

Rolled sketch

File No. 34-D

Galveston County

Judgment Cause 116,660

Filed March 25 19 81

BOB ARONG, Com's

By J. E. McCarty

Tracts 320 & 341
Bolivar Penn.

See Rolled Sketch 34
for plat

county 45171

10-9-81

See 34C & 31
Rolled Sketches,
Galveston

See Rolled Sketch 34
for plat

NO. 116,660

V. J. BENINATI, JR.
CLERK DISTRICT COURT
FILED
FEB 16 4 53 PM 1981
GALVESTON COUNTY, TEXAS
BY *W. K. [unclear]*

PATRICK E. BOYT, ET AL § IN THE DISTRICT COURT OF COUNTY
 §
V. § GALVESTON COUNTY, TEXAS
 §
THE STATE OF TEXAS, ET AL § 10TH JUDICIAL DISTRICT

FINAL JUDGMENT

BE IT REMEMBERED that on the 19th day of JANUARY, 1981, came on to be heard the above cause for trial, after proper notice of said trial setting having been given to all parties, including members of the class herein, and all parties, through their counsel, announced ready for trial. The Court having heard the arguments of counsel, having considered the pleadings on file herein, and having considered all evidence offered by the parties, including all depositions and exhibits hereto which have been received in evidence,

It is hereby ORDERED, ADJUDGED and DECREED as follows:

I.

The boundary between State and private lands, in State Tract 320 and 341, is decreed to be the line which runs from the eastern boundary of State Tract 320 on the east, to the western boundary of State Tract 341 on the west, labeled "Boundary Between State of Texas and Private Ownership" as shown on the plat attached hereto as Exhibit "A", which exhibit is incorporated herein for all purposes.

II.

The landward boundary of the North Point Bolivar Frio State Unit at the South side of State Tracts 320 and 341 is decreed to be the line which runs from the eastern boundary of State Tract 320 on the east, to the western boundary of State Tract 341 on the west, labeled "North Point Bolivar Frio State Unit Boundary" as shown on Exhibit "A" hereto.

~~230-11099-1103~~
230-1130-1162

III.

Class plaintiffs are declared to be the owners in fee of the surface and mineral estates, subject to the oil and gas leases held thereon by Houston Oil & Minerals Corporation, in 80.472 acres, consisting of all or portions of Blocks 372, 397, 398, 422, 423, 447, 448, 449, 472, 473, 474, 475, 497, 498, 499, 500, 523, 524, 525, 526, 549, 550, 551, 574, 575, and 576 and Outlots 12, 13, 32, 33, 52, 71, 72, 91, 92, 111, 132, 152, 172, 192, 212, contained within the area between the lines described in Paragraphs I and II hereof on the north and south, on the west at the point near the western boundary of State Tract 341 where said lines intersect, and on the east at the eastern boundary of State Tract 320, all as depicted on the plat attached hereto as Exhibit "A."

IV.

The State of Texas is declared to be the owner in fee of the surface and mineral estates, subject to the oil and gas leases held thereon by Houston Oil & Minerals Corporation, of all of that portion of the area in dispute lying north of the line described as "Boundary Between State of Texas and Private Ownership" in Exhibit "A" hereto.

V.

Ownership of the mineral estate underlying the 80.472 acres awarded herein to class plaintiffs is divided among class plaintiffs according to Exhibit "B" hereto.

VI.

Class plaintiffs shall have judgment of and from defendant State of Texas in the amount of \$1,441,575.62, representing royalties due the class plaintiffs herein, in the past, up to and including the 30th day of November, 1980;

VII.

That the amount adjudged in the paragraph just preceding shall be deposited into the Registry of this Court

by the State of Texas, by check payable to "V.J. Beninati, Jr., District Clerk, for the use and benefit of the class of plaintiffs in Cause No. 116,660 in District Court of Galveston County, Texas, 10th Judicial District," from the funds being currently held by the State in escrow or suspense, and that upon such deposit into the Registry of this Court of such amount, defendant State of Texas shall stand fully and completely acquitted and discharged of any and all claims by class plaintiffs to royalties or other damages accruing or owed prior to the 1st day of December, 1980, or thereafter.

VIII.

The State of Texas shall refund to Houston Oil and Minerals any royalties held in escrow for production occurring on or after the 1st day of December, 1980, attributable to the interest awarded class plaintiffs herein. All escrowed royalties for production occurring prior to December 1, 1980, and not adjudged to Plaintiffs herein, are declared the property of the State of Texas. Royalty payments to class plaintiffs for production occurring after December 1, 1980 shall be made in accordance with this judgment.

IX.

The boundaries fixed in Paragraphs I and II hereof, being wholly in the water, shall not be changed by future erosion, accretion, subsidence, or reliction of the land adjacent to State Tracts 320 and 341. ✓

X.

That portion of the disputed property herein awarded to class plaintiffs, amounting to 80.472 acres, has at all material times been and is a part of the North Point Bolivar Frio State Unit and constitutes .0159514 of said unit. The remaining portion of the disputed property, declared in Paragraph IV hereof to belong to the State of Texas, has likewise been at all material times a part of said Unit.

XI.

Class plaintiffs have properly ratified those certain leases between State of Texas, lessor, and Houston Oil & Minerals, lessee, on State Tracts 320 and 341 and the Unit Pooling Agreement and Designation, creating the North Point Bolivar Frio State Unit.

XII.

The public shall have a right of access to and use of the beaches adjacent to the property in dispute herein.

XIII.

The Court finds that the class representatives herein have incurred and paid attorneys' fees and other expenses on behalf of the class in the amount of \$57,383.19, and that such attorney's fees and expenses have been incurred equally on behalf of all members of the class, and that it would therefore be unfair for any member of the class to receive a share of the proceeds of this judgment without paying a pro rata share of said fees and expenses. It is therefore ordered that from the funds deposited by the State of Texas, the clerk shall issue a check in the above amount of \$57,383.19 made payable to the class representatives, Patrick E. Boyt, Barry N. Jeffrey, Lamar B. Maxwell, Leila Boyt Jeffrey, Ila Boyt Maxwell, George W. Maxwell, and Theodore Stubbs.

XIV.

Additional fees and expenses have been incurred, and remain unpaid by class plaintiffs, in the following amounts:

Baker and Botts	\$57,677.30
Markwell and Stubbs	8,930.02
Jones, Stephens, Bell and Willey	28,035.57

the clerk will issue checks from such fund to said lawfirms.

