

HOUSTON (P.O.) 21 MI.  
GENOA 6.9 MI.  
HOUSTON (P.O.) 23 MI.  
18 MI. TO US 90A  
HOUSTON (P.O.) 23 MI.  
18 MI. TO US 90A  
29°30'  
95°07'30"

LA MARQUE 13 MI. GALVESTON 18 MI.  
3 240 000 FEET  
DICKINSON 3.5 MI. GALVESTON 18 MI.  
(DICKINSON) ROAD 1 MI.  
DICKINSON 2.9 MI.  
3 260 000  
303

Counter 23941

● INTERIOR-GEOL.

SEE SK FILE 71  
1/4 M.P. 46.64 ac.

X=3,246,640  
Y=642,640

574' W  
(Grid)  
(218195' ON)

640,000

3271

3270

3230'

3269

3267

630 000 FEET

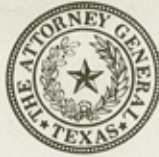
3266

3267

3266



C90-0437



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

March 13, 1995

Menna Ramon  
General Land Office

Re: Special Warranty Deed, Galveston County

Dear Menna:

Enclosed is the original version of the Special Warranty Deed that the state obtained in the lawsuit. It has already been filed in Galveston County. Please see that this original document is placed in the GLO archives.

Thank you and if you have any questions, please call me.

Sincerely,

ERICA R. TITUS  
Legal Assistant (for Priscilla Huberak)  
P.O. Box 12548, Capitol Station  
Austin, Texas 78711-2548  
(512) 463-2012  
(512) 320-0911

*File No. Sketch File 71*  
*Galveston County*  
*Sp. Warranty Deed - Min. Int. in 46664 ac. ±*  
*Eminent Domain Proceeding to Acquire Land and Boundaries*  
*Filed March 15 19 95*  
*By GARRY MAURO, Com'r*  
*Douglas Howard*

Galveston Co. SK. File 71, p. 2



010-22-0071

*DAV 1-11-95*  
*DAV*

SPECIAL WARRANTY DEED

JEREMY S. DAVIS, GRANTOR TO STATE OF TEXAS, GRANTEE

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GALVESTON

§

§

Jeremy S. Davis, of Harris County, Texas, Grantor, for good and valuable consideration including compliance with the terms of an Agreed Judgment signed, entered and approved by the Court on November 2, 1994, 1994 in Cause No. 90-CV-0112, styled County of Galveston vs. Jeremy S. Davis, in the District Court of Galveston County, Texas, 56th Judicial District, by the State of Texas, Grantee, the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto Grantee, subject only to a proportionate share (7/8) of a term royalty reservation in the Mineral Deed from Waters S. Davis, III, further described on page 2 of this deed, an undivided seven-eighths (7/8) of one-third (1/3), being seven/twenty-fourths (7/24), of all oil, gas and other minerals in and under and that may be produced from the following described property situated in Galveston County, Texas, to-wit:

46.64 acres of land in Galveston County, Texas, located N 47 1/2° W about 24 miles from the county seat of Galveston County, Texas, and more particularly described on Exhibit "1", attached hereto and by reference made a part hereof only for purposes of a metes and bounds description of the mineral interest hereof.

This mineral interest includes the executive rights to the 7/24 interest in addition to any other rights pertaining to the mineral interest, including but not limited to the right to receive bonuses, delay rentals, and royalty.

GAC 9503856 9 PGS



TO HAVE AND TO HOLD the above-described mineral interest unto Grantee, its successors and assigns forever and, Grantor does hereby bind himself, his heirs and legal representatives to warrant and forever defend all and singular the said mineral interest unto Grantee from whomsoever lawfully claims or to claim the same or any part thereof, by through and under Grantor, but not otherwise. Grantor further warrants that all interests described herein are free and clear of all liens and encumbrances.

PROVIDED HOWEVER, that Grantee, its successors and assigns may drill for the exploration and/or exploitation of oil, gas or other minerals at a reasonable location on the surface of said 46.64 acres in Galveston County, Texas, subject to the approval of Grantor, its successors, legal representatives, or assigns in writing, of the surface location of any well or wells which Grantee, its successors or assigns may wish to drill. Approval may not be unreasonably withheld.

The mineral interest hereby conveyed to the State of Texas was acquired in part by Deed dated September 17, 1965 executed by Charles Louis Gray, Jr., et al. in favor of Waters S. Davis, III, et al., recorded in the office of the County Clerk of Galveston County, Texas, under Clerk's File No. 378846 and in part by Correction Deed dated September 24, 1965 executed by Waters S. Davis, III, Roger H. Davis, and Jeremy S. Davis, each individually and as independent Co-Executors of the Estate of Waters S. Davis, Jr., which Correction Deed was filed and recorded in the office of the County Clerk of Galveston County, Texas, under Clerk's File No.



383451, and in part by Mineral Deed dated February 2, 1982 executed by Waters S. Davis, III, in favor of Jeremy S. Davis recorded in the office of the County Clerk of Galveston County, Texas, under Clerk's File No. 8203635 and Film Code No. 001-54-2326.

EXECUTED this 2nd day of November, 1994.

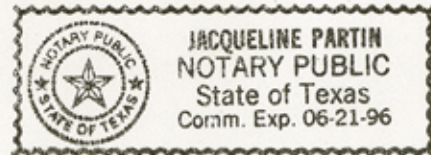
Jeremy S. Davis  
JEREMY S. DAVIS

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged before me the undersigned authority on this 2nd day of November, 1994, by Jeremy S. Davis.

Jacqueline Partin  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

STAMP:





## EXHIBIT "1"

46.64 Acre Tract  
Galveston County, Texas  
August 1994

Being 46.64 acres of land, in the vicinity of the north line of the Stephen F. Austin title survey, Abstract No. 3, and the Miguel Muldoon title survey, Abstract No. 18, located N 47 1/2° W about 24 miles from the county seat in Galveston County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at a point on the north line of the above mentioned Stephen F. Austin title survey on the south or right bank of Clear Creek and/or Clear Lake, from which a 2" galvanized pipe with aluminum cap bears S 75° 14' 09" E a distance of 38.36 feet, a 2" pipe found for the reentrant south corner of the lands shown as **TRACT 1** of 260.55 acres on a plat of survey of portions of the League Davis Estate lands prepared by J. S. Boyles in August 1945 bears S 24° 48' 29" E a distance of 1692.22 feet (from this pipe another 2" pipe found as shown on the same survey bears S 45° 58' 48" E a distance of 2018.42 feet), and a brass marker in concrete found in the proposed south right of way line of the proposed Galveston County and Harris County Clear Creek Flood Control Project bears N 71° 44' 17" E a distance of 23.93 feet;

