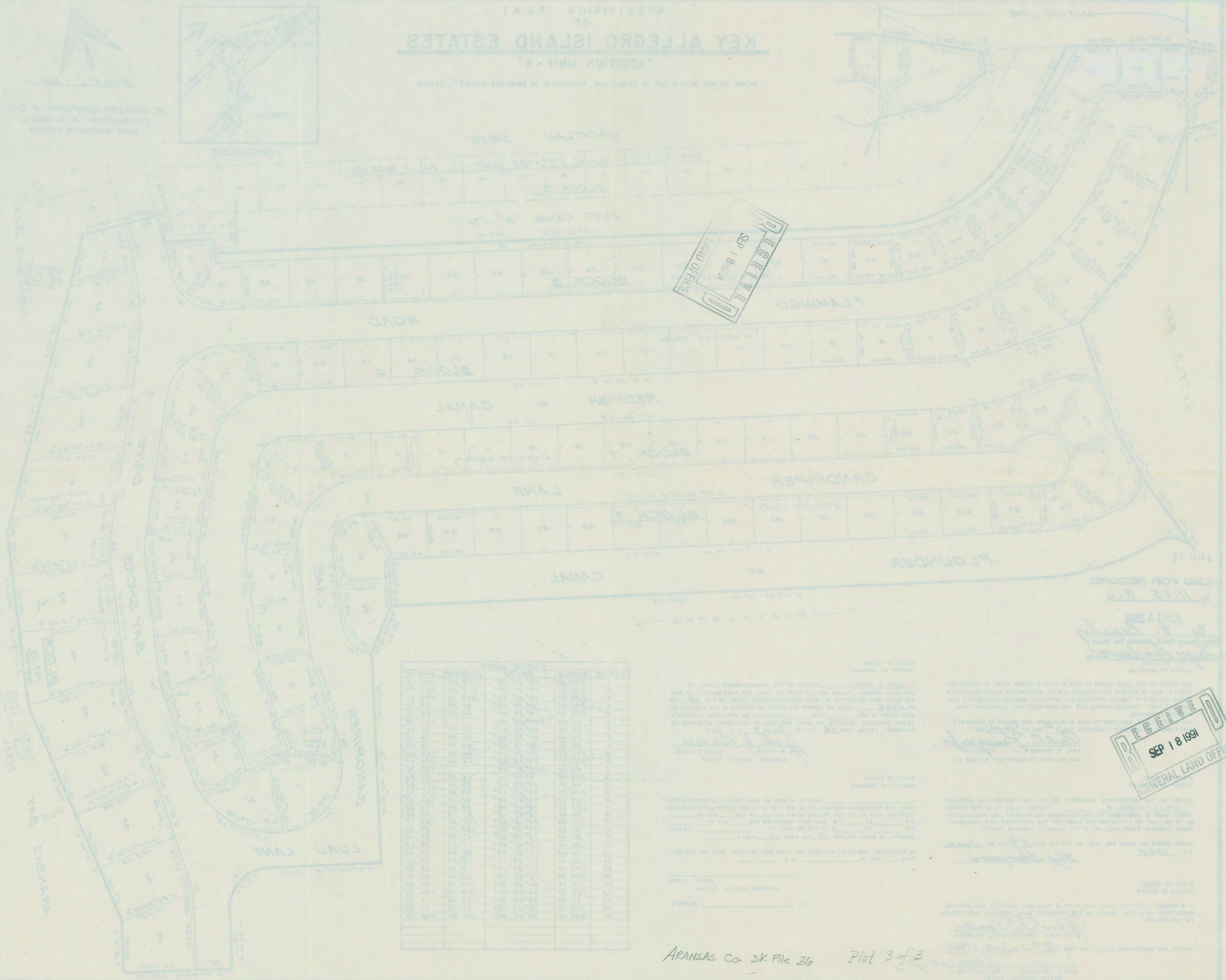
Counter # 78725





ADDITION UNIT - 2  
 OF  
 KEY ALLEGRO ISLAND ESTATES  
 SUBDIVISION PLAT

BEING 22 ACRES OUT OF TRACTS OF LAND IN ARKANSAS COUNTY, TEXAS



RECEIVED  
 SEP 18 1991  
 GENERAL LAND OFFICE

FILED FOR RECORD  
 JUL 16 1991  
 COUNTY OF ARKANSAS

RECEIVED  
 SEP 18 1991  
 GENERAL LAND OFFICE

TRACT	ACRES	FRONT FEET	DEPTH FEET	AREA	PERCENTAGE
1	1.25	100	100	12500	56.25
2	1.25	100	100	12500	56.25
3	1.25	100	100	12500	56.25
4	1.25	100	100	12500	56.25
5	1.25	100	100	12500	56.25
6	1.25	100	100	12500	56.25
7	1.25	100	100	12500	56.25
8	1.25	100	100	12500	56.25
9	1.25	100	100	12500	56.25
10	1.25	100	100	12500	56.25
11	1.25	100	100	12500	56.25
12	1.25	100	100	12500	56.25
13	1.25	100	100	12500	56.25
14	1.25	100	100	12500	56.25
15	1.25	100	100	12500	56.25
16	1.25	100	100	12500	56.25
17	1.25	100	100	12500	56.25
18	1.25	100	100	12500	56.25
19	1.25	100	100	12500	56.25
20	1.25	100	100	12500	56.25
21	1.25	100	100	12500	56.25
22	1.25	100	100	12500	56.25
23	1.25	100	100	12500	56.25
24	1.25	100	100	12500	56.25
25	1.25	100	100	12500	56.25
26	1.25	100	100	12500	56.25
27	1.25	100	100	12500	56.25
28	1.25	100	100	12500	56.25
29	1.25	100	100	12500	56.25
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100	1.25	100	100	12500	56.25

STATE OF TEXAS  
 COUNTY OF ARKANSAS

I, JAMES H. HARRIS, Surveyor of the County of Arkansas, do hereby certify that the foregoing plat of the subdivision of the above described land, as shown on the attached map, is a true and correct copy of the original plat as filed in my office on the 15th day of July, 1991, and that the same has been duly recorded in my office.

WITNESSED my hand and the seal of my office on the 15th day of July, 1991.

JAMES H. HARRIS  
 Surveyor of the County of Arkansas

STATE OF TEXAS  
 COUNTY OF ARKANSAS

I, JAMES H. HARRIS, Surveyor of the County of Arkansas, do hereby certify that the foregoing plat of the subdivision of the above described land, as shown on the attached map, is a true and correct copy of the original plat as filed in my office on the 15th day of July, 1991, and that the same has been duly recorded in my office.

WITNESSED my hand and the seal of my office on the 15th day of July, 1991.

JAMES H. HARRIS  
 Surveyor of the County of Arkansas

COUNTER # 78723

EVER DEPEND, all and singular, the said premises unto the said Robert A. Gray and Sibyl Gray, their heirs and assigns, against every person whomsoever law-fully claiming or to claim the same or any part thereof.

EXECUTED this 30th day of October, 1964.

KEY ALLEGRO DEVELOPMENT AND SALES COMPANY

BY Carl C. Krueger, Jr., President

Robert A. Gray  
Secretary

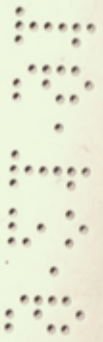


THE STATE OF TEXAS  
COUNTY OF ARKANSAS

BEFORE ME, the undersigned, a Notary Public in and for said State and County, on this day personally appeared CARL C. KRUEGER, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of KEY ALLEGRO DEVELOPMENT AND SALES COMPANY, and as the President thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 30th day of October, 1964.

Robert A. Gray  
Notary Public in and for Arkansas County, Texas.



I hereby certify that this instrument was filed on 10/30/64 and was duly RECORDED in Vol. 106, Page 44 of the RECORDS of Arkansas County, Texas, on 10/30/64.

