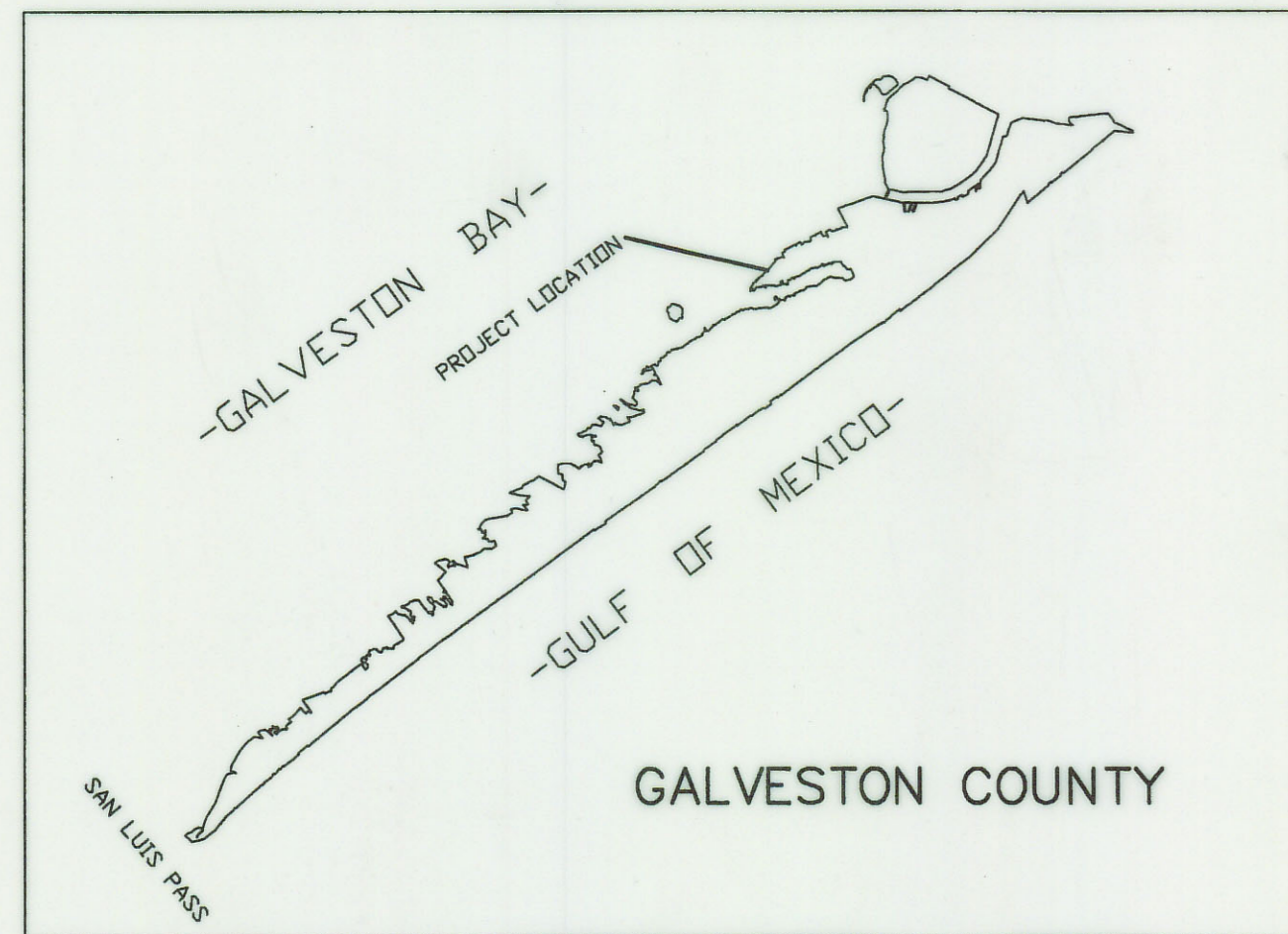


Mean High Water Survey of parts of Lots 529 and 530 of Section 1
of the Trimble and Lindsey Survey of Galveston Island,
in Galveston County, Texas, 5 miles Southwest
of the Galveston County Courthouse

P.O.C.
C 1237
NORTHING 13,674,932.26
EASTING 3,286,720.52



VICINITY MAP (nts)