THENCE with the meanders of Clear Creek and/or Clear Lake as follows,

N 46° 37' 11" E a distance of 12.50 feet,  
 N 38° 48' 06" E a distance of 64.87 feet,  
 N 13° 32' 10" E a distance of 43.98 feet,  
 N 73° 58' 43" E a distance of 30.03 feet,  
 N 48° 39' 07" E a distance of 268.45 feet,  
 N 38° 45' 46" E a distance of 81.46 feet,  
 N 55° 45' 03" E a distance of 40.67 feet,  
 N 37° 21' 15" E a distance of 136.98 feet,  
 N 32° 30' 58" E a distance of 84.35 feet,  
 N 25° 49' 09" E a distance of 105.89 feet to a point from which a brass marker in concrete found in the proposed north right of way line of the above mentioned flood control project bears N 45° 57' 43" E a distance of 80.28 feet,  
 N 89° 53' 49" E a distance of 12.94 feet,  
 N 14° 02' 13" E a distance of 14.56 feet,  
 S 77° 20' 05" E a distance of 18.56 feet,  
 N 11° 01' 37" E, at 37.74 feet crossing said proposed north right of way line at a point from which the last above referenced right of way marker bears N 60° 52' 27" E a distance of 18.13 feet, in all a distance of 51.90 feet,  
 N 53° 42' 25" W a distance of 11.36 feet,  
 S 75° 21' 59" W a distance of 11.10 feet to a point from which the last above referenced right of way marker bears S 74° 34' 30" E a distance of 34.34 feet,  
 N 01° 11' 51" E a distance of 87.60 feet,

EXHIBIT "1" TO  
SPECIAL WARRANTY DEED  
Page 1 of 5 Pages



46.64 Acre Tract  
Galveston County  
August 1994  
Page 2

N 65° 23' 01" E a distance of 10.17 feet,  
 N 06° 28' 06" E a distance of 34.58 feet,  
 N 49° 43' 02" W a distance of 27.54 feet,  
 N 06° 32' 16" E a distance of 24.78 feet,  
 N 17° 43' 37" W a distance of 60.89 feet,  
 N 22° 04' 04" E a distance of 71.55 feet,  
 N 45° 58' 49" E a distance of 79.44 feet,  
 N 65° 37' 05" E a distance of 32.08 feet,  
 S 77° 07' 10" E a distance of 44.07 feet,  
 S 85° 38' 50" E a distance of 17.37 feet,  
 N 53° 50' 01" E a distance of 10.29 feet,  
 S 66° 23' 13" E a distance of 16.24 feet,  
 S 61° 47' 59" E a distance of 120.14 feet,  
 S 46° 20' 52" E a distance of 102.78 feet,  
 S 57° 06' 15" E a distance of 26.89 feet to a point from  
 which a brass marker in concrete found in the proposed north right  
 of way line of the above mentioned flood control project bears  
 S 24° 41' 50" W a distance of 41.74 feet,  
 N 84° 20' 52" E a distance of 23.19 feet,  
 S 50° 31' 01" E, at 22.30 feet crossing said proposed north  
 right of way line at a point from which the last above referenced  
 right of way marker bears S 65° 44' 03" W a distance of 63.32 feet,  
 in all a distance of 31.11 feet,  
 S 23° 39' 11" W a distance of 9.53 feet,  
 S 63° 31' 55" E a distance of 61.10 feet,  
 N 44° 11' 40" E a distance of 8.46 feet,  
 S 66° 33' 57" E a distance of 127.86 feet,  
 S 70° 15' 19" E a distance of 60.39 feet,  
 S 75° 27' 23" E a distance of 68.43 feet,  
 S 16° 54' 42" E a distance of 11.69 feet,  
 N 75° 50' 27" E a distance of 33.02 feet,  
 N 49° 00' 52" E a distance of 8.52 feet,  
 S 84° 16' 14" E a distance of 125.01 feet to a point from  
 which a brass marker in concrete found in the proposed south right  
 of way line of the above mentioned flood control project bears  
 S 40° 47' 47" W a distance of 110.54 feet,  
 S 32° 34' 35" E a distance of 11.34 feet,  
 S 86° 06' 16" E a distance of 52.90 feet,  
 S 64° 09' 58" E a distance of 1.72 feet,  
 N 75° 32' 18" E a distance of 53.10 feet,  
 N 81° 30' 59" E a distance of 92.28 feet,  
 S 72° 26' 11" E, at 97.26 feet crossing said proposed south  
 right of way line at a point from which the last above referenced  
 right of way marker bears S 79° 29' 54" W a distance of 374.22  
 feet, in all a distance of 107.66 feet,

EXHIBIT "1" TO  
SPECIAL WARRANTY DEED  
Page 2 of 5 Pages



46.64 Acre Tract  
Galveston County  
August 1994  
Page 3

S 61° 50' 31" E a distance of 176.12 feet to a point from which the last above referenced right of way marker bears N 87° 57' 56" W a distance of 533.59 feet,

S 16° 58' 22" E a distance of 4.79 feet,  
S 66° 55' 29" E a distance of 22.66 feet,  
N 87° 16' 21" E a distance of 18.41 feet,  
S 61° 50' 58" E a distance of 48.01 feet,  
S 59° 25' 01" E a distance of 57.65 feet,  
S 67° 05' 27" E a distance of 61.76 feet,  
S 68° 12' 52" E a distance of 50.33 feet,  
S 68° 22' 49" E a distance of 72.21 feet,  
S 56° 20' 45" E a distance of 53.51 feet,  
S 45° 47' 54" E a distance of 88.24 feet,  
S 35° 00' 57" E a distance of 13.12 feet,  
S 58° 00' 18" E a distance of 10.82 feet,  
N 29° 15' 08" E a distance of 5.00 feet,  
S 58° 19' 53" E a distance of 64.68 feet,  
S 39° 39' 24" E a distance of 11.80 feet,  
S 51° 12' 29" E a distance of 41.33 feet,  
S 43° 53' 37" E a distance of 58.63 feet,  
S 31° 38' 12" E a distance of 42.57 feet,  
S 31° 58' 42" E a distance of 41.93 feet,  
S 34° 31' 04" E a distance of 76.06 feet,  
S 26° 47' 05" E a distance of 65.83 feet,  
S 34° 16' 03" E a distance of 61.04 feet,  
S 42° 52' 26" E a distance of 84.01 feet,  
S 64° 16' 10" E a distance of 58.82 feet,  
S 33° 32' 32" E a distance of 37.15 feet,  
S 27° 58' 27" E a distance of 67.86 feet,  
S 21° 25' 38" E a distance of 54.27 feet,  
S 07° 46' 20" W a distance of 19.85 feet,  
S 42° 41' 09" W a distance of 70.15 feet,  
S 21° 54' 49" W a distance of 28.61 feet,  
S 02° 53' 35" W a distance of 28.45 feet,  
S 50° 57' 33" W a distance of 51.77 feet,  
S 57° 09' 27" W a distance of 117.63 feet,  
S 45° 58' 01" W a distance of 44.20 feet,  
S 21° 21' 19" W a distance of 73.60 feet,  
S 05° 14' 51" W a distance of 45.13 feet,  
S 02° 10' 36" E a distance of 56.42 feet,  
S 05° 57' 54" W a distance of 41.60 feet to the intersection

of this meander line with a meander line of the limits of a marsh delineated by the above mentioned Boyles 1945 survey as shown in his field note book volume Q-7, pages 386 through 669, dated July 31, 1945, through August 9, 1945, and from which a 2" galvanized pipe with aluminum cap bears N 67° 06' 19" W a distance of 35.94 feet;