W. L. STASLEY  
County Clerk  
Arkansas County, Texas



Robert A. Gray

11237

NOV 10 1953

STATE OF TEXAS )  
COUNTY OF ARANSAS )

KNOW ALL MEN BY THESE PRESENTS:

That we, ONA S. PETTY and husband, DABNEY E. PETTY, of Bexar County, Texas, as Grantors, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration to us in hand paid by CARL C. KRUEGER, JR., the sufficiency and receipt of which is acknowledged, hereby SELL, GRANT and CONVEY unto the said Grantee, CARL C. KRUEGER, JR., all and singular the oil, gas and other minerals on, in and under those certain lands and premises located in Aransas County, Texas, that are described in that certain deed of conveyance from Grantors to ARANSAS COUNTY NAVIGATION DISTRICT NO. 1 that is dated February 24, 1955, and is of record in Volume R-3, at page 118 et seq., of the Deed Records of Aransas County, Texas, to which deed and the record thereof reference is here made for a full description of said lands and premises, it being the purpose and intention of Grantors to sell and convey unto Grantee all of the oil, gas and other minerals that were reserved in and retained under the above-referred to deed of conveyance to ARANSAS COUNTY NAVIGATION DISTRICT NO. 1, together with all rights, titles and interest of Grantors or either of Grantors in and to said lands and premises <sup>including oil operation thereon</sup> and the oil, gas and other minerals in, on and under the same, relinquishing and conveying over and unto Grantee any and every claim, right, title and interest therein and thereto, including the drill site locations, roadway and right of way, so that by virtue of this instrument of conveyance the Grantee herein, his heirs and assigns, shall acquire, have, own and hold all of the oil, gas and other minerals in, on and under said lands, and every right, title, claim and interest of Grantors therein or incident thereto, and this conveyance shall be so construed and given effect.

TO HAVE AND TO HOLD the oil, gas and other minerals herein conveyed unto the said Grantee, his heirs and assigns, together with all and singular every right, title, claim and interest of Grantors in and to the lands and premises described in the above-referred to deed of conveyance from Grantors to ARANSAS COUNTY NAVIGATION DISTRICT NO. 1, as well as all rights incident or appurtenant thereto; and for the same consideration we hereby covenant by and with the Grantee, his heirs and as-

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signa, for ourselves and our legal representatives, to WARRANT the title to said oil, gas and other minerals in, on and under said lands and the rights incident and appurtenant thereto unto the said Grantee, his heirs and assigns, against the claims of all persons whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS OUR HANDS this the 1 day of January, 1962.



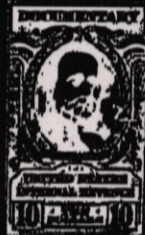
*Ona S. Petty*

Ona S. Petty

*Dabney E. Petty*

STATE OF TEXAS )

COUNTY OF BEXAR )



BEFORE ME, the undersigned authority, on this day personally appeared DABNEY E. PETTY and ONA S. PETTY, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said ONA S. PETTY, wife of the said DABNEY E. PETTY, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said ONA S. PETTY, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN under my hand and seal of office this the 1 day of January, 1962.

*W. E. Beasley*

Notary Public in and for Bexar County, Texas

NOTARY PUBLIC  
W. E. BEASLEY  
ARANSAS COUNTY, TEXAS

LETTERS WOVEN, MACFARLANE & BERRY  
434 N. 3rd St. Bldg. 200  
ST. LOUIS, MO. 63102  
The copy of the Standard Attorney  
1962 version submitted  
can reference 2000

*Paul*  
1962

FILED FOR RECORD  
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City County Court, Aransas Co. Texas

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RECORDED JANUARY 10, 1962 *W. E. Beasley* COUNTY CLERK  
W. E. BEASLEY ARANSAS COUNTY, TEXAS.

*Brewer, Matthews, Nowlin & Macfarlane*  
*Attorneys at Law*

*W. L. Matthews*  
*W. F. Matthews*  
*Harper Macfarlane*  
*Grady Russell*  
*Samuel R. Fuller*  
*P. H. Lawrence, Jr.*

*Alamo National Building*  
*San Antonio 5, Texas*

February 23, 1955.

Mr. W. O. Darney, Jr.,  
Capitol National Bank Building,  
Austin, Texas.

Dear Sir:

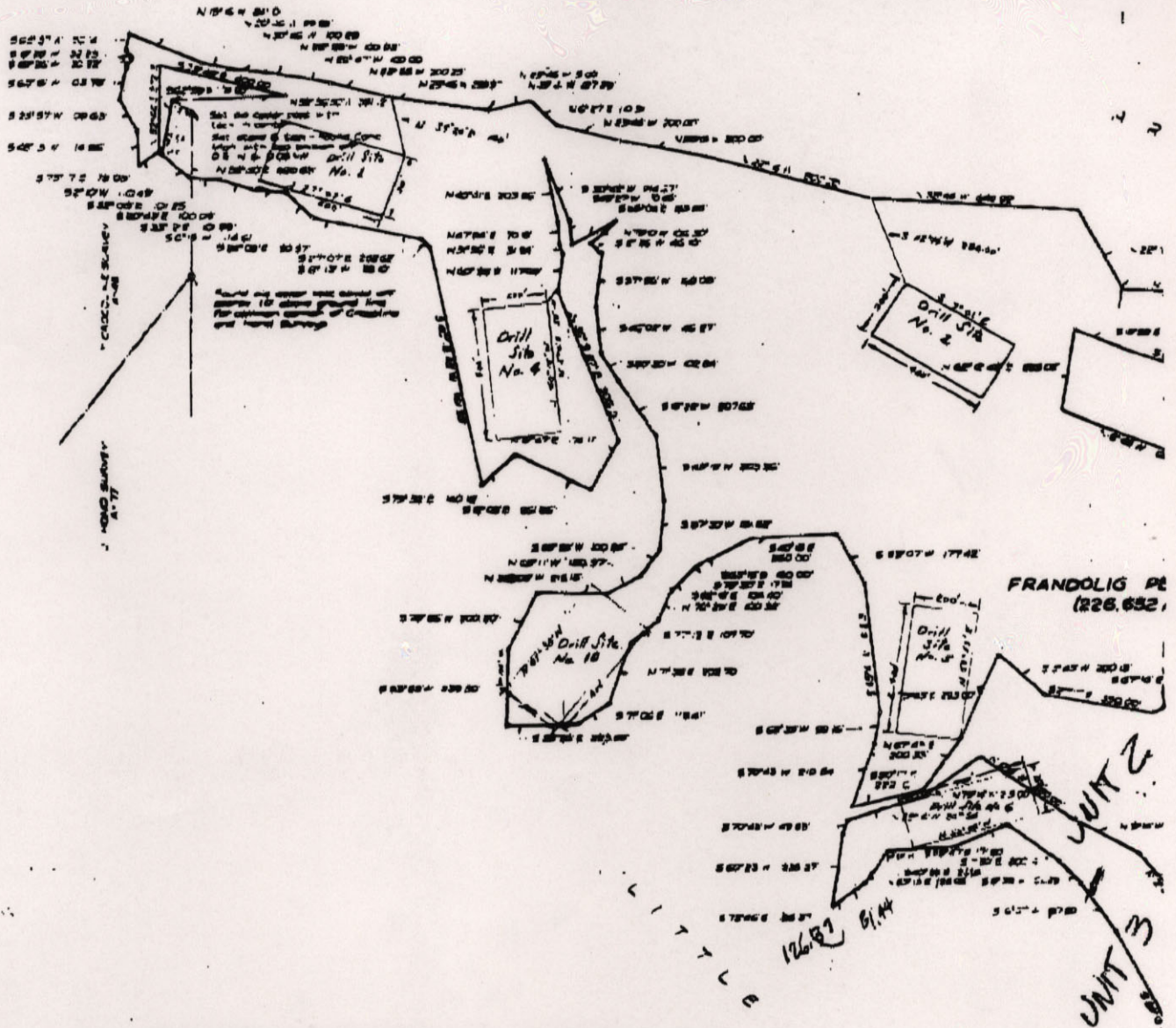
We have examined the title to those certain lands in Aransas County, Texas, comprising the area commonly known as Frandoli Peninsula, conveyed to Dabney E. Petty by the Executor of the Estate of Harry Hertzberg, deceased, by deed dated September 25, 1944, recorded in Volume Y-2, page 56, of the deed records of Aransas County, Texas, including all of the land on that peninsula above mean high tide, and containing 226.65 acres of land according to a survey on the ground made during the month of November, 1954, by W. C. Mitchell, State Licensed Land Surveyor, and being the lands specifically adjudicated as vested in Ona S. Petty, wife of Dabney E. Petty, in Cause No. 3058, styled Dabney E. Petty et ux vs. Aransas County Navigation District No. 1 in the 36th District Court of Aransas County, Texas, by decree and judgment of the Court entered in that cause on this 24th day of February, 1955.