XV.

Those funds remaining after issuance of such drafts shall be paid by the Clerk to each member of the

class of plaintiffs as their decimal interest of ownership is awarded herein. Said checks shall be in the amounts and to the payees shown in Exhibit "C" hereto. The Clerk shall hold any remaining funds in the Registry of the Court, and shall release said funds in accordance with further Orders of this Court, which will be entered after hearings and receipt of further title evidence.

XVI.

The State of Texas having complied with all obligations hereunder, it is fully and finally dismissed herefrom.

XVII.

Costs of court incurred herein shall be paid by the party incurring same.

ENTERED this 16th day of FEBRUARY, 1981.

E. J. Harris
Judge Presiding

APPROVED:

BAKER & BOTTS

By

Larry F. York
Attorneys for Plaintiffs

STATE OF TEXAS

By

J. Milton Richardson
J. Milton Richardson
Assistant Attorney General of Texas

By

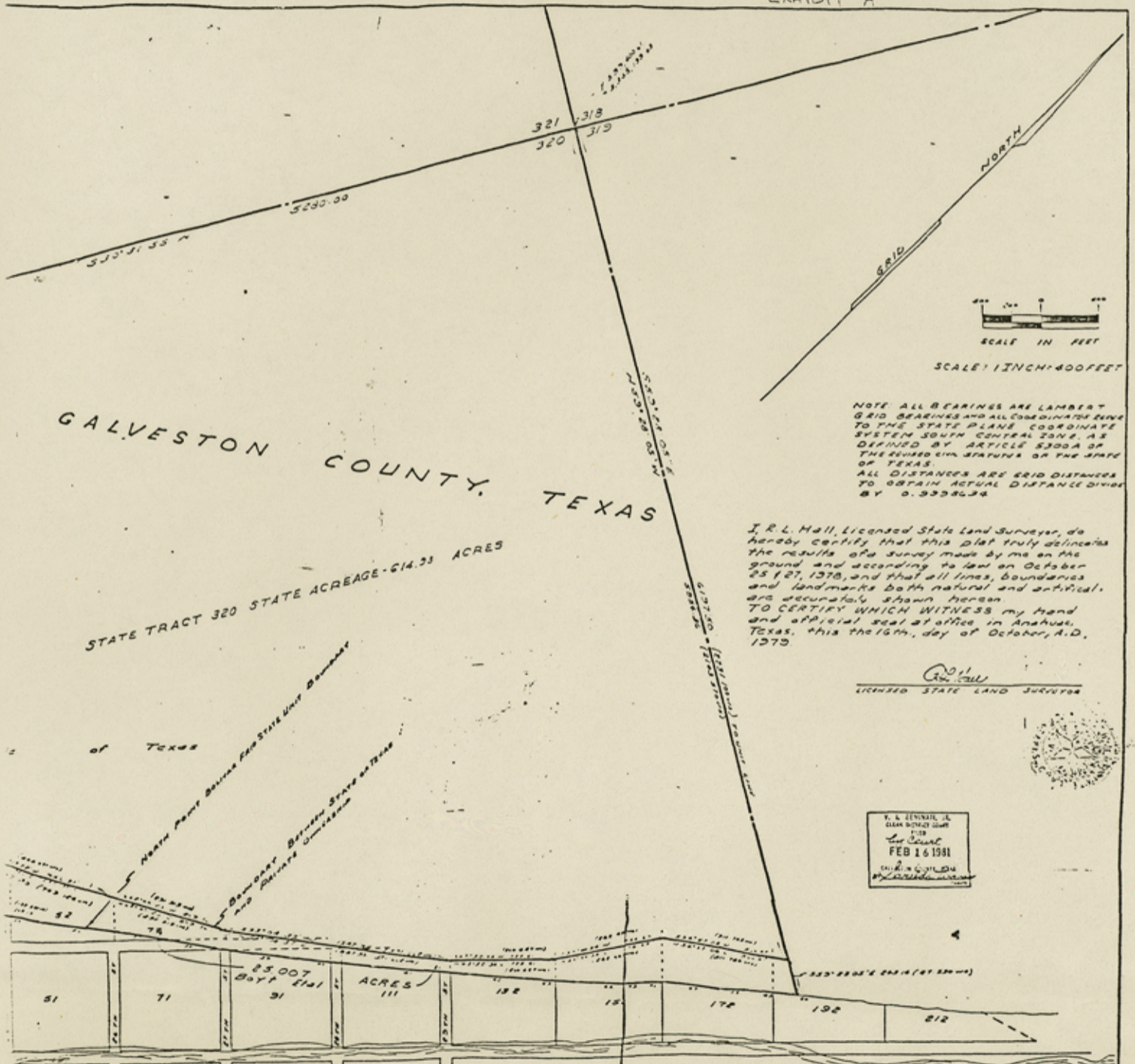
Bob Armstrong
Bob Armstrong, Commissioner
General Land Office of Texas

V. J. BENINATI, JR.
CLERK DISTRICT COURT
FILED
FEB 16 4 50 PM 1981
SALVENDY COUNTY, TEXAS
BY [Signature]
DEPUTY

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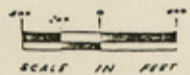
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EXHIBIT "A"



GALVESTON COUNTY, TEXAS

STATE TRACT 320 STATE ACREAGE - 614.33 ACRES



SCALE 1 INCH = 400 FEET

NOTE ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATE BEING TO THE STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 5300A OF THE CONSTITUTION OF THE STATE OF TEXAS. ALL DISTANCES ARE GRID DISTANCES TO OBTAIN ACTUAL DISTANCE DIVIDE BY 0.9996134

I, R. L. Hall, Licensed State Land Surveyor, do hereby certify that this plat truly delineates the results of a survey made by me on the ground and according to law on October 25, 1970, and that all lines, boundaries and landmarks both natural and artificial, are accurately shown hereon. TO CERTIFY WHICH WITNESS my hand and official seal at office in Anahuac, Texas, this the 16th day of October, A.D. 1970

