



## TEXAS OWNER POLICY OF TITLE INSURANCE

## SCHEDULE A

HO-1-185-D-51928  
GP No. 00072080

Policy No. 124390 O

Amount of Insurance

Premium

Date of Policy June 20, 2007 at 8:33 A.M.

## 1. Name of Insured:

T &amp; R Eat, LC, a Texas limited liability company

## 2. The estate or interest in the land that is covered by this policy is:

Fee Simple

## 3. Title to the estate or interest in the land is insured as vested in:

T &amp; R Eat, LC, a Texas limited liability company

## 4. The land referred to in this policy is described as follows:

Field notes of a survey of a 327.04 acre tract of land out of the H. Barker Survey, Abstract No. 151, the Wm. Berryman Survey, Abstract No. 257, the Wm. Hays Survey, Abstract No. 257, and the B.B.B. & C.R.B. Survey, Abstract No. 125, Grimes County, Texas. Said 327.04 acre tract being a portion of that called 4,410.947 acre tract of land described in a deed to Sawdust Ranch, LTD., dated November 15, 2005, executed by SDR Accommodation, L.L.C., recorded in Volume 1150, Page 90, of the Real Property Records of Grimes County, Texas for which reference is made and the said 327.04 acre tract being described by metes and bounds as follows, TO-WIT:

BEGINNING at a 1/2 inch iron rod found in the West line of F.M. Highway No. 244 (100' R.O.W.) for the Southeast corner of the parent 4,410.947 acre tract, same being also the apparent Northeast corner of a called 13.29 acre tract described in a deed to T. Burns, Volume 297, Page 270, corner being also the Southeast corner of a called 1.630 acre - 30 foot access easement as per Volume 950, Page 96;

THENCE with the South line of the parent 4,410.947 acre tract, same being the North line of the said Burns tract, the North line of a called 26.58 acre tract described in Volume 502, Page 96, the North line of a called 50.087 acre tract described in Volume 950, Page 742, and the North line of a called 10.00 acre tract described in Volume 550, Page 743, the following:

S 87° 15' 36" W a distance of 2317.85 feet (called S 89° 43' 51" W - 2317.64') to a concrete marker found (called for in record deed) for corner;

N 76° 10' 01" W a distance of 1237.00 feet (called N 73° 32' 49" W - 1233.05') to a fence corner post (called for in record deed) for corner;

S 87° 44' 27" W a distance of 1005.37 feet (called S 89° 55' 20" W - 1010.24') to a 60d nail in a fence corner (called for in record deed) for corner, said corner being also the Northeast corner of a second 10.00 acre tract described in Volume 684, Page 722;

THENCE N 41° 42' 32" W a distance of 443.50 feet (called N 39° 17' 51" W) with the Southwest line of the parent 4,410.947 acre tract, same being the Northeast line of the said second 10.00 acre tract, being also the Northeast line of a tract described in a deed to Wilma Boykin, Volume 539, Page 594 to a 5/8 inch iron rod found (capped Frank Surveying) for the South corner of a called 100.00 acre tract described in a deed to Donald J. Cleary, et ux, Volume 1166, Page 561, Grimes County Real Property Records;

First American Title Insurance Company

Valid Only if Schedule B and Cover are attached

Texas Owner T-1 (Rev. 1-1-93) - Schedule A

## SCHEDULE A - continued

GP No.: 00072080

Policy No.: 124390 O

THENCE N 21° 24' 22" E a distance of 2962.15 feet with the Southeast line of the said 100.00 acre tract to a 5/8 inch iron rod found (capped Frank Surveying) for the Northeast corner of the said 100.00 acre tract, corner being also in the South line of Wildridge Estates - Section No. 4 (a platted subdivision) surveyed also out of the parent 4,410.947 acre tract also by Frank Surveying Co., Inc;

THENCE with the South line of said Wildridge Subdivision - Section No. 4, the following:

N 63° 35' 27" E a distance of 255.20 feet to a 5/8 inch iron rod found (capped Frank Surveying);

N 89° 40' 55" E a distance of 537.92 feet to a 5/8 inch iron rod found (capped Frank Surveying);

N 89° 33' 02" E a distance of 538.85 feet to a 5/8 inch iron rod found (capped Frank Surveying);

N 89° 32' 25" E a distance of 787.62 feet to a 5/8 inch iron rod found (capped Frank Surveying);

N 87° 13' 41" E a distance of 724.40 feet to a 5/8 inch iron rod found (capped Frank Surveying);

S 89° 06' 11" E a distance of 332.62 feet to a 5/8 inch iron rod found (capped Frank Surveying);

N 88° 45' 28" E a distance of 443.25 feet to a 5/8 inch iron rod found (capped Frank Surveying) in the West line of F.M. Highway No. 244 for the Southeast corner of said Section No. 4;

THENCE with a curve to the right and being the West line of said F.M. Highway No. 244 and having a radius of 2838.20 feet, a delta angle of 08° 27' 29", an arc length of 418.98 feet and a chord of S 06° 46' 28" E a distance of 418.59 feet to a concrete right of way marker found for the point of tangency of said curve;

Thence S 02° 13' 48" E a distance of 2584.18 feet (called S 00° 13' 14" E - 2583.81') continuing with the West line of F.M. Highway No. 244 to a concrete right of way marker found for the point of curvature of a curve to the right;

