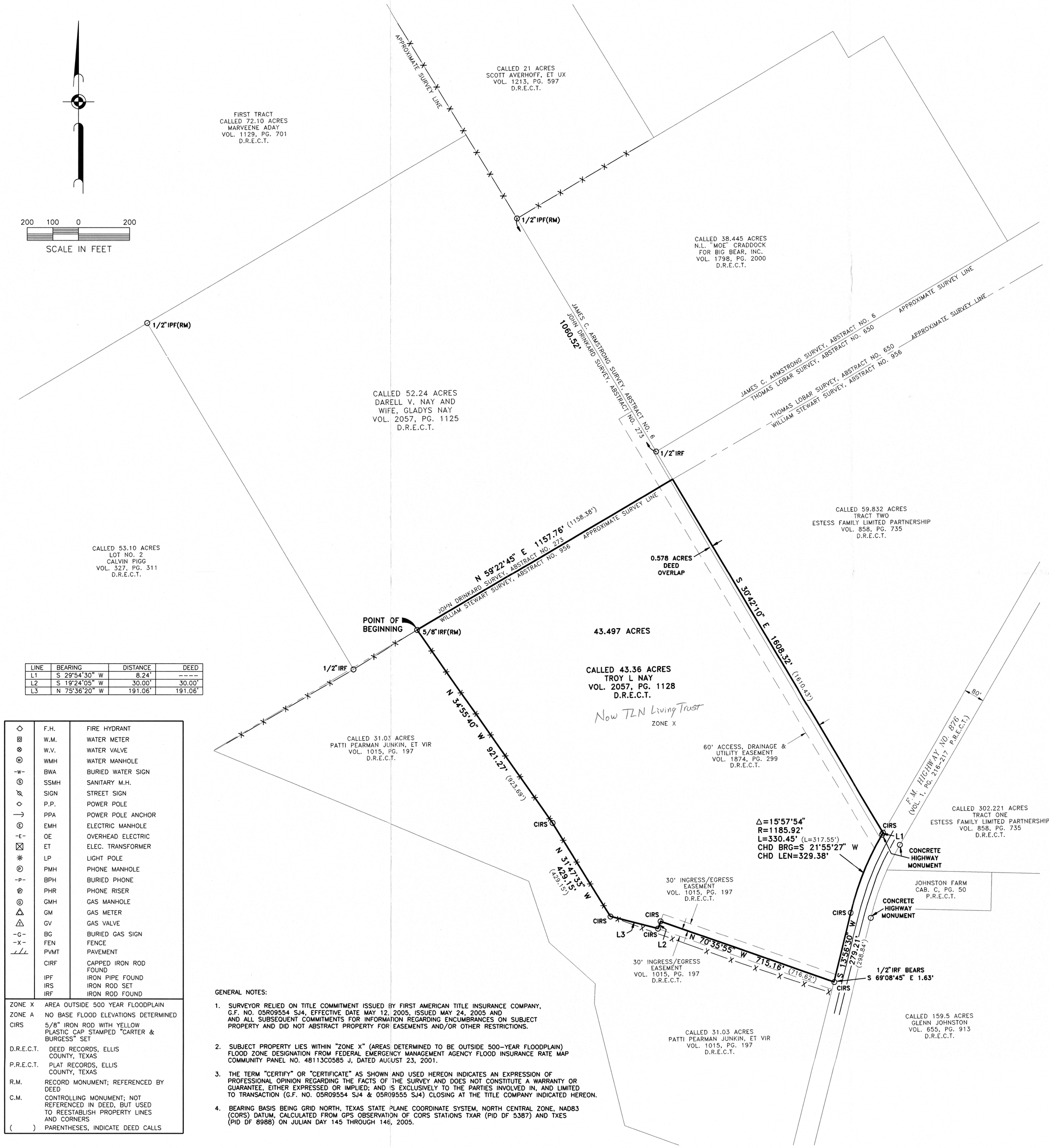

LINE	BEARING	DISTANCE	DEED
L1	S 29°54'30" W	8.24'	----
L2	S 19°24'05" W	30.00'	30.00'
L3	N 75°36'20" W	191.06'	191.06'

