

Filed By:
Botts Title Company
346 N. Jefferson
La Grange, TX 78945



AMENDED DEED RESTRICTIONS

Eileen Marie Hicks a/k/a Eileen M. Hicks is the owner of the surface of that certain 26.137 acres of land, out of the John Andrews Survey, Abstract No. 6, in Fayette County, Texas, being more fully described by metes and bounds in Exhibit A attached hereto and incorporated herein for all purposed pertinent (the "Hicks Property").

David P. Mikus is the owner of the surface of that certain 26.629 acres of land, out of the John Andrews Survey, Abstract No. 6, in Fayette County, Texas, being more fully described by metes and bounds in Exhibit B attached hereto and incorporated herein for all purposed pertinent (the "Mikus Property").

ERJT Kovar Farm Land LLC is the owner of the surface of those certain tracts of land described as follows: 16.00 acres of land, out of the John Andrews Survey, Abstract No. 6, in Fayette County, Texas, being more fully described by metes and bounds in Exhibit C attached hereto and incorporated herein for all purposed pertinent; and 2.089 acres of land, out of the John Andrews Survey, Abstract No. 6, in Fayette County, Texas, being more fully described by metes and bounds in Exhibit D attached hereto and incorporated herein for all purposed pertinent; (collectively the "Kovar Property").

The Hicks Property, the Mikus Property, and the Kovar Property (collectively the "Properties") adjoin each other and are subject to certain deed restrictions. The deed restrictions were first set forth in Exhibit 2 to that Special Warranty Partition Deeds dated July 15, 2015 recorded in Volume 1743, Page 704, Official Records of Fayette County, Texas (the "2015 Deed Restrictions"). Pursuant to the terms of the 2015 Deed Restrictions, the 2015 Deed Restrictions were amended and replaced by that certain Agreement to Unanimously Consent to Amended Deed Restrictions dated July 8, 2020 recorded in Volume 1956, Page 464, Official Records of Fayette County, Texas (the "2020 Deed Restrictions"). Pursuant to the 2020 Deed Restrictions, the 2020 Deed Restrictions may be amended at any time in writing, signed and acknowledged by all owners of the Hicks Property, the Mikus Property, and the Kovar Property, which writing shall be filed in the Official Records of Fayette County, Texas.

All of the owners of the Hicks Property, the Mikus Property, and the Kovar Property wish to now amend and replace the 2020 Deed Restrictions in their entirety as follows:

1. No trailer homes, mobile homes or manufactured homes shall be permitted on the Properties, other than two "Tiny Homes" with comparable quality of the Mohican/The Point Tiny Homes on "ModernTinyLiving.com."
2. No dwellings or buildings shall be permitted within 25 feet of a common boundary.
3. No dwellings or structures of any kind may be constructed or placed south of the presently existing northernmost terrace on an east west line on the Properties, other than a gazebo, loafing stalls, cabin or camp house may be constructed below the no build line but only in proximity on the creek within the treed area and without electric poles. A pond or lake shall also be allowed below the no build line.

4. No accumulation of animal waste, garbage or junk vehicles shall be permitted on the Properties.
5. No feedlots of any kind shall be permitted on the Properties.
6. No cattle guards or gates or any other obstruction shall be permitted on the ROW between Kovar Road and the Properties.
7. An owner shall have a 30-day opportunity to cure violations after receiving written notice. However, there shall be a 10-day opportunity to cure violations regarding weeds and brush.
8. These Deed Restrictions may be amended anytime in writing, signed and acknowledged by all owners of the Properties, and filed in the Official Records of Fayette County, Texas.
9. A 2/3 vote of all owners of the Properties may eliminate all Deed Restrictions at anytime after 10 years from the date hereof.