R. L. Hall
LICENSED STATE LAND SURVEYOR



T. S. LITTLE, JR.
CLERK OF DISTRICT COURT
FOR
LAW COUNTY
FEB 16 1981
CLERK OF DISTRICT COURT
BY *[Signature]*

WATERWAY

PORT BOLIVAR

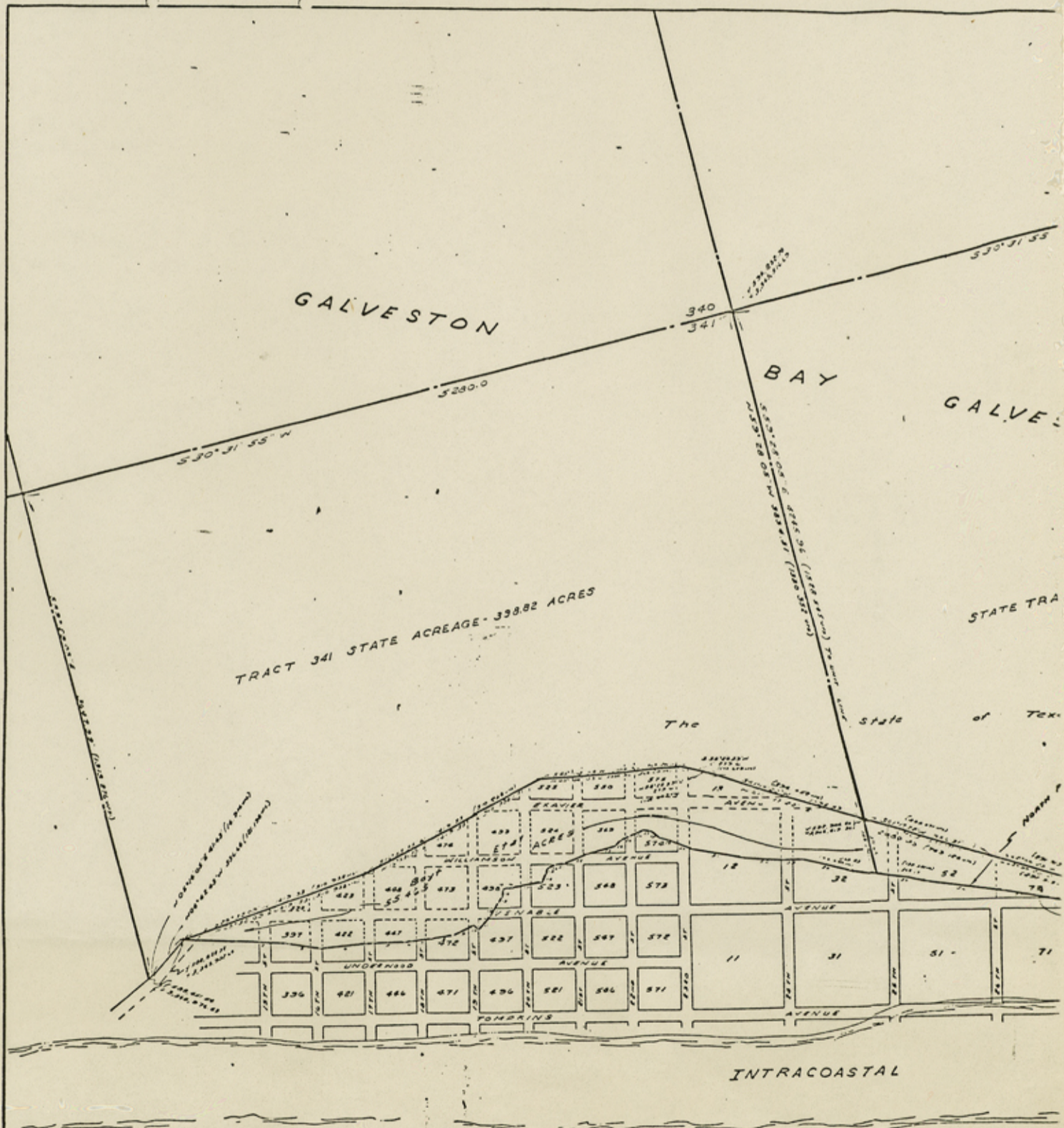
PLAT PREPARED FOR
BOYT ETAL
DEVERS, TEXAS

SAMUEL PARR SURVEY A-162

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G⁶



NORTH **Point Galveston** **Five Band Unit Boundary** **Measurements**

1. N 88° 00' 00" E 332.00 (100.0000)	17. N 80° 00' 00" E 120.00 (100.0000)	33. N 87° 00' 00" E 120.00 (100.0000)	49. N 87° 00' 00" E 120.00 (100.0000)
2. N 88° 00' 00" E 332.00 (100.0000)	18. N 80° 00' 00" E 120.00 (100.0000)	34. N 87° 00' 00" E 120.00 (100.0000)	50. N 87° 00' 00" E 120.00 (100.0000)
3. N 88° 00' 00" E 332.00 (100.0000)	19. N 80° 00' 00" E 120.00 (100.0000)	35. N 87° 00' 00" E 120.00 (100.0000)	51. N 87° 00' 00" E 120.00 (100.0000)
4. N 88° 00' 00" E 332.00 (100.0000)	20. N 80° 00' 00" E 120.00 (100.0000)	36. N 87° 00' 00" E 120.00 (100.0000)	52. N 87° 00' 00" E 120.00 (100.0000)
5. N 88° 00' 00" E 332.00 (100.0000)	21. N 80° 00' 00" E 120.00 (100.0000)	37. N 87° 00' 00" E 120.00 (100.0000)	53. N 87° 00' 00" E 120.00 (100.0000)
6. N 88° 00' 00" E 332.00 (100.0000)	22. N 80° 00' 00" E 120.00 (100.0000)	38. N 87° 00' 00" E 120.00 (100.0000)	54. N 87° 00' 00" E 120.00 (100.0000)
7. N 88° 00' 00" E 332.00 (100.0000)	23. N 80° 00' 00" E 120.00 (100.0000)	39. N 87° 00' 00" E 120.00 (100.0000)	55. N 87° 00' 00" E 120.00 (100.0000)
8. N 88° 00' 00" E 332.00 (100.0000)	24. N 80° 00' 00" E 120.00 (100.0000)	40. N 87° 00' 00" E 120.00 (100.0000)	56. N 87° 00' 00" E 120.00 (100.0000)
9. N 88° 00' 00" E 332.00 (100.0000)	25. N 80° 00' 00" E 120.00 (100.0000)	41. N 87° 00' 00" E 120.00 (100.0000)	57. N 87° 00' 00" E 120.00 (100.0000)
10. N 88° 00' 00" E 332.00 (100.0000)	26. N 80° 00' 00" E 120.00 (100.0000)	42. N 87° 00' 00" E 120.00 (100.0000)	58. N 87° 00' 00" E 120.00 (100.0000)
11. N 88° 00' 00" E 332.00 (100.0000)	27. N 80° 00' 00" E 120.00 (100.0000)	43. N 87° 00' 00" E 120.00 (100.0000)	59. N 87° 00' 00" E 120.00 (100.0000)
12. N 88° 00' 00" E 332.00 (100.0000)	28. N 80° 00' 00" E 120.00 (100.0000)	44. N 87° 00' 00" E 120.00 (100.0000)	60. N 87° 00' 00" E 120.00 (100.0000)
13. N 88° 00' 00" E 332.00 (100.0000)	29. N 80° 00' 00" E 120.00 (100.0000)	45. N 87° 00' 00" E 120.00 (100.0000)	61. N 87° 00' 00" E 120.00 (100.0000)
14. N 88° 00' 00" E 332.00 (100.0000)	30. N 80° 00' 00" E 120.00 (100.0000)	46. N 87° 00' 00" E 120.00 (100.0000)	62. N 87° 00' 00" E 120.00 (100.0000)
15. N 88° 00' 00" E 332.00 (100.0000)	31. N 80° 00' 00" E 120.00 (100.0000)	47. N 87° 00' 00" E 120.00 (100.0000)	63. N 87° 00' 00" E 120.00 (100.0000)
16. N 88° 00' 00" E 332.00 (100.0000)	32. N 80° 00' 00" E 120.00 (100.0000)	48. N 87° 00' 00" E 120.00 (100.0000)	64. N 87° 00' 00" E 120.00 (100.0000)

