

15/Jrm52/89-39-759

SMITHER, MARTIN, HENDERSON, MORGAN, DeLONG & MATHIS

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

ONE FINANCIAL PLAZA, SUITE 210

HUNTSVILLE, TEXAS 77340

TELEPHONE (409) 295-2624

TELECOPIER (409) 294-9784

LLOYD C. MARTIN
JOE B. HENDERSON, JR.
CHARLES L. MORGAN, JR.
ROBERT E. DeLONG, JR.
JOHN R. MATHIS
FRANK BLAZEK

ROBERT B. SMITHER
OF COUNSEL

WOODLANDS OFFICE:
2002 TIMBERLOCH PLACE
SUITE 630
THE WOODLANDS, TEXAS 77380
TELEPHONE (713) 298-1900

DONALD J. PETRILLO
OF COUNSEL

March 18, 1991

Mr. William Cook
Box 629
Riverside, TX 77367

Re: In Re: The Estate of May Bell Cook, Deceased; Cause No.
5317; In the County Court of Walker County, Texas

Dear Mr. Cook:

Please find enclosed a copy of an Order Closing Estate and Discharging Personal Representative in the above-styled and numbered cause which has been signed by the Judge and entered with the Court. Also enclosed is the original Partition Deed which has been filed among the Official Public Records of Walker County, Texas.

By copy of this letter, I am forwarding a copy of the Order and Partition Deed to each of the heirs of this Estate.

Thank you for your attention to this matter.

Sincerely yours,

JOHN R. MATHIS, ATTORNEY

Yvonne Shumaker, PLS

Yvonne Shumaker, Certified PLS
Legal Assistant

YS/vln

Enclosures

xc: Ruby Cook Thomas, Heir
Kenneth A. Cook, Heir
Doyce F. Cook, Heir
Mary Lois Cook Owen, Heir

NO. 5317

IN RE: THE ESTATE OF	§	IN THE COUNTY COURT
MAY BELL COOK	§	
	§	OF
DECEASED	§	
	§	WALKER COUNTY, TEXAS

ORDER CLOSING ESTATE AND DISCHARGING PERSONAL REPRESENTATIVE

On this day the Court heard and considered the Application to Close Estate and Discharge Personal Representative, filed by JOHN WILLIAM COOK, Executor of this Estate, and after hearing the evidence in support of such Application, the Court finds that this Estate has been fully administered; that the Account for final Settlement has previously been approved; that the Executor has delivered all of the property of the Estate remaining on hand to the persons entitled to receive the same; and that this Estate should be closed.

IT IS ORDERED that JOHN WILLIAM COOK, Executor of this Estate, is hereby discharged from this trust; that any sureties on the Bond of the Executor are hereby discharged from further liability under such Bond; and this Estate is hereby declared to be closed.

SIGNED this 7 day of March, 1998.

2

FILED FOR RE-
CORDED
91 MAR -7 P3:16
TX
WA
CLERK

Frank Robinson
JUDGE PRESIDING

11063

PARTITION DEED

THE STATE OF TEXAS

§

COUNTY OF WALKER

§ KNOW ALL MEN BY THESE PRESENTS:

§

That we, NONA O. COOK, a widow and sole devisee under the Will of J. W. COOK, Deceased; JOHN WILLIAM COOK, Individually and as Independent Executor under the Will of MAY BELL COOK, Cause No. 5317 in the County Court of Walker County, Texas, joined pro forma by his wife, VERLA S. COOK, whose mailing address is: P. O. Box 629, Riverside, Walker County, Texas 77367; RUBY COOK THOMAS, joined pro forma by her husband, JAMES THOMAS, whose mailing address is: 4807 W. Oak, Palestine, Anderson County, Texas 75801; KENNETH A. COOK, joined pro forma by his wife, BETTY J. COOK, whose mailing address is: Route 1, Box 551-A, Huntsville, Walker County, Texas 77340; DOYCE F. COOK, joined pro forma by his wife, ANITA COOK, whose mailing address is: Drawer 1110, Wharton, Wharton County, Texas 77488; and MARY LOIS COOK OWEN, a feme sole, whose mailing address is: Route 1, Box 544, Huntsville, Walker County, Texas 77340, in consideration of effecting a partition in properties jointly held by us have CONFIRMED, GRANTED and CONVEYED by and between us, and each of us does hereby COVENANT, GRANT, and CONVEY for ourselves, our respective heirs, personal representatives and assigns, as follows:

FIRST

DOYCE F. COOK shall from henceforth have, hold, possess and enjoy, in severalty by himself and to him and his heirs, personal representatives and assigns, free from any and all claims of the other parties hereto, all right, title and interest in the following property situated in Walker County, Texas:

BEING 21.14 acres of land, more or less, situated in the W. A. COOK SURVEY, A-12, Walker County, Texas and being out of and a part of a called 50 acres tract as

described in a deed from J. H. Rose to J. W. Cook, dated October 8, 1909, and recorded in Volume 32, Page 51 of the Deed Records of Walker County, Texas, said 21.14 acre tract is more definitely described by metes and bounds as "Tract 1" of Exhibit "A" attached hereto and incorporated herein for all purposes.

