

**Approved**

Commissioners Court

MAY 09 2016

**Variance Request**

If you wish to request a variance from Johnson County Commissioner's Court for your property please include the following information.

Owner John R + Laurie Hardee Date 4-20-16

Contact Information:

Phone no. 817-819-6975 mobile cell no. \_\_\_\_\_

Email address JHARDEE@HARDEE1.COM

Property Information for Variance Request:

Property 911 address S. Hwy 171 and CR 304

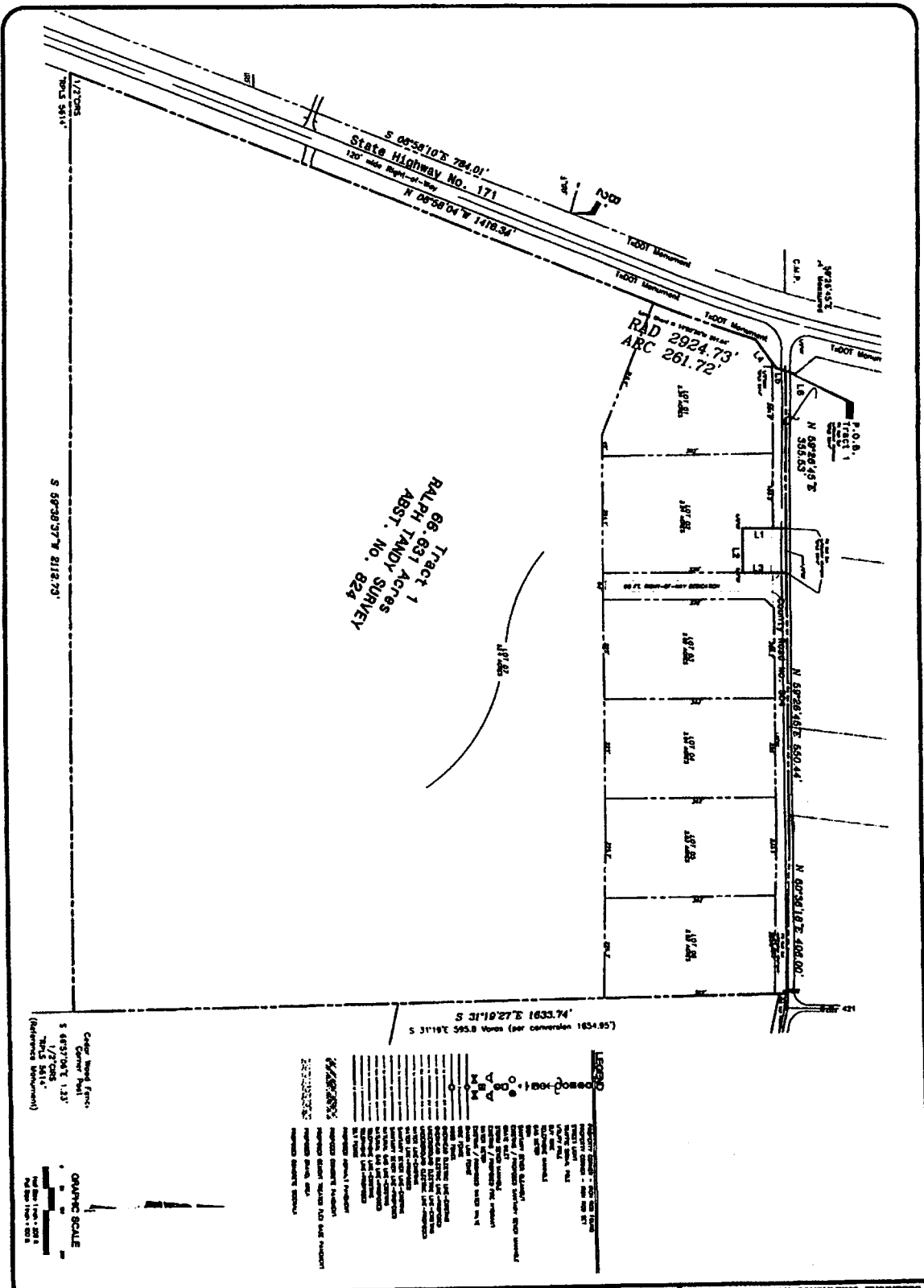
Subdivision name \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Survey Ralph Tandy Abstract 824 Acreage 14.231 <sup>out 18</sup> 66.31

Reason for request Development Pre Approval

*You will need a survey showing the reason for the request (such as a building over the building lot line).*

This request will be presented in Commissioner's Court for their decision.



