

LAND: The surface only of the following real estate:

TRACT 1: That certain 32.62 acre tract, more or less, as described on the attached survey of Urban Surveying, Inc. being all that certain 51.65 acre tract, more or less, situated in Farm Lots 1 and 2, Block 3, Range 7, East Above Town in the Original Four League Grant to the Town of Victoria, Victoria County, Texas, and further described by metes and bounds on the attached exhibit, the same being that certain survey performed by Terry T. Ruddick, Registered Professional Land Surveyor and dated February 28, 1997, as described on the attached "Tract 1 Attachment" (which includes the vesting deed).

TRACT 2: Approximately 6 acres, which will be surveyed to determine the actual number of acres, but being the most southern portion of that certain parcel of land containing approximately 9.99 acres, which 9.99 acres (the "9.99 Acre Parcel") is the same land conveyed by Anglo American Metals, Inc. to James Wayne by Instrument No. 199902142 Official Records of Victoria County, Texas, to which reference is made for all purposes. The 9.9 Acre Parcel is described in the attached "Tract Two Attachment". The **SELLER** will be retaining (the "retained tract") the northern portion of this 9.99 acre parcel but selling to the **BUYER** the most southern portion, the most southern portion is Tract 2. The **SELLER's** retained northern portion shall be a parallelogram, the northern boundary of which is the entire northern boundary between the 9.99 acre parcel and the right of way of East Rio Grande Street, and the western boundary of the retained tract being the most northern 300.06 feet of the boundary between the right of way of North Delmar Drive and the western boundary of the 9.99 acre parcel; and the eastern boundary of the retained tract being the most northern 300.06 feet of the boundary between the 9.99 acre parcel and any neighboring tract to the East; the southern border of the retained tract shall be the line which connects the two points at the most southern portion of the retained tract's western border and eastern border, which is a line approximately parallel to the retained tract's northern border. The retained tract consists of approximately 4 acres, with the retained portion of the property being approximately 4 acres and Tract 2 being all parts of the 9.99 acre parcel which are not included in the retained tract.

Thus, Tract 2 consists of approximately 6 acres; and thus Tract 1 and Tract 2 together consist of approximately 38 acres.

SAVE AND EXCEPT, but not including and subject to (1) all public roadways and rights-of-ways, (2) all prior reservations, conveyances, leases or other transfers of any interest in oil, gas or other minerals; (3) any rights of the adjoining land owner or as a result of an encroachment which would be revealed by a properly conducted on the ground survey; (4) and

- b. Right of Way dated May 29, 1926, executed by E. E. Pickering and Mary Catherine Pickering to Texas Central Power Company recorded in Volume 111, Page 179 Deed Records of Victoria County, Texas.
- c. Mineral and/or royalty conveyance in instrument dated November 23, 1951 executed by E. E. Pickering and Mary Catherine Pickering to E. E. Pickering, Jr. et al recorded in Volume 311, Page 349 and Volume 365, Page 370 Deed Records of Victoria County, Texas.
- d. Easement and Right of Way dated January 10, 1955, executed by Mary M. Berthelot et al to Central Power and Light Company recorded in Volume 393, Page 7 Deed Records Victoria County, Texas; and Mary Catherine Pickering et al to Central Power and Light Company recorded in Volume 392, Page 505 Deed Records of Victoria County, Texas.
- e. Utility easement dated August 12, 1981, executed by James L. Coleman, Jr. Trustee and recorded in Volume 1128, Page 874 Deed Records of Victoria County, Texas.
- f. Oil, Gas and Mineral Lease dated September 25, 1984, executed by James L. Coleman, Jr., Trustee to Hoffman Land & Minerals recorded in Volume 1315, Page 505 Deed Records of Victoria County, Texas.
- g. Easement dated June 16, 1992, executed by Victoria Northwood Development Corp. to City of Victoria, Recorded in Volume 14, Page 857 Official Records of Victoria County, Texas.