Doyce

And, NONA O. COOK, JOHN WILLIAM COOK and wife, VERLA S. COOK, RUBY COOK THOMAS and husband JAMES THOMAS, KENNETH A. COOK and wife, BETTY J. COOK, and MARY LOIS COOK do hereby GRANT, CONFIRM and CONVEY unto DOYCE F. COOK as his sole and separate property the above-described tract of land.

SECOND

KENNETH A. COOK shall from henceforth have, hold, possess and enjoy, in severalty, by himself and to him and his heirs, personal representatives and assigns, free from any and all claims of the other parties hereto, all right, title and interest in the following property situated in Walker County, Texas:

BEING 20.69 acres of land, more or less, situated in the W. A. COOK SURVEY, A-12, Walker County, Texas and being out of and a part of the following tracts: (1) a called 121 acre tract as described in a deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907 and recorded in Volume 28, Page 217, Deed Records of Walker County, Texas, and (2) a called 50 acre tract as described in a deed from J. H. Rose to J. W. Cook, dated October 8, 1909 and recorded in Volume 32, Page 51, Deed Records of said County, said 20.69 acre tract is more definitely described by metes and bounds as "Tract 2" in Exhibit "A" attached hereto and incorporated herein for all purposes.

Kenneth

And NONA O. COOK, JOHN WILLIAM COOK and wife, VERLA S. COOK, RUBY COOK THOMAS and husband, JAMES THOMAS, DOYCE F. COOK and wife, ANITA COOK, and MARY LOIS COOK OWEN do hereby GRANT, CONFIRM and CONVEY unto KENNETH A. COOK, as his separate property the above-described tract of land.

THIRD

JOHN WILLIAM COOK shall from henceforth have, hold, possess and enjoy, in severalty, by himself and to him and his heirs, personal representatives and assigns, free from any and all claims of the other parties hereto, all right, title and

interest in the following property situated in Walker County,
Texas:

BEING 24.69 acres of land, more or less, situated in the W. A. COOK SURVEY, A-12, Walker County, Texas, and being out of and a part of the following tracts: (1) 10.29 acres out of a called 121 acres tract as described in a deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907, and recorded in Volume 28, Page 217, Deed Records of Walker County, Texas, and (2) 14.4 acres out of and a part of a called 50 acre tract as described in a deed from J. H. Rose to J. W. Cook dated October 8, 1909 and recorded in Volume 32, Page 51, Deed Records of said County, and said two (2) tracts are more definitely described as one continuous tract of 24.69 acres and being "Tract 3" of Exhibit "A" attached hereto and incorporated herein for all purposes.

And NONA O. COOK, RUBY COOK THOMAS and husband JAMES THOMAS, KENNETH A. COOK and wife, BETTY J. COOK, DOYCE F. COOK and wife, ANITA COOK, and MARY LOIS COOK OWEN do hereby GRANT, CONFIRM and CONVEY unto JOHN WILLIAM COOK, as his separate property, the above-described tract of land.

FOURTH

RUBY COOK THOMAS shall from henceforth have, hold, possess and enjoy, in severalty, by herself and to her and her heirs, personal representatives and assigns, free from any and all claims of the other parties hereto, all right, title and interest in the following property situated in Walker County, Texas:

BEING 24.70 acres of land, more or less, situated in the W. A. COOK SURVEY, A-12, Walker County, Texas, and being out of and a part of a called 121 acres tract as described in a deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907, and recorded in Volume 28, Page 217, Deed Records of Walker County, Texas, said 24.70 acres is more definitely described as **"Tract 4"** of Exhibit "A" attached hereto and incorporated herein for all purposes.

Ruby Thomas

And NONA O. COOK, JOHN WILLIAM COOK and wife, VERLA S. COOK, KENNETH A. COOK and wife, BETTY J. COOK, DOYCE F. COOK and wife, ANITA COOK, and MARY LOIS COOK OWEN do hereby GRANT, CONFIRM and CONVEY unto RUBY COOK THOMAS, as her separate property, the above-described tract of land.

FIFTH

MARY LOIS COOK OWEN shall from henceforth have, hold, possess and enjoy, in severalty, by herself and to her and her heirs, personal representatives and assigns, free from any and all claims of the other parties hereto, all right, title and interest in the following property situated in Walker County, Texas:

BEING 24.70 acres of land, more or less, situated in the W. A. COOK SURVEY, A-12, Walker County, Texas, and being out of and a part of a called 121 acres tract as described in a deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907, and recorded in Volume 23, Page 217, Deed Records of Walker County, Texas, said 24.70 acres is more definitely described as "Tract 5" of Exhibit "A" attached hereto and incorporated herein for all purposes.

And NONA O. COOK, JOHN WILLIAM COOK and wife, VERLA S. COOK, RUBY COOK THOMAS and husband, JAMES THOMAS, KENNETH A. COOK and wife, BETTY J. COOK, DOYCE F. COOK and wife, ANITA COOK, and MARY LOIS COOK OWEN do hereby GRANT, CONFIRM and CONVEY unto MARY LOIS COOK OWEN, as her separate property, the above-described tract of land.

