

AFFIDAVIT OF LEGAL RIGHT TO PRODUCE GROUNDWATER
(Entity Form)

BEFORE ME, the undersigned authority, on this day personally appeared John Charles Fazzino, Jr., who being duly sworn on his oath, says and deposes as follows:

"My name is John Charles Fazzino. I am the President (title) of Fazzino Management, LLC, general partner of Fazzino Investments LP (name of entity) (hereinafter referred to as the "Applicant"). I have been authorized by Fazzino Investments LP (name of entity) to give this affidavit. I am of sound mind, over eighteen (18) years of age, and have never been convicted of a felony or of a crime involving moral turpitude. My address is 1001 Anderson Street, Hearne, TX 77859. I have personal knowledge of the facts stated herein, and they are true and correct.

1. I am submitting to the Brazos Valley Groundwater Conservation District ("District") an application for a drilling and/or operating permit on behalf of the Applicant for a water well located at See Attached.
2. Applicant has the legal authority to produce the groundwater associated with the land surface and the permit application for the well listed in #1 above, as required by District Rule 7.1(c).
3. Exhibit A, attached hereto, is the map that identifies the water rights to be legally controlled by the Applicant under District Rule 7.1(c) for the well listed in #1 above.
4. I have provided to the District documents that prove Applicant's right to own, control, or produce the groundwater rights associated with the permit application for the well listed in #1 above, as required by District Rule 7.1(c). **See Exhibit B attached hereto.**
5. I have provided to the District documents, if any, that fully evidence all transfer(s) of Applicant's right to own, control, or produce the groundwater rights to another person/entity that are associated with the land surface and the permit application, as required by Rule 7.1(c). And I understand that I am required to provide such transfer documents as they occur in the future.
6. I understand that a permit may be amended or revoked if the groundwater rights or right to produce, related to a permit under Rule 7.1(c), are legally transferred to another person/entity.

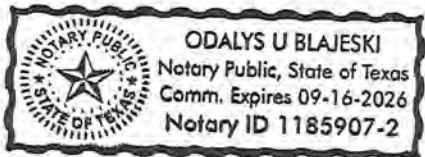
FURTHER AFFIANT SAYETH NOT."

Fazzino Investments, LP by its general Partner,
Fazzino Management, LLC

Signed John Charles Fazzino
John Charles Fazzino, President Fazzino
Management, LLC, Authorized
representative of Applicant

SWORN AND SUBSCRIBED to before me on this the 9 day of Aug, 2023.

(Notary Seal)



Odalys U Blajeski
Notary Public in and for the State of Texas
My Commission Expires: 9/16/26

DETAILS REPORT

**Note: Report is Sorted in Ascending Order by Office, Recorded Date, Document Number

Doc#	Document Type	Book/Vlm/Page	File Date
20213183	SPECIAL W/D	OR/01454/768	09/16/2021
Street	Street Name	Description	
		F RUIZ SUR A41 11.097 AC ETAL	
Grantors	Grantees	Street	Property Description
FAZZINO JOHN CHARLES , FAZZINO MILDRED B	FAZZINO INVESTMENTS LP		F RUIZ SUR A41 11.097 AC ETAL
References			
Book/Vlm/Page	Description	Recorded year	
Legal Description\Remarks			
Lot	Block	Subdivision	Plat

Robertson County

Stephanie M. Sanders
Robertson County Clerk
Franklin, Texas

Document Number: 2021-20213183
Recorded As : EREC-RECORDINGS

Recorded On: September 16, 2021
Recorded At: 12:49:56 pm
Number of Pages: 16
Book-VI/Pg: Bk-OR VI-1454 Pg-768
Recording Fee: \$82.00

Parties:

Direct-
Indirect-

Receipt Number: 133287
Processed By: Maxine Lattimore

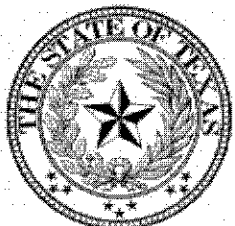
THIS PAGE IS PART OF THE INSTRUMENT

STATE OF TEXAS

COUNTY OF ROBERTSON

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the Official Public records of Robertson County, Texas

