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WAYNE GRAHAM
LICENSED STATE LAND SURVEYOR
1100 EAST WASHINGTON STREET
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TO: HON. GARY MAURO
COMMISSIONER
GENERAL LAND OFFICE
AUSTIN, TEXAS 78701

REPORT OF RESURVEY OF THE BENJAMIN McGAHA SURVEY NO. 11, ABSTRACT NO. 106, MIL 1-1490, STEPHENS COUNTY, TEXAS PURSUANT TO PURCHASE OF EXCESS LAND BY CHRIS BALL.

ON THE 8TH DAY OF AUGUST, 1995, CHRIS BALL CONTACTED MR. RICHARD L. JOHNSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN EASTLAND, TEXAS TO SURVEY A RECORD 652 ACRE TRACT, BEING PART OF THE BENJAMIN McGAHA SURVEY IN STEPHENS COUNTY, TEXAS. THE LAND DESCRIBED IN DEED FROM SANDRA L. HOLMES ET AL TO CHRIS A. BALL, DATED OCTOBER 20, 1993 AND RECORDED IN VOLUME 1127, PAGE 42 OF THE DEED RECORDS OF STEPHENS COUNTY, TEXAS, TRACT 8 IN THIS DEED DESCRIBES THIS TRACT AS BEING THE SOUTH 682 ACRES OF THE BENJAMIN McGAHA SURVEY SAVE AND EXCEPT 30 ACRES OUT OF THE SE CORNER. THE NORTH 253 ACRES OF THE BENJAMIN McGAHA SURVEY WAS BEQUEATHED TO RUTH PATTON UNDER THE WILL OF MATTIE C. PATTON AND RECORDED IN VOLUME L, PAGE 387 OF THE PROBATE RECORDS OF STEPHENS COUNTY, TEXAS.

IN THE COURSE OF HIS SURVEY CONSISTING MAINLY OF A FENCE LINE SURVEY HE AND THE STEPHENS COUNTY ABSTRACT COMPANY DISCOVERED THAT THE McGAHA SURVEY WAS ONLY PATENTED FOR A TOTAL OF 887.68 ACRES WITH THE DEEDED ACREAGE RECITED TO BE 935 ACRES. IT ACTUALLY HAD ABOUT 976 ACRES AS OCCUPIED BY FENCE LINES.

AT THAT POINT HE CONTACTED ME TO HELP HIM IN OBTAINING A DEED OF A ACQUITTANCE FOR THIS EXCESS LAND FROM THE STATE OF TEXAS.

I ADVISED HIM THAT WE WOULD NEED A WORKING SKETCH OF THIS SURVEY AND AJOINING SURVEYS FROM THE GENERAL LAND OFFICE SO WE WOULD HAVE A COMPLETE RECORD OF THE MONUMENTS SET BY THE ORIGINAL SURVEYOR ALONG WITH SOME INDICATION OF THE SENIORITY OF THE SURVEYS. ALSO THAT THE SURVEY NEEDED TO BE TIED INTO THE U. S. GEODETIC SURVEY MONUMENT SYSTEM. AFTER CHECKING TOPOGRAPHIC MAP LUSK IT WAS DETERMINED THAT THERE WERE NOT ANY U. S. GEODETIC MONUMENTS CLOSE TO THE McGAHA SURVEY. IT WAS DECIDED TO HAVE TIMBLE NAVAGATION ESTABLISH GRID CONTROL ON THE PROJECT WITH G. P. S RATHER THAN TRY TO RUN IN WITH CONVENTIONAL SURVEY METHODS. ON 28TH OF DECEMBER, 1995, TRIMBLE OCCUPIED THE U. S. G. S. SURVEY MONUMENT BRECKPORT AT THE AIRPORT IN BRECKENRIDGE AND TRANSFERRED CONTROL TO SEVERAL POINTS WITHIN THE McGAHA SURVEY TO HELP CONTROL THE ON THE GROUND SURVEY, ALSO THEY ESTABLISHED CONTROL ON SEVERAL CORNERS (MOSTLY FENCE CORNERS) ON THE McGAHA AND AJOINING PROPERTIES.

MR. JOHNSON AND HIS SURVEY CREW ACTUALLY DID NOT FIND ANYTHING THAT WAS CONSIDERED TO BE AN ORIGINAL SURVEY MONUMENT.

ON MAY 8TH, 1996, I MET MR. JOHNSON AND LYNN WILLIAMSON, A REGISTERED PROFESSIONAL LAND SURVEYOR ASSOCIATED WITH MR. JOHNSON IN HIS OFFICE AND HE TOOK MYSELF AND MY FIELD CREW OUT TO THE McGAHA SURVEY AND WE VISITED ALL OF THE CORNERS AS OCCUPIED ON THE GROUND BY FENCE LINES. AT THAT TIME WE DO NOT OBSERVE ANY EXISTING BEARING TREES OR MONUMENTS CALLED FOR IN THE WORKING SKETCH OR PATENTS OBTAINED FROM THE RECORDS OF THE STEPHENS COUNTY CLERK. REALIZING THAT THE McGAHA WOULD HAVE TO BE REESTABLISHED FROM THE REMAINS OF ANY REMAINING EVIDENCE OF THESE OLD BEARING AND CREEK CROSSINGS ETC. WE BEGAN A COMPLETE NEW SURVEY AND TIED IN ALL CREEKS, FENCES AND ANY OLD STUMP HOLES THAT WE FELT MIGHT BE EVIDENCE OF OF THE OLD BEARINGS.

AT THE NW CORNER OF THE McGAHA SURVEY WE RECOVERED AND OLD STUMP HOLE WHICH WAS LATER USED TO REESTABLISH THE NW CORNER OF THE McGAHA.