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[SIGNATURES AND ACKNOWLEDGEMENTS ON THE FOLLOWING PAGES]

SIGNATURE AND ACKNOWLEDGMENT PAGE OF
AMENDED DEED RESTRICTIONS

Signed: 11-3-21

Eileen Marie Hicks
Eileen Marie Hicks

ACKNOWLEDGMENT

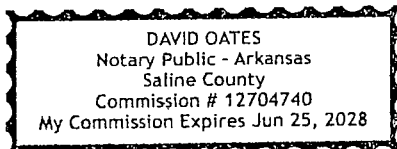
STATE OF ARKANSAS

COUNTY OF Saline

BEFORE ME, David Oates, Notary Public for the State of Arkansas, on this day personally appeared Eileen Marie Hicks, and proved to me by current identification card or other document issued by the federal government or state government that contained the photograph and signature of Eileen Marie Hicks to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 3rd day of November, 2021.

(Seal)



David Oates
Notary Public, State of ARKANSAS
Notary's name printed: David Oates
My commission expires: 6-25-28

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[SIGNATURES AND ACKNOWLEDGMENTS ON THE FOLLOWING PAGES]

SIGNATURE AND ACKNOWLEDGMENT PAGE OF
AMENDED DEED RESTRICTIONS

Signed: 11-4-21

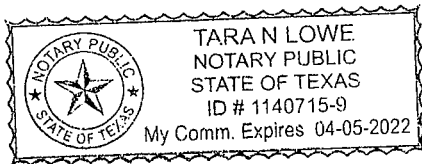

David P. Mikus

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Fayette

This instrument was acknowledged before me on November 4th, 2021, by David P. Mikus.



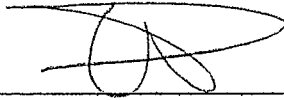

Notary Public, State of T E X A S

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[SIGNATURES AND ACKNOWLEDGMENTS ON THE FOLLOWING PAGES]

**SIGNATURE AND ACKNOWLEDGMENT PAGE OF AMENDED DEED
RESTRICTIONS**

Signed: 10.25.21

ERJT Kovar Farm Land LLC

By: 
Evan Warner Dunivan, Managing Member

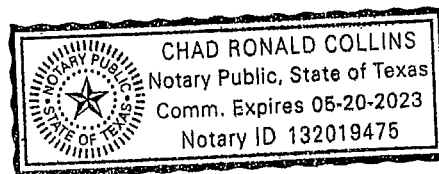
ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Travis

This instrument was acknowledged before me on October 25, 2021, by Evan Warner Dunivan, Managing Member of ERJT Kovar Farm Land LLC, on behalf of and as the act and deed of said limited liability company.


Notary Public, State of TEXAS

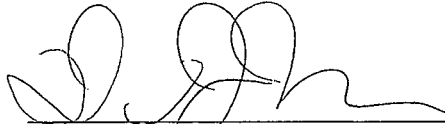


BOTT TITLE COMPANY
346 North Jefferson
La Grange, Texas 78945
(979) 968-8099

**SIGNATURE AND ACKNOWLEDGMENT PAGE OF
AMENDED DEED RESTRICTIONS**

We, the undersigned, purchased all of the Hicks Property and a portion of the Mikus Property on this date and hereby acknowledge and agree to be bound by the above Amended Deed Restrictions.

Signed: 4 Nov 2021



David Josh Muller

Signed: 11/4/2021



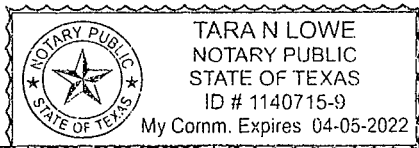
Megan Christine Muller

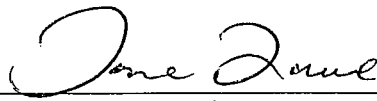
ACKNOWLEDGMENTS

STATE OF TEXAS

COUNTY OF Fayette

This instrument was acknowledged before me on November 4th, 2021, by David Josh Muller.



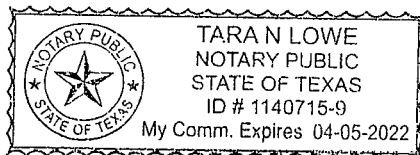


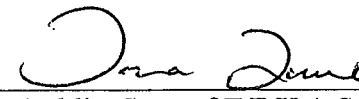
Notary Public, State of TEXAS

STATE OF TEXAS

COUNTY OF Fayette

This instrument was acknowledged before me on November 4th, 2021, by Megan Christine Muller.