Honorable Stephanie M. Sanders, County Clerk, Robertson County 0016



Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security number or your driver's license number.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF ROBERTSON §

Date: September 16, 2021

Grantor: **JOHN CHARLES FAZZINO and MILDRED B. FAZZINO**

Grantor's Mailing Address: 1001 Anderson St.
 Hearne, TX 77859

Grantee: **FAZZINO INVESTMENTS, LP**

Grantee's Mailing Address: 1001 Anderson St.
 Hearne, TX 77859

Consideration:

TEN DOLLARS (\$10.00) and other good and valuable consideration and as part of the initial capital contribution to the limited partnership.

Property:

Tract One:

Being Lot One (1) and the adjoining twenty-five ft. of Lot Two (2), Block Four (4), of the Second Installment of the Meadowbrook Addition to the City of Hearne, Robertson County, Texas.

Tract Two:

Being 11.10 acres of land, more or less, lying and being situated in the Francisco Ruiz Survey A-41, Robertson County, Texas; and being the same land described in Deed dated November 26, 1997 from the Veterans Land Board of the State of Texas to Charles S. Perrone, recorded in Volume 703, Page 563, Official Public Records of Robertson County, Texas.

Tract Three:

Being 11.11 acres of land, more or less, lying and being situated in the Francisco Ruiz Survey A-41, Robertson County, Texas; and being the same land described as 11.097 acres in Deed dated August 20, 1979 from Mary Corona Perrone et al to Agnes Corona Perrone, recorded in Volume 347, Page 84, Public Records of Robertson County, Texas.

Tract Four:

Being 11.097 acres of land, more or less, out of and a part of the Francisco Ruiz Survey A-41, Robertson County, Texas, said tract of land being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

Tract Five:

Being 69.41 acres of land, more or less, lying and being situated in the A/ Manchaca A-27, Robertson County, Texas, and being a portion of the property described in Deed dated January 8, 1997 from Billie Jean Thompson etvir to J&M Transports, Inc., recorded in Volume 667, Page 628, Official Records of Robertson County, Texas; said 69.41 acres being more fully described by metes and bounds on Exhibit "B" attached hereto and made a part hereof for all purposes.

Tract Six:

Being all of Lot Seven (7) in Block One (1), of the Prairie Hill Subdivision, lying and being situated in the A. Manchaca Survey A-27, Robertson County, Texas, according to the re-plat of said subdivision recorded in Volume 2, Page 142, Map and Plat Records, Robertson County, Texas; and being the same property described in Deed dated January 6, 2003, from Stacy Fairbanks to Tim Gray, recorded in Volume 825, Page 72, Official Public Records, Robertson County, Texas.

Tract Seven:

Being all that certain of land lying and being situated in Robertson County, Texas and being 363 acres of land out of the G.M.G. Grafton Survey, Abstract No. 155 in Robertson County, Texas, and being the same land described as First Tract in deed from Joe F. Gibson to Eber H. Peters, Jr., dated 1-20-47 and recorded in Volume 149, Page 142 of the Deed Records of Robertson County, Texas and being more particularly described in Exhibit "C" attached hereto.

Tract Eight:

BEING an undivided (1/2) interest in and to an 11.097 acre tract, more or less, out of and. Apart of the Francisco Ruiz Survey, Abstract No, 41, Robertson County, Texas, and being the same property described in a Deed from Josephine Corona Angonia, et al to Jo Ann Corona Fazzino, dated January 21, 1980, recorded in Volume 352, Page 178, Public Records of Robertson County, Texas, said 11.097 acre tract or parcel of land herein described in Exhibit "D" attached hereto.