◇	F.H.	FIRE HYDRANT
⊠	W.M.	WATER METER
⊗	W.V.	WATER VALVE
⊛	WMH	WATER MANHOLE
-W-	BWA	BURIED WATER SIGN
Ⓢ	SSMH	SANITARY M.H.
⊘	SIGN	STREET SIGN
◇	P.P.	POWER POLE
⟶	PPA	POWER POLE ANCHOR
Ⓔ	EMH	ELECTRIC MANHOLE
-E-	OE	OVERHEAD ELECTRIC
⊠	ET	ELEC. TRANSFORMER
✳	LP	LIGHT POLE
Ⓟ	PMH	PHONE MANHOLE
-P-	BPH	BURIED PHONE
Ⓟ	PHR	PHONE RISER
Ⓖ	GMH	GAS MANHOLE
△	GM	GAS METER
△	GV	GAS VALVE
-G-	BG	BURIED GAS SIGN
-X-	FEN	FENCE
	PVMT	PAVEMENT
	CIRF	CAPPED IRON ROD FOUND
	IPF	IRON PIPE FOUND
	IRS	IRON ROD SET
	IRF	IRON ROD FOUND
ZONE X	AREA OUTSIDE 500 YEAR FLOODPLAIN	
ZONE A	NO BASE FLOOD ELEVATIONS DETERMINED	
CIRS	5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER & BURGESS" SET	
D.R.E.C.T.	DEED RECORDS, ELLIS COUNTY, TEXAS	
P.R.E.C.T.	PLAT RECORDS, ELLIS COUNTY, TEXAS	
R.M.	RECORD MONUMENT; REFERENCED BY DEED	
C.M.	CONTROLLING MONUMENT; NOT REFERENCED IN DEED, BUT USED TO REESTABLISH PROPERTY LINES AND CORNERS	
( )	PARENTHESES, INDICATE DEED CALLS	

GENERAL NOTES:

1. SURVEYOR RELIED ON TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, G.F. NO. 05R09554 SJ4, EFFECTIVE DATE MAY 12, 2005, ISSUED MAY 24, 2005 AND AND ALL SUBSEQUENT COMMITMENTS FOR INFORMATION REGARDING ENCUMBRANCES ON SUBJECT PROPERTY AND DID NOT ABSTRACT PROPERTY FOR EASEMENTS AND/OR OTHER RESTRICTIONS.

2. SUBJECT PROPERTY LIES WITHIN "ZONE X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) FLOOD ZONE DESIGNATION FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48113C0585 J, DATED AUGUST 23, 2001.

3. THE TERM "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON INDICATES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED; AND IS EXCLUSIVELY TO THE PARTIES INVOLVED IN, AND LIMITED TO TRANSACTION (G.F. NO. 05R09554 SJ4 & 05R09555 SJ4) CLOSING AT THE TITLE COMPANY INDICATED HEREON.

4. BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 (CORS) DATUM, CALCULATED FROM GPS OBSERVATION OF CORS STATIONS TXAR (PID DF 5387) AND TXES (PID DF 8988) ON JULIAN DAY 145 THROUGH 146, 2005.

LEGAL DESCRIPTION
43.497 ACRES

BEING A 43.497 ACRE TRACT OF LAND SITUATED IN THE WILLIAM STEWART SURVEY, ABSTRACT NO. 956, CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 43.36 ACRE TRACT OF LAND, CONVEYED TO TROY L. NAY BY DEED RECORDED IN VOLUME 2057, PAGE 1128, DEED RECORDS, ELLIS COUNTY, TEXAS, SAID 43.497 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 (CORS) DATUM, CALCULATED FROM GPS OBSERVATION OF CORS STATIONS TXAR (PID DF 5387) AND TXES (PID DF 8988) ON JULIAN DAY 145 THROUGH 146, 2005, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND FOR THE NORTHWEST CORNER OF AFORESAID 43.36 ACRE "TROY L. NAY" TRACT, SAME BEING THE NORTHEAST CORNER OF A CALLED 31.03 ACRE TRACT CONVEYED TO PATTI PEARLMAN JUNKIN, ET VIR BY DEED RECORDED IN VOLUME 1015, PAGE 197, DEED RECORDS, ELLIS COUNTY, TEXAS, AND BEING A SOUTH CORNER OF A CALLED 52.24 ACRE TRACT OF LAND, CONVEYED TO DARELL V. NAY AND WIFE GLADYS NAY BY DEED RECORDED IN VOLUME 2057, PAGE 1125, DEED RECORDS, ELLIS COUNTY, TEXAS;