Ona S. Petty, joined by her husband, Dabney E. Petty, has this day executed as lessors an oil, gas and mining lease in your favor as lessee covering those lands specifically described in accordance with the November, 1954, Mitchell survey. In our opinion, Mrs. Ona S. Petty, wife of Dabney E. Petty, was the owner in fee simple of the lands covered by your oil, gas and mining lease and upon its execution vested you with good title to the 13/16ths working interest covered by that lease, subject to its terms and provisions, specifically those restricting the use of the surface to the designated fourteen drill sites as shown on the plat attached to and made a part of your lease.

The title to the 226.65 acres of land, upon the delivery of the oil, gas and mining lease above referred to, is vested, in so far as the surface and royalty ownership and reversionary rights, in Ona S. Petty, wife of Dabney E. Petty, and in you in so far as the rights and interest created by your oil, gas and mining lease are concerned, such title being free and clear of all liens and encumbrance

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R3-122



Property lines were run on U.S. Coast & Geodetic station #048. This station is near high tide level on a description of E.C. Wilkey, Chief, Texas Survey, Division of Texas & Commerce, U.S. Coast & Geodetic Survey in the case of *Chambers v. Petty*, et al., in Arkansas County, Arkansas District No. 1, District Court of Arkansas County, Texas, said description dated August, 1934.

I, W.C. Moberly, of the firm of Lockwood and Andrews, a State Licensed Land Surveyor of the State of Texas, do hereby certify that this plat is a true representation of the property shown herein as surveyed by me on the ground hereon, 1955.

*W.C. Moberly*  
W.C. Moberly  
Licensed State Land Surveyor

81.44

DABNEY S. PETTY  
ARANSAS COUNTY, TEXAS

SURVEY OF FRANDOLIS PENINSULA  
ARANSAS COUNTY, TEXAS

SURVEYED BY  
LOCKWOOD & ANDREWS  
CONSULTING ENGINEERS  
CORPUS CHRISTI HOUSTON VICTORIA, TEXAS

SCALE: 1"=800'

DATE: DEC. 10, 1954 JOB NO. C11-8 DMS NO. B-985

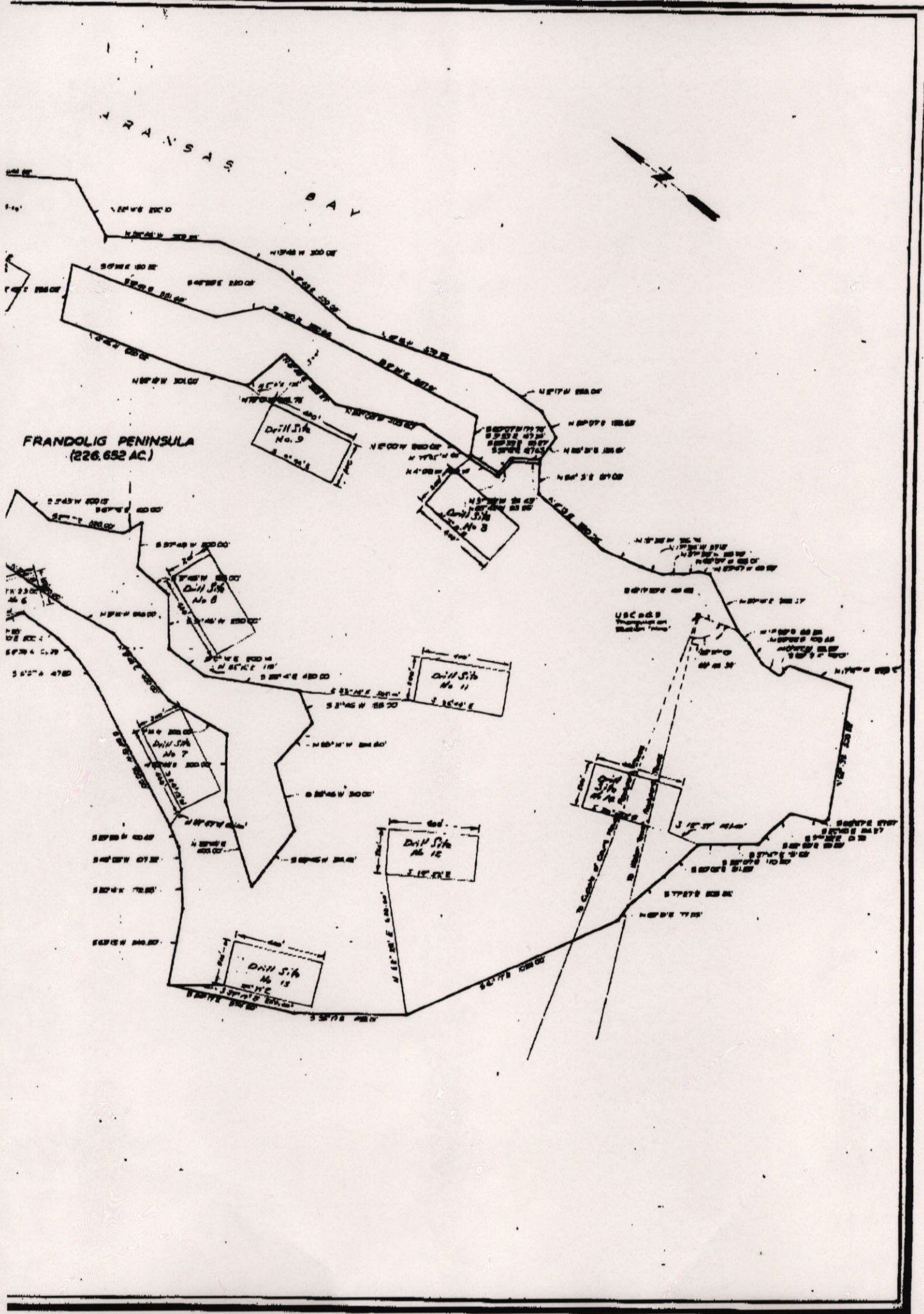
FILED FOR RECORD: MAY 20, 1955 at 3:35 P.M.  
RECORDED: JUNE 9 1955 at 4:30 P.M.

*Jas C. Herring*  
JAS. C. HERRING, Clerk County Court  
Aransas County, Texas

By *Wretha B Johnson* Deputy

COUNTER 82599

R3-Pg. 122



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COMPARED  
28382

ON 5<sup>th</sup> FERRY, ET VTR  
TO

ARANSAS COUNTY NAVIGATION DISTRICT NO. 1

3-17-56

QUITCLAIM

FILED FOR RECORD

MAR 21 1956

MAR 27 1956

W. E. Beasley  
Clerk County Court, Aransas Co., Texas  
By: *[Signature]*

Return to:  
ELLIS L. CLARK  
ATTORNEY AT LAW  
ROCKPORT, TEXAS

40209

FILED FOR RECORD

MAR 5 1962

JAN 5 1962

W. E. Beasley  
Clerk County Court, Aransas Co., Texas  
By: *[Signature]*

RECORDED: JANUARY 10 1962

*W. E. Beasley*  
W. E. BEASLEY

COUNTY CLERK  
ARANSAS COUNTY, TEXAS.