Tract 1  
66.631 Acres  
RALPH TANDY SURVEY  
ABST. No. 824

Center Point  
Corner Point  
S 88°37'06\"/>

GRAPHIC SCALE  
1" = 100' (Horizontal)  
1" = 100' (Vertical)

- 1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- 2. ALL BEARINGS ARE TRUE BEARINGS.
- 3. THIS SURVEY WAS MADE BY THE METHOD OF TRIANGULATION.
- 4. THE CORNER POINTS WERE MARKED BY IRON PIPES SET IN CONCRETE.
- 5. THE CENTER POINT WAS MARKED BY AN IRON PIPE SET IN CONCRETE.
- 6. THE DISTANCES WERE MEASURED BY A STATIONING SYSTEM.
- 7. THE BEARINGS WERE MEASURED BY A THEODOLITE.
- 8. THE SURVEY WAS CHECKED BY THE METHOD OF DOUBLE SIGHTING.
- 9. THE SURVEY WAS FOUND TO BE CORRECT.
- 10. THE SURVEY WAS MADE ON THE 15th DAY OF JULY, 2011.
- 11. THE SURVEY WAS MADE BY HUFFMAN CONSULTING ENGINEERS.
- 12. THE SURVEY WAS MADE FOR HARDEE PROPERTIES, LLC.
- 13. THE SURVEY WAS MADE FOR JOHNSON COUNTY, TEXAS.
- 14. THE SURVEY WAS MADE FOR THE DEVELOPMENT TRACT.
- 15. THE SURVEY WAS MADE FOR THE 66.631 ACRES.
- 16. THE SURVEY WAS MADE FOR THE RALPH TANDY SURVEY.
- 17. THE SURVEY WAS MADE FOR THE ABST. NO. 824.
- 18. THE SURVEY WAS MADE FOR THE STATE HIGHWAY NO. 171.
- 19. THE SURVEY WAS MADE FOR THE 120' SIDE RIGHT-OF-WAY.
- 20. THE SURVEY WAS MADE FOR THE 100' MONUMENT.
- 21. THE SURVEY WAS MADE FOR THE 50' MONUMENT.
- 22. THE SURVEY WAS MADE FOR THE 25' MONUMENT.
- 23. THE SURVEY WAS MADE FOR THE 12.5' MONUMENT.
- 24. THE SURVEY WAS MADE FOR THE 6.25' MONUMENT.
- 25. THE SURVEY WAS MADE FOR THE 3.125' MONUMENT.
- 26. THE SURVEY WAS MADE FOR THE 1.5625' MONUMENT.
- 27. THE SURVEY WAS MADE FOR THE 0.78125' MONUMENT.
- 28. THE SURVEY WAS MADE FOR THE 0.390625' MONUMENT.
- 29. THE SURVEY WAS MADE FOR THE 0.1953125' MONUMENT.
- 30. THE SURVEY WAS MADE FOR THE 0.09765625' MONUMENT.
- 31. THE SURVEY WAS MADE FOR THE 0.048828125' MONUMENT.
- 32. THE SURVEY WAS MADE FOR THE 0.0244140625' MONUMENT.
- 33. THE SURVEY WAS MADE FOR THE 0.01220703125' MONUMENT.
- 34. THE SURVEY WAS MADE FOR THE 0.006103515625' MONUMENT.
- 35. THE SURVEY WAS MADE FOR THE 0.0030517578125' MONUMENT.
- 36. THE SURVEY WAS MADE FOR THE 0.00152587890625' MONUMENT.
- 37. THE SURVEY WAS MADE FOR THE 0.000762939453125' MONUMENT.
- 38. THE SURVEY WAS MADE FOR THE 0.0003814697265625' MONUMENT.
- 39. THE SURVEY WAS MADE FOR THE 0.00019073486328125' MONUMENT.
- 40. THE SURVEY WAS MADE FOR THE 0.000095367431640625' MONUMENT.
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- 100. THE SURVEY WAS MADE FOR THE 0.00000000000000000000008271806125242247171692195312488643819140625' MONUMENT.