EXHIBIT "1" TO  
SPECIAL WARRANTY DEED  
Page 3 of 5 Pages



46.64 Acre Tract  
Galveston County  
August 1994  
Page 4

THENCE with the meanders of the marsh as outlined above and oriented to the found 2" pipes of the Boyles survey, as follows,  
 N 67° 06' 19" W a distance of 35.94 feet to a set 2" galvanized pipe with aluminum cap,  
 N 26° 04' 07" W a distance of 90.01 feet to a set 2" galvanized pipe with aluminum cap,  
 N 10° 56' 17" W a distance of 88.32 feet,  
 N 25° 39' 50" E a distance of 70.75 feet,  
 N 29° 20' 32" E a distance of 101.12 feet,  
 N 06° 06' 18" W a distance of 72.90 feet,  
 N 24° 11' 19" W a distance of 21.21 feet,  
 N 57° 09' 41" W a distance of 76.15 feet to a set 2" galvanized pipe with aluminum cap,  
 N 85° 01' 42" W a distance of 187.11 feet to a set 2" galvanized pipe with aluminum cap,  
 N 88° 15' 45" W a distance of 373.39 feet,  
 S 87° 52' 01" W a distance of 101.39 feet,  
 S 87° 17' 26" W a distance of 100.12 feet,  
 S 82° 42' 35" W a distance of 100.04 feet,  
 S 82° 46' 22" W a distance of 173.07 feet,  
 S 81° 35' 07" W a distance of 101.00 feet,  
 S 74° 43' 07" W a distance of 100.40 feet,  
 S 84° 26' 08" W a distance of 100.32 feet to a set 2" galvanized pipe with aluminum cap,  
 S 88° 57' 06" W a distance of 101.27 feet to a set 2" galvanized pipe with aluminum cap,  
 S 77° 15' 32" W a distance of 66.07 feet to a set 2" galvanized pipe with aluminum cap,  
 N 62° 48' 50" W a distance of 81.48 feet,  
 N 56° 44' 03" W a distance of 100.12 feet,  
 N 39° 50' 08" W a distance of 103.08 feet,  
 N 21° 15' 09" W a distance of 118.73 feet,  
 N 53° 52' 19" W a distance of 75.00 feet,  
 S 75° 56' 01" W a distance of 117.15 feet,  
 S 33° 33' 00" W a distance of 70.08 feet,  
 S 80° 43' 42" W a distance of 100.18 feet,  
 S 72° 43' 15" W a distance of 100.32 feet,  
 N 76° 32' 49" W a distance of 166.38 feet to a set 2" galvanized pipe with aluminum cap,  
 S 82° 18' 40" W a distance of 102.23 feet to a set 2" galvanized pipe with aluminum cap,  
 N 75° 13' 15" W a distance of 38.36 feet to the point of BEGINNING and containing 46.64 acres.



46.64 Acre Tract  
Galveston County  
August 1994  
Page 4

THENCE with the meanders of the marsh as outlined above and oriented to the found 2" pipes of the Boyles survey, as follows,

N 67° 06' 19" W a distance of 35.94 feet to a set 2" galvanized pipe with aluminum cap,  
N 26° 04' 07" W a distance of 90.01 feet to a set 2" galvanized pipe with aluminum cap,  
N 10° 56' 17" W a distance of 88.32 feet,  
N 25° 39' 50" E a distance of 70.75 feet,  
N 29° 20' 32" E a distance of 101.12 feet,  
N 06° 06' 18" W a distance of 72.90 feet,  
N 24° 11' 19" W a distance of 21.21 feet,  
N 57° 09' 41" W a distance of 76.15 feet to a set 2" galvanized pipe with aluminum cap,  
N 85° 01' 42" W a distance of 187.11 feet to a set 2" galvanized pipe with aluminum cap,  
N 88° 15' 45" W a distance of 373.39 feet,  
S 87° 52' 01" W a distance of 101.39 feet,  
S 87° 17' 26" W a distance of 100.12 feet,  
S 82° 42' 35" W a distance of 100.04 feet,  
S 82° 46' 22" W a distance of 173.07 feet,  
S 81° 35' 07" W a distance of 101.00 feet,  
S 74° 43' 07" W a distance of 100.40 feet,  
S 84° 26' 08" W a distance of 100.32 feet to a set 2" galvanized pipe with aluminum cap,  
S 88° 57' 06" W a distance of 101.27 feet to a set 2" galvanized pipe with aluminum cap,  
S 77° 15' 32" W a distance of 66.07 feet to a set 2" galvanized pipe with aluminum cap,  
N 62° 48' 50" W a distance of 81.48 feet,  
N 56° 44' 03" W a distance of 100.12 feet,  
N 39° 50' 08" W a distance of 103.08 feet,  
N 21° 15' 09" W a distance of 118.73 feet,  
N 53° 52' 19" W a distance of 75.00 feet,  
S 75° 56' 01" W a distance of 117.15 feet,  
S 33° 33' 00" W a distance of 70.08 feet,  
S 80° 43' 42" W a distance of 100.18 feet,  
S 72° 43' 15" W a distance of 100.32 feet,  
N 76° 32' 49" W a distance of 166.38 feet to a set 2" galvanized pipe with aluminum cap,  
S 82° 18' 40" W a distance of 102.23 feet to a set 2" galvanized pipe with aluminum cap,  
N 75° 13' 15" W a distance of 38.36 feet to the point of BEGINNING and containing 46.64 acres.



010-22-0078

46.64 Acre Tract  
Galveston County  
August 1994  
Page 5

Bearings recited herein are Lambert Grid based on grid north through Corps of Engineers control point L-C-2 having coordinates on the Texas Coordinate System, South Central Zone, of Y = 631,962.84 feet and X = 3,238,934.32 feet and being located S 38° 25' 07" W a distance of 7946.91 feet from the point of beginning of this tract. Distances recited herein are surface horizontal.