AT THE NW CORNER OF THE DAVID HAND SURVEY WE TIED IN AN OLD STUMP HOLE ALONG WITH AN OLD POST OAK STUMP, THE POST OAK STUMP WAS FINALLY REJECTED AS BEING OF AN ORIGINAL BEARING AND THE CORNER WAS CALCULATED FROM THIS OLD STUMP HOLE ALONG WITH A CALL TO A 4" IRON PIPE FENCE CORNER WITH NO MONUMENT BEING ON SET THIS SURVEY.

RETURNING TO THE NW CORNER OF THE McGAHA SURVEY WE RAN A LINE EAST ALONG A FENCE LINE ALONG ITS FENCED NORTH LINE AT 577.2 VARAS A TIE WAS MADE ON A NORTH-SOUTH RAVINE ALSO CALLED FOR IN THE FIELD NOTES OF THE McGAHA SURVEY, CONTINUED ON THE A FENCE CORNER AT ITS OCCUPIED NE CORNER. AT THIS POINT A SEARCH WAS MADE FOR THE TWO MESQUITE TREE BEARING AT THIS CORNER, A MESQUITE STUMP WAS FOUND NORTHEAST OF THIS CORNER AND LATER ACCEPTED AS BEING AN ORIGINAL BEARING AND THE NE CORNER OF McGAHA SURVEY WAS RESET FROM THIS OLD MESQUITE STUMP.

FROM THIS POINT WE RAN NORTH TO AN IRON PIPE FENCE CORNER CALLED IN A 1.193 ACRE DEED TO ERIC O'DELL AND RECORDED IN VOLUME 526, PAGE 280 OF THE DEED RECORDS OF STEPHENS COUNTY, TEXAS TO BE THE NW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 664, A SEARCH WAS MADE FOR THE TWO POST OAK BEARING CALLED FOR AT THIS CORNER. ALL OF LAND TO THE WEST HAS BEEN CLEARED AND NO EVIDENCE OF EITHER WAS FOUND. WE TIED A COUPLE OF STUMP HOLES BUT DID NOT ACCEPT EITHER OF THEM AS BEING THE ORIGINAL BEARINGS AT THIS TIME. THE DISTANCE FROM THE PIPE POST FENCE CORNER SOUTH TO THE NE CORNER OF THE McGAHA CALCULATED TO BE 619.22 VARES, CALL FOR THIS LINE IS 467.1 VARAS. WORKING SKETCH SHOWS THIS LINE TO BE EXCESSIVE.

File No. SKETCH FILE 28A

CONTINUED ON PAGE 2

STEPHENS County

Report of Resurvey-Benij. McGaha-Mil. 1-1490

Date Filed: March 6, 2000

David Dewhurst, Commissioner

By: Douglas Howard

counter 37104

RETURNING TO THE NE CORNER OF THE McGAHA SURVEY WE RAN SOUTH ALONG A FENCE LINE TO A FENCE CORNER AT THE OCCUPIED SW CORNER AND DEED CORNERS OF THE T. E. & L. SURVEY 664 AND THE NW CORNER OF SURVEY NO. 662. AT THIS POINT A SEARCH WAS MADE FOR THE TWO POST OAK BEARING TREES CALLED FOR AT THIS CORNER. NO STANDING POST OAKS WERE FOUND. A STUMP HOLE WAS FOUND TO THE SOUTHEAST WITH NO EVIDENCE OF THE OTHER ONE TO THE NORTHWEST, LAND TO THE WEST HAD BEEN CLEARED AND APPARENTLY ANY EVIDENCE OF THIS TREE HAS BEEN COVERED OVER. THE STUMP HOLE TO THE SOUTH WAS LATER ACCEPTED AS BEING AN ORIGINAL BEARING AND CORNER WAS RESET FROM IT FOR THE SW CORNER OF SURVEY NO. 662 AND NW CORNER OF SURVEY NO. 664.

FROM THE SW CORNER OF SURVEY NO. 664 WE ALONG EAST ALONG A FENCE LINE AND DEED LINE TO A FENCE CORNER AT THE OCCUPIED SE CORNER OF SURVEY NO. 664 AND THE NE CORNER OF SURVEY NO. 662. AT THIS POINT A STUMP HOLE WAS RECOVERED SOUTHWEST OF THIS FENCE CORNER. THIS TREE ALONG WITH SEVERAL OTHERS HAD BEEN RECENTLY DOVED OUT AND WERE IN A NEARBY PILE. AFTER LATER CALCULATIONS WERE MADE THE NE CORNER OF SURVEY NO. 662 AND THE SE CORNER OF SURVEY NO. 664 WAS RESET ON ITS CALL BEARING AND DISTANCE FROM THIS OLD STUMP HOLE. THE DISTANCE BACK WEST TO THE SW CORNER OF SURVEY 664 AND NW CORNER OF SAUD 664 WAS CALCULATED TO BE 674.51 VARAS, PATENT CALL IS 672.04 VARAS. THIS WOULD SEEM TO RELOCATED THIS CORNER IN ITS CORRECT POSITION.

FROM THIS CORNER A LINE WAS RUN NORTH TO A FENCE CORNER AT THE OCCUPIED NW CORNER OF THE T. E. & L. SURVEY NO. 663 WITH NO EVIDENCE BEING FOUND OF STAKE IN MOUND OR EITHER OF BEARING TREES CALLED FOR AT THIS CORNER. FENCE CORNER IS APPARENTLY ABOUT 30 VARAS TOO FAR SOUTH AND WEST OF THE CALCULATED POSITION FOR THE CORNER. RETURNING TO THE SW CORNER OF SURVEY 664 AND THE NW CORNER OF SURVEY NO. 662 A LINE WAS RUN SOUTH ALONG THE FENCE LINE AND DEED LINE ALONG THE EAST LINE OF THE McGAHA SURVEY, AT 468.17 VARAS A TIE WAS MADE ON POST OAK CREEK, THIS CREEK WAS CALLED FOR AS BEING 1452 VARAS FROM THE NW CORNER OF THE McGAHA SURVEY WITH MY CROSSING AS BEING 1451.74 VARAS, CONTINUING ALONG A FENCE LINE AND DEED LINES TO A FENCE CORNER ON THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER WITH NO EVIDENCE OF STAKE AND MOUND OR THE TWO HACKBERRY BEARING BEING FOUND AT THIS TIME. AFTER CALCULATIONS WERE MADE IT WAS DETERMINED THAT THE FENCE CORNER HAD TO BE ABOUT 20 VARAS TOO FAR EAST AND ON ANOTHER TRIP BACK TO THIS POINT A STUMP HOLE WAS FOUND TO THE NORTHEAST. AFTER CALCULATION WERE MADE THIS STUMP HOLE WAS ACCEPTED AS BEING AN ORIGINAL BEARING AND THE SE CORNER OF THE McGAHA SURVEY WAS RESET CALL BEARING AND DISTANCE FROM THIS STUMP HOLE. THIS CORNER IS A HIGH BANK OF THE RIVER AND FALLS ALMOST STRAIGHT INTO THE WATER.