Tract Nine:

Being 695.301 acres of land, more or less, lying and being situated in the RHODA KENNEDY SURVEY, in conflict with the G. A. Nixon Survey, A-31, in Robertson County, Texas, and being the same property described in Deed dated January 21, 1980, from R. T. Feltus, Trustee to Emil Stutz, Kathrin Stutz, and Peter Stutz, as recorded in Volume 351, Page 424, Public Records of Robertson County, Texas, which said property is more fully described by metes and bounds in Exhibit "E" attached hereto.

Tract Ten:

Being two tracts of land lying and being situated in Robertson County, Texas, Tract One containing 41.89 acres, situated in the E. Wickson Survey, in conflict with the A. Manchaca 5 Leagues, Abstract No. 27, and the G.A. Nixon 11 Leagues, Abstract No. 31; Tract Two containing 172.11 acres, in the Leroy Boggus Survey in conflict with the A. Manchaca 5 Leagues, Abstract No. 27 and the G. A. Nixon 11 Leagues, Abstract No. 31; said two tracts of land being more particularly described by metes and bounds in Exhibit "F" attached hereto and made a part hereof for all purposes.

Exceptions to Conveyance and Warranty:

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges, zoning laws, ordinances of municipal and/or other governmental authorities, conditions, and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

Reservations from Conveyance: **None.**

Grantors, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grant, sell, and convey to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's legal representatives, successors, and assigns forever. Grantors binds Grantors and Grantors' heirs, legal representatives, and

assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's legal representatives, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantors, but not otherwise.

Ad valorem taxes with respect to the Property for 2021 are being prorated as of the date hereof and Grantee assumes payment of such taxes and subsequent years of ownership and subsequent assessments for prior years due to change in use or ownership.

When the context requires, singular nouns and pronouns include the plural.

GRANTORS:

John Charles Fazzino

JOHN CHARLES FAZZINO

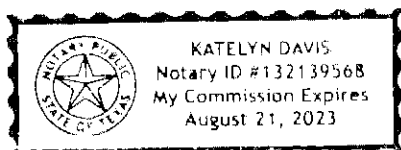
Mildred B. Fazzino

MILDRED B. FAZZINO

THE STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared **JOHN CHARLES FAZZINO** and **MILDRED B. FAZZINO**, known to me to be the persons whose names are subscribed to the forgoing instrument, and acknowledge to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 16th day of September 2021.



Katelyn Davis

Notary Public in and for the State of Texas

After Recording, Return To:

Stephen R. Hollas
Stephen R. Hollas, P.C.
405 Technology Pkwy., Bldg. C
College Station, TX 77845

Exhibit "A"

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of and a part of the Francisco Ruiz Survey, Abstract No. 41 in said Robertson County, Texas, and further being out of a 90 acre tract of land conveyed to Charles Corona by Deed recorded in Volume 68, Page 382 of the Deed Records of Robertson County, Texas, said tract or parcel of land herein described as follows, to-wit:

COMMENCING at a set steel rod at a fence corner for the southwest corner of the said Charles Corona 90 acre tract, said corner further being the southeast corner of the Walley Smitherman 91 acre tract, said corner further being in the North line of the William Corona 104 acre tract;

THENCE N 58 deg 28 min 54 sec E 321.72 feet along the South line of the said Charles Corona 90 acre tract to a set steel rod for the PLACE OF BEGINNING and for the southwest corner of the herein described tract;

THENCE N 58 deg 28 min 54 sec E 168.75 feet continuing along the South line of the said Charles Corona 90 acre tract to a set steel rod for the southeast corner of the herein described tract;

THENCE N 31 deg 30 min 00 sec W 2796.91 feet to a steel rod in the south line of F.M. Highway 391 for the northeast corner of the herein described tract;

THENCE along the south line of said F.M. Highway 391 N 82 deg 46 min 41 sec W 206.81 feet, N 87 deg 56 min 24 sec W 8.87 feet to a set steel rod for the northwest corner of the herein described tract;

THENCE S 31 deg 30 min 00 sec E 2931.23 feet to the PLACE OF BEGINNING and containing 11.097 acres of land, more or less. AND BEING THE SAME PROPERTY described in Deed dated January 21, 1980, from Josephine Corona Angonia et al to Antonina (Lena) Corona Accurso, recorded in Volume 352, Page 169, Public Records of Robertson County, Texas.