PORT
67
SAMUEL

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EXHIBIT "B"

MINERAL OWNERSHIP

I. The mineral estate in the Blocks and Lots listed below is owned 100% by the following parties in the amounts indicated:

<u>BLOCKS</u>	<u>LOTS</u>		
397:	15, 16, 21, 22		
422:	13, 14, 19		
Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co- Trustees of the Sue B. Boyt Trust	1/8	or	.1250000
Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co- Trustees of the Lamar B. Maxwell, et al, Trust	1/8	or	.1250000
Patrick E. Boyt	1/4	or	.2500000
Ila Boyt Maxwell and husband, George W. Maxwell	1/8	or	.1250000
Lamar B. Maxwell	1/5 of 1/8	or	.0250000
Arthur H. Maxwell	1/5 of 1/8	or	.0250000
Lloyd J. Maxwell	1/5 of 1/8	or	.0250000
Donald R. Maxwell	1/5 of 1/8	or	.0250000
David G. Maxwell	1/5 of 1/8	or	.0250000
Leila Boyt Jeffrey and husband, C. B. Jeffrey	1/8	or	.1250000
Barry N. Jeffrey	1/8	or	<u>.1250000</u>
TOTAL			<u>1.0000000</u>

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II. The mineral estate in the Blocks and Lots listed below is owned by the following parties and in the amounts indicated:

<u>BLOCKS</u>	<u>LOTS</u>
397:	1-12
422:	1-12

(a) An undivided 1005.94/2511.85 interest is owned in the following proportions:

Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co- Trustees of the Sue B. Boyt Trust	1/8	or .1250000*
Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co- Trustees of the Lamar B. Maxwell, et al, Trust	1/8	or .1250000*
Patrick E. Boyt	1/4	or .2500000*
Ila Boyt Maxwell and husband, George W. Maxwell	1.8	or .1250000*
Lamar B. Maxwell	1/5 of 1/8	or .0250000*
Arthur H. Maxwell	1/5 of 1/8	or .0250000*
Lloyd J. Maxwell	1/5 of 1/8	or .0250000*
Donald R. Maxwell	1/5 of 1/8	or .0250000*
David G. Maxwell	1/5 of 1/8	or .0250000*
Leila Boyt Jeffrey and husband, C. B. Jeffrey	1/8	or .1250000*
Barry N. Jeffrey	1/8	or .1250000*
TOTAL		1.0000000

*NOTE: The interest of each of these parties is subject proportionately to a perpetual, non-participating royalty interest as follows:

Warren R. Winne	1/2 of 1/16 of 1005.94/2511.85
Winifred W. Kimmel	1/2 of 1/16 of 1005.94/2511.85

(b) An undivided 250/2511.85 interest is owned in the following proportions:

Mary Catherine Stubbs	1/3	or	.3333334
Dr. James B. Stubbs	1/3	or	.3333333
Theodore B. Stubbs	1/3	or	<u>.3333333</u>
TOTAL			1.0000000

(c) An undivided 1255.9/2511.85 interest is owned by the present holders in interest in the defunct Port Bolivar Development Company, in the following proportions:

Mary Catherine Stubbs	1/3 of 1/10	or	.0333333
Dr. James B. Stubbs	1/3 of 1/10	or	.0333333
Theodore B. Stubbs	1/3 of 1/10	or	.0333334
Andrew M. Johnson, Jr. and wife, Elizabeth Ann	1/5 of 1/20	or	.0100000
Barbara Zelma Johnson Brister and husband, Rafor Agustus	1/5 of 1/20	or	.0100000
Paula Sophia Johnson Maxey and husband, Edgar Ross	1/5 of 1/20	or	.0100000
Pauline Florence Johnson Bouse and husband, Charles Eugene	1/5 of 1/20	or	.0100000
Cora Beth Johnson Evans and husband, Robert Boyt	1/5 of 1/20	or	.0100000
Elva M. Sanders	1/3 of 1/20	or	.0166667
Lee McDonald	1/3 of 1/20	or	.0166666
Walter Farrell	1/2400	or	.0004167
Unknown	1/2400	or	.0004167
Unknown	1/9 of 1/20	or	.0055556

Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556

Unknown	1/9 of 1/20	or	.0055556
Unknown	5/36 of 1/20	or	.0069443
Unknown	5/36 of 1/20	or	.0069443