PROCEEDING WEST ALONG THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER TO THE VICINITY OF THE SW CORNER OF THE McGAHA SURVEY. THIS CORNER CALLED TO BE A HACKBERRY ON THE NORTH BANK OF THE RIVER AT MOUTH OF A BRANCH. SEVERAL HACKBERRY TREES WERE TIED AT THIS POINT WITH NONE BEING IDENTIFIED AS ORIGINAL CORNER OR BEARINGS AT THIS TIME. ON A SECOND TRIP TO THIS CORNER AN OLD HACKBERRY STUMP AND FALLEN TREE WAS ACCEPTED AS BEING ONE OF THE ORIGINAL BEARING AND CORNER WAS RESET CALL DISTANCE AND BEARING FROM THIS HACKBERRY STUMP. THIS WOULD PLACE CORNER AT BASE OF HIGH BANK AND TOP OF A BACKWASH OF THE RIVER AND IT IS BELIEVED THAT THE BRANCH AND PRESENT BANK OF THE RIVER ARE NOT IN SAME PLACE AS THEY WERE IN 1857 WHEN McGAHA SURVEY WAS MADE.

FROM THIS POINT A LINE WAS RUN NORTH ALONG THE PRESENT FENCE LINE, TO A FENCE CORNER ON TOP OF A HIGH HILL. THE INNER CORNER OF THE McGAHA SURVEY WAS CALLED TO BE AT THE FOOT OF HILL WHICH WOULD PLACE IT ABOUT 120 VARAS FURTHER NORTH OF THE FENCE CORNER. A SEARCH WAS MADE AT THE FOOT OF THE HILL WITH NOTHING BEING FOUND OR OF THE EXTERNAL CORNER 136 VARAS WEST AT THIS TIME.

PROCEEDING ON NORTH ALONG A FENCE LINE ALONG THE MOST WESTERLY WEST LINE OF THE McGAHA SURVEY TO THE VICINITY OF THE NE CORNER OF THE R. R. RAINEY SURVEY NO. 6. THIS CORNER WAS CALLED TO BE IN A GULLY. A SMALL GULLY WAS FOUND IN A WIDE FLAT AREA. BACKTRACKING SOUTH ALONG THE FENCE LINE 1000 VARAS (PATENT CALL ON THE RAINEY SURVEY) FROM THIS GULLY, A SCATTERED STONE MOUND WAS FOUND NEAR TOP OF A STEEP HILL. FROM THIS POINT A LINE WAS RUN EAST 136 VARAS AND THE ORIGINAL STONE MOUND IN GOOD CONDITION WAS FOUND NEAR THE FOOT OF HILL AS CALLED FOR. AFTER CALCULATION WERE MADE BOTH OF THESE STONE MOUNDS WERE ACCEPTED AS BEING THE ORIGINAL CORNERS CALLED FOR ON THE McGAHA SURVEY.

RETURNING TO THE MOST WESTERLY SW CORNER OF THE McGAHA SURVEY A LINE WAS RUN ALONG THE FENCE LINE ALONG THE OCCUPIED WEST LINE OF THE McGAHA SURVEY, AT 990.8 VARAS CROSS GULLY AT NE CORNER OF THE R. R. RAINEY SURVEY (CALL FOR THIS CORNER IS 1000 VARAS), AT 1574 VARAS CROSS POST OAK CREEK (CALLED GIVENS CREEK ON LUSK QUADRANGLE SHEET) CALL ON ORIGINAL FIELD NOTES FOR THIS CREEK WAS 1605 VARAS, CONTINUING ON TO THE NW CORNER OF THE McGAHA AND PLACE OF BEGINNING OF OUR SEARCH.

IT IS BELIEVED WE HAVE FOUND ALL OF THE REMAINING EVIDENCE OF CORNERS AND BEARINGS CALLED FOR IN THE McGAHA SURVEY AND HAVE CORRECTLY RELOCATED IT ON THE GROUND AND AS SHOWN ON THE ACCOMPANYING PLAT AND FIELD NOTES.

Wayne Graham
WAYNE GRAHAM
LICENSED STATE LAND SURVEYOR
JUNE 28, 1996.