Exhibit "B"

Being all of that certain tract or parcel of land, lying and being situated in the ANTONIO MANCHACA SURVEY, A-27, Robertson County, Texas, and being a part of that 79.99 acre tract of land conveyed to J & M Transports, Inc. by Billie Jean Thomason and husband William E. Thomason deed recorded in Volume 667, Page 628, Official Records of Robertson County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with cap set at the most southerly common corner of the Prairie Hill Subdivision (2/142) and said 79.99 acre tract (667/628), same being in the northeast right-of-way line of the Old Hearne Road;

THENCE: N 71° 08' 52" W – 73.66 feet and N 68° 28' 19" W – 1104.31 feet along said Old Hearne Road line to a 5/8" iron rod with cap set at the most southerly common corner of this tract and the Ely Family Partnership LP 31.42 acre tract;

THENCE: N 42° 34' 45" E – 73.68 feet, N 45° 28' 12" W – 59.92 feet, N 43° 06' 52" E – 145.53 feet, N 30° 09' 49" W – 889.35 feet and N 26° 04' 43" W – 51.27 feet along the common line between this tract and said Ely Family Partnership LP to a 5/8" iron rod with cap set at the most westerly common corner of this tract and the Charles Lastor 25.95 acre tract (289/938);

THENCE: N 58° 03' 40" E – 644.44 feet and N 54° 28' 21" E – 1156.80 feet along the common line between this tract and said Lastor tract to a 3/4" iron rod found at the most easterly common corner of said tracts, same being in the southwest right of line of State Highway No. 6;

THENCE: S 54° 23' 18" E – 319.88 feet and S 65° 24' 55" E – 64.49 feet along said State Highway No. 6 line to a 5/8" iron rod with cap found at the most northerly common corner of this tract and the Mary Vela 7.46 acre tract (922/186);

THENCE: S 40° 20' 06" W – 682.24 feet, S 47° 08' 43" E – 418.65 feet and N 43° 15' 05" E – 467.99 feet along the common line between this tract and said Vela tract to a 5/8" iron rod with cap set at the most westerly common corner of this tract and a 3.00 acre tract cut out of said 79.999 acre tract;

THENCE: S 59° 43' 04" E – 446.19 feet along the common line between this tract and said 3.00 acre tract to a 5/8" iron rod with cap set at the most easterly common corner of said tracts, same being in the northwest line of said Prairie Hill Subdivision;

THENCE: S 30° 40' 41" W – 469.39 feet and S 30° 28' 30" W – 1338.89 feet along the common line between this tract and said Prairie Hill Subdivision to the PLACE OF BEGINNING; and containing 69.41 acres of land, more or less.

Exhibit "C"

Being all that certain of land lying and being situated in Robertson County, Texas and being 363 acres of land out of the G.M.G. Grafton Survey, Abstract No. 155 in Robertson County, Texas, and being the same land described as First Tract in a Deed from Joe F. Gibson to Eber H. Peters, Jr., dated 1-20-47 and recorded in Volume 149, Page 142 of the Deed Records of Robertson County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a stake in the north line of land formerly owned by Jas H Hanna and Martha A. E. Hanna and at the northwest corner of the J. K. P. Hanna 200-acre tract; said beginning point being in the north line of the 175 1/3 acre tract set apart to Mollie W. Hanna (later known as, and being one and the same person as, Mollie H. Peters), in the partition of the estate of Martha A. E. Hanna, said point being N 60 E 128.7 vrs. From the northwest corner of said 175 1/3-acre tract described in Deed recorded in Volume 5, Page 240, Robertson County Deed Records;