Unknown	1/9 of 1/20	or	.0055556
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Unknown	1/18 of 1/20	or	.0027778
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Unknown	1/20 less 1/16 of 1/20	or	.0468750
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Annie Ray Williams, Individually and as Independent Executrix of the Estate of Sam J. Williams, Jr. and Warren Honey and wife, Marcheta Honey (Jointly)	1/40	or	.0250000
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Unknown	1/2 of 1/40	or	.0125000
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Unknown	1/2 of 1/40	or	.0125000
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Unknown	1/2 of 1/40	or	.0125000
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Unknown	1/4 of 1/40	or	.0062500
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Unknown	1/4 of 1/40	or	.0062500
Unknown	1/5 of 1/40	or	.0050000
Unknown	1/5 of 1/40	or	.0050000
Unknown	1/2 of 1/5 of 1/40 or		.0025000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0005000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0050000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0005000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0005000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0005000
Unknown	1/10 of 1/40	or	.025000
Unknown	1/20 of 1/40	or	.0012500
Unknown	1/20 of 1/40	or	.0012500
Unknown	1/5 of 1/40	or	.0050000
Unknown	1/3 of 120	or	.0166666
Unknown	1/3 of 1/20	or	.0166667
Unknown	1/3 of 1/20	or	.0166667

The Moody National Bank of
Galveston, Substitute
Trustee under the Will
of Ida S. Austin,
deceased

	1/20 plus 1/16 of 1/20 or .0531250
Unknown	1/40 or .0250000
Donald M. Markle	7/80 or .0875000
Unknown	848/2400 or .3533333
Robert I. Cohen, III	1/20 or .0500000
TOTAL	<u>1.0000000</u>

III. The Blocks, Lots and Outlots listed below are owned by
the following parties in the following amounts:

<u>BLOCKS</u>	<u>LOTS</u>	<u>OUTLOTS</u>	
372:	All	31-33:	All
398:	All	51-52:	All
423:	All	71-72:	All
447:	All	91-92:	All
448:	All	111:	All
449:	All	132:	All
472:	All	152:	All
473:	All	172:	All
474:	All	192:	All
475:	All	212:	All
497-500:	All		
523-525:	All		
549-551:	All		
574:	All		

(a) An undivided 1758.88/2511.85 interest is owned as
follows:

Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co-Trustees of the Sue B. Boyt Trust	1/8	or	.1250000*
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Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co-Trustees of the Lamar B. Maxwell, et al, Trust	1/8	or	.1250000*
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Patrick E. Boyt	1/4	or	.2500000*
Ila Boyt Maxwell and husband, George W. Maxwell	1/8	or	.1250000*
Lamar B. Maxwell	1/5 of 1/8	or	.0250000*
Arthur H. Maxwell	1/5 of 1/8	or	.0250000*
Lloyd J. Maxwell	1/5 of 1/8	or	.0250000*
Donald R. Maxwell	1/5 of 1/8	or	.0250000*
David G. Maxwell	1/5 of 1/8	or	.0250000*
Leila Boyt Jeffrey and husband, C. B. Jeffrey	1/8	or	.1250000*
Barry N. Jeffrey	1/8	or	<u>.1250000*</u>
TOTAL			1.0000000

*NOTE: The interest of each of these parties is subject proportionately to a perpetual, non-participating royalty interest as follows:

Warren R. Winne	1/2 of 1/16 of 502.97/2511.85
Winifred W. Kimmel	1/2 of 1/16 of 502.97/2511.85

(b) An undivided 125/2511.85 interest is owned as follows:

Mary Catherine Stubbs	1/3	or	.3333334
Dr. James B. Stubbs	1/3	or	.3333333
Theodore B. Stubbs	1/3	or	<u>.3333333</u>
TOTAL			1.0000000

(c) An undivided 627.2511.85 interest is owned by the present holders in interest of the defunct Port Bolivar Development Company in the following proportions:

Mary Catherine Stubbs	1/3 of 1/10	or	.0333333
Dr. James B. Stubbs	1/3 of 1/10	or	.0333334

Theodore B. Stubbs	1/3 of 1/10	or	.0333333
Andrew M. Johnson, Jr. and wife, Elizabeth Ann	1/5 of 1/20	or	.0100000
Barbara Zelma Johnson Brister and Husband, Rafor Agustus	1/5 of 1/20	or	.0100000
Paula Sophia Johnson Maxey and husband, Edgar Ross	1/5 of 1/20	or	.0100000
Pauline Florence Johnson Bouse and husband, Charles Eugene	1/5 of 1/20	or	.0100000
Cora Beth Johnson Evans and husband, Robert Boyt	1/5 of 1/20	or	.0100000
Elva M. Sanders	1/3 of 1/20	or	.0166667
Lee McDonald	1/3 of 1/20	or	.0166667
Walter Farrell	1/2400	or	.0004166
Unknown	1/2400	or	.0004166
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 or 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	5/36 of 1/20	or	.0069444
Unknown	5/36 of 1/20	or	.0069444
Unknown	1/9 of 1/20	or	.0055556

Unknown	$1/18$ of $1/20$	or	.0027777
Unknown	$1/20$ less $1/16$ of $1/20$	or	.0468750
Annie Ray Williams, Individually and as Independent Executrix of the Estate of Sam J. Williams, Jr. and Warren Honey and wife, Marcheta Honey (Jointly)	$1/40$	or	.0250000
Unknown	$1/2$ of $1/40$	or	.0125000
Unknown	$1/2$ of $1/40$	or	.0125000
Unknown	$1/2$ of $1/40$	or	.0125000
Unknown	$1/4$ of $1/40$	or	.0062500
Unknown	$1/4$ of $1/40$	or	.0062500
Unknown	$1/5$ of $1/40$	or	.0050000
Unknown	$1/5$ of $1/40$	or	.0050000
Unknown	$1/2$ of $1/5$ of $1/40$	or	.0025000
Unknown	$1/5$ of $1/2$ of $1/5$ of $1/40$	or	.0005000
Unknown	$1/5$ of $1/2$ of $1/5$ of $1/40$	or	.0050000
Unknown	$1/5$ of $1/2$ of $1/5$ of $1/40$	or	.0005000
Unknown	$1/5$ of $1/2$ of $1/5$ of $1/40$	or	.0005000
Unknown	$1/5$ of $1/2$ of $1/5$ of $1/40$	or	.0005000

Unknown	1/10 of 1/40	or	.0025000
Unknown	1/20 of 1/40	or	.0012500
Unknown	1/20 of 1/40	or	.0012500
Unknown	1/5 of 1/40	or	.0050000
Unknown	1/3 of 1/20	or	.0166667
Unknown	1/3 of 1/20	or	.0166666
Unknown	1/3 of 1/20	or	.0166667
The Moody National Bank of Galveston, Substitute Trustee under the Will of Ida S. Austin, deceased	1/20 plus 1/16 of 1/20	or	.0531250
Unknown	1/40	or	.0250000
Donald M. Markle	7/80	or	.0875000
Unknown	848/2400	or	.3533333
Robert I. Cohen, III	1/20	or	<u>.0500000</u>
TOTAL			1.0000000