File No. Sketch File 28A

Stephens County

Report of Resurvey-Benj. McGaha Mil. 1-1490

Date Filed: March 6, 2000

By Douglas Howard
David Dewhurst, Commissioner

CORRECTED FIELD NOTES

BENJAMIN McGAHA SURVEY NO. 11, ABSTRACT NO. 106, MIL. 1-1490, STEPHENS COUNTY, TEXAS

BEGINNING AT X = 1,533,034.163 , Y = 460,069.640

AT AN IRON ROD SET IN A NEW STONE MOUND ON THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER AT A POINT 8.08 VARAS, S 65 DEG. 45' W FROM A STUMP HOLE FOUND (REMAINS OF ORIGINAL BEARING), THE SE CORNER OF THE BENJAMIN McGAHA SURVEY AND THE SW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, A-486, FROM WHICH AN IRON ROD SET AT A FENCE CORNER BEARS S 81 DEG. 54' E, 20.55 VARAS; THENCE WITH THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER AS FOLLOWS, N 86 DEG. 00' 36" W, 40.32 VARAS, S 65 DEG. 09' 27" W, 47.24 VARAS, S 52 DEG. 06' 30" W, 97.20 VARAS, S 31 DEG. 36' 28" W, 50.40 VARAS, S 13 DEG. 41' 31" W, 46.80 VARAS, S 01 DEG. 57' 29" W, 94.68 VARAS, S 39 DEG. 23' 31" E, 102.60 VARAS, S 02 DEG. 31' 29" W, 48.24 VARAS, S 40 DEG. 26' 28" W, 47.52 VARAS, S 64 DEG. 11' 29" W, 47.88 VARAS, S 72 DEG. 46' 31" W, 27.72 VARAS, N 88 DEG. 53' 31" W, 82.08 VARAS, N 69 DEG. 33' 31" W, 56.88 VARAS, N 47 DEG. 43' 31" W, 86.40 VARAS, N 17 DEG. 48' 32" W, 72.00 VARAS, N 09 DEG. 01' 29" E, 82.80 VARAS, N 23 DEG. 36' 20" E, 68.40 VARAS, N 35 DEG. 36' 29" E, 86.40 VARAS, N 52 DEG. 06' 29" E, 63.00 VARAS, N 23 DEG. 56' 29" E, 81.00 VARAS, N 08 DEG. 53' 30" W, 93.60 VARAS, N 23 DEG. 33' 31" E, 63.00 VARAS, N 47 DEG. 40' 32" W, 19.05 VARAS TO AN IRON ROD SET AT A FENCE CORNER AT THE NW CORNER OF A CALLED 30 ACRE TRACT, N 49 DEG. 46' 30" W, 66.38 VARAS, N 66 DEG. 24' 50" W, 106.37 VARAS, S 66 DEG. 42' 47" W, 103.57 VARAS, S 39 DEG. 47' 36" W, 145.10 VARAS, S 77 DEG. 44' 06" W, 104.85 VARAS, N 83 DEG. 41' 39" W, 130.13 VARAS, S 83 DEG. 16' 01" W, 136.56 VARAS, N 73 DEG. 04' 23" W, 121.04 VARAS, S 62 DEG. 51' 48" W, 94.34 VARAS, S 45 DEG. 15' 10" W, 81.73 VARAS, S 20 DEG. 43' 37" W, 38.05 VARAS, S 16 DEG. 44' 22" W, 29.69 VARAS TO A SPIKE SET IN A 22" PECAN FENCE CORNER AND S 68 DEG. 07' 19" W, 22.70 VARAS TO AN IRON ROD SET IN A NEW STONE MOUND AT A POINT 6.0 VARAS, S 63 DEG. 30' E FROM A FOUND 16" HACKBERRY STUMP AND FALLEN TREE (ORIGINAL BEARING) AT THE SW CORNER OF THE BENJAMIN McGAHA SURVEY AND EAST CORNER OF THE R. R. RAINEY SURVEY NO. 6, A-144, FOR THE SW CORNER OF THIS SURVEY, FROM WHICH A SPIKE SET IN A 22" PECAN TREE BEARS S 29 DEG. 49' E, 28.28 VARAS AND A SPIKE SET IN A 14" PECAN TREE BEARS S 11 DEG. 20' E, 31.17 VARAS;

THENCE N 00 DEG. 34' 14" E, AT 20.63 VARAS PASS AN IRON ROD SET IN A FENCE LINE AT A POINT 9.71 VARAS, S 59 DEG. 44' 46" E FROM AN IRON ROD FOUND AT A FENCE CORNER, AT 469.42 VARAS PASS AN IRON ROD SET IN THE SOUTH LINE OF STEPHENS COUNTY ROAD NO. 280 AT A POINT 17.70 VARAS, S 82 DEG. 03' E FROM AN IRON ROD SET AT A FENCE CORNER, AT 489.31 VARAS PASS AN IRON ROD SET IN THE NORTH LINE OF SAID COUNTY ROAD AT A POINT 17.86 VARAS, S 81 DEG. 44' E FROM AN IRON ROD SET AT A FENCE CORNER, CONTINUING IN ALL 986.54 VARAS TO AN IRON ROD SET IN A FOUND STONE MOUND ON THE NORTH SIDE OF STEEP HILL AT AN INNER CORNER OF THE BENJAMIN McGAHA SURVEY AND EXTERNAL CORNER OF THE R. R. RAINEY SURVEY NO. 6, FOR AN INNER CORNER OF THIS SURVEY;

THENCE N 89 DEG. 37' 17" W, 137.78 VARAS TO AN IRON ROD SET IN A SCATTERED STONE MOUND AT AN EXTERNAL CORNER OF THE BENJAMIN McGAHA SURVEY AND INNER CORNER OF THE R. R. RAINEY SURVEY NO. 6, FOR A CORNER OF THIS SURVEY;

THENCE N 00 DEG. 28' 22" E, AT 990.8 VARAS PASS AN IRON ROD SET IN A SMALL RAVINE AT THE NE CORNER OF THE R. R. RAINEY SURVEY NO. 6 AND THE SE CORNER OF THE DAVID P. HAND SURVEY NO. 5, A-76, CONTINUING AT 1574 VARAS CROSS POST OAK CREEK (GIVENS CREEK), CONTINUING IN ALL 2881.65 VARAS TO AN IRON ROD SET AT THE NE CORNER OF THE DAVID P. HAND SURVEY NO. 5 AND THE NW CORNER OF THE BENJAMIN McGAHA SURVEY, IN THE SOUTH LINE OF THE SARAH BLYTHE SURVEY NO. 2, A-14, AT A POINT 24 VARAS, N 05 DEG. 00' E FROM A FOUND STUMP HOLE (ORIGINAL BEARING), FOR THE NW CORNER OF THIS SURVEY FROM WHICH A 4" IRON PIPE FENCE CORNER POST BEARS N 89 DEG. 48' W, 5.99 VARAS;