Federal law prohibits enforcement of restrictions as to restricting land ownership or use because of race, color, creed, national origin, religion, disabilities, handicap, sex, or familial status; and limits our ability to report or show them. If such restrictions are contained in this document, such restrictions or covenants are omitted and we do not publish, state or imply such restrictions or covenants are enforceable.

40210

THE STATE OF TEXAS )  
COUNTY OF ARANSAS )

WHEREAS, ARANSAS COUNTY NAVIGATION DISTRICT NO. 1, is a Navigation District organized and existing under the laws of the State of Texas, and empowered by special legislative enactment entitled Section 1 of House Bill 817, Acts 51st Legislature, Regular Session, 1949, Chapter 213, Page 398; and

WHEREAS, under the provisions of Article 8247b, Section 1, Sub-Section (C) Texas Revised Civil Statutes, as amended, any Navigation District organized under any of the provisions of the Constitution or laws of the State of Texas may sell or



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lease any lands owned by it, including lands acquired by purchase or in settlement of any litigation, controversy or claim in behalf of the Navigation District, provided that such lands are declared as surplus and are not necessary to be used by such Navigation District in connection with such navigation project, and in the event of sale, the Navigation and Canal Commission of such Navigation District shall cause to be published in some newspaper of general circulation within said Navigation District, at least once per week for two (2) consecutive weeks preceding the last date for receipt of bids for such sale, a notice requesting bids on such land, such notice to contain the approximate amount of land offered for sale, the general location thereof, the time and place of receipt of such bids, the place where specifications may be obtained and providing that each bid shall be accompanied by a certified check,

cashier's check or bidder's bond with a responsible corporate surety authorized to do business in Texas, each in an amount equal to the bid for such land to guarantee that such bidder will perform the terms of his bid, providing such bid is accepted by the Navigation and Canal Commission, and such notice shall further provide that the Navigation and Canal Commission reserves the right to reject any or all bids; and

; WHEREAS, by resolution dated October 27, 1961, the Board of Navigation and Canal Commissioners of ARANSAS COUNTY NAVIGATION DISTRICT NO. 1, did declare the hereinafter described property to be surplus and not necessary to the development of the navigation project heretofore planned for the Little Bay area, and further that such property, hereinafter described, be advertised for sale as surplus property under the provisions of said Article 8247b, Section 1, Sub-Section (C), Texas Revised Civil Statutes, as amended, and that bids on said property be opened at the office of ARANSAS COUNTY NAVIGATION DISTRICT NO. 1 in Rockport, Texas, at 11:00 o'clock a.m., the 24th day of November, 1961, and that such advertisement be published in the Rockport Pilot, a newspaper of general circulation in ARANSAS COUNTY NAVIGATION DISTRICT NO. 1, for four (4)

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consecutive weeks preceding the last date for receipt of bids, and further that the hereinafter described property is of the reasonable market value of SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00), and that no bid in a less amount will be considered; and

WHEREAS, an advertisement, requesting bids on the hereinafter described property, was published in the Rockport Pilot on the 2nd, 9th, 16th and 23rd days of November, 1961, such advertisement complying in all respects with the resolution authorizing such advertisement for the sale of surplus property; and

WHEREAS, on the 24th day of November, 1961, at 11:00 o'clock a.m. in the office of ARANSAS COUNTY NAVIGATION DISTRICT NO. 1 in Rockport, Texas, the Board of Navigation and Canal Commissioners, did meet in special session, with all members present, for the purpose of opening and considering the bids requested in the authorized advertisement, and at such meeting the only bid tendered for the purchase of the advertised property was opened, such bid being in the sum of SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00) and submitted by CARL C. KRUEGER, JR., consideration of the bid was deferred until Monday, November 27, 1961, at 3:00 o'clock p.m.; and

WHEREAS, on Monday, November 27, 1961, at 3:00 o'clock p.m., the Board of Navigation and Canal Commissioners of ARANSAS COUNTY NAVIGATION DISTRICT NO. 1 did re-convene in special session for the purpose of considering the bid submitted by CARL C. KRUEGER, JR., for the purchase of the hereinafter described property, whereupon after consideration, it was ordered by unanimous vote that the bid of SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00) submitted by CARL C. KRUEGER, JR., for the purchase of Frandolig Peninsula, as

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hereinafter described, is the highest and best bid for said property, that said sum is the reasonable market value of said property in this locality at this time, that said bid be accepted and the sale of said property be confirmed, that the Chairman and Secretary of the Board of Navigation and Canal Commissioners of ARANSAS COUNTY NAVIGATION DISTRICT NO. 1 are instructed to convey Prandolig Peninsula to CARL C. KRUEGER, JR., in accordance with the terms and conditions contained in the resolution authorizing the sale of said property and the advertisement for its sale, that such conveyance shall be by special warranty deed, shall describe the property by metes and bounds according to the survey field notes on file in the office of ARANSAS COUNTY NAVIGATION DISTRICT NO. 1, and upon compliance by said CARL C. KRUEGER, JR., with all the terms and conditions of said resolution and advertisement; and

WHEREAS, the said CARL C. KRUEGER, JR., has complied with all the terms and conditions of said resolution, advertisement and order, and no valid reason exists why such conveyance should not be made;

Now, therefore,

KNOW ALL MEN BY THESE PRESENTS:

That,

ARANSAS COUNTY NAVIGATION DISTRICT NO. 1, a Navigation District and Political Subdivision, organized, existing and operating under the laws of the State of Texas, acting herein by and through its officers hereunto duly authorized, for and in

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consideration of all of the foregoing and the covenants hereinafter contained and the further consideration of the sum of SIXTY-FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00) to it all cash in hand paid by CARL C. KRUEGER, JR., the receipt and sufficiency of which is acknowledged and confessed, have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto CARL C. KRUEGER, JR., of Bexar County, Texas, all those certain tracts or parcels of land, except as hereinafter set forth, and with the restrictions and limitations, and upon the covenants and conditions hereinafter contained, lying and being situate in Aransas County, Texas, and described as follows, to-wit:

First Tract

All those certain lands and premises above mean high tide known as the "PENINSULA OF NINE MILE POINT," as was granted by the State of Texas to P. J. Frandolig by Letters Patent dated July 5, 1892, of record in Volume 0, at Page 450, of the Deed Records of Aransas County, Texas, as the same now exists, including all of the accumulated land, whether the same be by accretion or by a receding of the waters of the bay, said lands being located in Aransas County, Texas, approximately two miles Northeast of the Courthouse at Rockport, Texas, the County Seat of Aransas County, Texas, and are particularly described as commencing at the Northeast corner of the Joseph Hond Survey, the same being the Southeast corner of the Terrance Crocoline Survey, at a point in the old Frandolig Peninsula fence line;

MITCHEL RE POINT N 52° 30' E

THENCE, N. 52° 32' E. with the East line of the said Terrance Crocoline Survey a distance of 520.83 feet to a stake and tack point, said stake bears S. 0.51 feet and Southeast 0.05 feet from an old broken-off concrete monument;

THENCE, N. 7° 00' W. a distance of 71.10 feet

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where an old cedar post was set with a tack point in center:

THENCE, S. 62° 59' W. a distance of 174.90 feet to the PLACE OF BEGINNING:

THENCE, with the meanders of Little Bay, Aransas Bay, that lie within the boundaries of the herein described tract, as follows:

THENCE, S. 2° 10' W., 110.49 Ft.; S. 32° 05' E., 101.25 Ft.; S. 20° 42' E., 100.09 Ft.; S. 33° 12' E., 101.59 Ft.; S. 6° 15' W., 114.61 Ft.; S. 24° 02' E., 90.97 Ft.; S. 27° 07' E., 252.62 Ft.; S. 8° 13' W., 38.10 Ft.; S. 40° 18' 43" W., 761.53 Ft.; S. 79° 32' E., 140.18 Ft.; S. 12° 08' E., 261.86 Ft.; N. 81° 47' E., 174.11 Ft.; N. 30° 19' 27" E., 506.01 Ft.; N. 60° 28' E., 117.69 Ft.; N. 31° 56' E., 31.94 Ft.; N. 47° 54' E., 70.18 Ft.; N. 40° 41' E., 203.96 Ft.; S. 30° 42' W., 214.67 Ft.; S. 45° 27' W., 70.46 Ft.; S. 65° 04' E., 153.85 Ft.; N. 79° 10' W., 106.30 Ft.; S. 2° 36' W., 46.10 Ft.; S. 57° 56' W., 169.05 Ft.; S. 46° 02' W., 146.27 Ft.; S. 20° 30' W., 102.84 Ft.; S. 18° 22' W., 207.69 Ft.; S. 45° 19' W., 203.96 Ft.; S. 57° 30' W., 151.52 Ft.; S. 88° 24' W., 100.84 Ft.; N. 65° 11' W., 120.37 Ft.; N. 36° 09' W., 219.15 Ft.; S. 78° 26' W., 200.20 Ft.; S. 53° 22' W., 239.30 Ft.; S. 38° 26' E., 223.39 Ft.; S. 71° 06' E., 115.41 Ft.; N. 71° 38' E., 202.70 Ft.; S. 77° 12' E., 107.70 Ft.; N. 76° 25' E., 100.32 Ft.; S. 82° 18' E., 104.40 Ft.; S. 72° 30' E., 17.24 Ft.; S. 63° 15' E., 180.00 Ft.; S. 40° 15' E., 260.00 Ft.; S. 23° 07' W., 177.42 Ft.; S. 45° 41' W., 412.31 Ft.; S. 62° 35' W., 99.16 Ft.; ~~S. 70° 43' W., 310.37 Ft.~~ S. 60° 23' W., 235.27 Ft.; S. 73° 46' E., 126.37 Ft.; N. 85° 13' E., 122.08 Ft.; S. 40° 29' E., 211.91 Ft.; S. 59° 47' E., 171.80 Ft.; S. 1° 30' E., 200.14 Ft.; S. 8° 39' W., 102.29 Ft.; S. 16° 07' W., 187.80 Ft.; S. 24° 13' W., 700.00 Ft.; S. 29° 55' W., 100.49 Ft.; S. 46° 05' W., 107.32 Ft.; S. 50° 14' W., 172.95 Ft.; S. 63° 13' W., 346.80 Ft.; S. 24° 17' E., 574.80 Ft.; S. 36° 17' E., 499.81 Ft.; S. 61° 17' E., 1033.00 Ft.; N. 88° 31' E., 77.53 Ft.; S. 77° 27' E., 208.24 Ft.; S. 80° 04' E., 211.25 Ft.; S. 36° 07' E., 110.50 Ft.; S. 37° 47' E., 151.68 Ft.; S. 82° 53' E., 98.29 Ft.; S. 77° 32' E., 101.79 Ft.; S. 20° 40' E., 144.27 Ft.; S. 66° 47' E., 27.87 Ft.; N. 62° 13' E., 600.22 Ft.; N. 17° 47' W., 295.10 Ft.; S. 89° 13' W., 59.01 Ft.; N. 0° 47' W.,

ELIMINATES WEST SALT WATER LAGOON

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98.99 Ft.; N. 23° 26' E., 109.65 Ft.; N. 11° 55' E., 68.24 Ft.; to a point, said point bears S. 16° 17' 30" E., a distance of 184.62 Ft. from U. S. C. & G. S. triangulation station 9;

THENCE, continuing with said meanders N. 27° 14' E., 282.07 Ft.; N. 23° 47' W., 49.99 Ft.; N. 46° 07' W., 66.01 Ft.; N. 37° 58' W., 95.29 Ft.; N. 17° 34' W., 97.13 Ft.; N. 12° 38' W., 196.74 Ft.; N. 2° 13' E., 380.06 Ft.; N. 54° 13' E., 157.08 Ft.; N. 86° 31' E., 124.61 Ft.; N. 24° 07' E., 132.68 Ft.; N. 2° 17' W., 283.04 Ft.; N. 18° 16' W., 678.96 Ft.; N. 2° 43' E., 400.05 Ft.; N. 13° 46' W., 300.02 Ft.; N. 34° 46' W., 529.94 Ft.; N. 22° 14' E., 290.10 Ft.; N. 33° 46' W., 644.92 Ft.; N. 22° 16' W., 500.00 Ft.; N. 25° 15' W., 300.00 Ft.; N. 23° 46' W., 200.00 Ft.; N. 6° 27' E., 110.51 Ft.; N. 49° 41' W., 127.29 Ft.; N. 23° 46' W., 5.00 Ft.; N. 29° 46' W., 299.97 Ft.; N. 23° 53' W., 200.25 Ft.; N. 26° 47' W., 100.00 Ft.; N. 28° 29' W., 100.03 Ft.; N. 30° 46' W., 100.25 Ft.; N. 26° 46' W., 99.99 Ft.; N. 15° 16' W., 241.01 Ft.; S. 63° 37' W., 50.14 Ft.; S. 18° 28' W., 32.23 Ft.; S. 82° 26' W., 30.22 Ft.; S. 63° 51' W., 103.78 Ft.; S. 23° 57' W., 109.63 Ft.; S. 48° 13' W., 114.96 Ft.; S. 73° 17' E., 75.05 Ft.; to the place of beginning.

ELIMINATE  
STATE OF  
TEXAS  
SALT  
WATER  
CANYON

#### Second Tract

All of the rights, titles and interest of the Grantor in and to that certain tract or parcel of land lying in the County of Aransas and State of Texas, described as follows, to-wit:

BEGINNING at a point N. 10° 37' W., 9.8 feet from the original South corner of Lot Fifteen (15) of the Oak Shore Groves Addition, as shown on Page 52 of the Plat Records of Aransas County, Texas;

THENCE, N. 44° 00' E. across said Addition 217.8 feet for corner;

THENCE, S. 74° 55' E., 61.2 feet for a corner on the shore of Aransas Bay;

THENCE, with the said shore of Aransas Bay S. 29° 02' W., 97.2 feet for a corner;

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THENCE, with said shore of Aransas Bay  
S. 54° 46' W., 188 feet for a corner;

THENCE, N. 10° 37' W., 53.7 feet to the  
place of beginning.

Together with the waters and channel and the land thereunder lying between the lands herein described and the land known as Nine Mile Point of Frandolig Peninsula, with the right and privilege to deepen and lengthen said channel to the North and East out to where the waters of the bay are at a natural depth of six (6) feet or more.

This said second tract being the lands, rights, titles and interest acquired and held under and through the certain deed from Mrs. L. B. Stumberg and husband, Henry Stumberg, to Walter Loughridge and Pasco J. Scaperlanda as joint Independent Executors of the Estate of Harry Hertzberg dated January 20, 1941, of record in Volume V-2, Page 144, of the Deed Records of Aransas County, Texas, to which record reference is here made.

It is agreed, stipulated and understood that this is a conveyance of the surface estate only in the above described lands and this conveyance is subject to reservations of oil, gas and other minerals and the limited rights of the mineral owners to use the surface of said lands as reserved in that certain deed and quitclaim deed from Ona S. Petty and Dabney E. Petty to Aransas County Navigation District No. 1 dated and recorded, respectively, the 24th day of February, 1955, in Volume R-3, Pages 118-122, and the 17th day of March, 1956, in Volume S-3, Pages 520-521, Deed Records of Aransas County, Texas, and the reservations by the State of Texas in Patent dated November 6, 1953, to Aransas County Navigation District No. 1, of record in Volume N-3, Pages 178-179, Deed Records, Aransas County, Texas, and further to all easements and oil, gas and mineral leases, if any, of record in Aransas County, Texas, and affecting the above described lands.

TO HAVE AND TO HOLD the above described property and premises together with all and singular, the rights and appurtenances thereto in anywise incident, appertaining or belonging unto the said CARL C. KRUEGER, JR., his heirs and assigns forever, and

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ARIZONA COUNTY NAVIGATION DISTRICT NO. 1 does hereby bind itself, its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the above described property and premises unto the said Grantee, his heirs and assigns, against all persons whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under it.