IV. The mineral estate in the Blocks and Lots listed below is owned 100% as indicated:

M. Finklestein	Lots 13 and 14 of Block 397
Kirbyville State Bank	Lots 17-20 of Block 397

Unknown Lots 23 and 24 of Block 397

Unknown Lots 15-17 of Block 422

F. K. Tomich Lot 18 of Block 422

Unknown Lot 20 of Block 422

L. O. Walton Lots 21-24 of Block 422

V. The mineral estate in the following Outlots is owned as indicated:

OUTLOTS

12: ALL
13: ALL

Marguerite St. Martin	1/28	or	.0357143
Andrew M. Johnson, Jr. and wife, Elizabeth Ann	1/5 of 5/14	or	.0714286
Barbara Zelma Johnson Brister and husband, Raford Agustus	1/5 of 5/14	or	.0714286
Paula Sophia Johnson Maxey and husband, Edgar Ross	1/5 of 5/14	or	.0714286
Pauline Florence Johnson Bouse and husband, Charles Eugene	1/5 of 5/14	or	.0174286
Cora Beth Johnson Evans and husband, Robert Boyt	1/5 of 5/14	or	.0714286
Unknown	1/8 of 1/28	or	.0044643
Unknown	1/8 of 1/28	or	.0044643

Unknown	1/8 of 1/28	or	.0044643
Unknown	1/8 of 1/28	or	.0044643
Unknown	1/4 of 1/8 of 1/28	or	.0011160
Unknown	1/4 of 1/8 of 1/28	or	.0011160
Unknown	1/4 of 1/8 of 1/28	or	.0011160
Unknown	1/4 of 1/8 of 1/28	or	.0011160
Unknown	1/8 of 1/28	or	.0044643
Unknown	1/8 of 1/28	or	.0044643
Unknown	1/8 of 1/28	or	.0044643
Vera Pearl Farris	1/2 of 1/21 plus 1/2 of 1/21 (life estate)	or	.047619
Louis O. Tyra	11/63	or	.1746032*
Louis R. Tyra	11/63	or	.1746032*
Richard N. Tyra	11/63	or	.1746032*
TOTAL			<u>1.0000000</u>

* NOTE: These interests are subject equally to a non-participating royalty interest in favor of the following persons in the amounts indicated:

Francis A. Cahoon	1/3 of 1/32 of 1/7 NPRI
Alberta Ryan	1/3 of 1/32 of 1/7 NPRI
Regina Vickers Kelso	1/3 of 1/32 of 1/7 NPRI
Francis C. Macklin	1/100 of 1/7 NPRI

VI. The mineral estate in the Block listed below is owned as indicated:

BLOCK 575: Lots: All

(a) An undivided 50% interest is owned as follows:

Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co- Trustees of the Sue B. Boyt Trust	1/8	or .1250000
Barry Jeffrey, Lamar Maxwell and Patrick E. Boyt, Co- Trustees of the Lamar B. Maxwell, et al, Trust	1/8	or .1250000
Patrick E. Boyt	1/4	or .2500000
Ila Boyt Maxwell and husband, George W. Maxwell	1.8	or .1250000
Lamar B. Maxwell	1/5 of 1/8	or .0250000
Arthur H. Maxwell	1/5 of 1/8	or .0250000
Lloyd J. Maxwell	1/5 of 1/8	or .0250000
Donald R. Maxwell	1/5 of 1/8	or .0250000
David G. Maxwell	1/5 of 1/8	or .0250000
Leila Boyt Jeffrey and husband, C. B. Jeffrey	1/8	or .1250000
Barry N. Jeffrey	1/8	or <u>.1250000</u>
TOTAL		1.0000000

(b) An undivided 50% interest is owned by the present holders in interest in the defunct Port Bolivar Development Company as follows:

Mary Catherine Stubbs	1/3 of 1/10	or .0333333
Dr. James B. Stubbs	1/3 of 1/10	or .0333333

Theodore B. Stubbs	1/3 of 1/10	or	.0333334
Andrew M. Johnson, Jr. and wife, Elizabeth Ann	1/5 of 1/20	or	.0100000
Barbara Zelma Johnson Brister and husband, Rafor Agustus	1/5 of 1/20	or	.0100000
Paula Sophia Johnson Maxey and husband, Edgar Ross	1/5 of 1/20	or	.0100000
Pauline Florence Johnson Bouse and husband, Charles Eugene	1/5 of 1/20	or	.0100000
Cora Beth Johnson Evans and husband, Robert Boyt	1/5 of 1/20	or	.0100000
Elva M. Sanders	1/3 of 1/20	or	.0166667
Lee McDonald	1/3 of 1/20	or	.0166666
Walter Farrell	1/2400	or	.0004167
Unknown	1/2400	or	.0004167
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	1/9 of 1/20	or	.0055556
Unknown	5/36 of 1/20	or	.0069443
Unknown	5/36 of 1/20	or	.0069443
Unknown	1/9 of 1/20	or	.0055556

Unknown	1/18 of 1/20	or	.0027778
Unknown	1/20 less 1/16 of 1/20	or	.0468750
Annie Ray Williams, Individually and as Independent Executrix of the Estate of Sam J. Williams, Jr. and Warren Honey and wife, Marcheta Honey (Jointly)	1/40	or	.0250000
Unknown	1/2 of 1/40	or	.0125000
Unknown	1/2 of 1/40	or	.0125000
Unknown	1/2 of 1/40	or	.0125000
Unknown	1/4 of 1/40	or	.0062500
Unknown	1/4 of 1/40	or	.0062500
Unknown	1/5 of 1/40	or	.0050000
Unknown	1/5 of 1/40	or	.0050000
Unknown	1/2 of 1/5 of 1/40 or		.0025000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0005000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0050000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0005000
Unknown	1/5 of 1/2 of 1/5 of 1/40 or		.0005000