THENCE S 89 DEG. 44' 03" E ALONG OR NEAR A FENCE LINE, AT 577.2 VARAS CROSS BRANCH, CONTINUING IN ALL 1455.64 VARAS TO AN IRON ROD SET IN A NEW STONE MOUND AT THE SE CORNER OF THE SARAH BLYTHE SURVEY NO. 2 AND THE NE CORNER OF THE BENJAMIN McGAHA SURVEY, IN THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 664, A-488 AT A POINT 7.50 VARAS, S 12 DEG. 30' W FROM A FOUND MESQUITE STUMP (ORIGINAL BEARING), FOR THE NE CORNER OF THIS SURVEY, FROM WHICH A 4" IRON PIPE FENCE CORNER BEARS N 45 DEG. 57' E, 2.12 VARAS;

THENCE S 00 DEG. 10' 57" W ALONG OR NEAR A FENCE LINE ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY, 983.56 VARAS TO AN IRON ROD SET IN A NEW STONE MOUND AT THE SW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 664 AND THE NW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662 AT A POINT 15.44 VARAS, N 02 DEG. 15' W FROM A FOUND STUMP HOLE (ORIGINAL BEARING), FOR A CORNER OF THIS SURVEY;

THENCE S 00 DEG. 05' 01" W ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, AT 1861.51 VARAS PASS AN IRON ROD SET IN THE NORTH LINE OF STEPHENS COUNTY ROAD NO. 280 AT A POINT 2.74 VARAS, S 70 DEG. 08' 40" W FROM AN IRON ROD SET AT A FENCE CORNER, AT 1880.75 VARAS PASS AN IRON ROD SET IN THE SOUTH LINE OF SAID COUNTY ROAD AT A POINT 2.63 VARAS, S 68 DEG. 55' W FROM AN IRON ROD SET AT A FENCE CORNER, AT 2646.24 VARAS PASS AN IRON ROD SET IN A FENCE LINE ALONG THE NORTH LINE OF A CALLED 30 ACRE TRACT, AT A POINT 18.02 VARAS, S 89 DEG. 23' 36" W FROM AN IRON ROD FOUND AT A FENCE CORNER, CONTINUING IN ALL 2835.98 VARAS TO THE PLACE OF BEGINNING.

File No. Sketch File 28B

Stephens County
Mil. 1-1490
Corrected Field Notes - Benj. McGaha

Date Filed: Douglas Howard

David Dewhurst, Commissioner counter 137104

WAYNE GRAHAM

1100 East Washington

Registered Professional Land Surveyor

Stephenville, Texas 76401

817 965-5489

LEGAL DESCRIPTION

THE STATE OF TEXAS:

COUNTY OF STEPHENS:

ALL THAT CERTAIN 29.16 ACRE TRACT OF LAND, BEING PART OF THE BENJAMIN McGAHA SURVEY NO. 11, ABSTRACT NO. 106, IN STEPHENS COUNTY, TEXAS, BEING THE SAME LAND DESCRIBED AS 30 ACRES IN BOUNDARY LINE AGREEMENT BETWEEN MRS. JOHN PATTON ET AL AND J. C. COX, JR., DATED APRIL 2, 1956 AND RECORDED IN VOLUME 281, PAGE 192 OF THE DEED RECORDS OF STEPHENS COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:

BEGINNING AT X = 1,533,034.163 , Y = 460,069.640, TEXAS NORTH CENTRAL ZONE GRID CORDINATES,

BEING AT AN IRON ROD SET IN A NEW STONE MOUND ON THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER AT A POINT 8.08 VARAS, S 65 DEG. 45' W FROM A STUMP HOLE FOUND (REMAINS OF ORIGINAL BEARING), THE SE CORNER OF THE BENJAMIN McGAHA SURVEY AND THE SW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, A-486, FROM WHICH AN IRON ROD SET AT A FENCE CORNER BEARS S 81 DEG. 54' E, 20.55 VARAS, THIS BEING THE SE CORNER OF THE MRS. JOHN PATTON 30 ACRE TRACT;

THENCE WITH THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER AS FOLLOWS, N 86 DEG. 00' 36" W, 40.32 VARAS, S 65 DEG. 09' 27" W, 47.24 VARAS, S 52 DEG. 06' 30" W, 97.20 VARAS, S 31 DEG. 36' 28" W, 50.40 VARAS, S 13 DEG. 41' 31" W, 46.80 VARAS, S 01 DEG. 57' 29" W, 94.68 VARAS, S 39 DEG. 23' 31" E, 102.60 VARAS, S 02 DEG. 31' 29" W, 48.24 VARAS, S 40 DEG. 26' 28" W, 47.52 VARAS, S 64 DEG. 11' 29" W, 47.88 VARAS, S 72 DEG. 46' 31" W, 27.72 VARAS, N 88 DEG 53' 31" W, 82.08 VARAS, N 69 DEG. 33' 31" W, 56.88 VARAS, N 47 DEG. 43' 31" W, 86.40 VARAS, N 17 DEG. 48' 32" W, 72.00 VARAS, N 09 DEG. 01' 29" E, 82.80 VARAS, N 23 DEG. 36' 20" E, 68.40 VARAS, N 35 DEG. 36' 29" E, 86.40 VARAS, N 52 DEG. 06' 29" E, 63.00 VARAS, N 23 DEG. 56' 29" E, 81.00 VARAS, N 08 DEG. 53' 30" W, 93.60 VARAS, N 23 DEG. 33' 31" E, 63.00 VARAS, N 47 DEG. 40' 32" W, 19.05 VARAS TO AN IRON ROD SET AT A FENCE CORNER AT THE NW CORNER OF THE MRS. JOHN PATTON CALLED 30 ACRE TRACT, FOR THE NW CORNER OF THIS TRACT;

THENCE N 89 DEG. 23' 36" E ALONG A FENCE LINE ALONG THE NORTH LINE OF SAID 30 ACRE TRACT, 340.02 VARAS TO AN IRON ROD SET IN THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, FOR THE NE CORNER OF THIS TRACT, FROM WHICH AN IRON ROD FOUND AT A FENCE CORNER POST AT THE NE CORNER OF SAID 30 ACRE TRACT BEARS N 89 DEG. 23' 36" E, 18.02 VARAS;

THENCE S 00 DEG. 05' 01" W ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, 189.73 VARAS TO THE PLACE OF BEGINNING AND CONTAINING 29.16 ACRES OF LAND.