Also as to Tract 2:

- (a) Utility and other easements and building setback lines shown on plat recorded in Volume 6, Page 175, Plat Records, Victoria County, Texas.
- (b) Easement and/or right of way dated May 23, 1925, executed by E. E. Pickering and Mary Catherine Pickering to Houston Pipeline Co., recorded in Volume 108, Page 537, Deed Records of Victoria County, Texas.
- (c) Easement and/or right of way dated May 29, 1926, executed by E. E. Pickering and Mary Catherine Pickering to Texas Central Power Company, recorded in Volume 111, Page 179, Deed Records of Victoria County, Texas.
- (d) Utility Easement and Dedication from James L. Coleman Jr. Trustee to the Public, recorded in Volume 1128, Page 874, Deed Records of Victoria County, Texas.
- (e) Easement and right of way dated November 30, 1997, from Anglo American Metals, Inc. to Central Power and Light Company, recorded in Volume 300, Page 134, Official Records of Victoria County, Texas.
- (f) Oil, gas and mineral lease dated December 27, 1984, from Gearhart Industries, Inc. to Hoffman Land & Minerals, recorded in Volume 1320, Page 283, Deed Records of Victoria County, Texas.
- (g) The purpose options contains in the deed of conveyance which reserves rights in favor of the Grantor to repurchase the property, recorded under Instrument Number 199902142, Official Records of Victoria County, Texas.
- (h) Easement and right of way dated March 3, 2011, executed by James Wayne to AEP Texas Central Company, recorded under Instrument Number 201103696, Official Records of Victoria County, Texas.

Also subject to:

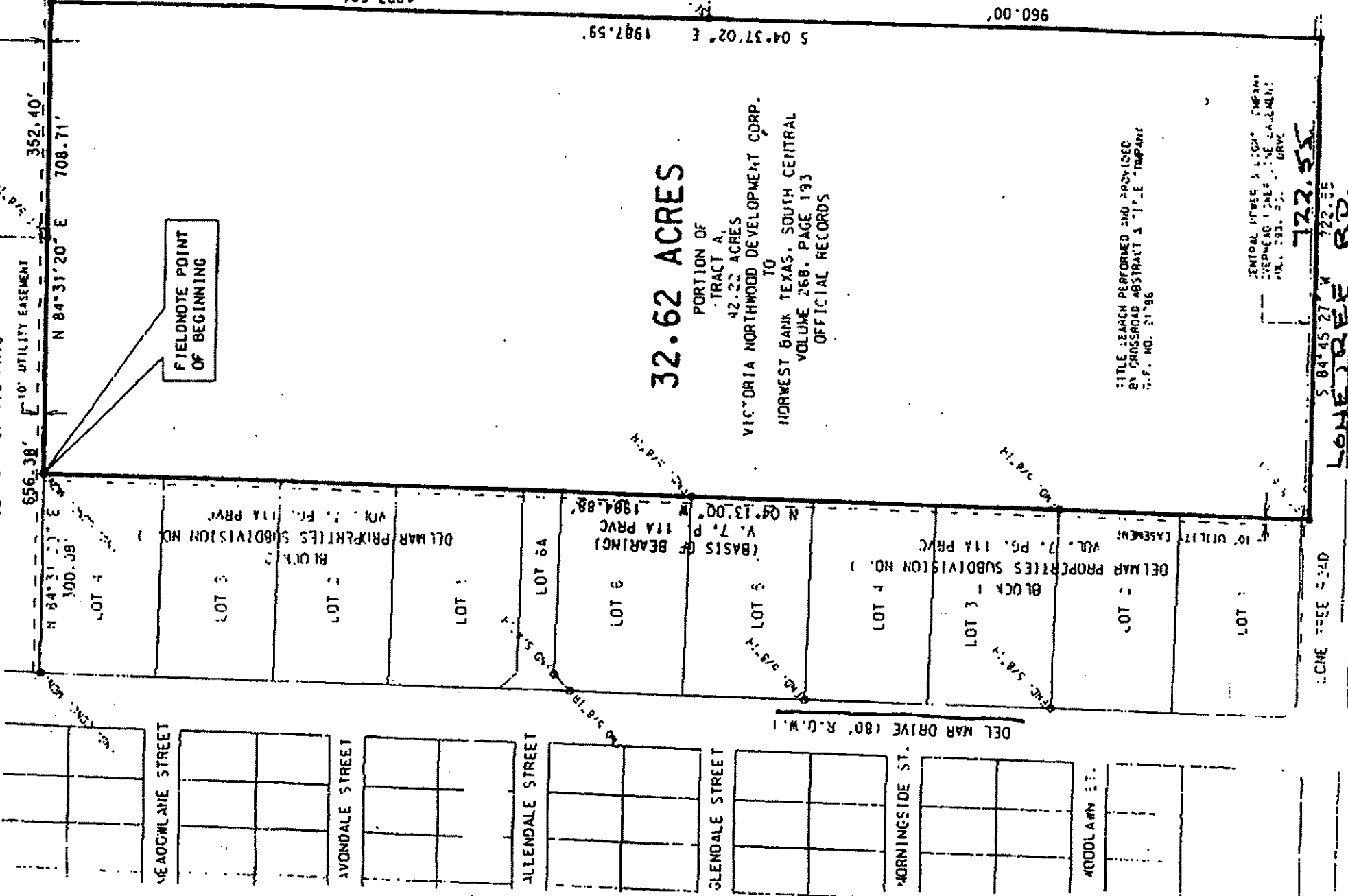
SELLER shall retain for the benefit of its retained 6 acre tract: an easement for sanitary sewer to support the 6 acre tract including any future construction reasonably contemplated thereon including a 15 foot wide easement to connect to existing or future sanitary sewer