THENCE, NORTH 59 DEGREES 22 MINUTES 45 SECONDS EAST, ALONG THE COMMON NORTH LINE OF AFORESAID 43.36 ACRE "TROY L. NAY" TRACT AND THE SOUTH LINE OF AFORESAID 52.24 ACRE "DARELL V. NAY" TRACT, PASSING A DISTANCE OF 1147.21 THE WEST LINE OF A CALLED 59.832 ACRE TRACT CALLED "TRACT TWO" CONVEYED TO ESTESS FAMILY LIMITED PARTNERSHIP BY DEED RECORDED IN VOLUME 858, PAGE 735, DEED RECORDS, ELLIS COUNTY, TEXAS, CONTINUING IN ALL A TOTAL DISTANCE OF 1157.76 FEET TO A POINT FOR THE NORTHEAST CORNER OF AFORESAID 43.36 ACRE "TROY L. NAY" TRACT, SAME BEING THE SOUTHEAST CORNER OF AFORESAID 52.24 ACRE "DARELL V. NAY" TRACT,

THENCE, SOUTH 30 DEGREES 42 MINUTES 10 SECONDS EAST, ALONG THE EAST LINE OF AFORESAID 43.36 ACRE "TROY L. NAY" TRACT, A DISTANCE OF 1608.33 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE SOUTHEAST CORNER OF AFORESAID 43.36 ACRE "TROY L. NAY" TRACT, SAID POINT BEING ON THE WEST RIGHT-OF-WAY OF FARM TO MARKET ROAD NUMBER 876 (F.M. 876, AN 80' RIGHT-OF-WAY), ACCORDING TO THE RIGHT OF WAY MAP RECORDED IN VOLUME 1, PAGE 216-217, PLAT RECORDS, ELLIS COUNTY, TEXAS;

THENCE, ALONG THE SOUTH LINE OF AFORESAID 43.36 ACRE "TROY L. NAY" TRACT AND THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 876 THE FOLLOWING COURSES:

SOUTH 29 DEGREES 54 MINUTES 30 SECONDS WEST, A DISTANCE OF 8.24 FEET TO A CONCRETE HIGHWAY MONUMENT WITH A BRASS CAP AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 15 DEGREES 57 MINUTES 54 SECONDS, A RADIUS OF 1185.92 FEET, AND A LONG CHORD THAT BEARS SOUTH 21 DEGREES 55 MINUTES 27 SECONDS WEST A DISTANCE OF 329.38 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 330.45 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET CORNER;

SOUTH 13 DEGREES 56 MINUTES 30 SECONDS WEST, A DISTANCE OF 279.21 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE SOUTHEAST CORNER OF AFORESAID 31.03 ACRE "JUNKIN" TRACT, AND THE SOUTHWEST CORNER OF SAID 43.36 ACRE "TROY L. NAY" TRACT, FROM WHICH A 1/2" IRON ROD FOUND BEARS SOUTH 69 DEGREES 08 MINUTES 45 SECONDS EAST A DISTANCE OF 1.63 FEET;

THENCE, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID F.M. 876, ALONG THE COMMON EAST LINE OF AFORESAID 31.03 ACRE "JUNKIN" TRACT AND THE WEST LINE OF SAID 43.36 ACRE "TROY L. NAY" TRACT, THE FOLLOWING COURSES:

NORTH 70 DEGREES 35 MINUTES 55 SECONDS WEST, A DISTANCE OF 715.16 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

SOUTH 19 DEGREES 24 MINUTES 05 SECONDS WEST, A DISTANCE OF 30.00 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

NORTH 75 DEGREES 36 MINUTES 20 SECONDS WEST, A DISTANCE OF 191.06 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

NORTH 31 DEGREES 47 MINUTES 33 SECONDS WEST, A DISTANCE OF 429.15 FEET TO A POINT FOR CORNER;

NORTH 34 DEGREES 55 MINUTES 40 SECONDS WEST, A DISTANCE OF 921.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 43.497 ACRES OF LAND, MORE OR LESS.

SCHEDULE B ITEMS
G.F. No. 05R09554 SJ4
EFFECTIVE MAY 12, 2005
ISSUED MAY 24, 2005

DESCRIPTION

A.) Easement to Texas Power & Light Co., recorded in Volume 375, Page 93, Deed Records, Ellis County, Texas. (MAY OR MAY NOT AFFECT SUBJECT TRACT – CANNOT BE LOCATED BY DESCRIPTION)

B.) Access, Drainage & Utility easement to Public, recorded in Volume 1874, Page 299, Official Public Records, Ellis County, Texas. (AFFECTS SUBJECT TRACT)

C.) Easement to American Telephone & Telegraph Co., recorded in Volume 457, Page 186, Deed Records, Ellis County, Texas. Records, Ellis County, Texas. (AFFECTS SUBJECT TRACT – CANNOT BE LOCATED BY DESCRIPTION)