I, WAYNE GRAHAM, A LICENSED STATE LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT ARE TRUE AND CORRECT AND REPRESENTS A SURVEY MADE ON THE GROUND.

Wayne Graham
LICENSED STATE LAND SURVEYOR

DATED THIS THE 28TH DAY OF JUNE, 1996.

File No. Sketch File 28C

Stephens County

29.16 ac. - part of Benj. McGaha, Mill-1490

Date Filed: March 6, 2000

David Dewhurst, Commissioner

By Douglas Howard

A1968

counter 37107

WAYNE GRAHAM

Registered Professional Land Surveyor

817 965-5489

LEGAL DESCRIPTION

THE STATE OF TEXAS:
COUNTY OF STEPHENS

ALL THAT CERTAIN 261.22 ACRE TRACT OF LAND, BEING PART OF THE BENJAMIN McGAHA SURVEY NO. 11, ABSTRACT NO. 106, IN STEPHENS COUNTY, TEXAS, BEING ALL THAT CERTAIN 253 ACRE TRACT OF LAND BEQUEATHED TO RUTH PATTON UNDER THE WILL OF MATTIE C. PATTON AND RECORDED IN VOLUME L, PAGE 387 OF THE PROBATE RECORDS OF STEPHENS COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:

COMMENCING AT X = 1,533,034.163 , Y = 460,069.640

BEING AT AN IRON ROD SET IN A NEW STONE MOUND ON THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER AT A POINT 8.08 VARAS, S 65 DEG. 45' W FROM A STUMP HOLE FOUND (REMAINS OF ORIGINAL BEARING), THE SE CORNER OF THE BENJAMIN McGAHA SURVEY AND THE SW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, A-486, FROM WHICH AN IRON ROD SET AT A FENCE CORNER BEARS S 81 DEG. 54' E, 20.55 VARAS, BEING THE SE CORNER OF A CALLED 30 ACRE TRACT DESCRIBED IN BOUNDARY LINE AGREEMENT BETWEEN MRS. JOHN PATTON ET AL AND J. C. COX, JR., DATED APRIL 2, 1956 AND RECORDED IN VOLUME 281, PAGE 192 OF THE DEED RECORDS OF STEPHENS COUNTY, TEXAS;

THENCE N 00 DEG. 05' 01" E ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, 2800.12 VARAS TO AN IRON ROD SET AT THE NE CORNER OF A 652 ACRE TRACT DESCRIBED IN DEED FROM SANDRA L. HOLMES ET AL TO CHRIS BALL, DATED OCTOBER 20, 1993 AND RECORDED IN VOLUME 1127, PAGE 42 OF THE DEED RECORDS OF STEPHENS COUNTY, TEXAS AND THE SE CORNER OF THE RUTH PATTON 253 ACRE TRACT, FOR THE SE CORNER AND BEGINNING CORNER OF THE TRACT HEREINAFTER DESCRIBED;

THENCE N 89 DEG. 05' 57" W ALONG A FENCE LINE, AT 1.79 VARAS PASS AN IRON ROD SET AT A FENCE CORNER POST, CONTINUING IN ALL 1460.90 VARAS TO AN IRON ROD SET IN THE WEST LINE OF THE BENJAMIN McGAHA SURVEY AND THE EAST LINE OF THE DAVID P. HAND SURVEY NO. 5, BEING THE NW CORNER OF THE CHRIS BALL 652 ACRE TRACT AND THE SW CORNER OF THE RUTH PATTON 253 ACRE TRACT, FOR THE SW CORNER OF THIS TRACT, FROM WHICH A 4" IRON PIPE FENCE CORNER POST BEARS N 89 DEG. 05' 57" W, 4.58 VARAS;

THENCE N 00 DEG. 28' 22" E ALONG THE WEST LINE OF THE BENJAMIN McGAHA SURVEY AND THE EAST LINE OF THE DAVID P. HAND SURVEY NO. 5, 1003.23 VARAS TO AN IRON ROD SET IN A NEW STONE MOUND AT THE NW CORNER OF THE BENJAMIN McGAHA SURVEY AND THE NE CORNER OF THE DAVID P. HAND SURVEY NO. 5, IN THE SOUTH LINE OF THE SARAH BLYTHE SURVEY NO. 2, A-14 AT A POINT 24 VARAS N 05 DEG. 00' E FROM A FOUND STUMP HOLE (ORIGINAL BEARING), FOR THE NW CORNER OF THIS TRACT, FROM WHICH A 4" IRON PIPE FENCE CORNER POST BEARS N 89 DEG. 48' W, 5.99 VARAS;

THENCE S 89 DEG. 44' 03" E ALONG OR NEAR A FENCE LINE, AT 577.2 VARAS CROSS BRANCH, CONTINUING IN ALL 1455.64 VARAS TO AN IRON ROD SET IN A NEW STONE MOUND AT THE SE CORNER OF THE SARAH BLYTHE SURVEY NO. 2 AND THE NE CORNER OF THE BENJAMIN McGAHA SURVEY, IN THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 664, A-488 AT A POINT 7.50 VARAS FROM A FOUND MESQUITE STUMP (ORIGINAL BEARING), FOR THE NE CORNER OF THIS TRACT, FROM WHICH A 4" IRON PIPE FENCE CORNER POST BEARS N 45 DEG. 57' W, 2.12 VARAS;

THENCE S 00 DEG. 10' 57" W ALONG OR NEAR A FENCE LINE ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY, 983.56 VARAS TO AN IRON ROD SET IN A NEW STONE MOUND AT THE SW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 664 AND THE NW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662 AT A POINT 15.44 VARAS, N 02 DEG. 15' W FROM A FOUND STUMP HOLE (ORIGINAL BEARING), FOR A CORNER OF THIS TRACT;

THENCE S 00 DEG. 05' 01" W ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, 35.85 VARAS TO THE PLACE OF BEGINNING AND CONTAINING 261.22 ACRES OF LAND.