Surveyed in August 1994

Office of the Attorney General, on behalf of the  
General Land Office and the Permanent School  
Fund of the State of Texas

Natural Resources Division

Attn: Priscilla M Hubbenak

P.O. Box 12548

Austin, TX. 78711-2548

PAID

RECEIVED  
LEGAL SERVICE  
MAR 15 1995  
JAN 20 1995

Office of the Attorney General  
Natural Resources Division

EXHIBIT "1" TO  
SPECIAL WARRANTY DEED  
Page 5 of 5 Pages

Galveston Co Sk. File 71, p. 9

Counter 23950



RECEIVED  
LEGAL SERVICES  
NOV 4 1994  
090-0437

No. 90-CV-0112

COUNTY OF GALVESTON

§  
§  
§  
§  
§  
§  
§

EMINENT DOMAIN PROCEEDINGS  
IN THE DISTRICT COURTS OF  
GALVESTON COUNTY, TEXAS  
56TH JUDICIAL DISTRICT

VS.

JEREMY S. DAVIS

AGREED JUDGMENT AS TO TITLE TO LAND AND BOUNDARIES

On this the 2nd day of November, 1994, came on to be heard that portion of the above-styled and numbered cause relating to land, title to which is claimed both by Cross-Plaintiff, the State of Texas, and Cross-Defendant, Jeremy S. Davis and to the boundary of land owned by Cross-Plaintiff and land owned by Cross-Defendant, which issues were ordered to be tried separately from other issues consolidated in the above-styled and numbered cause, and came Cross-Plaintiff, the State of Texas, acting by and through the Attorney General of the State of Texas on behalf of Garry Mauro, Commissioner of the General Land Office of the State of Texas representing the Permanent School Fund of the State of Texas, and Cross-Defendant, Jeremy S. Davis, in person and by his attorneys of record, Crady, Jewett, & McCulley, L.L.P., and announced ready for trial and further announced that the issues herein of title and boundary have been settled, and the Court having first determined that it has jurisdiction of the parties hereto and the subject matter hereof, and that all prerequisites necessary to the exercise of such jurisdiction have been complied with, finds that the parties have agreed that:



1. The State of Texas, Cross-Plaintiff, owns in fee simple the surface and minerals in and under the following tracts of land which are submerged:

a. A portion of the bed of Clear Creek in Galveston County, being the presently physically submerged portion of Parcel No. 08-012.0 as said parcel is depicted on Sheet 5 of 7 as prepared by Billy R. Foster & Associates Surveying, Inc., titled "Galveston County & Harris County Flood Control Project, Clear Creek, A-100-00-00" and dated September 1987.

b. All physically submerged land in Clear Creek and/or Clear Lake seaward of the meander line of the right descending bank of Clear Creek and/or Clear Lake through the area only as particularly set forth in Exhibit "A" attached hereto. The land seaward of that line belongs to the State and the land landward of that line belongs to Jeremy S. Davis.

2. Subject to a conveyance described in paragraph 3 hereof, by Jeremy S. Davis to the State of Texas of a mineral interest, Jeremy S. Davis owns without claims by the State the surface of 46.64 acres of land described in "Exhibit "B" attached hereto and an undivided one-third (1/3) mineral interest in such land. The term "mineral" as used herein includes oil, gas and other minerals in and under and that may be produced from said 46.64 acres.

3. Jeremy S. Davis has agreed to convey by Special Warranty Deed unto the State of Texas fee simple title to an undivided seven-eighths (7/8) of his undivided one-third (1/3) mineral interest in and to the above-described 46.64 acres subject only to a proportionate share (7/8) of a term royalty reserved to Waters S. Davis, III, as more particularly described in Exhibit "B". Exhibit "B" attached to this Agreed Judgment is a copy of the Special Warranty Deed duly executed and acknowledged by Jeremy S. Davis. The original of such Deed shall be delivered to the State of Texas contemporaneously with the signing of this Agreed Judgment by the Court. In the event that Jeremy S. Davis is later determined to



have had title on the date of this Agreed Judgment to a fractional mineral interest in such land different from the fractional mineral interest described in paragraph 2 above, Jeremy S. Davis has agreed that he, his heirs, assigns and legal representatives shall execute and deliver to the State of Texas such documents, including a Correction Special Warranty Deed, as are necessary to carry out the intention of the parties set forth in this Agreed Judgment and as evidenced by the execution of Exhibit "B" hereof, that Jeremy S. Davis convey unto the State of Texas an undivided seven-eighths (7/8) of his fractional mineral interest, whatever such fractional mineral interest may be.

4. This agreement is not intended to establish and may not be used to establish any boundary or title to property or interest in property nor shall it be any evidence of any boundary or title to property or interest in property, other than the boundaries, title, and interests in property specifically agreed to herein. Nothing herein shall prevent the application of Texas law relating to the movement of riparian and littoral boundaries, including without limitation, erosion, accretion or avulsion, nor shall any provision herein be a waiver of claims by the State of Texas against entities who are not parties to this lawsuit other than the heirs, successors and assigns of the Cross-Defendant claiming the interests confirmed herein to Cross-Defendant.

And the Court, having considered the pleadings, the proposed Agreed Judgment, and the argument of counsel, it is:

ORDERED, ADJUDGED and DECREED that title to the surface and minerals of the following two tracts of land, which are submerged, is hereby confirmed and ratified in the State of Texas:



A. A portion of the bed of Clear Creek in Galveston County, being the presently physically submerged portion of Parcel No. 08-012.0 as said parcel is depicted on Sheet 5 of 7 as prepared by Billy R. Foster & Associates Surveying, Inc., titled "Galveston County & Harris County Flood Control Project, Clear Creek, A-100-00-00" and dated September 1987.

B. All physically submerged land in Clear Creek and/or Clear Lake seaward of the meander line of the right descending bank of Clear Creek and/or Clear Lake through the area only as particularly set forth in Exhibit "A" attached hereto. The land seaward of that line belongs to the State and the land landward of that line belongs to Jeremy S. Davis.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the original of the Special Warranty Deed executed and acknowledged by Jeremy S. Davis, conveying unto the State of Texas fee simple title to an undivided seven-eighths (7/8) interest in and to his undivided one-third (1/3) mineral interest in and to the above-described 46.64 acres, subject only to its proportionate share (7/8) of a term royalty reserved to Waters S. Davis, III, a copy of such Special Warranty Deed attached hereto as Exhibit "B", shall be filed forthwith by the State of Texas with the County Clerk of Galveston County, Texas, for recording in the Deed Records of Galveston County, Texas.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event Jeremy S. Davis is later determined to have had title on the date of this Agreed Judgment to a fractional mineral interest in such land different from the fractional mineral interest described in paragraph 2 above, Jeremy S. Davis, his heirs, assigns and legal