THENCE S 60 W with the N line of the said Hanna tracts at 128.7 vrs pass the northeast corner of a 40-acre tract and the northwest corner of said 175 1/3-acre tract, at 1343.7 vrs Little Brazos River and at 1443.7 vrs a stake on the west bank of Little Brazos River at the northwest corner of a 189 3/4 acre tract bought from W. P. Townsend a stake from which a pecan 6" dia brs N 15 W 7 vrs and an ash 7" in dia brs S 61 E 10 vrs;

THENCE down the west bank of Little Brazos 266 vrs with the west line of 189 3/4 acres purchased by Jas S Hanna from W. P. Townsend to the Southwest corner thereof;

THENCE N 60 E to the center of Little Brazos River;

THENCE down the mid channel of Little Brazos River to the south line of the Grafton Survey, same being the southeast corner of 413 acres formerly owned by J. S. Hanna, now owned by J. H. Adoue;

THENCE N 60 E 1275.7 vrs with the south line of said Grafton to the Southeast corner of a 282-acre tract, at 889 vrs this corner is in the south line of a tract of 175 1/3 acres set apart to Mollie H Peters in the partition of the estate of Martha A. E. Hanna, and is N 60 E 386.7 varas from the southwest corner thereof;

THENCE N 30 W 1650 vrs with the west line of the J.K.P. Hanna 200-acre tract to the **PLACE OF BEGINNING**.

Exhibit "D"

BEING an undivided (1/2) interest in and to an 11.097 acre tract, more or less, out of and apart of the Francisco Ruiz Survey, Abstract No. 41, Robertson County, Texas, and being the same property described in a Deed from Josephine Corona Angonia, et al to Jo Ann Corona Fazzino, dated January 21, 1980, recorded in Volume 352, Page 178, Public Records of Robertson County, Texas, said 11.097 acre tract or parcel of land herein described as follows, to-wit:

COMMENCING at a set steel rod at a fence corner for the southwest corner of the said Charles Corona 90 acre tract, said corner further being the southeast corner of the Wally Smitherman 91 acre tract, said corner further being in the North line of the William Corona 104 acre tract;

THENCE N 58 deg. 28 min. 54 sec. E 159.77 feet along the South line of the said Charles Corona 90 acre tract to a set steel rod for the place of beginning for the southwest corner of the herein described tract;

THENCE N 58 deg. 28 min. 54 sec. E 161.95 feet continuing along the South line of the said Charles Corona 90 acre tract to a set steel rod for the southeast corner of the herein described tract;

THENCE N 31 deg. 30 min. 00 sec. W 2931.23 feet to a set steel rod in the South line of F.M. Highway 391 for the northeast corner of the herein described tract;

THENCE N 87 deg. 56 min. 24 sec. W 194.35 feet along the South line of F.M. Highway 391 to a set steel rod for the northwest corner of the herein described tract;

THENCE S 31 deg. 30 min. 00 sec. E 3038.72 feet to the PLACE OF BEGINNING and containing 11.097 acres, more or less.

All that certain tract or parcel of land lying and being situated in Robertson County, Texas, out of a part of the Francisco Ruiz Survey, Abstract No. 41, and further being the same tract of land called 11.097 acres described in a Deed to Agnes Corona Perrone recorded in Volume 347, Page 84 of the Deed Records of Robertson County, Texas, said tract or parcel of land herein described as follows:

BEGINNING at a found 3/8" steel rod at a fence corner in the North line of the William C. Corona Family Trust 104 acre tract for the common corner between the above mentioned Agnes Corona Perrone tract and the Walter E. Stephens, et ux 11.097 acre tract (715-105);

THENCE S 58° 10' 32" W 217.95 feet along the North line of the William C. Corona Family Trust 104 acre tract to a found 3/8" steel rod for the common corner between the Agnes Corona Perrone tract and the Charles S. Perrone tract called 11.097 acres (703-563);

THENCE N 31° 56' 14" W 2314.25 feet to a found 3/8" steel rod in the South line of F. M. Highway 391 for the common corner between the said Agnes Corona Perrone and Charles S. Perrone tracts;

THENCE S 80° 57' 43" E 289.01 feet along the South line of F. M. Highway 391 to a found 3/8" steel rod at a fence corner for the common corner between the said Agnes Corona Perrone and the before mentioned Walter E. Stephens tract;

THENCE S 31° 55' 50" E 2125.16 feet along a fence to the place of beginning and containing 11.11 acres of land, more or less.