I, WAYNE GRAHAM, A LICENSED STATE LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT ARE TRUE AND CORRECT AND REPRESENTS A SURVEY MADE ON THE GROUND.

Wayne Graham
LICENSED STATE LAND SURVEYOR

DATED THIS THE 28TH DAY OF JUNE, 1996.

File No. Sketch File 28DStephens County

Mil. 1-1490

261.22 ac. - part of Benj. Mc GahaDate Filed: March 6, 2000

David Dewhurst, Commissioner

By Douglas Howard

WAYNE GRAHAM

1100 East Washington

Registered Professional Land Surveyor

Stephenville, Texas 76401

817 965-5489

LEGAL DESCRIPTION

THE STATE OF TEXAS:
COUNTY OF STEPHENS

ALL THAT CERTAIN 673.57 ACRE TRACT OF LAND, BEING PART OF THE BENJAMIN McGAHA SURVEY NO. 11, ABSTRACT NO. 106, IN STEPHENS COUNTY, TEXAS, BEING ALL THAT CERTAIN 652 ACRE TRACT OF LAND DESCRIBED IN DEED FROM SANDRA L. HOLMES ET AL TO CHRIS BALL, DATED OCTOBER 20, 1993 AND RECORDED IN VOLUME 1127, PAGE 42 OF THE DEED RECORDS OF STEPHENS COUNTY, TEXAS AND DESCRIBED AS FOLLOWS:

COMMENCING AT X = 1,533,034.163 , Y = 460,069.640

BEING AT AN IRON ROD SET IN A NEW STONE MOUND ON THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER AT A POINT 8.08 VARAS, S 65 DEG. 45' W FROM A STUMP HOLE FOUND (REMAINS OF ORIGINAL BEARING), THE SE CORNER OF THE BENJAMIN McGAHA SURVEY AND THE SW CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, A-486, FROM WHICH AN IRON ROD SET AT A FENCE CORNER BEARS S 81 DEG. 54' E, 20.55 VARAS, BEING THE SE CORNER OF A CALLED 30 ACRE TRACT DESCRIBED IN BOUNDARY LINE AGREEMENT BETWEEN MRS. JOHN PATTON ET AL AND J. C. COX, JR., DATED APRIL 2, 1956 AND RECORDED IN VOLUME 281, PAGE 192 OF THE DEED RECORDS OF STEPHENS COUNTY, TEXAS;

THENCE N 00 DEG. 05' 01" E ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, 189.73 VARAS TO AN IRON ROD SET IN A FENCE LINE ALONG THE NORTH LINE OF SAID 30 ACRE TRACT AND SE CORNER OF THE CHRIS BALL 652 ACRE TRACT, FOR THE SE CORNER AND BEGINNING CORNER OF THE TRACT HEREINAFTER DESCRIBED, FROM WHICH AN IRON ROD FOUND AT A FENCE CORNER POST AT THE NE CORNER OF SAID 30 ACRE TRACT BEARS N 89 DEG. 23' 36" E, 18.02 VARAS;

THENCE S 89 DEG. 23' 36" W ALONG A FENCE LINE ALONG THE NORTH LINE OF SAID 30 ACRE TRACT AND SOUTH LINE OF THE CHRIS BALL 652 ACRE TRACT, 340.02 VARAS TO AN IRON ROD SET AT A FENCE CORNER POST IN THE NORTHEAST BANK OF THE CLEAR FORK OF THE BRAZOS RIVER, BEING THE NW CORNER OF THE MRS JOHN C. PATTON 30 ACRE TRACT, FOR A CORNER OF THIS TRACT;

THENCE ALONG THE NORTH BANK OF THE CLEAR FORK OF THE BRAZOS RIVER AS FOLLOWS, N 49 DEG. 46' 30" W, 66.38 VARAS, N 66 DEG. 24' 50" W, 106.37 VARAS, S 66 DEG. 42' 47" W, 103.57 VARAS, S 39 DEG. 47' 36" W, 145.10 VARAS, S 77 DEG. 44' 06" W, 104.85 VARAS, N 83 DEG. 41' 39" W, 130.13 VARAS, S 83 DEG. 16' 01" W, 136.56 VARAS, N 73 DEG. 04' 23" W, 121.04 VARAS, S 62 DEG. 51' 48" W, 94.34 VARAS, S 45 DEG. 15' 10" W, 81.73 VARAS, S 20 DEG. 43' 37" W, 38.05 VARAS, S 16 DEG. 44' 22" W, 29.69 VARAS TO A SPIKE SET IN A 22" PECAN FENCE CORNER AND S 68 DEG. 07' 19" W, 22.70 VARAS TO AN IRON ROD SET IN A NEW STONE MOUND AT A POINT 6.0 VARAS, S 63 DEG. 30' E FROM A FOUND 16" HACKBERRY STUMP AND FALLEN TREE (ORIGINAL BEARING) AT THE SW CORNER OF THE BEJAMIN McGAHA SURVEY AND EAST CORNER OF THE R. R. RAINEY SURVEY NO. 6, A-144, FOR THE SW CORNER OF THIS SURVEY, FROM WHICH A SPIKE SET IN A 22" PECAN TREE BEARS S 29 DEG. 49' E, 28.28 VARAS AND A SPIKE SET IN A 14" PECAN TREE BEARS S 11 DEG. 20' E, 31.17 VARAS;