LINE 1

COMMENCING at N.G.S. Monument 'C1237', THENCE S 78°36'11" W, a distance of 4,082.32 feet, or 1,496.6 varas, to the POINT OF BEGINNING located at the Mean High Water Line of Galveston Bay; THENCE following the said Mean High Water Line the following courses and distances:

- L1 THENCE S 37°11'05" W, a distance of 86.89 feet, or 31.3 varas;
- L2 THENCE S 56°14'34" W, a distance of 72.89 feet, or 26.2 varas;
- L3 THENCE S 65°24'42" W, a distance of 135.29 feet, or 48.7 varas;
- L4 THENCE S 51°21'32" W, a distance of 94.44 feet, or 34.0 varas;
- L5 THENCE S 48°48'04" W, a distance of 61.61 feet, or 22.2 varas;
- L6 THENCE S 50°18'56" W, a distance of 61.02 feet, or 22.0 varas;
- L7 THENCE S 45°54'17" W, a distance of 59.96 feet, or 21.6 varas;
- L8 THENCE S 42°09'59" W, a distance of 60.21 feet, or 21.7 varas;
- L9 THENCE S 37°58'09" W, a distance of 58.19 feet, or 20.9 varas;
- L10 THENCE S 47°49'55" W, a distance of 57.23 feet, or 20.6 varas;
- L11 THENCE N 37°18'42" E, a distance of 82.01 feet, or 29.5 varas;
- L12 THENCE S 21°19'14" W, a distance of 12.29 feet, or 4.4 varas;
- L13 THENCE S 15°46'59" E, a distance of 61.64 feet, or 22.2 varas;
- L14 THENCE S 16°50'38" E, a distance of 51.29 feet, or 18.5 varas;
- L15 THENCE S 62°15'35" W, a distance of 51.37 feet, or 18.5 varas;
- L16 THENCE S 58°43'40" W, a distance of 43.79 feet, or 15.8 varas;
- L17 THENCE S 43°23'16" E, a distance of 81.79 feet, or 29.4 varas;
- L18 THENCE S 50°29'44" W, a distance of 69.44 feet, or 25.0 varas;

LINE 2

COMMENCING at N.G.S. Monument 'C1237', THENCE S 84°48'11" W, a distance of 3,756.13 feet, or 1,352.2 varas, to the POINT OF BEGINNING located at the Mean High Water Line of Galveston Bay; THENCE following the said Mean High Water Line the following courses and distances:

- L19 THENCE N 00°54'16" E, a distance of 27.13 feet, or 9.8 varas;
- L20 THENCE N 36°19'51" W, a distance of 51.34 feet, or 18.5 varas;
- L21 THENCE S 70°19'34" W, a distance of 62.61 feet, or 22.5 varas;
- L22 THENCE S 53°07'22" W, a distance of 78.02 feet, or 28.1 varas;
- L23 THENCE S 19°44'33" W, a distance of 48.05 feet, or 17.3 varas;
- L24 THENCE N 61°34'13" E, a distance of 23.94 feet, or 8.6 varas;
- L25 THENCE N 40°53'59" E, a distance of 60.88 feet, or 21.9 varas;
- L26 THENCE N 60°10'48" E, a distance of 101.80 feet, or 36.6 varas;
- L27 THENCE S 87°11'37" E, a distance of 55.71 feet, or 20.1 varas;
- L28 THENCE S 29°53'25" E, a distance of 33.95 feet, or 12.2 varas, to the PLACE OF BEGINNING.

LINE 3

COMMENCING at N.G.S. Monument 'C1237', THENCE S 83°02'20" W, a distance of 4,402.73 feet, or 1,585.0 varas, to the POINT OF BEGINNING located at the Mean High Water Line of Galveston Bay; THENCE following the said Mean High Water Line the following courses and distances:

- L29 THENCE N 44°06'16" W, a distance of 33.05 feet, or 11.9 varas;
- L30 THENCE S 46°39'50" W, a distance of 89.79 feet, or 32.3 varas;
- L31 THENCE S 19°29'21" W, a distance of 65.17 feet, or 23.5 varas;
- L32 THENCE S 09°47'21" W, a distance of 39.68 feet, or 14.3 varas;
- L33 THENCE S 37°17'14" W, a distance of 36.82 feet, or 13.5 varas;
- L34 THENCE S 70°15'26" W, a distance of 81.79 feet, or 29.4 varas;
- L35 THENCE S 62°17'23" W, a distance of 63.86 feet, or 23.0 varas;
- L36 THENCE S 33°15'36" W, a distance of 36.32 feet, or 13.1 varas;
- L37 THENCE S 16°14'56" E, a distance of 77.16 feet, or 27.8 varas;
- L38 THENCE S 22°57'03" W, a distance of 120.25 feet, or 43.3 varas;
- L39 THENCE S 43°36'14" W, a distance of 35.47 feet, or 12.8 varas;
- L40 THENCE S 36°02'07" W, a distance of 45.60 feet, or 16.4 varas;
- L41 THENCE S 45°25'57" W, a distance of 87.07 feet, or 31.3 varas;
- L42 THENCE S 42°05'55" W, a distance of 101.80 feet, or 36.6 varas;
- L43 THENCE S 41°55'59" W, a distance of 164.98 feet, or 59.4 varas;
- L44 THENCE S 73°03'53" E, a distance of 24.02 feet, or 8.6 varas;
- L45 THENCE N 62°32'08" E, a distance of 43.25 feet, or 15.6 varas;
- L46 THENCE N 19°19'05" E, a distance of 25.93 feet, or 9.3 varas;
- L47 THENCE N 70°49'24" E, a distance of 45.93 feet, or 16.5 varas;
- L48 THENCE S 78°21'32" E, a distance of 13.13 feet, or 4.7 varas;
- L49 THENCE N 67°22'28" E, a distance of 27.31 feet, or 9.8 varas;
- L50 THENCE N 81°44'38" E, a distance of 24.41 feet, or 8.8 varas;
- L51 THENCE N 06°16'37" W, a distance of 29.51 feet, or 10.6 varas;
- L52 THENCE N 34°27'45" E, a distance of 35.99 feet, or 13.1 varas;
- L53 THENCE N 25°04'55" E, a distance of 37.41 feet, or 13.5 varas;
- L54 THENCE N 13°10'13" W, a distance of 32.22 feet, or 12.0 varas;
- L55 THENCE N 41°40'15" E, a distance of 67.09 feet, or 24.2 varas;
- L56 THENCE N 64°44'28" E, a distance of 27.63 feet, or 9.9 varas;
- L57 THENCE N 34°27'45" E, a distance of 30.81 feet, or 11.1 varas;
- L58 THENCE N 17°22'55" E, a distance of 17.90 feet, or 6.4 varas;
- L59 THENCE N 30°50'09" E, a distance of 23.60 feet, or 8.5 varas;
- L60 THENCE N 37°02'21" E, a distance of 30.85 feet, or 11.1 varas;
- L61 THENCE N 29°52'10" E, a distance of 34.64 feet, or 12.5 varas;
- L62 THENCE N 50°54'24" E, a distance of 7.49 feet, or 2.7 varas;
- L63 THENCE N 18°24'00" E, a distance of 45.58 feet, or 16.4 varas;
- L64 THENCE N 12°14'45" E, a distance of 38.30 feet, or 13.8 varas;
- L65 THENCE N 12°15'19" E, a distance of 70.58 feet, or 25.4 varas;
- L66 THENCE N 58°37'10" E, a distance of 40.06 feet, or 14.4 varas;
- L67 THENCE N 50°04'19" E, a distance of 35.99 feet, or 13.0 varas;
- L68 THENCE N 89°23'46" E, a distance of 18.63 feet, or 6.7 varas;
- L69 THENCE N 73°30'13" E, a distance of 19.09 feet, or 6.9 varas;
- L70 THENCE S 51°20'06" E, a distance of 18.63 feet, or 6.7 varas;
- L71 THENCE S 56°02'04" E, a distance of 51.08 feet, or 18.4 varas;
- L72 THENCE N 11°04'34" E, a distance of 53.31 feet, or 19.2 varas;
- L73 THENCE N 11°36'46" E, a distance of 53.73 feet, or 19.3 varas;
- L74 THENCE N 41°11'52" E, a distance of 36.76 feet, or 13.1 varas;
- L75 THENCE N 54°52'05" E, a distance of 62.33 feet, or 22.4 varas to the POINT OF BEGINNING.