representatives shall execute and deliver to the State of Texas such documents, including a Correction Special Warranty Deed, as are necessary to carry out the intention of the parties set forth in this Agreed Judgment and as evidenced by the execution of Exhibit "B" hereof, that Jeremy S. Davis convey unto the State of Texas an undivided seven-eighths (7/8) of his fractional mineral interest.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that title to the surface and to an undivided one/twenty-fourth (1/24) mineral interest in the 46.64 acres of land, following the conveyance in Exhibit "B", is confirmed and ratified to be in Jeremy S. Davis, subject to his proportionate share (1/8) of a term royalty reserved to Waters S. Davis, III, and any other burdens, provided however, that the surface and one/twenty-fourth (1/24) mineral interest in such 46.64 acres is free of claims by the State of Texas.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that title to an undivided seven-eighths (7/8) of one-third (1/3) mineral interest (being an undivided seven/twenty-fourths (7/24) interest), in the 46.64 acres of land, following the conveyance in Exhibit "B", is confirmed and ratified to be in the State of Texas, subject only to its proportionate share (7/8) of a term royalty reserved to Waters S. Davis, III, and said mineral interest includes the executive rights to the 7/24 interest in addition to any other rights pertaining to the mineral interest, including but not limited to the right to receive bonuses, delay rentals, and royalty.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that any and all pending motions with respect to Chapter 105 of the Texas Civil



Practice and Remedies Code filed by Jeremy S. Davis against the State of Texas, are hereby overruled.

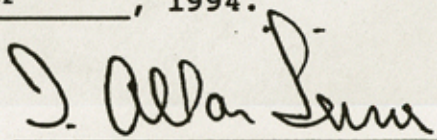
IT IS FURTHER ORDERED, ADJUDGED and DECREED that all costs herein be taxed against the party incurring such cause.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that no issues were tried in this cause, either by implication or consent, as to any boundaries, property or interests in property, other than the boundaries, property and interests in property above-described, and this judgment shall not operate or be construed to settle any issues or to grant or deny any relief as to any other boundary, property or interest in property, other than the boundaries, property and interests in property above-described.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that this judgment shall not establish legal precedent with regard to the claims of ownership of Jeremy S. Davis or the State of Texas, other than with respect to the title and boundaries ordered in this Judgment.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that all relief not specifically granted herein is denied.

Signed this 2nd day of November, 1994.

  
\_\_\_\_\_  
I. ALAN LERNER  
JUDGE, 56TH DISTRICT COURT



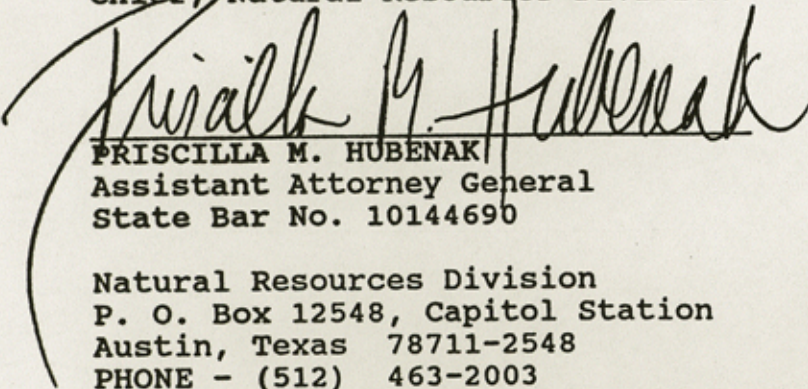
APPROVED:

OFFICE OF THE ATTORNEY GENERAL

DAN MORALES  
Attorney General of Texas

JORGE VEGA  
First Assistant Attorney General

GREGG A. COOKE  
Assistant Attorney General  
Chief, Natural Resources Division

  
PRISCILLA M. HUBENAK  
Assistant Attorney General  
State Bar No. 10144690

Natural Resources Division  
P. O. Box 12548, Capitol Station  
Austin, Texas 78711-2548  
PHONE - (512) 463-2003  
FAX - (512) 320-0911

ATTORNEYS FOR THE STATE OF TEXAS  
ON BEHALF OF THE GENERAL LAND OFFICE  
AND THE PERMANENT SCHOOL FUND  
OF THE STATE OF TEXAS

CRADY, JEWETT & McCULLEY, L.L.P.

By: 

Charles C. Crady, III  
SBT No. 04971000  
Alvin A. Horne  
SBT No. 10007000  
909 Fannin, Suite 1400  
Houston, TX 77010-1006  
Telephone: (713) 739-7007  
Telefax: (713) 739-8403

ATTORNEYS FOR JEREMY S. DAVIS



EXHIBIT "A"

Meanders of Portions of the  
Bank of Clear Creek and/or Clear Lake  
Galveston County, Texas

Being a portion of the meanders of the right descending bank of Clear Creek and/or Clear Lake in the vicinity of the north line of the Stephen F. Austin title survey, Abstract No. 3 and the Miguel Muldoon title survey, Abstract No. 18, located N 47 1/2° W about 24 miles from the county seat in Galveston County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at the intersection of the proposed north right of way line of the proposed Galveston County and Harris County Clear Creek Flood Control Project with the right descending bank of Clear Creek and/or Clear Lake, from which Corps of Engineers control point L-C-2 bears S 32° 53' 47" W a distance of 7196.16 feet and a brass right of way marker in concrete found in said north right of way line, at the northeast right of way line of F. M. Highway No. 270, bears S 60° 52' 27" W a distance of 225.07 feet;

THENCE with the meanders of Clear Creek and/or Clear Lake as follows,

S 57° 05' 18" E a distance of 50.83 feet,  
S 47° 24' 28" E a distance of 47.37 feet,  
S 58° 45' 41" E a distance of 32.69 feet,  
S 69° 39' 44" E a distance of 37.82 feet,  
S 63° 57' 07" E a distance of 84.62 feet,  
S 74° 00' 03" E a distance of 49.36 feet,  
S 82° 38' 34" E a distance of 93.69 feet,  
N 84° 48' 11" E a distance of 51.83 feet,

N 80° 34' 15" E, at 49.82 feet crossing the proposed south right of way line of the above mentioned flood control project at a point from which a brass right of way marker in concrete found at an offset in said right of way line bears S 60° 52' 27" W a distance of 139.94 feet, in all a distance of 57.56 feet,

N 74° 45' 07" E a distance of 78.04 feet,  
N 71° 12' 12" E a distance of 38.87 feet,  
N 69° 38' 18" E a distance of 48.44 feet,  
N 64° 07' 47" E a distance of 72.80 feet,  
N 59° 23' 29" E a distance of 79.53 feet,  
N 57° 04' 55" E a distance of 92.40 feet,  
N 55° 30' 28" E a distance of 133.77 feet,  
N 50° 27' 02" E a distance of 63.19 feet,