As one of the principal considerations for this conveyance the Grantee herein covenants, agrees, binds and obligates himself, his heirs, executors, administrators, legal representatives and assigns, that at no time or times within fifty (50) years from the date of this deed shall any of the lands herein conveyed be used for any use other than the construction, erection, operation and maintenance thereon of residences, hotels, motels, apartments, recreational facilities, channels, and yacht harbor facilities, department stores, cafes, theatres, filling stations, and other retail and service establishments of a type customarily placed in retail shopping centers; and in no event shall any of such lands be used for any of the following: Any wholesale establishment, any manufacturing or industrial plant or process of any kind, tank farms, junk yards, scrap yards, auto wrecking and spare parts yards, facilities for the erection or repair of ships or vessels of any kind, harbors for the accommodation of vessels engaged in transportation by water of persons, commodities and cargoes for hire (other than yachts or pleasure craft handling parties for hire) or for the accommodation of other commercial watercraft. Such



agreements and obligations of the said Grantee to be kept and performed by him, his heirs, executors, administrators, legal representatives, and assigns, are and shall be covenants and conditions running with the lands herein conveyed and shall run in favor of and be enforceable by Grantor herein or by any person who shall hereafter own any of the above described lands. In the event of a violation of any of the said covenants and conditions, injunction and any other appropriate legal or equitable remedy shall lie against the party (person, private or municipal corporation, or other) committing the violation, which party shall also be liable for damages, attorneys fees and court costs. Such injunction suit or suit to enforce other remedy may be brought by Grantor, its successors, legal representatives and assigns, or by any owner of any part of the above described lands or any interest therein, all of said parties who are entitled to bring suit being beneficiaries of this clause. Neither the use of injunction or any other act or omission on the part of any of the beneficiaries of this clause shall constitute a waiver of the operation or enforcement of these covenants and conditions, in whole or in part, by Grantor or by any other such beneficiary.

EXECUTED on this the 5th day of January, A. D., 1962.

ARANSAS COUNTY NAVIGATION DISTRICT NO. 1

*Ted R. Little*  
 \_\_\_\_\_  
 TED R. LITTLE, Chairman, Board of  
 Navigation and Canal Commissioners.

ATTEST  
*Raymond Owens*  
 \_\_\_\_\_  
 RAYMOND OWENS, Secretary



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THE STATE OF TEXAS )  
COUNTY OF ARANSAS )

BEFORE ME, the undersigned authority in and for said County and State, on this day personally appeared TED R. LITTLE, Chairman of the Board of Navigation and Canal Commissioners of Aransas County Navigation District No. 1, personally known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of said Aransas County Navigation District No. 1, for the purposes and consideration therein expressed and in the capacity therein shown.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 5th day of January, A. D., 1962.



*D. Shaw*

D. SHAW  
Notary Public in and for Aransas County, Texas.

46210	ARANSAS COUNTY NAVIGATION DISTRICT NO. 1 TO CARL C. KRUEGER, JR.	SPECIAL WARRANTY DEED FILED FOR RECORD M 4:30 P.M. JAN 5 1962 W. E. Beasley County Clerk, Aransas Co. Texas Katy J. Nantz County Clerk	Return to: McGowan & McClanahan 1040 Milam Bldg. San Antonio, Texas	ENNIS I. CLARK ATTORNEY AT LAW P.O. BOX 887 HOOPERVILLE, TEXAS
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RECORDED: JANUARY 10 1962 --- *W. E. Beasley*  
W. E. BEASLEY COUNTY CLERK  
ARANSAS COUNTY, TEXAS.

Tri-station  
"OAK2"

122

123

147

148

BAY

149

150

148  
Little Bay

ARANSAS

170

169

Tri-station  
"NINE"

168

168

Scale 1" = 2000 feet, RockportNE,SE, Tx, 1995 DOQQ, NE4, 9/29/2003

COG 101 52612



Scale 1" = 1000 feet, Rockport SE4, 1995 DOQQ, 9/19/2003

COUNTER 82613

*LaNell*

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Statement of the case.

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## JAS. C. FULTON V. F. J. FRANDOLIG.

(Case No. 1639.)

1. TITLE TO LAND BORDERING ON WATER AND MADE BY ACCRETIONS.— While it is true that land formed by gradual accretions, as well as that exposed by the gradual receding of the water, belongs to the owner of the contiguous land, such is not the rule when an actual survey shows that the water line on the front has not changed since the survey was originally made which called for it at the proper place by course and distance, and where the accretion has been formed on the extremity of a reef removed from the original survey, one end of which reef at one time adjoined said original survey.

APPEAL from Aransas. Tried below before the Hon. H. Clay Pleasants.

Suit in trespass to try title, commenced by the appellant, J. C. Fulton, administrator of Joseph F. Smith, deceased, against the appellee, Frandolig, on the 5th day of March, 1880. Appellant claimed the land in controversy as being embraced in two patents for three hundred and twenty acres of land each, issued to the heirs of Henry Smith, deceased, one of which patents was issued to said heirs as the assignees of T. Crocroline, and the other was issued to said heirs as assignees of J. Hand.

Frandolig pleaded: First. Not guilty of trespass, etc. Second. A denial that Fulton, administrator of Smith, was in possession and lawfully seized in fee-simple of the premises described in petition on the 1st day of January, 1879, or at any other time. Third. That he, Frandolig, had been in adverse possession of the premises in controversy since August 6, 1878, and had erected valuable improvements thereon, and had planted valuable trees on the same, and that the land was vacant when he took possession of it, and that it was his homestead.

The two patents under which appellant claimed were for contiguous surveys fronting on Aransas bay and calling for the meanders of the said bay. The field notes in the patents state the meanders of the bay by courses and distances.

The cause was tried by the court alone without the intervention of a jury.

The conclusions of fact reached by the court upon the trial of the suit were: "That plaintiff's two tracts patented to Henry Smith as assignee of T. Crocroline and as assignee of Joseph Hand, and under which two patents the plaintiff asserts title to the lands in controversy, were located in 1840 and 1841, and that said lands were actually surveyed and the boundaries defined by courses and dis-

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Argument for the appellant.

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tances and corners by the surveyor of Refugio land district; that the bay shore was meandered as recited in these patents, and that the corners and distances and objects called for in the patents are substantially the same as given in the survey of these lands made under order of this court, upon motion of the defendant, in the month of March, 1881. That at the time the lands were located upon and severed from the public domain as aforesaid, there extended from the boundary of one of these tracts of land into the bay for a half a mile or more, a shell reef varying in width from twenty feet to fifty or sixty yards, and in elevation from a few inches to six or seven feet. That this reef's course was south southeast, and at and in the vicinity of the southeastern extremity of the reef there was some land, the same being very low; that at the point of contact with the plaintiff's land upon the bay shore the width of this reef was from twenty to thirty feet. That in 1869, during a storm, the water of the bay cut through the bay near the shore, and that since that time the land in controversy has, except for short intervals in very low tide, been entirely surrounded by the water of Aransas bay; that above the reef the water has cut a little into the shore, leaving one of the lines called for in the Crocroline grant a short distance from the shore into the water, as appears from the survey made in 1881, while just below the reef the water of the bay has receded, and what was water in 1841 is now marsh. That with these two slight exceptions, from a comparison of the calls given in the patents, and those given in the survey of 1881, the water boundary of these two tracts of land is the same now that it was in 1841; the courses, distances and corners being the same in the survey as those called for in the patents. That the lands patented were identified both as to the boundaries and the number of acres by the survey of 1881, and that the land in controversy, surrounded now as aforesaid by the waters of the bay and containing two hundred and thirty-nine acres, lies beyond the boundaries of the plaintiff's land."

The conclusions of law drawn by the court were: "That if there be an actual survey of the lands when severed from the public domain, and the boundaries of the land can be definitely ascertained from the calls in the grant, the grantee takes nothing outside of the established boundaries of the land, and hence in this case the grants to Crocroline and to Hand did not include the peninsula in controversy."

*McCampbell & Givens*, for appellant, cited: *Galveston County v. Tankersley*, 39 Tex., 651; *Booth v. Strippleman*, 26 Tex., 441;

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Opinion of the court.