LINE 4

COMMENCING at N.G.S. Monument 'C1237', THENCE S 78°45'21" W, a distance of 4,729.21 feet, or 1,702.5 varas, to the POINT OF BEGINNING located at the Mean High Water Line of Galveston Bay; THENCE following the said Mean High Water Line the following courses and distances:

- L76 THENCE S 82°26'36" W, a distance of 13.59 feet, or 4.9 varas;
- L77 THENCE S 45°42'12" W, a distance of 59.09 feet, or 21.3 varas;
- L78 THENCE S 12°42'57" E, a distance of 16.11 feet, or 5.8 varas;
- L79 THENCE S 26°48'13" W, a distance of 45.56 feet, or 16.4 varas;
- L80 THENCE S 35°04'38" W, a distance of 43.63 feet, or 15.7 varas;
- L81 THENCE S 65°58'26" W, a distance of 20.20 feet, or 7.3 varas;
- L82 THENCE S 29°43'48" W, a distance of 4.95 feet, or 1.8 varas;
- L83 THENCE N 75°57'42" E, a distance of 23.20 feet, or 8.4 varas;
- L84 THENCE N 42°25'06" E, a distance of 26.53 feet, or 9.6 varas;
- L85 THENCE N 26°42'01" E, a distance of 37.10 feet, or 13.4 varas;
- L86 THENCE N 30°23'32" E, a distance of 47.77 feet, or 17.2 varas;
- L87 THENCE N 38°09'24" E, a distance of 60.81 feet, or 21.9 varas to the POINT OF BEGINNING.

| LINE | DISTANCE | BEARING | LINE | DISTANCE | BEARING | LINE | DISTANCE | BEARING | LINE | DISTANCE | BEARING |
|------|----------|---------------|------|----------|---------------|------|----------|---------------|------|----------|---------------|
| L1 | 86.89' | S 37°11'05" W | L19 | 27.13' | N 00°54'16" E | L37 | 77.16' | S 16°14'56" W | L55 | 67.09' | N 41°40'15" E |
| L2 | 72.89' | S 56°14'34" W | L20 | 51.34' | N 36°19'51" W | L38 | 120.25' | S 22°57'03" W | L56 | 27.63' | N 64°44'28" E |
| L3 | 135.29' | S 65°24'42" W | L21 | 62.61' | S 70°19'34" W | L39 | 35.47' | S 43°36'14" W | L57 | 30.81' | N 34°27'45" E |
| L4 | 94.44' | S 51°21'32" W | L22 | 78.02' | S 53°07'22" W | L40 | 45.60' | S 36°02'07" W | L58 | 17.90' | N 17°22'55" E |
| L5 | 61.61' | S 48°48'04" W | L23 | 48.05' | S 19°44'33" W | L41 | 87.07' | S 45°25'57" W | L59 | 23.60' | N 30°50'09" E |
| L6 | 61.02' | S 50°18'56" W | L24 | 23.94' | N 61°34'13" E | L42 | 101.80' | S 42°05'05" W | L60 | 30.85' | N 37°02'21" E |
| L7 | 59.96' | S 45°54'17" W | L25 | 60.88' | N 40°53'59" E | L43 | 164.98' | S 41°55'59" W | L61 | 34.64' | N 29°52'10" E |
| L8 | 60.21' | S 42°09'59" W | L26 | 39.25' | N 60°10'48" E | L44 | 24.02' | S 73°03'53" E | L62 | 7.49' | N 50°54'24" E |
| L9 | 58.19' | S 37°58'09" W | L27 | 55.71' | S 87°11'37" E | L45 | 43.25' | N 62°32'08" E | L63 | 45.58' | N 18°24'00" E |
| L10 | 57.23' | S 47°49'55" W | L28 | 33.95' | S 29°53'25" E | L46 | 25.83' | N 19°19'05" E | L64 | 38.30' | N 12°14'45" E |
| L11 | 82.01' | N 37°18'42" E | L29 | 33.05' | N 44°06'16" W | L47 | 45.93' | N 72°49'32" E | L65 | 70.58' | N 12°15'19" E |
| L12 | 12.29' | S 21°19'14" W | L30 | 89.79' | S 46°39'50" W | L48 | 13.13' | S 78°21'32" E | L66 | 40.06' | N 58°37'10" E |
| L13 | 61.64' | S 15°46'59" E | L31 | 65.17' | S 19°29'21" W | L49 | 27.31' | N 67°22'28" E | L67 | 35.99' | N 50°04'19" E |
| L14 | 51.29' | S 16°50'38" E | L32 | 39.68' | S 09°47'21" W | L50 | 24.41' | N 81°44'38" E | L68 | 45.90' | N 89°23'46" E |
| L15 | 51.37' | S 62°15'35" W | L33 | 56.82' | S 37°17'14" W | L51 | 29.51' | N 06°16'37" W | L69 | 19.09' | N 73°30'13" E |
| L16 | 43.79' | S 58°43'40" W | L34 | 81.79' | S 70°15'26" W | L52 | 26.59' | N 34°18'04" E | L70 | 18.63' | S 51°20'06" E |
| L17 | 81.79' | S 43°23'16" W | L35 | 63.86' | S 62°17'23" W | L53 | 37.41' | N 25°04'55" E | L71 | 51.08' | N 56°02'04" E |
| L18 | 69.44' | S 50°29'44" W | L36 | 36.32' | S 33°15'36" W | L54 | 33.22' | N 13°10'13" W | L72 | 53.31' | N 11°04'34" E |