SIXTH

NONA O. COOK shall from henceforth have, hold, possess and enjoy, in severalty, by herself and to her and her heirs, personal representatives and assigns, free from any and all claims of the other parties hereto, all right, title and interest in the following property situated in Walker County, Texas:

BEING 50 acres of land, more or less, situated in the W. A. COOK SURVEY, A-12, Walker County, Texas, and being out of and a part of a called 121 acres tract as described in a deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907, and recorded in Volume 28, Page 217, Deed Records of Walker County, Texas, said 50 acres is more definitely described as "Tract 6" of Exhibit "A" attached hereto and incorporated herein for all purposes.

And JOHN WILLIAM COOK and wife, VERLA S. COOK, RUBY COOK THOMAS and husband, JAMES THOMAS, KENNETH A. COOK and wife, BETTY J.

COOK, DOYCE F. COOK and wife, ANITA COOK, and MARY LOIS COOK OWEN do hereby GRANT, CONFIRM and CONVEY unto NONA O. COOK, as her separate property, the above-described tract of land.

DEDICATION OF EASEMENT

In order to provide perpetual, free, uninterrupted and unobstructed access, ingress and egress at all times to and from State Highway 75 to Tracts 1 through 6 of the Partition above-made, there is hereby established, dedicated and reserved unto the parties hereto their heirs and assigns forever an easement 60 feet in width upon, over and across the following strip of land:

BEING a 4.34 acre tract of land, more or less, situated in the W. A. COOK SURVEY, A-12, Walker County, Texas, and being out of and a part of the following tracts: (1) a called 120 acre tract as described in a deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907, and recorded in Volume 28, Page 217, Deed Records, and (2) a called 50 acre tract as described in a deed from J. H. Rose to J. W. Cook, dated October 8, 1909, and recorded in Volume 32, Page 51, Deed Records of said County; said 4.34 acre tract being more definitely described by metes and bounds in Exhibit "B" attached hereto and incorporated herein for all purposes.

It is expressly provided that said easement shall remain open at all times to provide such access, ingress and egress to and from said tracts of land for the use and benefit of all the parties named herein, their heirs, successors and assigns, in common.

This Partition is made in the conveyance of the various tracts herein to the respective Grantees and is made and accepted subject to any and all covenants, conditions, or restrictions, reservations, easements and rights-of-way, if any, relating to the hereinabove described property, to the extent, but only to the extent that the same may be in force and effect, as shown of record in the Office of the County Clerk of Walker County, Texas.

TO HAVE AND TO HOLD the above-described tracts of land, together with all and singular the rights and appurtenances

therein in anywise belonging, unto to each respective Grantee, their heirs and assigns forever; and, all of the parties herein, in their capacity as Grantors, respectively, do hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend all and singular the above-described tracts of land under the respective Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 7 day of ^{February} ~~January~~ 1991.

NONA O. COOK
NONA O. COOK, a widow and sole devisee under the Will of J. W. Cook, deceased

JOHN WILLIAM COOK
JOHN WILLIAM COOK, individually and as Independent Executor under the Will of May Bell Cook, deceased

VERLA S. COOK
VERLA S. COOK, pro forma

RUBY COOK THOMAS
RUBY COOK THOMAS

JAMES THOMAS
JAMES THOMAS, pro forma

KENNETH A. COOK
KENNETH A. COOK

BETTY J. COOK
BETTY J. COOK, pro forma

DOYCE F. COOK
DOYCE F. COOK

ANITA COOK
ANITA COOK, pro forma

MARY LOIS COOK OWEN
MARY LOIS COOK OWEN, a feme sole

THE STATE OF TEXAS §
 §
 COUNTY OF Walker §

This instrument was acknowledged before me by NONA O. COOK, a widow and sole devisee under the Will of J. W. Cook, deceased, on the 7th day of January, 1991.

Willa F. Brown
 NOTARY PUBLIC, State of Texas



Printed or Stamped Name

My Commission Expires 5-17-94

THE STATE OF TEXAS §
 §
 COUNTY OF Walker §

This instrument was acknowledged before me by JOHN WILLIAM COOK, Individually and as Independent Executor under the Will of May Bell Cook, deceased, and wife, VERLA S. COOK, on the 7 day of January, 1991.

Bertha J. Darden
 NOTARY PUBLIC, State of Texas

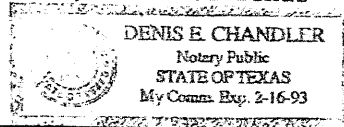
Bertha F. Darden
 Printed or Stamped Name

My Commission Expires 01-30-93

THE STATE OF TEXAS §
 §
 COUNTY OF Anderson §

This instrument was acknowledged before me by RUBY COOK THOMAS and husband, JAMES THOMAS on the 30 day of January, 1991.