N 46° 37' 11" E, at 31.26 feet recrossing the above mentioned south right of way line at a point from which a brass right of way marker in concrete found in said right of way line bears N 60° 52' 27" E a distance of 41.34 feet, in all a distance of 62.16 feet,

N 38° 48' 06" E a distance of 64.87 feet,  
N 13° 32' 10" E a distance of 43.98 feet,  
N 73° 58' 43" E a distance of 30.03 feet,  
N 48° 39' 07" E a distance of 268.45 feet,

Exhibit "A"

Page 1 of 3 Pages



Meanders of Portions of the  
Bank of Clear Creek and/or Clear Lake  
Galveston County, Texas  
Page 2

N 38° 45' 46" E a distance of 81.46 feet,  
N 55° 45' 03" E a distance of 40.67 feet,  
N 37° 21' 15" E a distance of 136.98 feet,  
N 32° 30' 58" E a distance of 84.35 feet,  
N 25° 49' 09" E a distance of 105.89 feet to a point from  
which a brass marker in concrete found in the proposed north right  
of way line of the above mentioned flood control project bears  
N 45° 57' 43" E a distance of 80.28 feet,  
N 89° 53' 49" E a distance of 12.94 feet,  
N 14° 02' 13" E a distance of 14.56 feet,  
S 77° 20' 05" E a distance of 18.56 feet,  
N 11° 01' 37" E, at 37.74 feet crossing said proposed north  
right of way line at a point from which the last above referenced  
right of way marker bears N 60° 52' 27" E a distance of 18.13 feet,  
in all a distance of 51.90 feet,  
N 53° 42' 25" W a distance of 11.36 feet,  
S 75° 21' 59" W a distance of 11.10 feet to a point from  
which the last above referenced right of way marker bears  
S 74° 34' 30" E a distance of 34.34 feet,  
N 01° 11' 51" E a distance of 87.60 feet,  
N 65° 23' 01" E a distance of 10.17 feet,  
N 06° 28' 06" E a distance of 34.58 feet,  
N 49° 43' 02" W a distance of 27.54 feet,  
N 06° 32' 16" E a distance of 24.78 feet,  
N 17° 43' 37" W a distance of 60.89 feet,  
N 22° 04' 04" E a distance of 71.55 feet,  
N 45° 58' 49" E a distance of 79.44 feet,  
N 65° 37' 05" E a distance of 32.08 feet,  
S 77° 07' 10" E a distance of 44.07 feet,  
S 85° 38' 50" E a distance of 17.37 feet,  
N 53° 50' 01" E a distance of 10.29 feet,  
S 66° 23' 13" E a distance of 16.24 feet,  
S 61° 47' 59" E a distance of 120.14 feet,  
S 46° 20' 52" E a distance of 102.78 feet,  
S 57° 06' 15" E a distance of 26.89 feet to a point from  
which a brass marker in concrete found in the proposed north right  
of way line of the above mentioned flood control project bears  
S 24° 41' 50" W a distance of 41.74 feet,  
N 84° 20' 52" E a distance of 23.19 feet,  
S 50° 31' 01" E, at 22.30 feet crossing said proposed north  
right of way line at a point from which the last above referenced  
right of way marker bears S 65° 44' 03" W a distance of 63.32 feet,  
in all a distance of 31.11 feet,  
S 23° 39' 11" W a distance of 9.53 feet,  
S 63° 31' 55" E a distance of 61.10 feet,  
N 44° 11' 40" E a distance of 8.46 feet,  
S 66° 33' 57" E a distance of 127.86 feet,  
S 70° 15' 19" E a distance of 60.39 feet,  
S 75° 27' 23" E a distance of 68.43 feet,



Meanders of Portions of the  
Bank of Clear Creek and/or Clear Lake  
Galveston County, Texas  
Page 3

S 16° 54' 42" E a distance of 11.69 feet,  
N 75° 50' 27" E a distance of 33.02 feet,  
N 49° 00' 52" E a distance of 8.52 feet,  
S 84° 16' 14" E a distance of 125.01 feet to a point from  
which a brass marker in concrete found in the proposed south right  
of way line of the above mentioned flood control project bears  
S 40° 47' 47" W a distance of 110.54 feet,  
S 32° 34' 35" E a distance of 11.34 feet,  
S 86° 06' 16" E a distance of 52.90 feet,  
S 64° 09' 58" E a distance of 1.72 feet,  
N 75° 32' 18" E a distance of 53.10 feet,  
N 81° 30' 59" E a distance of 92.28 feet,  
S 72° 26' 11" E a distance of 97.26 feet to the intersection  
of this line with the said proposed south right of way line from  
which the last above referenced right of way marker bears  
S 79° 29' 54" W a distance of 374.22 feet and Corps of Engineers  
control point L-C-2 bears S 43° 47' 20" W a distance of 9677.02  
feet.

Bearings recited herein are Lambert Grid based on grid north  
through Corps of Engineers control point L-C-2 having coordinates  
on the Texas Coordinate System, South Central Zone, of  
Y = 631,962.84 feet and X = 3,238,934.32 feet. Distances recited  
herein are surface horizontal.

Surveyed in August and September 1994



090 0437

EXHIBIT "B"

SPECIAL WARRANTY DEED

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

Jeremy S. Davis, of Harris County, Texas, Grantor, for good and valuable consideration including compliance with the terms of an Agreed Judgment signed, entered and approved by the Court on November 2, 1994, 1994 in Cause No. 90-CV-0112, styled County of Galveston vs. Jeremy S. Davis, in the District Court of Galveston County, Texas, 56th Judicial District, by the State of Texas, Grantee, the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto Grantee, subject only to a proportionate share (7/8) of a term royalty reservation in the Mineral Deed from Waters S. Davis, III, further described on page 2 of this deed, an undivided seven-eighths (7/8) of one-third (1/3), being seven/twenty-fourths (7/24), of all oil, gas and other minerals in and under and that may be produced from the following described property situated in Galveston County, Texas, to-wit:

46.64 acres of land in Galveston County, Texas, located N 47 1/2° W about 24 miles from the county seat of Galveston County, Texas, and more particularly described on Exhibit "1", attached hereto and by reference made a part hereof only for purposes of a metes and bounds description of the mineral interest hereof.

This mineral interest includes the executive rights to the 7/24 interest in addition to any other rights pertaining to the mineral interest, including but not limited to the right to receive bonuses, delay rentals, and royalty.



TO HAVE AND TO HOLD the above-described mineral interest unto Grantee, its successors and assigns forever and, Grantor does hereby bind himself, his heirs and legal representatives to warrant and forever defend all and singular the said mineral interest unto Grantee from whomsoever lawfully claims or to claim the same or any part thereof, by through and under Grantor, but not otherwise. Grantor further warrants that all interests described herein are free and clear of all liens and encumbrances.