D.) Easement to Texas Power & Light Co., recorded in Volume 392, Page 168, Deed Records, Ellis County, Texas. (MAY OR MAY NOT AFFECT SUBJECT TRACT – CANNOT BE LOCATED BY DESCRIPTION)

E.) Easement to Texas Power & Light Co., recorded in Volume 411, Page 475, Deed Records, Ellis County, Texas. (MAY OR MAY NOT AFFECT SUBJECT TRACT – CANNOT BE LOCATED BY DESCRIPTION)

F.) Right of Way Easement to State of Texas, recorded in Volume 411, Page 536, Deed Records, Ellis County, Texas. (DOES NOT AFFECT SUBJECT TRACT)

G.) Easement and Right of Way to Texas Power & Light Co., recorded in Volume 438, Page 543, Deed Records, Ellis County, Texas. (MAY OR MAY NOT AFFECT SUBJECT TRACT – CANNOT BE LOCATED BY DESCRIPTION)

H.) Easement and Right of Way to Texas Power & Light Co., recorded in Volume 548, Page 946, Deed Records, Ellis County, Texas. (DOES NOT AFFECT SUBJECT TRACT)

TO: STEVEN R. MECKFESSEL AND FIRST AMERICAN TITLE INSURANCE COMPANY,

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT ON THE 22nd DAY OF JULY, 2005, THIS SURVEY WAS MADE ON THE GROUND AS PER THE FIELD NOTES SHOWN ON THIS SURVEY AND IS TRUE, CORRECT, AND ACCURATE AS TO THE BOUNDARIES AND AREAS OF THE SUBJECT PROPERTY AND THE SIZE, LOCATION, AND TYPE OF BUILDINGS AND IMPROVEMENTS THEREON, IF ANY, AND AS TO THE OTHER MATTERS SHOWN HEREON, AND CORRECTLY SHOWS THE LOCATION OF ALL VISIBLE EASEMENTS AND RIGHTS-OF-WAY AND OF ALL RIGHTS-OF-WAY, EASEMENTS, AND ANY OTHER MATTERS OF RECORD, OR OF WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT OF RECORD, AFFECTING THE SUBJECT PROPERTY, AND THE LOCATION OF ALL CURB CUTS AND DRIVEWAYS, IF ANY.

EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO ENCROACHMENTS UPON THE SUBJECT PROPERTY BY IMPROVEMENTS ON ADJACENT PROPERTY, THERE ARE NO ENCROACHMENTS ON ADJACENT PROPERTY, STREETS, OR ALLEYS BY ANY IMPROVEMENTS ON THE SUBJECT PROPERTY, AND THERE ARE NO CONFLICTS OR DISCREPANCIES.

BOTH VEHICULAR AND PEDESTRIAN INGRESS TO AND EGRESS FROM THE SUBJECT PROPERTY IS PROVIDED BY F.M. HIGHWAY NO 876_, SAME BEING PAVED, DEDICATED PUBLIC RIGHT(S)-OF-WAY MAINTAINED BY STATE OF TEXAS, WHICH ABUT(S) THE SUBJECT PROPERTY, AND IS (ARE) PHYSICALLY OPEN AND BEING USED.

ALL RECORDED BUILDING SET BACK LINES PER PLAT ON THE SUBJECT PROPERTY ARE LOCATED AS SHOWN ON THIS SURVEY.

THIS SURVEY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

MICHAEL J. BAITUP REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS
REGISTRATION NO. 4574
DATE OF SURVEY: 07/22/05
DATE OF LAST REVISION:

STATE OF TEXAS
REGISTERED
MICHAEL J. BAITUP
4574
PROFESSIONAL
LAND SURVEYOR

SURVEY VALID ONLY WITH ORIGINAL SIGNATURE AND SEAL OF R.P.L.S.

PROJECT NO.	02351501	DATE
DRAWN BY	S.C.O.	
APPROVED BY	M.J.B.	
DATE	07/22/05	

REVISIONS

LAND TITLE SURVEY

43.497 ACRE TRACT
WILLIAM STEWART SURVEY, ABSTRACT NO. 956
PART OF THE
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS

Carter::Burgess
CARTER & BURGESS, INC.
7950 ELMBROOK DRIVE, SUITE 250
DALLAS, TEXAS 75247-4961
(214) 638-0145

SHEET 1 OF 1
FILE: 01-7578-1

Fri Jul 22 13:00:34 2005