Unknown	1/5 of 1/2 of 1/5 of 1/40 or	.0005000
Unknown	1/10 of 1/40 or	.025000
Unknown	1/20 of 1/40 or	.0012500
Unknown	1/20 of 1/40 or	.0012500
Unknown	1/5 of 1/40 or	.0050000
Unknown	1/3 of 120 or	.0166666
Unknown	1/3 of 1/20 or	.0166667
Unknown	1/3 of 1/20 or	.0166667
The Moody National Bank of Galveston, Substitute Trustee under the Will of Ida S. Austin, deceased	1/20 plus 1/16 of 1/20 or	.0531250
Unknown	1/40 or	.0250000
Donald M. Markle	7/80 or	.0875000
Unknown	848/2400 or	.3533333
Robert I. Cohen, III	1/20 or	<u>.0500000</u>
TOTAL		1.0000000

LY:2:B

EXHIBIT "C"

"Boyt Group"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-1. Sue Boyt Trust	0.0667251	\$ 86,045.32
C-2. Lamar B. Maxwell Trust	0.0667251	86,045.32
C-3. Patrick E. Boyt	0.1334502	172,090.65
C-4. Ila Maxwell	0.0667251	86,045.32
C-5. Lamar B. Maxwell	0.0133450	17,209.05
C-6. Arthur H. Maxwell	0.0133450	17,209.05
C-7. Lloyd J. Maxwell	0.0133450	17,209.05
C-8. Donald R. Maxwell	0.0133450	17,209.05
C-9. David G. Maxwell	0.0133450	17,209.05
C-10. Leila Jeffrey	0.0667251	86,045.32
C-11. Barry N. Jeffrey	0.0667250	86,045.19
Perpetual, Non-Participating Royalty Interests:		
C-12. Warren R. Winnie	0.0308921	39,836.89

230/1153-1142

counter 45195

G²⁴

EXHIBIT "C"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
Perpetual, Non-Participaing Royalty Interests:		
C-13. Winifred W. Kimmel	0.0308921	\$ 39,836.89

EXHIBIT "C"

"Johnson Strip"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-14. Marguerite St. Martin	0.0040711	\$ 5,249.89
C-15. Andrew Johnson Jr.	0.0081421	10,499.64
C-16. Barbara Brister	0.0081422	10,499.77
C-17. Paula Maxey	0.0081421	10,499.64
C-18. Pauline Bouse	0.0081422	10,499.77
C-19. Cora Evans	0.0081421	10,499.64
C-20. Unknown	0.0005089	656.25
C-21. Unknown	0.0005089	656.25
C-22. Unknown	0.0005089	656.25
C-23. Unknown	0.0005089	656.25
C-24. Unknown	0.0001272	164.03
C-25. Unknown	0.0001272	164.03
C-26. Unknown	0.0001272	164.03

EXHIBIT "C"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-27. Unknown	0.0001272	\$ 164.03
C-28. Unknown	0.0005089	656.25
C-29. Unknown	0.0005089	656.25
C-30. Unknown	0.0005089	656.25
C-31. Vera Pearl Farris	0.0054281	6,999.80
C-32. Louis O. Tyra	0.0191993	24,758.45
C-33. Louis R. Tyra	0.0191993	24,758.45
C-34. Richard N. Tyra	0.0191993	24,758.45
C-35. Francis A. Cahoon	0.0005331	687.46
C-36. Alberta Ryan	0.0005331	687.46
C-37. Regina Kelso	0.0005331	687.46
C-38. Francis Macklin	0.0005118	659.99

EXHIBIT "C"

"Port Bolivar Development Corporation Interests"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-39. Mary Catherine Stubbs	0.0073233	\$ 9,443.76
C-40. Dr. James B. Stubbs	0.0073233	9,443.76
C-41. Theo. B. Stubbs	0.0073233	9,443.76
C-42. Andrew Johnson, Jr.	0.0021970	2,833.14
C-43. Barbara Brister	0.0021970	2,833.14
C-44. Paula Maxey	0.0021970	2,833.14
C-45. Pauline Bouse	0.0021970	2,833.14
C-46. Cora Evans	0.0021970	2,833.14
C-47. Elva Sanders	0.0036616	4,721.81
C-48. Lee McDonald	0.0036616	4,721.81
C-49. Walter Farrell	0.0000915	117.99
C-50. Unknown	0.0000915	117.99
C-51. Unknown	0.0012206	1,574.02
C-52. Unknown	0.0012205	1,573.90

EXHIBIT "C"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-53. Unknown	0.0012206	\$ 1,574.02
C-54. Unknown	0.0012205	1,573.90
C-55. Unknown	0.0012206	1,574.02
C-56. Unknown	0.0015256	1,967.34
C-57. Unknown	0.0015257	1,967.47
C-58. Unknown	0.0012205	1,573.90
C-59. Unknown	0.0006103	787.01
C-60. Unknown	0.0102983	13,280.17
C-61. Annie Ray Williams	0.0054924	7,082.72
C-62. Unknown	0.0027462	3,541.36
C-63. Unknown	0.0027462	3,541.36

EXHIBIT "C"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-64. Unknown	0.0027462	\$ 3,541.36
C-65. Unknown	0.0013731	1,770.68
C-66. Unknown	0.0013731	1,770.68
C-67. Unknown	0.0010985	1,416.57
C-68. Unknown	0.0010985	1,416.57
C-69. Unknown	0.0005492	708.22
C-70. Unknown	0.0001099	141.72
C-71. Unknown	0.0001099	141.72
C-72. Unknown	0.0001099	141.72
C-73. Unknown	0.0001099	141.72
C-74. Unknown	0.0001099	141.72
C-75. Unknown	0.0005492	708.22
C-76. Unknown	0.0002746	354.11
C-77. Unknown	0.0002746	354.11

EXHIBIT "C"

<u>Item</u>	<u>Decimal Interest of Entire 80.472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-78. Unknown	0.0010985	\$ 1,416.57
C-79. Unknown	0.0036616	4,721.81
C-80. Unknown	0.0036616	4,721.81
C-81. Unknown	0.0036616	4,721.81
C-82. The Moody National Bank of Galveston, Substitute Trustee under the Will of Ida S. Austin, deceased	0.0116714	15,050.85
C-83. Unknown	0.0054924	7,082.72
C-84. Donald Markle	0.0192235	24,789.66
C-85. Unknown	0.0776264	100,103.09
C-86. Robert Cohen	0.0109849	14,165.57

EXHIBIT "C"

<u>Item</u>	<u>"Stubbs Group"</u>	
	<u>Percentage of Entire 80,472 Tract</u>	<u>Amount of Check Due from District Clerk</u>
C-87. Mary Catherine Stubbs	0.0137299	\$ 17,705.39
C-88. Dr. James B. Stubbs	0.0137298	17,705.26
C-89. Theodore B. Stubbs	0.0137298	17,705.26

EXHIBIT "C"

"Individual Interests Owned 100%"

Item	Decimal Interest of Entire 80.472 Tract	Amount of Check Due from District Clerk
C-90. M. Finklestein	0.0048837	\$ 6,297.77
C-91. Kirbyville State Bank	0.0054180	6,986.78
C-92. Unknown	0.0048837	6,297.77
C-93. Unknown	0.0054180	6,986.78
C-94. F. K. Tomich	0.0013545	1,746.69
C-95. L. O. Walton	0.0075803	9,775.17

LY:1N
Thursday, February 19, 1981

Clerk's Note:

For clarity the Court ordered the numbering of items in this Exhibit "C".