PRELIMINARY SITE PLAN FOR  
**DEVELOPMENT TRACT**  
FOR  
HARDEE PROPERTIES, LLC  
JOHNSON COUNTY, TEXAS

**HUFFMAN CONSULTING ENGINEERS**  
1000 HUFFMAN DRIVE  
SUITE 100  
DALLAS, TEXAS 75201  
PHONE: (214) 343-3333  
FAX: (214) 343-3334  
WWW.HUFFMANENGINEERS.COM

PROJECT NO. 11-001  
DATE: 4/11/16  
DRAWN BY: JHM  
CHECKED BY: JHM  
SCALE: AS SHOWN  
PROJECT: PRELIMINARY SITE PLAN  
SHEET NO. C1

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

GF# 1004-31070 /RTT -slg

**WARRANTY DEED WITH VENDOR'S LIEN**

That

**LAVERGNE M. BAKER**

(hereinafter called "Grantor," whether one or more, masculine, feminine or neuter) for and in consideration of the sum of TEN AND NO/100 DOLLARS and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and the further consideration of the execution and delivery by

**JOHN R. HARDEE AND LAURIE S. HARDEE**

(hereinafter called "Grantee," whether one or more, masculine, feminine or neuter) of one certain note of even date herewith in the principal sum of ONE HUNDRED FORTY EIGHT THOUSAND SIX HUNDRED EIGHT and NO/100 DOLLARS (\$148,608.00), payable to the order of LONESTAR FLCA, as therein provided, it having advanced said sum at the special instance and request of Grantee as part of the purchase price for the property conveyed hereby, and Payee shall be and the same hereby is subrogated to all of the rights, titles, liens and equities of said Grantor securing the payment of said note as fully as if it were Grantor herein, and in addition to the first and superior vendor's lien retained herein, said note is additionally secured by a deed of trust of even date herewith to STEVE H. FOWLKES, Trustee(s), upon the property conveyed hereby, and by these presents does Grant, Sell and Convey, unto the said Grantee, all that certain property described as follows:

**BEING** all of those certain tract or parcel of land situated in the RALPH TANDY SURVEY, ABSTRACT NO. 824, Johnson County, Texas and being a portion of that certain called 95 acre tract of land of conveyed by Lavergne M. Baker, Trustee of the Irene R. White Family Trust to Lavergne M. Baker, as her sole and separate property by the Deed recorded as Instrument No. 2011.26018, of the Official Public Records of Johnson County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

together with all improvements thereon, if any, and all rights, privileges, tenements, hereditaments, rights of way, easements, appurtenances and appurtenances, in anyway appertaining thereto, and all right, title and interest of Grantor in and to any streets, ways, alleys, strips or gores of land adjoining the above-described property or any part thereof (hereinafter, the "Property").

This deed is executed and delivered subject to all easements, reservations, conditions, covenants and restrictive covenants as the same appear of record, to the extent such are valid and subsisting, in the office of the County Clerk of the county in which the Property is located, and property taxes for the current year and subsequent years, the payment of which Grantee assumes.

**TO HAVE AND TO HOLD** the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, his, her or its successors, heirs and assigns, as the case may be, forever; and Grantor does hereby bind Grantor and Grantor's successors, heirs, executors and administrators, as the case may be, to Warrant and Forever Defend all and singular the Property unto the said Grantee and Grantee's successors, heirs and assigns, as the case may be, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the aforesaid Vendor's Lien is retained and reserved, and assigned herein without recourse, until the above-described note and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of an undivided one-half of all oil, gas, and other minerals in or under the Property, any royalty under any existing or future lease covering any part of the Property, production and drilling rights, lease payments, and all related benefits.

Grantor waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor.

Grantor and Grantee agree and evidence by their signatures hereby to the language and wording of the reservation of minerals set forth herein. However, to the extent any conflict arises between the terms of the reservation set forth in the Contract and this Deed, the terms of the Contract shall survive, supersede, and control over the terms and conditions of this Deed, and shall not be deemed to have merged into this Deed.