THENCE N 00 DEG. 34' 14" E, AT 20.63 VARAS PASS AN IRON ROD SET IN A FENCE LINE AT A POINT 9.71 VARAS, S 59 DEG. 44' 46" E FROM AN IRON ROD FOUND AT A FENCE CORNER, AT 469.42 VARAS PASS AN IRON ROD SET IN THE SOUTH LINE OF STEPHENS COUNTY ROAD NO. 280 AT A POINT 17.70 VARAS, S 82 DEG. 03' E FROM AN IRON ROD SET AT A FENCE CORNER, AT 489.31 VARAS PASS AN IRON ROD SET IN THE NORTH LINE OF SAID COUNTY ROAD AT A POINT 17.86 VARAS, S 81 DEG. 44' E FROM AN IRON ROD SET AT A FENCE CORNER, CONTINUING IN ALL 986.54 VARAS TO AN IRON ROD SET IN A FOUND STONE MOUND ON THE NORTH SIDE OF STEEP HILL AT AN INNER CORNER OF THE BENJAMIN McGAHA SURVEY AND EXTERNAL CORNER OF THE R. R. RAINEY SURVEY NO. 6, FOR AN INNER CORNER OF THIS SURVEY;

THENCE N 89 DEG. 37' 17" W, 137.78 VARAS TO AN IRON ROD SET IN A SCATTERED STONE MOUND AT AN EXTERNAL CORNER OF THE BENJAMIN McGAHA SURVEY AND INNER CORNER OF THE R. R. RAINEY SURVEY NO. 6, FOR A CORNER OF THIS SURVEY;

THENCE N 00 DEG. 28' 22" E, AT 990.8 VARAS PASS AN IRON ROD SET IN A SMALL RAVINE AT THE NE CORNER OF THE R. R. RAINEY SURVEY NO. 6 AND THE SE CORNER OF THE DAVID P. HAND SURVEY NO. 5, A-76, CONTINUING AT 1574 VARAS CROSS POST OAK CREEK (GIVENS CREEK), CONTINUING IN ALL 1878.42 VARAS TO AN IRON ROD SET IN A FENCE LINE AT THE NW CORNER OF THE CHRIS BALL 652 ACRE TRACT AND THE SW CORNER OF A 253 ACRE TRACT BEQUEATHED TO RUTH PATTON UNDER THE WILL OF MATTIE C. PATTON AND RECORDED IN VOLUME L, PAGE 387 OF THE PROBATE RECORDS OF STEPHENS COUNTY, TEXAS, FOR THE NW CORNER OF THIS TRACT, FROM WHICH A 4" IRON PIPE FENCE CORNER POST BEARS N 89 DEG. 05' 57" W, 4.58 VARAS, FROM SAID NW CORNER AN IRON ROD IN A NEW STONE MOUND AT THE NW CORNER OF THE BENJAMIN McGAHA SURVEY AND THE NE CORNER OF THE DAVID P. HAND SURVEY NO. 5 BEARS N 00 DEG. 28' 22" E, 1003.23 VARAS;

CONTINUED ON PAGE 2

File No. Sketch File 28 E

Stephens County
Mil. 1-1490

673.57ac. - part of Benj. McGaha

Date Filed: March 6, 2000

David Dewhurst, Commissioner

By Douglas Howard

counter 37109

PAGE 2 OF 673.57 ACRE LEGAL DESCRIPTION

THENCE S 89 DEG. 05' 57" E ALONG A FENCE LINE, 1460.90 VARAS TO AN IRON ROD SET IN THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, A-486, BEING THE SE CORNER OF THE RUTH PATTON 253 ACRE TRACT AND NE CORNER OF THE CHRIS BALL 652 ACRE TRACT, FOR THE NE CORNER OF THIS TRACT, FROM WHICH AN IRON ROD SET AT A FENCE CORNER POST BEARS N 89 DEG. 05' 57" W, 1.79 VARAS, FROM THE NE CORNER OF SAID 652 ACRE TRACT AN IRON ROD IN A NEW STONE MOUND SET AT THE NE CORNER OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO 662 BEARS N 00 DEG. 05' 10" E, 35.85 VARAS;
THENCE S 00 DEG. 05' 01" W ALONG THE EAST LINE OF THE BENJAMIN McGAHA SURVEY AND THE WEST LINE OF THE TEXAS EMIGRATION AND LAND COMPANY SURVEY NO. 662, AT 1825.66 VARAS PASS AN IRON ROD SET IN THE NORTH LINE OF STEPHENS COUNTY ROAD NO. 280 AT A POINT 2.74 VARAS, S 70 DEG. 08' 40" W FROM AN IRON ROD SET AT A FENCE CORNER, AT 1844.90 VARAS PASS AN IRON ROD SET IN THE SOUTH LINE OF SAID COUNTY ROAD AT A POINT 2.63 VARAS, S 68 DEG. 55' W FROM AN IRON ROD SET AT A FENCE CORNER, CONTINUING IN ALL 2610.39 VARAS TO THE PLACE OF BEGINNING AND CONTAINING 673.57 ACRES OF LAND WITH 5.05 ACRES BEING WITHIN STEPHENS COUNTY ROAD NO. 280.

I, WAYNE GRAHAM, A LICENSED STATE LAND SURVEYOR OF THE STATE OF TEXAS DO HEREBY AFFIRM THAT THESE FIELD NOTES AND ACCOMPANYING PLAT ARE TRUE AND CORRECT AND REPRESENTS A SURVEY MADE ON THE GROUND.

Wayne Graham
LICENSED STATE LAND SURVEYOR
DATED THIS THE 28TH DAY OF JUNE, 1996.

File No. Sketch File 28E

Stephens County

673.57 ac. - part of Benj. McGaha
Mil. 1-1490

Date Filed: March 6, 2000

By David Dewhurst, Commissioner
Douglas Howard