Denis E. Chandler
 NOTARY PUBLIC, State of Texas



Printed or Stamped Name

My Commission Expires 2-16-91

THE STATE OF TEXAS §
COUNTY OF Wichita §

This instrument was acknowledged before me by KENNETH A. COOK and wife, BETTY J. COOK, on the 6th day of January, 1991.

Willie F. Brown
NOTARY PUBLIC, State of Texas



Printed or Stamped Name
My Commission Expires 5-17-94

THE STATE OF TEXAS §
COUNTY OF Wichita §

This instrument was acknowledged before me by DOYCE F. COOK and wife, ANITA COOK, on the 22nd day of January, 1991.

Barbara L. Dine
NOTARY PUBLIC, State of Texas

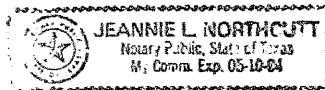


Printed or Stamped Name
My Commission Expires 5-19-92

THE STATE OF TEXAS §
COUNTY OF Walker §

This instrument was acknowledged before me by MARY LOIS COOK OWEN, a feme sole, on the 24th day of January, 1991.

Jeannie L. Northcutt
NOTARY PUBLIC, State of Texas



Printed or Stamped Name
My Commission Expires _____

FULLER and ASSOCIATES
1023 Sam Houston Avenue
Huntsville, Texas

THE STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, JOE A. FULLER, Registered Professional Land Surveyor, do hereby certify that the following field notes represent a survey made on the ground of the following described tract or parcel of land located in Walker County, Texas:

Tract 1 - 21.14 acres:

Being 21.14 acres of land, more or less, situated in the W. A. COOK SURVEY, Abstract No. 12, Walker County, Texas and being out of and a part of a called 50 acre tract as described in a Deed from J. H. Rose to J. W. Cook, dated October 8, 1909 and recorded in Volume 32, Page 51, Deed Records, said 21.14 acre tract is more definitely described as follows:

BEGINNING at the southeast corner of said Cook tract, same being the northeast corner of a called 24.15 acre tract as described in a Deed from Kenneth A. Cook to John W. Cook, dated July 17, 1975 and recorded in Volume 279, Page 736, Deed Records and also being a southwesterly corner of a called 26.5 acre tract as described in a Deed from John William Cook to John W. Cook, dated March 28, 1978 and recorded in Volume 317, Page 471, Deed Records, found a 3" concrete monument at a fence corner post for the southeast corner of the herein described tract, from said monument a 14" Post Oak bears S10°W-15.8 feet (found);

THENCE N87°56'00"W, with the south line of said 50 acre tract and the north line of said 24.15 acre tract, for a distance of 187.20 feet to the most northerly northwest corner of said 24.15 acre tract, same being the northeast corner of the residue of a called 30.2 acre tract as described in a Deed from Mrs. Mary Cook, et al to John Cook, dated August 7, 1936 and recorded in Volume 127, Page 451, Deed Records, found a 3" concrete monument from which a 18" Pine bears S14°E-29.5 feet (found);

THENCE N87°57'20"W, with the north line of said 30.2 acre tract and continuing with the south line of said 50 acre tract, for a distance of 353.30 feet to a 5/8" iron rod set for the southwest corner of the herein described tract;

THENCE N02°00'40"E, across said 50 acre tract, at 1993.6 feet pass a 5/8" reference rod, continuing for a total distance of 2035.19 feet to a point in the approximate center of an abandoned road for its north line, same being the south line of a called 30.75 acre tract as described in a Deed from the First National Bank of Huntsville to James Hanna, dated March 22, 1939 and recorded in Volume 91, Page 508, Deed Records, said point being the northwest corner of the herein described tract;

THENCE S86°38'20"E, with the north line of said 59 acre tract and the south line of said Hanna tract and following the approximate center of said road, for a distance of 488.12 feet to the southeast corner of said Hanna tract, same being the southwest right-of-way line of State Highway No. 75, found a 5/8" iron rod for the northeast corner of the herein described tract;

THENCE S21°17'10"E, with the southwest line of said S. H. 75, for a distance of 8.42 feet to the original east line of said 50 acre tract, same being the north corner of a called 210 square foot tract as described in "Tract Two" in a Deed from James Wyatt Oates to Doyce F. Cook, dated May 27, 1982 and recorded in Volume 396, Page 278, Deed Records, found a 5/8" iron rod;

THENCE S01°20'50"E, with the east line of said 50 acre tract and the west line of said 210 square foot tract, for a distance of 33.16 feet to the southwest corner of said 210 square foot tract, same being the northwest corner of a called 0.03 acre tract as described in "Tract One" in said Volume 396, Page 278 and also being the northeast corner of a called 3.55 acre tract as described in a Deed from John W. Cook, et al to Doyce Cook, dated May 27, 1982 and recorded in Volume 396, Page 273, Deed Records, found a 5/8" iron rod;

1 (21.14 acres) out of JOHN W. COOK property
A. COOK SURVEY, A-12, Walker County, Texas

* * * Page 2 of 2 * * *

THENCE, with the north, west and south lines of said Cook 3.55 acre tract, the following calls:

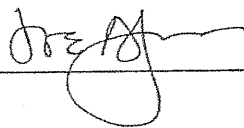
(1). N86°46'50"W - 345.39 feet to a 5/8" iron rod;
(2). S01°20'50"E - 450.00 feet to a 5/8" iron rod;
and (3). S86°46'50"E - 345.39 to its southeast corner, same being the east line of said 50 acre tract and also being the west line of a called 3.29 acre tract as described in a Deed from B. J. Gaines, Jr., et al to James Wyatt Oates, dated July 10, 1975 and recorded in Volume 284, Page 366, Deed Records, found a 5/8" iron rod;

THENCE S01°20'50"E, with the east line of said 50 acre tract and the west line of said 3.29 acre tract, for a distance of 356.43 feet to the southwest corner of said 3.29 acre tract, same being the northwest corner of a called 5 acre tract as described in a Deed from Frances E. Day to James W. Oates, dated September 8, 1969 and recorded in Volume 223, Page 142, Deed Records, found a 5/8" iron rod;

THENCE S02°00'40"W, with the west line of said 5 acre tract and a westerly line of said Cook 26.5 acre tract and continuing with the east line of said 50 acre tract, for a total distance of 1178.22 feet to the PLACE OF BEGINNING.

Surveyed in September, 1990.

Signed _____



JOE A. FULLER
R.P.L.S. No. 4066

STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, JOE A. FULLER, Registered Professional Land
Surveyor, do hereby certify that the following field notes represent a
survey made on the ground of the following described tract or parcel of
land located in Walker County, Texas:

Tract 2 - 20.69 acres:

Being 20.69 acres of land, more or less, situated in the W. A. COOK
Survey, Abstract No. 12, Walker County, Texas and being out of and a part
of the following tracts: (1). a called 121 acre tract as described in a
Deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907
and recorded in Volume 28, Page 217, Deed Records and (2). a called 50 acre
tract as described in a Deed from J. H. Rose to J. W. Cook, dated October
1909 and recorded in Volume 32, Page 51, Deed Records; said 20.69 acre
tract is more definitely described as follows:

BEGINNING at the northeast corner of said 121 acre tract, same being
the northwest corner of said 50 acre tract and also being the south line of
a called 25.88 acre tract as described in the "Second Tract" in a Deed from
Mrs. Catherine Falls to James Hanna, dated September 29, 1950 and recorded
in Volume 130, Page 294, Deed Records, set a 5/8" iron rod in the approxi-
mate center of an abandoned road;

THENCE S86°38'20"E, with the north line of said 50 acre tract and the
south line of said Hanna tract and the south line of a called 39.75 acre
tract as described in a Deed from the First National Bank of Huntsville to
James Hanna, dated March 22, 1939 and recorded in Volume 91, Page 508, Deed
Records, same being with the approximate center of said road, for a total
distance of 305.76 feet to a point;

THENCE S03°21'40"W, across said 50 acre tract, for a distance of
42.50 feet to the northeast corner of a called 4.00 acre tract as described
in the "First Tract" in a Deed from John W. Cook, et al to Betty J. Cook,
dated August 28, 1982 and recorded in Volume 401, Page 394, Deed Records,
found a 5/8" iron rod;

THENCE, with the north, west, south and east lines of said 4.00 acre
tract, the following calls:
(1). N86°46'50"W - 250.00 feet to a 5/8" iron rod;
(2). S17°41'00"W - 533.60 feet to a 5/8" iron rod;
(3). S86°46'50"E - 424.55 feet to a 5/8" iron rod;
and (4). N01°20'50"W - 518.30 feet to said 5/8" iron rod found at its
northeast corner;

THENCE N03°21'40"E, crossing said 50 acre tract, for a distance of
42.50 feet to said point in its north line;

THENCE S86°38'20"E, with the north line of said 50 acre tract and the
south line of said 39.75 acre tract, same being the approximate center of
said road, for a distance of 432.34 feet to a point for the northeast
corner of the herein described tract, from which a 5/8" reference rod bears
S02°00'40"W - 41.6 feet;

THENCE S02°00'40"W, crossing said 50 acre tract, for a distance of
878.43 feet to a 5/8" iron rod set for the southeast corner of the herein
described tract;

THENCE N87°46'10"W, continuing across said 50 acre tract, at 540.7
feet pass its west line, same being the east line of said 121 acre tract,
continuing for a total distance of 1213.40 feet to a 5/8" iron rod set for
the southwest corner of the herein described tract;

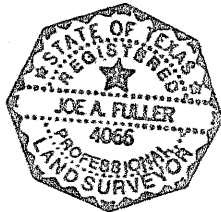
Act 2 (20.69 acres) out of JOHN COOK property
A. COOK SURVEY, A-12, Walker County, Texas

* * * Page 2 of 2 * * *

THENCE N02°06'10"E, continuing across said 121 acre tract, for a distance of 889.93 feet to its north line, same being the south line of a called 62 acre tract as described in the "First Tract" in said Volume 130, Page 294, set a 5/8" iron rod for the northwest corner of the herein described tract;

THENCE S87°41'40"E, with the north line of said 121 acre tract and the south line of said Hanna 62 and 25.88 acre tracts, same being with the approximate center of said road, for a total distance of 674.03 feet to the PLACE OF BEGINNING.