Exhibit "E"

Being all that certain tract or parcel of land lying and being situated in Robertson County, Texas, and being out of and a part of the RHODA KENNEDY SURVEY in conflict with the FRANCISCO RUIZ 4 LEAGUES GRANT and the G. A. NIXON SURVEY, Abstract No. 31 in Robertson County, Texas, and being the same property described in Deed from Myrtle Wood Thornburgh et al to Fred L. Wood, dated 1-14-48 and recorded in Volume 148, Page 603 of the Deed Records of Robertson County, Texas, and being described as follows:

BEGINNING at the NW corner of said Rhoda Kennedy Survey on the E bank of the Big Brazos River;

THENCE N 58-1/2 E with the N line of said Survey 3575 vrs. to a stake in said line at the NW corner a tract in said Survey formerly owned by H. R. Hearne and also formerly the property of Mrs. Bettie Aldridge, wife of G. N. Aldridge, a hackberry 6 in dia brs. N 54 E 11 vrs;

THENCE S 31-1/2 E 1570 vrs to a cedar stake at the SE corner of a 24-1/5 acre tract out of said 1259 acre tract heretofore deeded to G. R. Glass by executors of H. L. Lewis, Jr. and W. B. Lewis;

THENCE S 59 W 754 vrs. with the N line of said tract of Lewis and Lewis to the SW corner of said 24-1/5 acre tract;

THENCE N 31 W 160 vrs. to a stake which is also NW corner of said 24-1/5 acre tract at the NE inside corner of Lewis and Lewis and is also in the south line of the Middle one-third of said 1259 acre tract sold by A. C. Moreland and wife, to C. L. and G. H. Glass by Deed recorded in Volume 3, Page 419 of the Robertson County Deed Records;

THENCE S 58-1/2 W 1522 vrs. with the south line of the said Moreland tract and the N line of said Lewis and Lewis tract, to the E bank of the Big Brazos River;

THENCE up said Big Brazos River with its meanders, to the **PLACE OF BEGINNING** and thought to contain 700 acres of land, more or less, however, it is the intention of grantors to convey all lands embraced within the above description; and the field notes above described are taken from a Deed which appears of record in Volume 92, Page 452 of the Deed Records of Robertson County, Texas.

SAVE AND EXCEPT: All that certain tract or parcel of land, situated in the County of Robertson, State of Texas, and being the same property described in a Right of Way Deed from Fred L. Wood and Mrs. Fred L. Wood to the State of Texas, acknowledged 8-11-54 and recorded in Volume 174, Page 513 of the Deed Records of Robertson County, Texas, and being described by metes and bounds as follows:

BEGINNING at a point at or near the center line of present county road from

Goodland to Valley Junction said point being the southeast corner of Fred Wood tract, same being the northeast corner of Elmer Stubbs tract, same being Sta 9255 on center line of FM 2097;

THENCE along said property line S 59 W 40 feet;

THENCE 40 feet West of and parallel to FM 2097 N 30-55 W 1,740 feet, N 30-47 W 2,408 feet to a point 40 feet west of and at right angles to center line at Sta 5106.8, said Station being the beginning of a 2 degree curve to the left on center line whose central angel is 9 degree – 18 minutes;

THENCE 40 feet West of and parallel to center line N 40-05 W 270 feet to a point on North property line of tract, said point being S 60 W 40 feet from center line at Sta 43/85;

THENCE along said property line N 60 E 80 feet;

THENCE 40 feet East of and parallel to center line S 40-05 E 255 feet to a point on the center line of present county road;

THENCE along the center line of present county road in a southeasterly direction 4,613 feet to the POINT OF BEGINNING and containing 4.699 acres of land, more or less.