TEXAS GENERAL LAND OFFICE
 State Survey of Texas
 Survey of Galveston Island
 Co. Galveston, S.K. No. 446, Sheet 1
 For Report See Sigs. 243

TRIMBLE AND LINDSEY SURVEY OF GALVESTON ISLAND
 Section 1, Lot 529
 Patented to Levi Jones
 Galveston County

TRIMBLE AND LINDSEY SURVEY OF GALVESTON ISLAND
 Section 1, Lot 530
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TRIMBLE AND LINDSEY SURVEY OF GALVESTON ISLAND
 Section 1, Lot 529
 Patented to Levi Jones
 Galveston County

"NOTICE: This survey was performed in accordance with Section 33.136, Natural Resources Code, for the purpose of evidencing the location of the shoreline in the area depicted in this survey as that shoreline existed before commencement of erosion response activity, as required by Chapter 33, Natural Resources Code. The line depicted on this survey fixes the shoreline for the purpose of locating a shoreline boundary, subject to movement landward as provided by Section 33.136, Natural Resources Code."

"This survey does not nor is intended to be used to identify, delineate or fix the line of vegetation or the landward boundary of the public beach."

Lines Shown were surveyed on the ground November 8 - 14, 2006
 Field Personnel: Stephen C. Blaskey

Tidal Datums at PIER 21, GALVESTON CHANNEL, Texas
 National Ocean Service Station ID: 8771450 based on:

LENGTH OF SERIES: 5 YEARS
 TIME PERIOD: JANUARY 1997 - DECEMBER 2001
 TIDAL EPOCH: 1983-2001
 CONTROL TIDE STATION: N/A
 TIDE STATION BENCHMARK USED: 877 1450 A

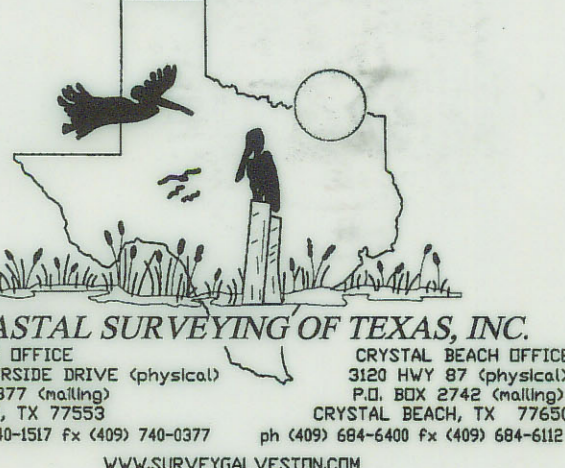
NOTES:
 1.) ALL COORDINATES REFER TO THE STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM (1983 ADJUSTMENT) AND ARE GIVEN IN FEET.
 2.) ALL DISTANCES ARE GRID DISTANCES IN FEET AND VARAS.