Notary Public, State of TEXAS

AFTER RECORDING, RETURN TO:
BOTTS TITLE COMPANY
346 North Jefferson
La Grange, Texas 78945
(979) 968-8099

Exhibit "A"

March 30, 2015

FIELD NOTE DESCRIPTION OF 26.137 ACRES OF LAND OUT OF THE JOHN ANDREWS SURVEY, ABSTRACT NO. 6, IN FAYETTE COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (81.573 ACRE REMAINDER OF 100 ACRES) TRACT OF LAND CONVEYED TO JOHN W. MIKUS, DAVID P. MIKUS, AND EILEEN MARIE HICKS IN A DEED AS RECORDED IN 1464 PAGE 729 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, SAID (100 ACRE) TRACT HAVING BEEN MORE FULLY DESCRIBED IN A DEED AS RECORDED IN VOLUME 357 PAGE 9 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the termination of a County Road, being in a fence at the most northeasterly corner of that certain (81.573 acre-remainder of 100 acre) tract of land conveyed to John W. Mikus, David P. Mikus, and Eileen Marie Hicks in a deed as recorded in Volume 1464 Page 729 of the Official Records of Fayette County, Texas, and said (100 acre) tract having been more fully described in a deed recorded in Volume 357 Page 9 of the Deed Records of Fayette County, Texas, said rod also being at the most northwesterly corner of that certain tract of land conveyed to James E. Pagel in a quitclaim deed as recorded in Volume 1370 Page 158 of the Official Records of Fayette County, Texas, and being in the southerly line of that certain (Tract 3-19.136 acre) tract of land conveyed to Lee E. Schertz and Bonnie L. Schertz in a deed as recorded in Volume 1261 Page 404 of the Official Records of Fayette County, Texas, and being at the most northeasterly corner of a (1.34 acre) access easement as described and recorded in Volume 644 Page 65 of the Deed Records of Fayette County, Texas, being for the most easterly corner of this tract,

THENCE, with the common line between the Mikus tract and the Pagel tract S 33 deg. 18' 20" W, passing another ½" iron rod found at the southwesterly termination of said County Road at 23.79 feet, and passing a 60d nail set in a fence at another 3276.73 feet, and continuing S 33 deg. 18' 20" W, another 140.60 feet, for a total distance of 3441.11 feet, to a point in the center of the M. K. & T. Railroad, being in the interior of the Mikus tract, and being for the most southeasterly corner of this tract,

THENCE, with the center of the M. K. & T. Railroad, S 71 deg. 02' 26" W 358.86 feet to a point in the center of said railroad, near the east end of a bridge over Cummins Creek, being in the interior of the Mikus tract, and being for the most southwesterly corner of this tract,

THENCE, leaving the center of the M. K. & T. Railroad, and through the interior of the Mikus tract, N 33 deg. 18' 20" E, passing the northerly right-of-way line of the Railroad at 81.20 feet, and continuing on the same course another 1018.80 feet, for a total distance of 1100.00 feet to a ½" iron rod set, N 56 deg. 41' 40" W 129.31 feet to a ½" iron rod set, N 33 deg. 18' 20" E 1631.02 feet to a ½" iron rod set, N 33 deg. 00' 55" E 316.82 feet to a ¼" iron rod set, and N 19 deg. 42' 29" E, passing the southerly line of a joint use access easement at 488.00 feet, and continuing on the same course another 30.20 feet, for a total distance of 518.20 feet to a ½" iron rod set in the southerly line of the Schertz tract, being for the most northwesterly corner of this tract, and from which a ½" iron rod found bears N 76 deg. 51' 13" W 447.33 feet,

THENCE, with the common line between the Mikus tract and the Schertz tract, S 76 deg. 51' 13" E 503.19 feet to the **PLACE OF BEGINNING**, in all containing 26.137 acres of land.