In addition, if a conflict does exist between the reservation described in the Contract and the reservation described in this Deed, Grantor and Grantee hereby confirm and agree that they will both execute any and all correction and or new documentation to properly describe the reservation as contractually agreed.

EXECUTED TO BE EFFECTIVE THE 7 DAY OF January, 20 13.

*Lavergne M. Baker by Glenn Baker*  
LAVERGNE M. BAKER, *attorney in fact*

By and through duly authorized attorney in fact,  
GLENN BAKER

AGREED AND ACCEPTED TO:

*[Signature]*  
JOHN HARDEE

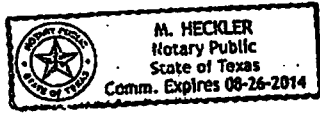
*Laurie L Hardee*  
LAURIE HARDEE

ACKNOWLEDGMENT

STATE OF Texas  
COUNTY OF Tarrant

Before me, the undersigned authority, on this day personally appeared LAVERGNE M. BAKER By and through duly authorized attorney in fact, GLENN BAKER, [check one] known to me or proved to me through T.X.D.E. (description of identity card) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that said person executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 7 day of January, 20 13



*[Signature]*

Notary Public, State of  
Printed name:  
Commission expires:

STATE OF Texas  
COUNTY OF Johnson

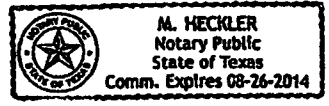
Before me, the undersigned authority, on this day personally appeared **JOHN HARDEE AND LAURIE HARDEE**, [check one]  known to me or  proved to me through TX DL (description of identity card) to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that said person executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 7 day of January, 2013

M. Heckler  
Notary Public, State of



Printed name:  
Commission expires:



AFTER RECORDING RETURN TO:  
**JOHN HARDEE AND LAURIE HARDEE**  
8000 S. Hwy. 171  
Grandview, TX 76050

**EXHIBIT "A"**

**TRACT 1:**

BEING all of that certain tract or parcel of land situated in the RALPH TANDY SURVEY, ABSTRACT NO. 824, Johnson County, Texas and being a portion of that certain called 95 acre tract of land of conveyed by Lavergne M. Baker, Trustee of the Irene R. White Family Trust to Lavergne M. Baker, as her sole and separate property by the Deed recorded as Instrument No. 2011.26018, of the Official Public Records of Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a PK nail with a washer stamped "RPLS 5614" set for the Northwest corner of the herein described tract of land, said PK nail set being on a the most Northerly Northwestern line of said 95 acre tract, said PK nail set being at the intersection of the approximate centerline of County Road No. 304 with an Easterly cutback from State Highway No. 171, and said PK nail set bears North 59 degrees 26 minutes 45 seconds East, 9.64 feet, from a 1/2 inch iron rod found for the Southwest corner of that certain called Lot 3, South Forty-One, an unrecorded subdivision, being called 2.254 acres as conveyed to Jesse A. Brooks and Aimee Brooks, by the Deed recorded in Volume 3327, Page 519, of the Official Public Records of Johnson County, Texas;

THENCE North 59 degrees 26 minutes 45 seconds East, along the most Northerly Northwestern line of said 95 acre tract, and along the approximate centerline of County Road No. 304, a distance of 355.53 feet, to a PK nail with a washer stamped "RPLS 5614" set for an outset ell corner of the herein described tract, said PK nail set in the pavement of County Road No. 304, said PK nail set for the restored Northwest corner of that certain called 0.230 acre tract of land as conveyed to Parker Water Supply Corporation by the Deed recorded in Volume 459, Page 585, of the Deed Records of Johnson County, Texas;

THENCE along a Northeasterly line of the herein described tract, and along said 0.230 acre tract, leaving County Road No. 304, and converging with a chain link fence, the following courses and distances:

South 30 degrees 33 minutes 15, seconds East, a distance of 101.98 feet, to a 5/8 inch iron rod found for a common corner;

North 59 degrees 24 minutes 13 seconds East, a distance of 99.94 feet, to a 5/8 inch iron rod found for a common corner;

