

RESTRICTIVE COVENANTS

THE STATE OF TEXAS §

COUNTY OF BASTROP §

WHEREAS, Mark L. Yelderman as Trustee for Stephen Yelderman, Marie Yelderman Kamp as Trustee for Debra White, Joan Yelderman Bohls as Trustee for Michelle Otto, Michelle Otto and Kathryn Otto own in undivided interests 53.107 acres in Bastrop County, Texas; and,

WHEREAS, Marjorie L. Yelderman, individually and as Independent Executrix of the Estate of Robert L. Yelderman, Deceased and as Co-Trustee of the Judy Kay Yelderman Price Trust; Judy Kay Yelderman, individually and as Co-Trustee of the Judy Kay Yelderman Price Trust; Mark L. Yelderman; Joan Yelderman Bohls; Marie Yelderman Kamp; and Margie Ann Yelderman Nordt own in undivided interests 1,003.893 acres in Bastrop County, Texas; and,

WHEREAS, all of the foregoing individuals and entities are collectively hereinafter referred to as Landowners; and,

WHEREAS Landowners of the property described in Exhibit "A", a 910.459 acre tract which is part of the Property the Landowners own and which description is incorporated herein for all purposes, and Exhibit "B", a 155.608 acre tract which is another part of the Property the Landowners own and which description is incorporated herein for all purposes, have agreed that those properties described on Exhibits "A" and "B" should be impressed with certain covenants and restrictions running with the land, and desire to set forth such agreement in writing:

NOW, THEREFORE, Marjorie L. Yelderman, individually and as Independent Executrix of the Estate of Robert L. Yelderman, Deceased and as Co-Trustee of the Judy Kay Yelderman

Price Trust; Mark L. Yelderman as Trustee for Stephen Yelderman; Marie Yelderman Kamp as Trustee for Debra White; Joan Yelderman Bohls as Trustee for Michelle Otto; Michelle Otto; Kathryn Otto; Judy Kay Yelderman, individually and as Co-Trustee of the Judy Kay Yelderman Price Trust; Mark L. Yelderman; Joan Yelderman Bohls; Marie Yelderman Kamp; and Margie Ann Yelderman Nordt hereby agree with respect to the properties described on Exhibits "A" and "B", that the following covenants and restrictions shall be deemed and considered as running with the land described on Exhibits "A" and "B", and the following covenants and restrictions shall be binding on the Landowners and their successors and assigns. The covenants and restrictions are as follows:

1. Single Family Residential Construction: No building shall be erected, altered, placed or permitted to remain on any Tract other than one dwelling unit per each Tract, which dwelling unit is to be used as a single family residence only; except that one guest/servant's house may be built, provided said guest/servant's house must contain a minimum of 500 square feet and be built after or while the main dwelling is being built and the plans for such guest/servant's house must be approved by the Architectural Control Committee prior to being erected, altered or placed on the Property. Detached garages, work shops, and barns may be constructed on the property prior to the main dwelling being built, so long as they are of good construction, kept in good repair, and are not used for residential purposes. All dwellings, detached garages, work shops and barns must be approved in writing by the Architectural Control Committee prior to being erected, altered or placed on the Property. The term "dwelling" does not include single or doublewide manufactured homes or modular homes, and said manufactured or modular

homes are not permitted within the subdivision. All dwellings must have at least 1400 square feet of living area, excluding porches, and be built with new construction material and be built on a concrete slab or on a pier foundation. A pier foundation must be constructed with concrete & steel rebar. A combination of a concrete slab and pier foundation may be utilized in the construction of a dwelling. The construction of any building, structure or improvement on any tract shall be completed as to exterior finish and appearance within six (6) months from the date construction was commenced. During the construction of a dwelling, a camper or recreational vehicle may be kept on the property for up to six (6) months, so long as said camper or recreational vehicle is hooked up to an approved septic system. All campers, recreational vehicles and campsites must be placed at least 100 feet from any road right-of-way and be kept in a clean and tidy manner at all times.

2. Tract or Lot Size: No lot or tract shall be smaller than two acres in size.
3. Composite Building Site: Any Owner of one or more adjoining Tracts (or portions thereof) may, with the prior written approval of the Architectural Control Committee consolidate such Tracts or portions into one building site, with the privilege of placing or constructing improvements on such resulting site, in which case the side set-back lines shall be measured from the resulting side property lines rather than from the Tract lines as indicated on the Plat.
4. Location of the Improvements upon the Tract: No building of any kind shall be located on any two (2) acre or larger tract nearer than twenty-five (25) feet to the side property line or no nearer than fifty (50) feet to any public road and no nearer than fifty (50) feet

to the rear property line; except for creek front lots in which the back set-back line will be a minimum of 100 feet with the fifty feet nearest the creek being left in a natural vegetative state and on which no improvements including fencing shall be permitted, provided however, as to any Tract, the Architectural Control Committee may waive or alter any such setback line, except for the creek set back line which must remain 100 feet, if the Architectural Control Committee in the exercise of the Architectural Control Committee's sole discretion, such waiver, or alteration is necessary to permit effective utilization of a Tract. Any such waiver must be in writing and recorded in the Deed Records of Bastrop County, Texas. All dwellings placed on a Tract must be equipped with septic tank or other sewage disposal system meeting all applicable laws, rules, standards and specifications, and all such dwellings must be served with water and electricity. All septic tanks located within two hundred (200) feet of Piney Creek shall meet Lower Colorado River Authority standards for septic tanks located within two hundred feet of the Highland Lakes on the Colorado River.