Exhibit "B"

May 25, 2015

FIELD NOTE DESCRIPTION OF 26.629 ACRES OF LAND OUT OF THE JOHN ANDREWS SURVEY, ABSTRACT NO. 6, IN FAYETTE COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (81.573 ACRE REMAINDER OF 100 ACRES) TRACT OF LAND CONVEYED TO JOHN W. MIKUS, DAVID P. MIKUS, AND EILEEN MARIE HICKS IN A DEED AS RECORDED IN 1464 PAGE 729 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, SAID (100 ACRE) TRACT HAVING BEEN MORE FULLY DESCRIBED IN A DEED AS RECORDED IN VOLUME 357 PAGE 9 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod found at the termination of a County Road, being in a fence at the most northeasterly corner of that certain (81.573 acre-remainder of 100 acre) tract of land conveyed to John W. Mikus, David P. Mikus, and Eileen Marie Hicks in a deed as recorded in Volume 1464 Page 729 of the Official Records of Fayette County, Texas, and said (100 acre) tract having been more fully described in a deed recorded in Volume 357 Page 9 of the Deed Records of Fayette County, Texas, said rod also being at the most northwesterly corner of that certain tract of land conveyed to James E. Pagel in a quitclaim deed as recorded in Volume 1370 Page 158 of the Official Records of Fayette County, Texas, and being in the southerly line of that certain (Tract 3-19.136 acre) tract of land conveyed to Lee E. Schertz and Bonnie L. Schertz in a deed as recorded in Volume 1261 Page 404 of the Official Records of Fayette County, Texas, and being at the most northeasterly corner of a (1.34 acre) access easement as described and recorded in Volume 644 Page 65 of the Deed Records of Fayette County, Texas,

THENCE, with the common line between the Mikus tract and the Pagel tract S 33 deg. 18' 20" W, passing another ½" iron rod found at the southwesterly termination of said County Road at 23.79 feet, and passing a 60d nail set in a fence at another 3276.73 feet, and continuing S 33 deg. 18' 20" W another 140.60 feet, for a total distance of 3441.11 feet to a point in the center of the M. K. & T. Railroad, being in the interior of the Mikus tract, and being for the most southerly east corner and **PLACE OF BEGINNING** of the tract herein described,

THENCE, continuing with the common line between the Mikus tract and the Pagel tract S 33 deg. 18' 20" W, passing another 475.28 feet, to a point in the center of Cummins Creek, being for the most southerly corner of the Mikus tract, and being in the northeasterly line of that certain (7 acre) tract of land conveyed to Kenneth E. Klimek and Rebekah R. Charanza in a deed as recorded in Volume 853 Page 802 of the Deed Records of Fayette County, Texas,

THENCE, with the common line between the Mikus tract and the Klimek tract, N 26 deg. 40' 14" W, with the center of Cummins Creek, and then crossing the M. K. & T. Railroad for a total distance of 322.95 feet, to a point in the center of Cummins Creek, being for the most westerly corner of this tract,

THENCE, with the center of Cummins Creek, over and across the Mikus tract, the following twelve (12) general courses, numbered 41 through 30:

- 41) N 15 deg. 31' 27" W 21.76 feet,
- 40) N 1 deg. 13' 08" W 106.24 feet,
- 39) N 10 deg. 27' 17" E 121.29 feet,
- 38) N 22 deg. 34' 00" E 184.10 feet,
- 37) N 29 deg. 09' 25" E 245.85 feet,
- 36) N 26 deg. 10' 18" E 186.99 feet,
- 35) N 19 deg. 09' 56" E 257.57 feet,
- 34) N 5 deg. 48' 24" W 87.98 feet,
- 33) N 12 deg. 15' 53" E 104.75 feet,
- 32) N 38 deg. 15' 32" E 70.22 feet,
- 31) N 15 deg. 31' 27" E 148.50 feet,
- 30) N 18 deg. 23' 50" W 28.55 feet, to a point in the center of Cummins Creek, being for the most northerly west corner of this tract,