Exhibit "F"

Being all that certain tract or parcel of land lying and being situated in Robertson County, Texas, and being 7.499 acre of land out of the BRITTON DAWSON SURVEY and ELY WICKSON SURVEY both in conflict with ANTONIO MANCHACA SURVEY ABSTRACT #27 and the GEORGE ANTONIO NIXON ELEVEN LEAGUES, GRANT, ABSTRACT No. 31 in Robertson County, Texas, and being a part of the 100 acre tract described in a corrected deed from The Planters and Merchants State Bank of Hearne, Texas to Frank Pizalato, dated May 16, 1927, recorded in Volume 90, Page 216 of the Deed Records of Robertson County, Texas, and being described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod, found in the easterly R.O.W. line of State Farm Road No. 50, marking the most southerly corner of the Lee J. Fazzino 62.632 acre First Tract (Vol. 364

Tract One: Field notes of a 41.89 acre tract or parcel of land lying and being situated in the E. Wickson Survey in conflict with the A. Manchaca 5 Leagues, Abstract No. 27, and the G.A. Nixon 11 Leagues, Abstract No. 31, Robertson County, Texas, and being the called 40 acres conveyed by George Olander to Ben J. Roffino in the deed described in Volume 148, Page 567, of the Deed Records of Robertson County, Texas, and being more particularly described as follows:

BEGINNING at the 1/2" iron rod found marking the north corner of the beforementioned 40 acre tract, said iron rod being the east corner of the Fred C. Ferrara 62.92 acre tract (189/49) and in the southwest line of the Antonio Varisco 630.15 acre tract (148/589);

THENCE S 28° 00' 02" E along the northeast line of the beforementioned 40 acre tract, adjacent to a fence, for a distance of 1070.01 feet to a 5/6" iron rod set at the east corner of the said 40 acre tract, said iron rod being located N 28° 00' 02" W 15.00 feet from the X-tie fence corner found marking the south corner of the beforementioned Antonio Varisco 630.15 acre tract;

THENCE S 60° 30' 00" W along the southeast line of the beforementioned 40 acre tract, same being parallel with and 15' from the Ben J. Ruffino 120 acre tract and 57.13 acre tract, for a distance of 1730.31 feet to a 5/8" iron rod set at the south corner of the said 40 acre tract;

THENCE N 29° 00' 00" W along the northeast line of the Hearne-Mumford Road (abandoned), at a distance of 416.9 feet pass a X-tie, continue on for a total distance of 1028.26 feet to a 5/8" iron rod set at the west corner of the beforementioned 40 acre tract and in the southeast line of the beforementioned Fred C. Ferrara 62.92 acre tract;

THENCE N 59° 08' 36" E along the northwest line of the beforementioned 40 acre tract for a distance of 1749.82 feet to the PLACE OF BEGINNING containing 41.89

acres of land, more or less.

Tract Two: Field notes of a 172.11 acre tract or parcel of land lying and being situated in the Leroy Boggus Survey in conflict with the A. Manchaca 5 Leagues, Abstract No. 27, and the G. A. Nixon 11 Leagues, Abstract No. 31, Robertson County, Texas, and being a part of the 120 acre tract and the 57.13 acre tract conveyed by Charles Roffino and wife, Mary G. Roffino to Ben J. Roffino and wife, Rose Roffino, in the deed described in Volume 136, Page 133, of the Deed Records of Robertson County, Texas, and being more particularly described as follows:

BEGINNING at the X-tie fence corner found marking the north corner of the beforementioned 120 acre tract;

THENCE S 29° 00' 00" E along the fence found marking the northeast line of the beforementioned 120 acre tract for a distance of 1949.43 feet to a X-tie fence corner found marking the east corner of the said 120 acre tract, said X-tie being in the northwest line of the Louise M. Muse 132 acre tract (202/66);

THENCE adjacent to a turn row as follows:

S 61° 20' 00" W 2986.59 feet to a 5/8" iron rod set;
S 61° 43' 18" W 981.05 feet to a 5/8" iron rod set;