Surveyed in September, 1990.



Signed _____

JOE A. FULLER
R.P.L.S. No. 4066

FULLER and ASSOCIATES
1023 Sam Houston Avenue
Huntsville, Texas

THE STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, JOE A. FULLER, Registered Professional Land Surveyor, do hereby certify that the following field notes represent a survey made on the ground of the following described tract or parcel of land located in Walker County, Texas:

Tract 3 - 24.69 acres:

Being 24.69 acres of land, more or less, situated in the W. A. COOK SURVEY, Abstract No. 12, Walker County, Texas and being out of and a part of the following tracts: (1). 10.29 acres out of a called 121 acre tract as described in a Deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907 and recorded in Volume 28, Page 217, Deed Records and (2). 14.40 acres out of and a part of a called 50 acre tract as described in a Deed from J. H. Rose to J. W. Cook, dated October 8, 1909 and recorded in Volume 32, Page 51, Deed Records, said two tracts are more definitely described as one contiguous tract of 24.69 acres as follows:

BEGINNING at the southwest corner of said 50 acre tract, same being the east line of said 121 acre tract and also being the most northerly northwest corner of a called 31 acre tract as described in a Deed from Joel W. Cook to J. B. Woods, et al, dated December 11, 1985 and recorded in Volume 454, Page 104, Deed Records, set a 5/8" iron rod at a fence corner post;

THENCE, crossing said 121 acre tract, the following calls:

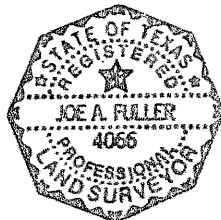
(1). S85°52'50"W - 229.44 feet to a 5/8" iron rod set for corner;
(2). N02°06'10"E - 774.94 feet to a 5/8" iron rod set for corner;
(3). N87°46'10"W - 443.15 feet to a 5/8" iron rod set for corner;
(4). N02°06'10"E - 407.23 feet to a 5/8" iron rod set for corner;
and (5). S87°46'10"E, at 672.8 feet pass the east line of said 121 acre tract, same being the west line of said 50 acre tract, continuing for a total distance of 1213.40 feet to a 5/8" iron rod set for corner;

THENCE S02°00'40"W, across said 50 acre tract, for a distance of 1156.76 feet to its south line, same being a northerly line of a called 30.2 acre tract as described in a Deed from Mrs. Mary Cook, et al to John Cook, dated August 7, 1936 and recorded in Volume 127, Page 451, Deed Records, set a 5/8" iron rod;

THENCE N87°57'20"W, with the south line of said 50 acre tract and a northerly line of said 30.2 acre tract, for a distance of 170.83 feet to the northwest corner of said 30.2 acre tract, same being the northeast corner of said Woods 31 acre tract, found a 3" concrete monument from which a 14" Post Oak bears S30°E-25.5 feet (found);

THENCE N87°41'30"W, with the north line of said 31 acre tract and continuing with the south line of said 50 acre tract, for a distance of 373.17 feet to the PLACE OF BEGINNING.

Surveyed in September, 1990.



Signed _____

JOE A. FULLER
R.P.L.S. No. 4066

THE STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, JOE A. FULLER, Registered Professional Land Surveyor, do hereby certify that the following field notes represent a survey made on the ground of the following described tract or parcel of land located in Walker County, Texas:

Tract 4 - 24.70 acres:

Being 24.70 acres of land, more or less, situated in the W. A. COOK SURVEY, Abstract No. 12, Walker County, Texas and being out of and a part of a called 121 acre tract as described in a Deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907 and recorded in Volume 28, Page 217, Deed Records, said 24.70 acre tract is more definitely described as follows:

BEGINNING at a point in the apparent center of an abandoned road for the northwest corner of said Cook tract, same being the northeast corner of a called 119.5 acre tract as described in a Deed from R. J. Ellis to James Hanna, dated July 8, 1947 and recorded in Volume 142, Page 206, Deed Records and also being the south line of a called 62 acre tract as described in the "First Tract" in a Deed from Mrs. Catherine Fails to James Hanna, dated September 29, 1950 and recorded in Volume 130, Page 294, Deed Records, from said point a 5/8" iron rod, set for reference only, at a fence corner post bears S02°06'10"W - 43.3 feet;

THENCE S87°41'40"E, with the north line of said Cook tract and the south line of said Hanna 62 acre tract, same being with the apparent center of said abandoned road, for a distance of 829.11 feet to a 5/8" iron rod set for the northeast corner of the herein described tract;

THENCE across said Cook tract, the following calls:

(1). S02°06'10"W - 1297.16 feet to a 5/8" iron rod set for the southeast corner of the herein described tract;
and (2). N87°46'10"W - 829.10 feet to the west line of said Cook tract, same being the east line of said Hanna 119.5 acre tract, set a 5/8" iron rod for the southwest corner of the herein described tract;

THENCE N02°06'10"E, with the west line of said Cook tract and the east line of said 119.5 acre tract, for a distance of 1298.24 feet to the PLACE OF BEGINNING.