THENCE, leaving the center of Cummins Creek, and over and across the Mikus tract, N 33 deg. 18' 20" E 1311.84 feet, to a ½" iron rod set, N 23 deg. 30' 38" E 306.66 feet to a ½" iron rod set, and N 15 deg. 16' 48" E 371.87 feet to a ½" iron rod set in the southerly line of the Schertz tract, being for the most northerly corner of this tract, and from which a ½" iron rod found bears N 76 deg. 51' 13" W 30.57 feet,

THENCE, with the common line between the Mikus tract and the Schertz tract, S 76 deg. 51' 13" E 416.76 feet to a ½" iron rod set for the most easterly corner of this tract, and from which another ½" iron rod found bears S 76 deg. 51' 13" E 503.19 feet,

THENCE, leaving said common line, and over and across the Mikus tract, S 19 deg. 42' 29" W, passing the southerly line of a joint use access easement at 30.20 feet, and continuing on the same course another 488.00 feet, for a total distance of 518.20 feet to a ½" iron rod set, S 33 deg. 00' 55" W 316.82 feet to a ½" iron rod set, S 33 deg. 18' 20" W 1631.02 feet to a ½" iron rod set, S 56 deg. 41' 40" E 129.31 feet to a ½" iron rod set, and S 33 deg. 18' 20" W, passing the northerly right-of-way line of the Railroad at 1018.80, and continuing on the same course another 81.20 feet, for a total distance of 1100.00 feet to a point in the center of the M. K. & T. Railroad, being in the interior of the Mikus tract, and being for the most southeasterly corner of this tract,

THENCE, with the center of the M. K. & T. Railroad, N 71 deg. 02' 26" E 358.86 feet to the **PLACE OF BEGINNING**, in all containing 26.629 acres of land.

Exhibit "C"

June 18, 2015

FIELD NOTE DESCRIPTION OF 16.000 ACRES OF LAND OUT OF A 18.089 ACRE TRACT OF LAND OUT OF THE JOHN ANDREWS SURVEY, ABSTRACT NO. 6, IN FAYETTE COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (81.573 ACRE REMAINDER OF 100 ACRES) TRACT OF LAND CONVEYED TO JOHN W. MIKUS, DAVID P. MIKUS, AND EILEEN MARIE HICKS IN A DEED AS RECORDED IN 1464 PAGE 729 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, SAID (100 ACRE) TRACT HAVING BEEN MORE FULLY DESCRIBED IN A DEED AS RECORDED IN VOLUME 357 PAGE 9 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod found at the termination of a County Road, being in a fence at the most northeasterly corner of that certain (81.573 acre-remainder of 100 acre) tract of land conveyed to John W. Mikus, David P. Mikus, and Eileen Marie Hicks in a deed as recorded in Volume 1464 Page 729 of the Official Records of Fayette County, Texas, and said (100 acre) tract having been more fully described in a deed recorded in Volume 357 Page 9 of the Deed Records of Fayette County, Texas, said rod also being at the most northwesterly corner of that certain tract of land conveyed to James E. Pagel in a quitclaim deed as recorded in Volume 1370 Page 158 of the Official Records of Fayette County, Texas, and being in the southerly line of that certain (Tract 3-19.136 acre) tract of land conveyed to Lee E. Schertz and Bonnie L. Schertz in a deed as recorded in Volume 1261 Page 404 of the Official Records of Fayette County, Texas, and being at the most northeasterly corner of a (1.34 acre) access easement as described and recorded in Volume 644 Page 65 of the Deed Records of Fayette County, Texas,

THENCE, with the common line between the Mikus tract and the Schertz tract, N 76 deg. 51' 13" W 503.19 feet to a ½" iron rod set and N 76 deg. 51' 13" W 416.76 feet to a ½" iron rod set for the most easterly corner and **PLACE OF BEGINNING** of the 18.089 acre tract, and the **PLACE OF BEGINNING** of the 16.000 acre tract herein described,