THENCE N 28° 12' 30" W along the southwest line of the beforementioned 57.13 acre tract at a distance of 1771.74 feet pass a twin 12" Hackberry Tree, continue on for a total distance of 1862.56 feet to a 5/8" iron rod set at the west corner of the said 57.13 acre tract;

THENCE N 60° 30' 00" E along the northwest line of the beforementioned 57.13 acre tract and 120 acre tract, at a distance of 1261.38 feet pass the north corner of the said 57.13 acre tract, continue on for a total distance of 2192.79 feet to a X-tie fence corner found marking the south corner of the Antonio Varisco 630.15 acre tract (148/589);

THENCE along the fence found marking the northwest line of the beforementioned 120 acre tract as follows:

N 60° 31' 42" E 1088.92 feet to a X-tie,
N 64° 43' 11" E 328.56 feet to a X-tie,
N 52° 21' 06" E 336.15 feet to the PLACE OF BEGINNING containing 172.11 acres of land more or less.

SAVE AND EXCEPT:

Being 26.451 acres of land, a part of the George Antonio Nixon Survey, Abstract 31, Robertson County, Texas and being a part of that certain 172.11 acre tract conveyed to

John C. Fazzino, et ux by deed recorded in Volume 368, Page 199 of the Deed Records of Robertson County, Texas. Said 26.451 acre tract being more particularly described as follows:

BEGINNING at $\frac{3}{4}$ inch rebar found in the northwest line of a 200 acre tract conveyed to Michael Louis Muse by deed recorded in Volume 587, Page 677, for the East corner of a 134 acre tract conveyed to Samuel Wayne Muse by deed recorded in Volume 624, Page 183, for the South corner of said 172.11 acre tract and for the South corner hereof;

THENCE with the northeast line of said 134 acre tract, the southwest line of said 172.11 acre tract, North 30 deg. 35 min. 53 sec. West 788.36 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for the Southerly South corner of a 1.014 acre permanent easement and right of way this day surveyed and for the Westerly West corner hereof;

THENCE across said 172.11 acre tract, with the Southerly southeast line of said 1.014 acre permanent easement and right of way. North 58 def. 04 min. 36 sec. East 51.22 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for the East corner of said 1.014 acre permanent easement and right of way;

THENCE continuing across said 172.11 acre tract, North 58 deg. 04 min. 36 sec. East 635.10 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for an interior corner hereof;

THENCE continuing across said 172.11 acre tract, North 31 deg. 03 min. 14 sec. West 134.90 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for the northerly west corner hereof;

THENCE continuing across said 172.11 acre tract, North 58 deg. 32 min. 30 sec. East 614.19 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for the northerly north corner hereof;

THENCE continuing across said 172.11 acre tract, South 32 deg. 30 min. 10 sec. East 130.20 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for the Northerly East corner hereof;

THENCE continuing across said 172.11 acre tract, South 61 deg. 20 min. 48 sec. West 24.22 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for an interior corner hereof;

THENCE continuing across said 172.11 acre tract, South 32 deg. 37 min. 48 sec. East 111.15 feet to a $\frac{5}{8}$ inch rebar with cap marked "4428" set for an interior corner hereof;

THENCE continuing across said 172.11 acre tract, North 58 def. 16 min. 56 sec.

East 18.02 feet to a 5/8 inch rebar with cap marked "4428" set for the Southerly North corner hereof;

THENCE continuing across said 172.11 acre tract, South 29 deg. 52 min. 12 sec. East 768.12 feet to a 5/8 inch rebar with cap marked "4428" set in the Northwest line of said 200 acre tract, the southeast line of said 172.11 acre tract and for the Southerly East corner hereof;

THENCE with the Northwest line of said 200 acre tract, the southeast line of said 172.11 acre tract, South 59 deg. 03 min. 05 sec. West 1291.15 feet to the PLACE OF BEGINNING and containing 26.451 acres of land.