North 30 degrees 33 minutes 15 seconds West, leaving said chain link fence and crossing the pavement of County Road No. 304, a distance of 101.91 feet, to a 1/2 inch iron rod found for a common corner, and said iron rod found being on the Southeastery line of that certain called Lots 4 & 5, of said unrecorded addition, being called 6.408 acres as conveyed to Dean B. Jones, a married person, by the Deed recorded in Volume 2454, Page 167, of the Official Public Records of Johnson County, Texas;

THENCE North 59 degrees 26 minutes 45 seconds East, along the pavement of County Road No. 304, and along the most Northerly Northwestern line of said 95 acre tract, at a distance of 350.86 feet, passing a 1/2 inch iron rod found for the Southeast corner of said Lot 5, and said iron rod found being the Southwest corner of that certain called Lot 6, being a called 3.215 acres, as conveyed to Dana Elaine Carroll by the Deed recorded as Instrument No. 2011.30080, of the Official Public Records of Johnson County, Texas, and continuing now, along the common line between said Lot 6 and said 95 acre tract, in all, a distance of 550.44 feet, to a 1/2 inch iron rod found for an angle point and a corner of the herein described tract of land, said iron rod found being the Southwest corner of said Lot 6 and said iron rod found being the Southwest corner of that certain called Lot 7, of said unrecorded addition, and being called 2.12 acres, as conveyed to Crystal D. Adams, an unmarried person, by the Deed recorded in Volume 3809, Page 99, of the Official Public Records of Johnson County, Texas;

THENCE North 60 degrees 36 minutes 18 seconds East, along the pavement of County Road No. 304, and along the common line between said 95 acre tract and said Lot 7, a distance of 406.00 feet, to a PK nail with a washer stamped "RPLS 5614" set for the restored Northwest corner of said 95 acre tract of land, and said PK nail set being the Northwest corner of the herein described tract of land;

THENCE South 31 degrees 19 minutes 27 seconds East, generally along a fence and along the Northeasterly line of said 95 acre tract of land, a distance of 1633.74 feet, to a cedar wood fence corner post found with a capped (stamped "RPLS 5614") 1/2 inch iron rod set at the base for a reference monument, said cedar wood fence

corner post found being the Southeast corner of said 95 acre tract of land, and said cedar wood fence corner post found being the Southeast corner of the herein described tract of land;

THENCE South 59 degrees 38 minutes 37 seconds West, generally along a fence, and along the most Southerly Southeasterly line of said 95 acre tract, a distance of 2112.73 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for a restored outset ell corner of said 95 acre tract of land, said iron rod set being on an Easterly right-of-way line of State Highway No. 171, and said iron rod set being the Southwest corner of the herein described tract of land;

THENCE North 08 degrees 58 minutes 04 seconds West, generally along a fence, along the Westerly line of the herein described tract, and along an Easterly right-of-way line of State Highway No. 171, a distance of 1418.34 feet, to a TxDOT (Texas Department of Transportation) monument found for an angle point and a corner of the herein described tract of land, said monument found being at the beginning of a curve to the left, having a radius of 2924.73 feet;

THENCE along said curve to the left, and along a Westerly line of the herein described tract of land, an arc distance of 261.72 feet, being subtended by a chord bearing North 11 degrees 00 minutes 36 seconds West, 261.64 feet, to a TxDOT monument found for the most Westerly Northwest corner of the herein described tract of land, said monument found being at the intersection of the beginning of a cutback from State Highway No. 171 to County Road No. 304;

THENCE North 21 degrees 50 minutes 45 seconds East, along said cutback and along a Northwesterly line of the herein described tract of land, a distance of 81.00 feet to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an angle point and a corner of the herein described tract of land and of said cutback;

THENCE North 15 degrees 09 minutes 15 seconds West, along a Westerly line of the herein described tract of land, a distance of 20.39 feet to the POINT OF BEGINNING and containing 66.631 acres of land, more or less.