THENCE, with the southeasterly line of the 18.089 acre tract, S 15 deg. 16' 49" W 190.46 feet to a ½" iron rod set for the most northeasterly corner of a 2.089 acre tract out of the 18.089 acre tract, and being for an angle in the easterly line of this tract,

THENCE, with the 2.089 acre tract, N 78 deg. 35' 27" W 344.60 feet to a ½" iron rod set in the interior of the 18.089 acre tract, being for the most northwesterly corner of the 2.089 acre tract, S 14 deg. 35' 54" W 267.25 feet to a ½" iron rod set in the interior of the 18.089 acre tract, being for the most southwesterly corner of this tract, and S 78 deg. 35' 27" E 328.82 feet to a ½" iron rod set in the southeasterly line of the 18.089 acre tract, being for the southeasterly corner of the 2.089 acre tract, and being at an angle in the easterly line of this tract,

THENCE, with the southeasterly line of the 18.089 acre tract, S 23 deg. 30' 38" W 218.87 feet to a ½" iron rod set, and S 33 deg. 18' 20" W 1311.84 feet, to a point in the center of Cummins Creek, being for the most southerly corner of this tract,

THENCE, with the center of Cummins Creek, over and across the Mikus tract, the following five (5) general courses, numbered 30 through 26:

- 30) N 18 deg. 23' 50" W 69.50 feet,
- 29) N 35 deg. 11' 42" W 138.91 feet,
- 28) N 37 deg. 24' 19" W 201.16 feet,
- 27) N 45 deg. 00' 00" W 101.91 feet,
- 26) N 58 deg. 34' 16" W 98.76 feet, to a point at the intersection the center of Cummins Creek and the center of Spring Branch Creek, being at an angle in the westerly line of the Mikus tract, and being at the most southeasterly corner of that certain (128.026 acre) tract of land conveyed to Barry D. Hartman and Esther D. Hartman in a deed as recorded in Volume 880 Page 692 of the Deed Records of Fayette County, Texas,

THENCE, with the center of Spring Branch Creek, being the common line between the Mikus tract and the Hartman (128.026 acre) tract, the following twenty-one (21) general courses, numbered 4 through 24:

- 4) N 32 deg. 30' 12" E 20.98 feet,
- 5) N 59 deg. 52' 20" E 52.32 feet,
- 6) N 14 deg. 46' 02" E 28.38 feet,
- 7) N 23 deg. 41' 27" E 26.17 feet,
- 8) N 52 deg. 40' 00" E 36.29 feet,
- 9) N 86 deg. 33' 33" E 54.96 feet,
- 10) N 55 deg. 59' 53" E 68.85 feet,
- 11) N 6 deg. 43' 53" E 8.72 feet,
- 12) N 35 deg. 44' 43" W 15.96 feet,
- 13) N 59 deg. 02' 10" W 22.27 feet,
- 14) N 17 deg. 51' 01" W 18.42 feet,
- 15) N 40 deg. 02' 24" E 19.10 feet,
- 16) N 82 deg. 53' 51" E 17.75 feet,
- 17) N 62 deg. 33' 52" E 14.82 feet,
- 18) N 37 deg. 30' 58" E 43.22 feet,
- 19) N 14 deg. 59' 40" E 42.53 feet,
- 20) N 44 deg. 08' 25" E 36.02 feet,
- 21) N 71 deg. 41' 54" E 21.42 feet,
- 22) N 83 deg. 52' 34" E 61.38 feet,
- 23) N 44 deg. 56' 08" E 135.10 feet,
- 24) N 14 deg. 50' 51" E 82.91 feet, to a point a point in the center of Spring Branch Creek being at the most southwesterly corner of that certain (7.35 acre) tract of land conveyed to Thomas R. Rhode, sr. and & Barry D. Hartman in a deed as recorded in Volume 1251 Page 704 of the Official Records of Fayette County, Texas, and being for an angle in the westerly line of this tract,