Surveyed in September, 1990.



Signed _____

JOE A. FULLER
R.P.L.S. No. 4066

STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, JOE A. FULLER, Registered Professional Land Surveyor, do hereby certify that the following field notes represent a survey made on the ground of the following described tract or parcel of land located in Walker County, Texas:

Tract 5 - 24.70 acre:

Being 24.70 acres of land, more or less, situated in the W. A. COOK SURVEY, Abstract No. 12, Walker County, Texas and being out of and a part of a called 121 acre tract as described in a Deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907 and recorded in Volume 28, Page 217, Deed Records, said 24.70 acre tract is more definitely described as follows:

COMMENCING, for reference only, at the southwest corner of said Cook tract, same being the southeast corner of a called 119.5 acre tract as described in a Deed from R. J. Ellis to James Hanna, dated July 8, 1947 and recorded in Volume 142, Page 206, Deed Records, set a 5/8" iron rod at a cross-tie fence corner post;

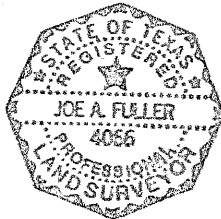
THENCE N02°06'10"E, with the west line of said Cook tract and the east line of said Hanna tract, for a distance of 1801.45 feet to a 5/8" iron rod set for the POINT OF BEGINNING and the southwest corner of the herein described tract;

THENCE N02°06'10"E, continuing with the west line of said Cook tract and the east line of said Hanna tract, for a distance of 916.46 feet to a 5/8" iron rod set for the northwest corner of the herein described tract;


THENCE, across said Cook tract, the following calls:

- (1). S87°46'10"E - 1272.25 feet to a 5/8" iron rod set for the north-east corner of the herein described tract;
- (2). S02°06'10"W - 774.94 feet to a 5/8" iron rod set for the south-east corner of the herein described tract;
- and (3). S85°52'50"W - 1279.78 feet to the PLACE OF BEGINNING.

Surveyed in September, 1990.



Signed _____


JOE A. FULLER
R.P.L.S. No. 4066

EXHIBIT

Page 1 of 8

101300 000

THE STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, JOE A. FULLER, Registered Professional Land Surveyor, do hereby certify that the following field notes represent a survey made on the ground of the following described tract or parcel of land located in Walker County, Texas:

Tract 6 - 50.00 acres:

Being 50.00 acres of land, more or less, situated in the W. A. COOK SURVEY, Abstract No. 12, Walker County, Texas and being out of and a part of a called 121 acre tract as described in a Deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907 and recorded in Volume 28, Page 217, Deed Records, said 50.00 acre tract is more definitely described as follows:

BEGINNING at the southwest corner of said 121 acre tract, same being the southeast corner of a called 119.5 acre tract as described in a Deed from R. J. Ellis to James Hanna, dated July 8, 1947 and recorded in Volume 142, Page 206, Deed Records and also being the north line of a called 31 acre tract as described in the "Eighth Tract" in a Deed from Leroy Falls to James Hanna and recorded in Volume 271, Page 67, Deed Records, set a 5/8" iron rod at a fence corner post for the southwest corner of the herein described tract;

THENCE N02°06'10"E, with the west line of said 121 acre tract and the east line of said 119.5 acre tract, for a distance of 1801.45 feet to a 5/8" iron rod set for the northwest corner of the herein described tract;

THENCE N85°52'50"E, across said Cook tract, for a distance of 1509.22 feet to its east line, same being the southwest corner of a called 50 acre tract as described in a Deed from J. H. Rose to J. W. Cook, dated October 8, 1909 and recorded in Volume 32, Page 51, Deed Records and also being the most northerly northwest corner of a called 31 acre tract as described in a Deed from Joel W. Cook to J. B. Woods, et al, dated December 11, 1985 and recorded in Volume 454, Page 104, Deed Records, set a 5/8" iron rod at a fence corner post for the northeast corner of the herein described tract;

THENCE, with the common line of said 121 acre tract and said Woods tract, the following calls:

(1). S02°22'30"W - 830.06 feet to a 5/8" iron rod set for corner;
(2). N88°28'30"W - 570.70 feet to a 5/8" iron rod set for corner;
and (3). S02°05'50"W - 1137.67 feet to the most southerly southeast corner of said 121 acre tract, same being the southwest corner of said Woods tract and also being the north line of a called 96.99 acre tract as described in a Deed from Robert Gary Hardy to Harvey M. White, dated October 23, 1978 and recorded in Volume 327, Page 551, Deed Records, set a 5/8" iron rod for the most southerly southeast corner of the herein described tract;

THENCE N87°31'20"W, with the south line of said 121 acre tract and the north line of said White tract, for a distance of 682.72 feet to the most northerly northwest corner of said White tract, same being the north-east corner of said Hanna 31 acre tract, set a 5/8" iron rod at a fence corner post;

THENCE N86°57'50"W, with the north line of said 31 acre tract and continuing with the south line of said 121 acre tract, for a distance of 243.10 feet to the PLACE OF BEGINNING.