PROVIDED HOWEVER, that Grantee, its successors and assigns may drill for the exploration and/or exploitation of oil, gas or other minerals at a reasonable location on the surface of said 46.64 acres in Galveston County, Texas, subject to the approval of Grantor, its successors, legal representatives, or assigns in writing, of the surface location of any well or wells which Grantee, its successors or assigns may wish to drill. Approval may not be unreasonably withheld.

The mineral interest hereby conveyed to the State of Texas was acquired in part by Deed dated September 17, 1965 executed by Charles Louis Gray, Jr., et al. in favor of Waters S. Davis, III, et al., recorded in the office of the County Clerk of Galveston County, Texas, under Clerk's File No. 378846 and in part by Correction Deed dated September 24, 1965 executed by Waters S. Davis, III, Roger H. Davis, and Jeremy S. Davis, each individually and as independent Co-Executors of the Estate of Waters S. Davis, Jr., which Correction Deed was filed and recorded in the office of the County Clerk of Galveston County, Texas, under Clerk's File No.



383451, and in part by Mineral Deed dated February 2, 1982 executed by Waters S. Davis, III, in favor of Jeremy S. Davis recorded in the office of the County Clerk of Galveston County, Texas, under Clerk's File No. 8203635 and Film Code No. 001-54-2326.

EXECUTED this 2nd day of November, 1994.

Jeremy S. Davis  
JEREMY S. DAVIS

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged before me the undersigned authority on this 2nd day of November, 1994, by Jeremy S. Davis.

Jacqueline Partin  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

STAMP:

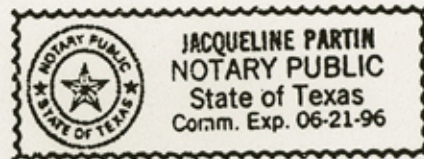




EXHIBIT "1"

46.64 Acre Tract  
Galveston County, Texas  
August 1994

Being 46.64 acres of land, in the vicinity of the north line of the Stephen F. Austin title survey, Abstract No. 3, and the Miguel Muldoon title survey, Abstract No. 18, located N 47 1/2° W about 24 miles from the county seat in Galveston County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at a point on the north line of the above mentioned Stephen F. Austin title survey on the south or right bank of Clear Creek and/or Clear Lake, from which a 2" galvanized pipe with aluminum cap bears S 75° 14' 09" E a distance of 38.36 feet, a 2" pipe found for the reentrant south corner of the lands shown as TRACT 1 of 260.55 acres on a plat of survey of portions of the League Davis Estate lands prepared by J. S. Boyles in August 1945 bears S 24° 48' 29" E a distance of 1692.22 feet (from this pipe another 2" pipe found as shown on the same survey bears S 45° 58' 48" E a distance of 2018.42 feet), and a brass marker in concrete found in the proposed south right of way line of the proposed Galveston County and Harris County Clear Creek Flood Control Project bears N 71° 44' 17" E a distance of 23.93 feet;

THENCE with the meanders of Clear Creek and/or Clear Lake as follows,

N 46° 37' 11" E a distance of 12.50 feet,  
N 38° 48' 06" E a distance of 64.87 feet,  
N 13° 32' 10" E a distance of 43.98 feet,  
N 73° 58' 43" E a distance of 30.03 feet,  
N 48° 39' 07" E a distance of 268.45 feet,  
N 38° 45' 46" E a distance of 81.46 feet,  
N 55° 45' 03" E a distance of 40.67 feet,  
N 37° 21' 15" E a distance of 136.98 feet,  
N 32° 30' 58" E a distance of 84.35 feet,  
N 25° 49' 09" E a distance of 105.89 feet to a point from

which a brass marker in concrete found in the proposed north right of way line of the above mentioned flood control project bears N 45° 57' 43" E a distance of 80.28 feet,

N 89° 53' 49" E a distance of 12.94 feet,  
N 14° 02' 13" E a distance of 14.56 feet,  
S 77° 20' 05" E a distance of 18.56 feet,  
N 11° 01' 37" E, at 37.74 feet crossing said proposed north

right of way line at a point from which the last above referenced right of way marker bears N 60° 52' 27" E a distance of 18.13 feet, in all a distance of 51.90 feet,

N 53° 42' 25" W a distance of 11.36 feet,  
S 75° 21' 59" W a distance of 11.10 feet to a point from which the last above referenced right of way marker bears S 74° 34' 30" E a distance of 34.34 feet,  
N 01° 11' 51" E a distance of 87.60 feet,

EXHIBIT "1" TO  
SPECIAL WARRANTY DEED  
Page 1 of 5 Pages



N 65° 23' 01" E a distance of 10.17 feet,  
N 06° 28' 06" E a distance of 34.58 feet,  
N 49° 43' 02" W a distance of 27.54 feet,  
N 06° 32' 16" E a distance of 24.78 feet,  
N 17° 43' 37" W a distance of 60.89 feet,  
N 22° 04' 04" E a distance of 71.55 feet,  
N 45° 58' 49" E a distance of 79.44 feet,  
N 65° 37' 05" E a distance of 32.08 feet,  
S 77° 07' 10" E a distance of 44.07 feet,  
S 85° 38' 50" E a distance of 17.37 feet,  
N 53° 50' 01" E a distance of 10.29 feet,  
S 66° 23' 13" E a distance of 16.24 feet,  
S 61° 47' 59" E a distance of 120.14 feet,  
S 46° 20' 52" E a distance of 102.78 feet,  
S 57° 06' 15" E a distance of 26.89 feet to a point from  
which a brass marker in concrete found in the proposed north right  
of way line of the above mentioned flood control project bears  
S 24° 41' 50" W a distance of 41.74 feet,  
N 84° 20' 52" E a distance of 23.19 feet,  
S 50° 31' 01" E, at 22.30 feet crossing said proposed north  
right of way line at a point from which the last above referenced  
right of way marker bears S 65° 44' 03" W a distance of 63.32 feet,  
in all a distance of 31.11 feet,  
S 23° 39' 11" W a distance of 9.53 feet,  
S 63° 31' 55" E a distance of 61.10 feet,  
N 44° 11' 40" E a distance of 8.46 feet,  
S 66° 33' 57" E a distance of 127.86 feet,  
S 70° 15' 19" E a distance of 60.39 feet,  
S 75° 27' 23" E a distance of 68.43 feet,  
S 16° 54' 42" E a distance of 11.69 feet,  
N 75° 50' 27" E a distance of 33.02 feet,  
N 49° 00' 52" E a distance of 8.52 feet,  
S 84° 16' 14" E a distance of 125.01 feet to a point from  
which a brass marker in concrete found in the proposed south right  
of way line of the above mentioned flood control project bears  
S 40° 47' 47" W a distance of 110.54 feet,  
S 32° 34' 35" E a distance of 11.34 feet,  
S 86° 06' 16" E a distance of 52.90 feet,  
S 64° 09' 58" E a distance of 1.72 feet,  
N 75° 32' 18" E a distance of 53.10 feet,  
N 81° 30' 59" E a distance of 92.28 feet,  
S 72° 26' 11" E, at 97.26 feet crossing said proposed south  
right of way line at a point from which the last above referenced  
right of way marker bears S 79° 29' 54" W a distance of 374.22  
feet, in all a distance of 107.66 feet,