TRACT 2:

BEING all of that certain tract or parcel of land situated in the RALPH TANDY SURVEY, ABSTRACT NO. 824, Johnson County, Texas, and being a portion of that certain called 95 acre tract of land as conveyed by Lavergne M. Baker, Trustee of the Irene P. White Family Trust to Lavergne M. Baker, as her sole and separate property by the Deed recorded as Instrument No. 2011.26018, of the Official Public Records of Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found for the Northeast corner of the herein described tract of land, said iron rod found being on a Westerly right-of-way line of State Highway No. 171, and said iron rod found being the Southeast corner of that certain called 2.0 acre tract of land as conveyed to Martha A. Lain by the Deed recorded as Instrument No. 2012.1630 of the Official Public Records of Johnson County, Texas;

THENCE South 08 degrees 58 minutes 04 seconds East, along the Easterly line of the herein described tract, and along a Westerly right-of-way line of State Highway No. 171, a distance of 610.96 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an outset ell corner of the herein described tract of land;

THENCE South 81 degrees 01 minute 50 seconds West, along a Southerly line of the herein described tract, a distance of 291.37 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an inset ell corner of the herein described tract of land;

THENCE South 08 degrees 58 minutes 10 seconds East, along an Easterly line of the herein described tract, a distance of 149.98 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an inset ell corner of the herein described tract of land;

THENCE North 81 degrees 01 minute 50 seconds East, along a Northerly line of the herein described tract, a distance of 291.37 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an outset ell corner of the herein described tract, said iron rod set being on a Southwesterly right-of-way line of State Highway No. 171;

THENCE South 08 degrees 58 minutes 10 seconds East, along a Northeasterly line of the herein described tract, and along a Southwesterly right-of-way line of State Highway No. 171, a distance of 23.07 feet, to a 3/8 inch iron rod found for the Southeast corner of the herein described tract, said iron rod found being on a Southeasterly line



of said 95 acre tract, and said iron rod found being the Northeast corner of that certain called 28.083 acre tract of land as conveyed to Wayne Elliott and Nelda Elliott by the deed recorded in Volume 703, Page 252, of the Deed Records of Johnson County, Texas;

THENCE South 59 degrees 09 minutes 35 seconds West, generally along a fence, and along the common line between said 95 acre tract and said 28.083 acre tract, a distance of 1197.23 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for the restored most Westerly Southwest corner of said 95 acre tract of land, said iron rod set being the Southwest corner of the herein described tract, said iron rod set being the Northwest corner of said 28.083 acre tract, and said iron rod set being on a Northeasterly line of that certain called 46.666 acre tract of land as conveyed to William Leslie Black, et ux, Ramona Christine Black, by the Deed recorded in Volume 2103, Page 128, of the Official Public Records of Johnson County, Texas;

THENCE North 30 degrees 00 minutes 00 seconds West, generally along a fence and along a common line between said 95 acre tract and said 46.666 acre tract, a distance of 680.50 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for the restored most Westerly Northwest corner of said 95 acre tract of land, said iron rod set being the Northwest corner of the herein described tract, and said iron rod set being an inset ell corner of said 46.666 acre tract of land;

THENCE North 58 degrees 57 minutes 14 seconds East, generally along a fence and along a common line between said 95 acre tract and said 46.666 acre tract, at a distance of 1058.05 feet, passing a 1/2 inch iron rod found for the most Easterly Southeast corner of said 46.666 acre tract of land, said iron rod found being the Southwest corner of that certain called 4.0 acre tract of land as conveyed to Martha A. Lain by the Deed recorded as Instrument No. 2012.1630 of the Official Public Records of Johnson County, Texas, and continuing now, along the common line between said 95 acre tract and said 4.0 acre tract, in all, a distance of 1309.28 feet, to a 1/2 inch iron rod found for an Inset ell corner of said 95 acre tract and of the herein described tract, and said iron rod found being the Southeast corner of said 4.0 acre tract of land;

THENCE North 16 degrees 14 minutes 26 seconds West, along a common line between said 95 acre tract and said 4.0 acre tract, a distance of 87.51 feet, to a 3/8 inch iron rod found for the Northwest corner of the herein described tract of land, and said iron rod found being the Southwest corner of aforementioned 2.0 acre tract of land;

THENCE North 75 degrees 05 minutes 12 seconds East, along the common line between the herein described tract and said 2.0 acre tract, a distance of 153.88 feet, to the POINT OF BEGINNING and containing 20.070 acres of land, more or less.