Dianna Baker,
Deputy

V. J. BENINATI, JR.
 CLERK DISTRICT COURT
 FILED
 FEB 16 4 59 PM 1981
 DEPUTY

counter 15204 G 33

Rolled sketch

File No. 34-D

Galveston County

Judgment Cause No. 116,660

Filed 3-25-1981

BOB ARMSTRONG, Com'r

By J. E. McCarty

STATE OF TEXAS
COUNTY OF GALVESTON

I, V. J. Beninati, Jr., District Clerk of Galveston County, Texas, do hereby certify that the foregoing is a true and correct copy of the original record, now in my lawful custody and possession, as appears of record in Vol. 230, Page 1130-1162 Minutes of said Court on file in my office.

witness my official hand and seal of office, this

24th day of February, 1981

V. J. BENINATI, JR., DISTRICT CLERK
Galveston County, Texas

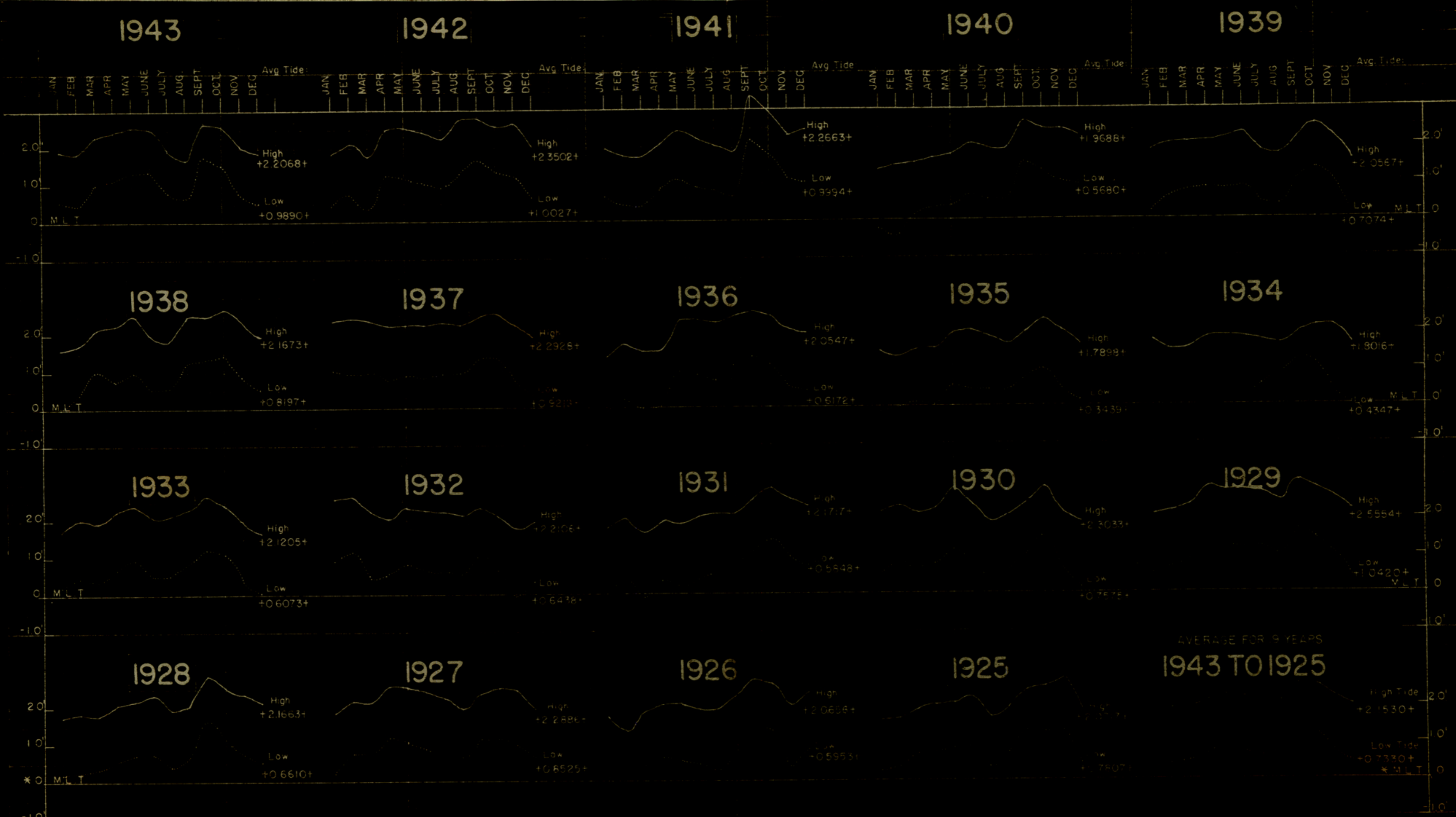
By Helenah Sargent Deputy

GALVESTON COUNTY
ROLLED SKETCH NO. 39

Chart of monthly average high and low
tides, from Fort Point, Tex.
Tide record for calendar years 1943 to
1925, inclusive.

(File - High Island)

counter 45206



Mean Low Datum.

* Established from observations

taken 3 Oct 1872 to 20 March 1873

(See Annual Report for 1901, Page 1930)

GALVESTON CHANNEL, TEX.

CHART OF MONTHLY AVERAGE HIGH AND LOW TIDES, FROM FORT POINT, TEX. TIDE RECORD FOR CALENDAR YEARS 1943 TO 1925, INCLUSIVE.

Scale as shown

U.S. ENGINEER OFFICE, GALVESTON, TEX.

AUGUST 1944

DATA COMPILED BY E. D. C.

DRAWN BY G. A. F.

FILE GALV 303-135