THENCE continuing with said curve to the right and being the West line of F.M. Highway No. 244 and having a radius of 3438.29 feet, a delta angle of 06° 43' 16", an arc length of 403.32 feet and a chord of S 01° 01' 33" W a distance of 403.09 feet to the PLACE OF BEGINNING, containing 327.04 acres of land, more or less.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof. (R)

## SCHEDULE B

GP No. 00072080

Policy No. 124390 O

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) that arise by reason of the terms and conditions of the leases or easements insured, if any, shown in Schedule A and the following matters:

1. The following restrictive covenants of record itemized below (the Company must either insert specific recording data or delete this exception):  
Volume 1222, Page 722, Real Property Records, Grimes County, Texas, but deleting any covenants, conditions or restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
2. Any discrepancy, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any, of any spouse of any insured.
4. Any titles or rights asserted by anyone, including but not limited to, persons, the public, corporations, governments or other entities,
  - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
  - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
  - c. to filled-in lands, or artificial islands, or
  - d. to statutory water rights, including riparian rights, or
  - e. to the area extending from the line of mean low tide to the line of vegetation or the right of access to that area or easement along and across that area.
5. Standby fees, taxes and assessments by any taxing authority for the year 2007, and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year.
6. The following matters and all terms of the documents creating or offering evidence of the matters (the Company must insert matters or delete this exception):
  - a. Rights of Parties in Possession.
  - b. Right of Way Easement:  
From: Flora I. Johnson  
To: Texas Telephone and Telegraph Company  
Dated: July 7, 1964  
Recorded: Volume 266, Page 549, Deed Records, Grimes County, Texas; as noted on survey prepared on June 4, 2007, under the supervision of Leonard W. Frank, R.P.L.S. #1669.
  - c. Easement Agreement with Pipeline crossing property from the south to the west side:  
Parties: Flora I. Johnson and Diamond Shamrock Corporation  
Dated: February 6, 1979

First American Title Insurance Company

Texas Owner T-1 (Rev. 1-1-93) - Schedule B

Valid Only If Schedule A and Cover are attached



## SCHEDULE B - continued

GE No.: 00072080

Policy No.: 124390 O

Recorded: Volume 295, Page 123, Deed Records, Grimes County, Texas; as shown on survey prepared on June 4, 2007, under the supervision of Leonard W. Frank, R.P.L.S. #1669.

## d. Utility Easement and Covenant of Access:

From: Darrell Hall

To: Mid-South Electric Cooperative, Inc.

Dated: June 15, 1983

Recorded: Volume 552, Page 497, Real Property Records, Grimes County, Texas; as noted on survey prepared on June 4, 2007, under the supervision of Leonard W. Frank, R.P.L.S. #1669.

## e. Utility Easement and Covenant of Access:

From: Darrell Hall

To: Mid-South Electric Cooperative, Inc.

Dated: January 3, 1997

Recorded: Volume 859, Pages 648, 650 and 653, Real Property Records, Grimes County, Texas; as noted on survey prepared on June 4, 2007, under the supervision of Leonard W. Frank, R.P.L.S. #1669.

## f. Utility Easement and Covenant of Access:

From: Darrell Hall

To: Mid-South Electric Cooperative, Inc.

Dated: October 4, 1999

Recorded: Volume 952, Page 271, Real Property Records, Grimes County, Texas; as noted on survey prepared on June 4, 2007, under the supervision of Leonard W. Frank, R.P.L.S. #1669.

## g. 30' Access Easement Granted in Warranty Deed on the south side:

From: Darrell R. Hall and wife, Sue H. Hall

To: David Wesley Ben Crenshaw and wife, Tracy Lyn Crenshaw

Dated: May 8, 2000

Recorded: Volume 950, Page 742, Real Property Records, Grimes County, Texas; as shown on survey prepared on June 4, 2007, under the supervision of Leonard W. Frank, R.P.L.S. #1669.

## h. Royalty and Mineral Interests:

Recorded: Volume 213, Page 367; Volume 249, Page 413; Volume 250, Page 547 and Volume 250, Page 553, Deed Records, Grimes County, Texas and Volume 798, Page 717, Real Property Records, Grimes County, Texas. Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

## i. Mineral Reservation in Deed:

By: Estate of Flora L. Johnson

To: Darrell R. Hall, et ux

Dated: October 11, 1983

Recorded: Volume 490, Page 147, Real Property Records, Grimes County, Texas. Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

## j. Memorandum of Oil and Gas Lease, and all terms, conditions and stipulations therein:

Lessor: Hal W. Johnson, Donald R. Godwin and Frost National Bank, as Co-Trustees of the Flora L. Johnson Trust for Hal Warren Johnson and Frost National Bank, as Trustee

Lessee: Antares Exploration, L.P.

Dated: October 11, 2005

Recorded: Volume 1156, Pages 129 and 134 Real Property Records, Grimes County, Texas. Title to said interest has not been investigated subsequent to the date of the aforesaid instrument. (P)

**SCHEDULE B - continued**

GF No.: 00072080

Policy No.: 124390 O

FIRST AMERICAN TITLE INSURANCE CO.

By: Reshael Q. S.  
Authorized Co-signatory (iv)