Surveyed in September, 1990.



Signed _____

JOE A. FULLER
R.P.L.S. No. 4066

EXHIBIT A
Page 5 of 5

001200 001

STATE OF TEXAS
COUNTY OF WALKER

I, the undersigned, JOE A. FULLER, Registered Professional Land Surveyor, do hereby certify that the following field notes represent a survey made on the ground of the following described tract or parcel of land located in Walker County, Texas:

Being a 60 foot strip of land out of JOHN W. COOK property in the W. A. COOK SURVEY, A-12, Walker County, Texas

Being 4.34 acres of land, more or less, situated in the W. A. COOK SURVEY, Abstract No. 12, Walker County, Texas and being out of and a part of the following tracts: (1). a called 121 acre tract as described in a Deed from the Estate of J. W. Cook to J. W. Cook, dated September 13, 1907 and recorded in Volume 28, Page 217, Deed Records and (2). a called 50 acre tract as described in a Deed from J. H. Rose to J. W. Cook, dated October 8, 1909 and recorded in Volume 32, Page 51, Deed Records; said 4.34 acre tract is more definitely described as follows:

BEGINNING in the original east line of said 50 acre tract, same being the north corner of a called 210 square foot tract as described in "Tract Two" in a Deed from James Wyatt Oates to Doyce P. Cook, dated May 27, 1982 and recorded in Volume 396, Page 278, Deed Records, found a 5/8" iron rod in the west right-of-way line of State Highway No. 75 for the northeast corner of the herein described tract;

THENCE S01°20'50"E, with the east line of said 50 acre tract and the west line of said Tract Two, for a distance of 33.16 feet to the southwest corner of said Tract Two, same being the northwest corner of a called 0.03 acre tract as described in "Tract One" in said Volume 396, Page 278 and also being the northeast corner of a called 3.55 acre tract as described in a Deed from John W. Cook, et al to Doyce P. Cook, dated May 27, 1982 and recorded in Volume 396, Page 273, Deed Records, found a 5/8" iron rod;

THENCE N86°46'50"W, with the north line of said 3.55 acre tract, at 345.39 feet pass a 5/8" iron rod found for its northwest corner, at 726.69 feet pass a 1/2" iron rod found for the northeast corner of a called 4.00 acre tract as described in the "First Tract" in a Deed from John W. Cook, et al to Betty J. Cook, dated August 28, 1982 and recorded in Volume 401, Page 394, Deed Records, continuing with its north line, for a total distance of 976.69 feet to the northwest corner of said 4.00 acre tract, found a 1/2" iron rod for an ell corner of the herein described tract;

THENCE S17°41'00"W, with the west line of said 4.00 acre tract, at 533.60 feet pass its southwest corner, continuing for a total distance of 952.00 feet to an angle point;

THENCE S02°06'10"W for a distance of 1069.34 feet to a point at the beginning of a cul-de-sac, being a curve to the right having a radius of 50.00 feet and a central angle of 286°15'40";

THENCE, with said curve, for an arc length of 249.81 feet to a point at the end of said cul-de-sac;

THENCE N02°06'10"E for a distance of 1077.55 feet to an angle point;

THENCE N17°41'00"E for a distance of 975.25 feet to a fence corner post in the south line of an abandoned road;

THENCE N02°15'30"W, at 13.8 feet pass a 5/8" iron rod set for the apparent northeast corner of said 121 acre tract and the northwest corner of said 50 acre tract, continuing across said road, for a total distance of 30.60 feet to a fence corner post on the north side of said road;

THENCE, with the north fence line of said road, the following calls:
(1). S86°46'50"E - 808.60 feet to an angle point in said fence;
and (2). S87°51'30"E - 208.69 feet to a point in the west right-of-way line of said S. H. 75;

60 foot strip out of JOHN COOK property
W. A. COOK SURVEY, A-12, Walker County, Texas

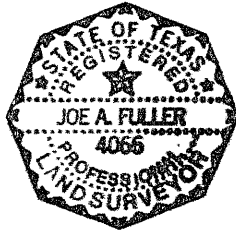
* * * Page 2 of 2 * * *

THENCE S21°17'10"E, with the west line of said S. H. 75, for a
distance of 33.93 feet to the PLACE OF BEGINNING.

Surveyed in September, 1990.

Signed _____

JOE A. FULLER
R.P.L.S. No. 4066



RECORDED

MAR 11 1991

OFFICIAL PUBLIC RECORDS

THE STATE OF TEXAS
COUNTY OF WALKER
I, James D. Patton, County Clerk in and for
County, Texas do hereby certify that this instrument
was filed for record in the volume and page of
named record and at the time and date as stated
hereon by me.

JAMES D. PATTON, CLK
WALKER COUNTY, TEXAS



EXHIBIT KB
Page 2 of 2

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