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Booth v. Upshur, 26 Tex., 70; Robertson v. Mosson, 26 Tex., 248; Urquhart v. Burleson, 6 Tex., 503; Hubert v. Bartlett, 9 Tex., 97; Anderson v. Stamps, 19 Tex., 460.

No briefs on file for appellee.

WATTS, J. COM. APP.— There is no doubt but that land formed by gradual and imperceptible accretion, as well as that formed by the gradual and imperceptible receding of the water, belongs to the owner of the contiguous land. In this respect there is no distinction between land gained by accretions and that gained by the recession of the water. *New Orleans v. United States*, 10 Pet., 662; *County of St. Clair v. Lovington*, 23 Wall., 46; *Perry v. Pratt*, 31 Conn., 442; *Barrett v. New Orleans*, 13 La. Ann., 105; *Handly v. Anthony*, 5 Wheat., 374.

It is also true that the right to alluvion depends upon contiguity; the accretions belong to the land immediately adjoining the water, however narrow it may be, and without regard to the size of the parcel behind it. *Bates v. Illinois Central Railroad Co.*, 1 Black, 204; *Saulet v. Shepherd*, 4 Wall., 502; *Posey v. James*, 7 Lea (Tenn.), 98; *Bristol v. Carroll County*, 95 Ill., 84; *Beaufort v. Duncan*, 1 Jones (N. C.), 234.

According to the finding of the court, in making the original survey the surveyor actually run the lines upon the ground according to the calls for course, distance and meanders of the bay front. At that time there was a shell reef extending from the boundary line of the survey made for Smith, assignee of Crocroline, to the south southeast about a half mile, varying in width from twenty feet to fifty or sixty yards, and in elevation from a few inches to six or seven feet. At the southeast extremity of this shell reef there was some low marshy land. That at the point where the line as run by the surveyor in making the Smith survey crosses this reef, it was then about twenty or thirty feet wide.

From this finding it will be seen that all that part of this shell reef lying to the south southeast of the boundary line of the Smith survey, running along the general front of the bay, was not included in that survey, and it may be assumed belonged to the state as unappropriated public domain.

Now the accretion in controversy immediately adjoins and is contiguous to this shell reef lying to the southeast of the Smith survey. This accretion is not contiguous to the Smith survey, as claimed. But it seems that by gradual and imperceptible recession

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Syllabus.

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of the water, and by gradual and imperceptible deposit, a considerable body of land has been formed immediately contiguous to the shell reef, in the form of a small peninsula, the reef being the basis of the deposit and reliction.

From these facts it will be readily seen that the made lands do not belong to the Smith surveys, but originally the state, and now the appellee, if he has secured the state's title, is the owner.

The real point contended for by appellant is that as the calls of his grant are for the meanders of the bay according to certain calls for course and distance, that in the conflict the latter must yield to the former, and that being true, the Smith survey must be considered as embracing the shell reef.

But it should be remembered that the actual survey as made upon the ground, if it can be found and identified, controls. As is frequently said, the real object in applying the various calls is to find the footsteps of the surveyor. When these are found and identified all classes of calls must yield to them.

Here the court found, and upon sufficient evidence, that in making the Smith survey the surveyor in fact ran across the shell reef according to the call for course and distance. Hence according to the lines as actually run upon the ground, this shell reef, to the south and southeast of where the line crossed it, was not included in the Smith survey.

Our conclusion is that there is no error in the judgment, and we recommend its affirmance.

AFFIRMED.

[Opinion adopted February 16, 1885.]

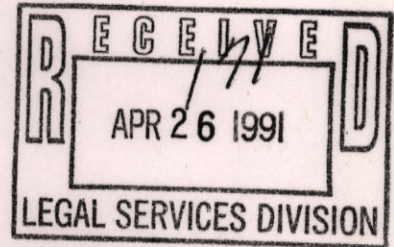
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ROSENTHAL, MEYER & Co. v. F. M. MIDDLEBROOK.

(Case No. 5228.)

1. EVIDENCE.— In suit to recover damages for the wrongful seizure of goods under attachment, the issues raised called in question the ownership of the goods by the plaintiff Middlebrook, when they were seized. A witness was asked "if he knew the date of the attachment, and in whose possession the goods were at the time, and to state all the facts known to him concerning the possession of said party of said goods." He answered that they were in possession of one Porter, as his agent, to hold until satisfactory arrangements were made concerning the payment for said goods, and when they were paid for he considered the goods belonged to him (Middlebrook). *Held*, that the latter portion of the answer was not inadmissible on the ground that it involved the statement of a conclusion of law.





NO. 5836

HOUSTON OIL AND MINERALS CORPORATION

IN THE DISTRICT COURT OF

VS.

ARANSAS COUNTY, TEXAS

STATE OF TEXAS, ET AL.

36TH JUDICIAL DISTRICT

AGREED JUDGMENT

On this 5 day of September, 1989, came Houston Oil and Minerals Corporation, Plaintiff-Interpleader, by and through its attorney of record, and the State of Texas by and through the Attorney General of Texas, its attorneys of record, and Carl C. Krueger, Jr. and H. L. Adams, et ux; Scott Adler, et ux; E. J. Axe, Jr., et ux; Robert M. Ayres, Jr.; Dan W. Bacon, et ux; Henry T. Bailey, et ux; George B. Banks, et ux; W. H. Becker; Damon M. Behrens, et ux; Roland J. Brauer, et ux; Aldes H. Cadwallader, III, Individually and as Trustee; Adela Sepulveda Castro; George E. Clark, Jr.; Nelle Copeland Coleman, et vir; E. B. Collins; Cellar Door Commissary, Inc.; A. H. Corssett, et ux; John O. Dix, et ux; Paul DuBose; George L. Duggan, et ux; Francis E. Durham, et ux; Hubert H. Foreman, et ux; John M. Forrest, et ux; Herbert S. French, et ux; Frances H. Hansa; John U. Hemmi; C. M. Henkel; L. J. Hesson; Paul Hesson; Phil N. Hill; C. Evens Construction Co., Inc.; Howard W. Jennings, et ux; Harlan Kelly; Key Allegro Development & Sales Co.; Key Allegro Canal Owners Association, Key Allegro

Swimming Club, Inc.; Carl C. Krueger, Jr., et ux; Leonard E. Larson; Terry L. Laughlin, et ux; William Gardner Lewis, et ux; H. B. Lively; Chester F. Lorillard, et ux; Richard J. McIntire; DeWitt L. McLallen; M. D. McNorton, et ux; Allan F. May; Wells Morse, et ux; Rip W. Nichols; Gus H. Pfeiffer, Jr.; William V. Plankey, et ux; Blair Reeves, et ux; H. C. Reifel, et ux; Ronald A. Ridgeway, et ux; Robert M. Sayre; Robert L. Schupback, et ux; Service Compress & Warehouse Co., Inc., Robert R. Shaner, et ux; Wilbur B. Sherman, et ux; R. Marvin Shipman; Gordon Stanley, et ux; Irene Langwell Steiber, et vir; Frank R. Treiber, et ux; Robert H. Turk; John I. Uhr; James A. Weaver, Jr., et ux, and Edna D. Wood, by and through their attorneys of record; and

It being shown to the Court that the following named parties have been duly and properly served by publication and have failed to answer herein: namely, Mr. Clayton Brown, Ms. Mary S. Elrod, Albacore Properties, Mr. and Mrs. Cecil Allen, Thomas H. Russell and James Dorough d/b/a D & R Enterprises, Mr. and Mrs. Johnie Everett, Mr. James G. Gerhardt, Mr. and Mrs. Emilo J. Hensen, Mr. & Mrs. Henry M. Hopkins, Mr. Randall McClanahan, Mr. Tom N. Schultz, Mr. B. J. Williams, Mr. Thomas H. Howell, Mr. Owen J. Maddox and Mr. Tyson Smith; and Mr. Richard D. Hatch, Jr. has been appointed as Attorney Ad Litem to represent the said Defendants who were served by publication, such Attorney Ad Litem also appearing in Court for such Defendants; and Mr. Byron BN. Murry also served by publication, answered and appeared representing himself; and

and Ms. Donna (Mrs. Bobby) Price also served by publication appeared representing herself; and