S 61° 50' 31" E a distance of 176.12 feet to a point from which the last above referenced right of way marker bears N 87° 57' 56" W a distance of 533.59 feet,

S 16° 58' 22" E a distance of 4.79 feet,  
S 66° 55' 29" E a distance of 22.66 feet,  
N 87° 16' 21" E a distance of 18.41 feet,  
S 61° 50' 58" E a distance of 48.01 feet,  
S 59° 25' 01" E a distance of 57.65 feet,  
S 67° 05' 27" E a distance of 61.76 feet,  
S 68° 12' 52" E a distance of 50.33 feet,  
S 68° 22' 49" E a distance of 72.21 feet,  
S 56° 20' 45" E a distance of 53.51 feet,  
S 45° 47' 54" E a distance of 88.24 feet,  
S 35° 00' 57" E a distance of 13.12 feet,  
S 58° 00' 18" E a distance of 10.82 feet,  
N 29° 15' 08" E a distance of 5.00 feet,  
S 58° 19' 53" E a distance of 64.68 feet,  
S 39° 39' 24" E a distance of 11.80 feet,  
S 51° 12' 29" E a distance of 41.33 feet,  
S 43° 53' 37" E a distance of 58.63 feet,  
S 31° 38' 12" E a distance of 42.57 feet,  
S 31° 58' 42" E a distance of 41.93 feet,  
S 34° 31' 04" E a distance of 76.06 feet,  
S 26° 47' 05" E a distance of 65.83 feet,  
S 34° 16' 03" E a distance of 61.04 feet,  
S 42° 52' 26" E a distance of 84.01 feet,  
S 64° 16' 10" E a distance of 58.82 feet,  
S 33° 32' 32" E a distance of 37.15 feet,  
S 27° 58' 27" E a distance of 67.86 feet,  
S 21° 25' 38" E a distance of 54.27 feet,  
S 07° 46' 20" W a distance of 19.85 feet,  
S 42° 41' 09" W a distance of 70.15 feet,  
S 21° 54' 49" W a distance of 28.61 feet,  
S 02° 53' 35" W a distance of 28.45 feet,  
S 50° 57' 33" W a distance of 51.77 feet,  
S 57° 09' 27" W a distance of 117.63 feet,  
S 45° 58' 01" W a distance of 44.20 feet,  
S 21° 21' 19" W a distance of 73.60 feet,  
S 05° 14' 51" W a distance of 45.13 feet,  
S 02° 10' 36" E a distance of 56.42 feet,  
S 05° 57' 54" W a distance of 41.60 feet to the intersection

of this meander line with a meander line of the limits of a marsh delineated by the above mentioned Boyles 1945 survey as shown in his field note book Volume Q-7, pages 586 through 669, dated July 31, 1945, through August 9, 1945, and from which a 2" galvanized pipe with aluminum cap bears N 67° 06' 19" W a distance of 35.94 feet;



THENCE with the meanders of the marsh as outlined above and oriented to the found 2" pipes of the Boyles survey, as follows,  
N 67° 06' 19" W a distance of 35.94 feet to a set 2" galvanized pipe with aluminum cap,  
N 26° 04' 07" W a distance of 90.01 feet to a set 2" galvanized pipe with aluminum cap,  
N 10° 56' 17" W a distance of 88.32 feet,  
N 25° 39' 50" E a distance of 70.75 feet,  
N 29° 20' 32" E a distance of 101.12 feet,  
N 06° 06' 18" W a distance of 72.90 feet,  
N 24° 11' 19" W a distance of 21.21 feet,  
N 57° 09' 41" W a distance of 76.15 feet to a set 2" galvanized pipe with aluminum cap,  
N 85° 01' 42" W a distance of 187.11 feet to a set 2" galvanized pipe with aluminum cap,  
N 88° 15' 45" W a distance of 373.39 feet,  
S 87° 52' 01" W a distance of 101.39 feet,  
S 87° 17' 26" W a distance of 100.12 feet,  
S 82° 42' 35" W a distance of 100.04 feet,  
S 82° 46' 22" W a distance of 173.07 feet,  
S 81° 35' 07" W a distance of 101.00 feet,  
S 74° 43' 07" W a distance of 100.40 feet,  
S 84° 26' 08" W a distance of 100.32 feet to a set 2" galvanized pipe with aluminum cap,  
S 88° 57' 06" W a distance of 101.27 feet to a set 2" galvanized pipe with aluminum cap,  
S 77° 15' 32" W a distance of 66.07 feet to a set 2" galvanized pipe with aluminum cap,  
N 62° 48' 50" W a distance of 81.48 feet,  
N 56° 44' 03" W a distance of 100.12 feet,  
N 39° 50' 08" W a distance of 103.08 feet,  
N 21° 15' 09" W a distance of 118.73 feet,  
N 53° 52' 19" W a distance of 75.00 feet,  
S 75° 56' 01" W a distance of 117.15 feet,  
S 33° 33' 00" W a distance of 70.08 feet,  
S 80° 43' 42" W a distance of 100.18 feet,  
S 72° 43' 15" W a distance of 100.32 feet,  
N 76° 32' 49" W a distance of 166.38 feet to a set 2" galvanized pipe with aluminum cap,  
S 82° 18' 40" W a distance of 102.23 feet to a set 2" galvanized pipe with aluminum cap,  
N 75° 13' 15" W a distance of 38.36 feet to the point of BEGINNING and containing 46.64 acres.



46.64 Acre Tract  
Galveston County  
August 1994  
Page 5

Bearings recited herein are Lambert Grid based on grid north through Corps of Engineers control point L-C-2 having coordinates on the Texas Coordinate System, South Central Zone, of Y = 631,962.84 feet and X = 3,238,934.32 feet and being located S 38° 25' 07" W a distance of 7946.91 feet from the point of beginning of this tract. Distances recited herein are surface horizontal.

Surveyed in August 1994

RECORDED  
INDEXED  
NOV - 2 11:18 AM '94

EXHIBIT "1" TO  
SPECIAL WARRANTY DEED  
Page 5 of 5 Pages

Galveston Co. sk. File 71, p.26

Counter 23969