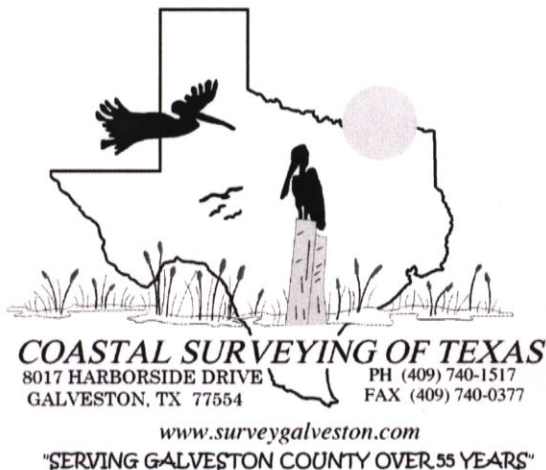
November 14, 2006

I hereby certify that the above described property was surveyed in the field according to law under my direction on the above referenced date, and that the above map together with dimensions and coordinates is true and correct as of the above date.

COASTAL SURVEYING OF TEXAS

Sidney B.
 Sidney Bouse
 Licensed State Land Surveyor
 email: sid@suryvegvalveston.com
 06-1295





TEXAS GENERAL LAND OFFICE
 Art. 33.136, Natural Resources Code
 Co. Galveston, Sk. No. 48, sht. 2
 File Date 11-16-2007 by D.-J.-H.

Mean High Water Survey of Parts of Lots 529 and 530 of Section 1 of the Trimble and Lindsey Survey of Galveston Island, Galveston County, Texas.

I surveyed the Mean High Water line on part of the Northerly Shoreline, and the shoreline of three islands consisting parts of Lots 529 and 530 of Section 1 of the Trimble and Lindsey Survey of Galveston Island, Galveston County, Texas, as authorized by John Listowski, the owner of the land in question, in my official capacity as Licensed State Land Surveyor for the State of Texas.

HISTORY

Laws of First Congress of the Republic of Texas authorized and required the Island of Galveston, except the previously granted M. B. Menard Grant, to be surveyed into Lots of between 10 and 40 acres. The Act to dispose of Galveston and other islands of the Republic was approved on June 12, 1837. The remainder of the island of Galveston was surveyed and divided into lots as shown on the survey by R. C. Trimble and Wm. Lindsey dated 1837.

According to this act, the sale was to be held in "November next" in the City of Houston. The Republic of Texas sold the majority of the Lots in the Trimble and Lindsey Survey of Galveston Island to Levi Jones and Edward Hall. Normally, an original grant is considered effective the date the surveyor was on the ground, and at that point the rights of the sovereign are officially severed. The Republic of Texas, however, authorized and required a survey, or subdivision, of this part of Galveston Island without a particular grantee as party to the survey.

An Act to adapt the Common Law of England was approved on January 20, 1840. The Littoral State boundary of land granted prior to this date must be surveyed according to the Spanish and Mexican Civil Laws and has been determined to be along the Mean Higher High Water Line. Lands granted after this date are to be located along the Mean High Water Line as required under current Common Law. Mirabeau B. Lamar, President of the Republic signed the grant to Hall and Jones on November 28, 1840 in Austin, Texas. The effective date of the grant is November 28, 1840.

The line surveyed is the line of Mean High Water.

CONSTRUCTION

In order to complete this survey I recovered and occupied the Tidal Benchmark "877 1450 A" and transferred this elevation to the project site. This Tidal Benchmark is referenced to Tide Station PIER 21, GALVESTON CHANNEL, Texas- National Ocean Service Station ID: 8771450:

LENGTH OF SERIES: 5 Years
TIME PERIOD: January 1997-December 2001
TIDAL EPOCH: 1983-2001
CONTROL TIDE STATION: N/A.

The Mean High Water elevation was transferred to the shoreline on November 8, 2006, and November 14, 2006, and the line so located was surveyed on the ground using Topcon RTK GPS equipment and referenced to NGS Monument C 1237 and described as the lines shown on the survey.

The three islands shown on the accompanying survey are above the Mean High Water elevation, and they appear to be the remainder of an eroding peninsula extending westward from Lot 526 of Section 1 of the Trimble and Lindsey Survey.

I hereby certify that the attached survey was surveyed according to law in the field on above dates.


Sidney Bouse
Registered Professional Land Surveyor No. 5287 LSLS
P.O. Box 877
Galveston, Texas 77553
(409) 740- 1517
sid@surveygalveston.com



06-1295 LSLS-Ponticello.doc

Galveston Co. Art. 33.136 sketch 48, sht. 3

counter 88613