It being shown to the Court that Houston Oil and Minerals Corporation acted solely as an Interpleader, interpleading funds in this cause, and that the parties at interest are the State of Texas, on the one hand, and all of the other Defendants on the other hand, and that the State of Texas and the Other Defendants have reached an agreement to settle the matters at issue herein, subject to the approval of this Court; and

The parties having offered evidence in relation to the matters at issue in this cause and the proposed settlement, the Court hereby finds:

(1) By deed dated January 5, 1962, recorded in Volume M-4, Page 402, Deed Records of Aransas County, Texas, Aransas County Navigation District No. 1 conveyed to Carl C. Krueger, Jr., the surface estate in a tract of 226,652 acres of land, more or less, which tract included the 61.59 acres which were conveyed by the State of Texas to F. J. Frandolig by patent which is recorded in Volume O, Page 450, Deed Records of Aransas County, Texas; and

(2) By deed dated January 8, 1962, recorded in Volume 52, Page 455, Deed Records of Aransas County, Texas, Oma S. Petty and Dabney E. Petty conveyed to Carl C. Krueger, Jr., the oil, gas and other minerals in and under the same 226.652 acres of land as to which the surface estate had been conveyed to him by

Aransas County Navigation District No. 1 by the above-mentioned deed dated January 5, 1962; and

(3) The dispute between the State of Texas, on the one hand, and the other Defendants, on the other hand, relates to the ownership of the oil, gas and other minerals in and under 165.062 acres of land, being that portion of the 226.652 acres of land conveyed to Carl C. Krueger, Jr. by Oma S. Petty and Dabney E. Petty which is outside the boundaries of the 61.59 acres of land which was patented to F. J. Frandolig and as to which 61.59 acres the State of Texas makes no claim as to ownership of oil, gas and other minerals; and

(4) The 226.652 acres of land acquired by Carl C. Krueger, Jr. by the deeds above-mentioned was by him and other parties subdivided into subdivisions known as Key Allegro near Rockport in Aransas County, Texas, and a substantial portion of the said land has been sold as residential lots; and

(5) Some of the lots in the Key Allegro subdivision were sold without a reservation of the oil, gas and other minerals. However, the oil, gas and other minerals were reserved and not sold as to the 196.744 acres of land, which is owned by Carl C. Krueger, Jr., Robert M. Ayres, Jr., Tom N. Shults, A. H. Cadwallader, III, Paul DuBose, L. J. Hesson, Paul Hesson, Harlan Kelly, Allen F. May, R. Marvin Shipman and Robert H. Turk (collectively referred to herein as the "Eleven Owners"), and was by the Eleven Owners leased for oil and gas exploration to Houston Oil and Minerals Corporation; and

(6) Houston Oil and Minerals Corporation also obtained oil and gas leases from the other Defendants, such Defendants being owners of lots or successors in interest of owners of lots in Key Allegro which were sold without a reservation of oil, gas and other minerals, and

(7) Houston Oil and Minerals Corporation at the time of filing this suit in Interpleader was the owner of all of the oil and gas leases attached as Exhibit A to its Original Petition and Interpleader which leases had been unitized within the West Nine Mile Point Gas Unit No. 2, Aransas County, Texas, and on which a well, the "West Nine Mile Point Gas Unit No. 2, Well No. 1" was completed and producing as a gas well. Houston Oil and Minerals Corporation caused the royalty from the well, which royalty is the subject of this suit, to be deposited into the Registry of this Court. The well has now ceased to produce and the leases have expired by their terms; and

(8) Because the fractional interest in the total oil, gas and other minerals included in the West Nine Mile Point Gas Unit No. 2 and owned by various mineral owners is so small compared to the total of the oil, gas and other minerals leased to Houston Oil and Minerals Corporation, and included in the Unit, the Eleven Owners have, at their expense, caused their attorneys to file answers for and to represent those owners who have requested such representation, being most of those Defendants named above other than the Eleven Owners; and

(9) The Eleven Owners have agreed to settle the dispute with the State of Texas, without contribution from the other Defendants (that is, the other owners) by conveying to the State of Texas a 42% undivided interest in the oil, gas and other minerals in the 196.744 acres of land owned by the Eleven Owners, such mineral interest to be fully participating as to its proportionate share of all bonus, delay rental and other considerations paid for leases, but non-participating as to leasing and executive rights. Such conveyance is to be in the form which is attached to this Judgment as Exhibit A and made a part hereof; and

(10) The total amount of royalties deposited in the Registry of the Court by Houston Oil and Minerals Corporation together with interest earned thereon pursuant to investment under order of this Court, has resulted in a total of \$ 23,198.03 being on hand in the Registry of the Court, subject to this Interpleader; and

(11) A fair and equitable distribution of the money in the Registry of the Court in proportion to the ownership of the oil, gas and other minerals involved, after payment of court costs is: 32% to the State of Texas; 44% to the Eleven Owners; and 24% to be divided in equal amounts to the other Defendants.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

(1) That Houston Oil and Minerals Corporation be, and it is hereby, discharged from any and all liability as respects the payment of royalty under the oil, gas and mineral leases

which are the subject of this suit and are listed as Exhibit A to its Original Petition filed herein, and that Houston Oil and Minerals Corporation have its court costs expended in this cause and go hence without day; and

(2) That the State of Texas take nothing as against the Defendants named in the Original Petition and Interpleader other than itself; and

(3) That subsequent to the entry of Judgment in this cause, the Eleven Owners shall deliver to the State of Texas executed Deeds of Mineral Interest in the forms which are attached hereto as Exhibit A; and

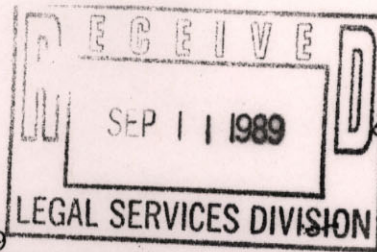
(4) That subsequent to the delivery of the deed to the State of Texas, the State shall own no interest in the 226.652 acres of land other than its 42% nonparticipating mineral interest in the 196.744 acres conveyed to the State by the Eleven Owners as herein provided, and the ownership of the minerals in and under the 226.652 acres of land is hereby confirmed to be in the owners as reflected by the Deeds of Record; and

(5) That the Clerk of this Court pay the funds in the Registry of this Court as follows:

A. To Houston Oil and Minerals Corporation, its court costs expended in this cause; and

B. To Richard D. Hatch, Jr., the Attorney Ad Litem herein, the sum of \$450.00, as attorney's fees; and

C. The balance in the Registry of the Court after the payment of the above-mentioned court costs and attorney's



September 7, 1989

In accordance with the provisions of Rule 306D of the Texas Rules of Civil Procedure, you are hereby notified that in Cause No. 5836-B, in the 156TH Judicial District Court (Designation of Court)

Aransas County, Texas, Houston Oil and Minerals Corp.

~~RECOVERED~~ AGREED ~~recovered a judgment against~~ VS: State of Texas, Et al

and said judgment was signed on the 5TH day of September, 1989

Agnes A. Harden

Clerk

By: Gracie Castillo

Deputy

FOR SALE BY STAFFORD-LOWDON CO. FORT WORTH 22206

CC: M. Harvey Weil  
1200 MBank Center North  
Corpus Christi, Texas 78471  
Attorneys For Carl C. Krueger, Jr., Et al

Byron BN. Murry  
1235 Apache Trail - IH.  
Cranbury, Texas 76048  
Pro Se

Richard D. Hatch, Jr.  
P.O. Box 1206  
Aransas Pass, Texas 78336  
Attorney Ad Litem

Donna (Mrs. Bobby) Price  
1610 Sorenson  
Rockport, Texas 78382  
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Attorney for Houston Oil and Minerals Corp.

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