During the Investigation Period as described below, the **LAND** shall be surveyed and the new survey (unless either party makes objection to the survey pursuant to the provisions of Section 4 below) shall become a part of this **CONTRACT** as if originally attached.

SELLER makes no warranty as to the status of the mineral estate; however, in the warranty deed **SELLER** shall transfer without warranty any interest it may have in oil, gas and other minerals (subject to prior reservations, mineral conveyances and oil and gas leases).

FARM LOTS 1 AND 2, BLOCK 3, RANGE 7, EAST ABOVE TOWN IN THE ORIGINAL FOUR LEAGUE GRANT TO THE TOWN OF VICTORIA, VICTORIA COUNTY, TEXAS

LOT 1, BLOCK 1
GEOSOURCE SUBDIVISION
VOL. 6, PG. 175 PRVC



TRACT B
51.65 ACRES
VICTORIA NORTHWOOD DEVELOPMENT CORP.
TO
NORWEST BANK TEXAS, SOUTH CENTRAL
VOLUME 268, PAGE 193
OFFICIAL RECORDS

VICTORIA INDEPENDENT SCHOOL DISTRICT
VOL. 428, PG. 282
DEED RECORDS

TITLE SEARCH PERFORMED AND PROVIDED
BY CROSSROAD ABSTRACT & TITLE COMPANY
P.O. BOX 22100
DALLAS, TEXAS 75222

CENTRAL APPRAISAL DISTRICT COMPANY
COMPLETING LOTS AND EASEMENTS
VOL. 268, PG. 193 PRVC

722.55
722.55

THE ABOVE PLAT AND ACCOMPANYING FIELDNOTE DESCRIPTIONS WERE PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER THE PROVISION IN FEBRUARY, 1997 AND IS TRUE AND CORRECT AS FAR AS THE BEST OF MY KNOWLEDGE AND BELIEF.

Terry T. Riddick
TERRY T. RIDDICK
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 4943
9/7/99



SCALE: 1" = 200'
JOB NO. 510807



GEOSOURCE

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