THENCE, leaving the center of Spring Branch Creek, and with the southerly and easterly lines of the Rhode (7.35 acre) tract, S 89 deg. 40' 36" E 101.87 feet, to a ½" iron rod found, N 14 deg. 35' 54" E 721.80 feet, to a ½" iron rod found, S 78 deg. 35' 27" E 490.83 feet, to a ½" iron rod found, and N 14 deg. 43' 39" E 161.22 feet, to a ½" iron rod found, in the fence along the southerly line of the Schertz tract, being in the northerly line of said (1.34 acre) access easement, and being in the northerly line of the Mikus tract, and being for the most northerly northwest corner of this tract,

THENCE, with the common line between the Mikus tract and the Schertz tract, S 76 deg. 51' 13" E 30.57 feet to the **PLACE OF BEGINNING**, in all containing 16.000 acres of land.

Exhibit "D"

June 18, 2015

FIELD NOTE DESCRIPTION OF 2.089 ACRES OF LAND OUT OF A 18.089 ACRE TRACT OF LAND OUT OF THE JOHN ANDREWS SURVEY, ABSTRACT NO. 6, IN FAYETTE COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (81.573 ACRE REMAINDER OF 100 ACRES) TRACT OF LAND CONVEYED TO JOHN W. MIKUS, DAVID P. MIKUS, AND EILEEN MARIE HICKS IN A DEED AS RECORDED IN 1464 PAGE 729 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, SAID (100 ACRE) TRACT HAVING BEEN MORE FULLY DESCRIBED IN A DEED AS RECORDED IN VOLUME 357 PAGE 9 OF THE DEED RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½" iron rod found at the termination of a County Road, being in a fence at the most northeasterly corner of that certain (81.573 acre-remainder of 100 acre) tract of land conveyed to John W. Mikus, David P. Mikus, and Eileen Marie Hicks in a deed as recorded in Volume 1464 Page 729 of the Official Records of Fayette County, Texas, and said (100 acre) tract having been more fully described in a deed recorded in Volume 357 Page 9 of the Deed Records of Fayette County, Texas, said rod also being at the most northwesterly corner of that certain tract of land conveyed to James E. Pagel in a quitclaim deed as recorded in Volume 1370 Page 158 of the Official Records of Fayette County, Texas, and being in the southerly line of that certain (Tract 3-19.136 acre) tract of land conveyed to Lee E. Schertz and Bonnie L. Schertz in a deed as recorded in Volume 1261 Page 404 of the Official Records of Fayette County, Texas, and being at the most northeasterly corner of a (1.34 acre) access easement as described and recorded in Volume 644 Page 65 of the Deed Records of Fayette County, Texas,

THENCE, with the common line between the Mikus tract and the Schertz tract, **N 76 deg. 51' 13" W 503.19 feet** to a ½" iron rod set and **N 76 deg. 51' 13" W 416.76 feet** to a ½" iron rod set for the most easterly corner and **PLACE OF BEGINNING** of the 18.089 acre tract,

THENCE, with the southeasterly line of the 18.089 acre tract, **S 15 deg. 16' 48" W 190.46 feet** to a ½" iron rod set for the most northeasterly corner and **PLACE OF BEGINNING** of the tract herein described,

THENCE, continuing with the southeasterly lines of the 18.089 acre tract, **S 15 deg. 16' 48" W 181.41 feet** to a ½" iron rod set and **S 23 deg. 30' 38" W 87.80 feet** to a ½" iron rod set for the most southeasterly corner of this tract,

THENCE, leaving the southeasterly line of the 18.089 acre tract, **N 78 deg. 35' 27" W 328.82** to a ½" iron rod set in the interior of the 18.089 acre tract, being for the most southwesterly corner of this tract, and from which a 60d nail set bears **S 14 deg. 35' 54" W 19.27 feet**,

THENCE, **N 14 deg. 35' 54" E 267.25 feet** to a ½" iron rod set in the interior of the 18.089 acre tract, being for the most northwesterly corner of this tract,

THENCE, with a line parallel to and 30 feet from the northeasterly line of the 18.089 acre tract, **S 78 deg. 35' 27" E 344.60 feet** to the **PLACE OF BEGINNING**, in all containing **2.089 acres** of land.

SURVEYED: January 26, 2015