5. Use of Temporary Structures: No structure of a temporary character, whether basement, shack, garage, barn or other outbuilding shall be maintained or used on any Tract at any time as a residence, either temporarily or permanently; provided, however, that the Developer reserves the exclusive right to erect, place and maintain such facilities in or upon any portion of the subdivision as in its sole discretion may be necessary or convenient while selling tracts, selling or constructing residences and constructing other improvements within the subdivision.
6. Walls and Fences: Walls and fences, shall not be closer to front street property lines



than the Tract boundary line and no closer than the tract boundary line to side street lines. Smooth barbed and electric fences will be permitted on any tract. Fencing shall not be permitted within fifty feet of the center line of a creek.

7. Prohibition of Offensive Activities: No activity, whether for profit or not, shall be conducted on any Tract which is not related to single family residential purposes, unless said activity meets the following criteria: (a) no additional exterior sign of activity is present, (b) it is the type of action that usually happens in a home, (c) no additional traffic, that would not be there normally, is created, (d) the entity or activity maintains an office or place of business elsewhere, and (e) nothing toxic or explosive is present. This restriction is waived in regard to the customary sales activities required to sell homes in the Subdivision. The discharge or use of firearms, fireworks and similar explosive devices are expressly prohibited. Outdoor burning of any material except for brush and tree limbs is expressly prohibited. When brush or trees are being burned, the local fire department must be notified, an adequate supply of water must be available on the tract to protect the tract and contiguous tracts from fire damage and the burning must be in compliance with all state and county regulations and standards.
8. Garbage and Trash Disposal: Garbage and trash or other refuse accumulated on the Tracts in this Property shall not be permitted to be dumped at any place where a nuisance to any residence is or may be created. No Tract shall be used or maintained as a dumping ground for rubbish, trash and garbage. Rubbish, trash, garbage or other waste shall not be allowed to accumulate, shall be kept in sanitary containers and shall be disposed of regularly. All equipment for the storage or disposal of such material shall be kept in a

clean and sanitary condition.

9. Junked Motor Vehicles Prohibited: No Tract shall be used as a depository for abandoned or junked motor vehicles, boats or other motorized equipment. No junk of any kind or character, or dilapidated structure or building of any kind or character, shall be kept on any Tract.
10. Signs: No signs, advertisement, billboards or advertising structure of any kind may be erected or maintained on any Tract without the consent in writing of the Architectural Control Committee except one (1) professionally made sign not more than twenty-four inches (24") wide by thirty inches (30") long advertising an Owner's Tract for sale or rent, and one (1) professionally made sign, not more than twelve inches (12") wide by twenty-four inches (24") long identifying the Tract owner's name or names. Declarant or any member of such committee shall have the right to remove any such sign, advertisement or billboard or structure which is placed on any tract in violation of these restrictions, and in doing so, shall not be liable, and are hereby expressly relieved from, any liability for trespass or other tort in connection therewith, or arising from such removal.
11. Animal Husbandry: No livestock or poultry of any kind except for shetland ponies, Welsh ponies, miniature horses or animals being raised for 4-H or FFA school sponsored programs, excluding pigs or hogs, shall be raised, bred or kept on any Tract smaller than 5 acres. On tracts of 5 acres and greater one (1) horse; one (1) cow; or one (1) goat every two acres, or any combination thereof may be kept, as long as the maximum number of the above stated animals does not exceed one (1) per every two acres and does not become a nuisance or threat to other owners. However, animals being raised for 4-H or FFA

school sponsored programs will be permitted, excluding pigs or hogs. All horses, cows and 4-H animals being raised by individual tract owners must be kept in a fenced area on the Owner's Tract. Dogs, cats, or other common household pets may be kept on a Tract. Dogs must be kept in a kennel, dog run, or fenced in area that confines said dog(s) to that area. Dogs will not be permitted to run loose and must be vaccinated for rabies according to State law once a year and registered with Bastrop County once a year.

12. Mineral Development: No commercial oil drilling, oil development operations, oil refining, quarrying or mining operation of any kind shall be permitted upon or in any Tract. No derrick or other structures designed for the use of boring for oil or natural gas shall be erected, maintained or permitted upon any Tract.
13. Drainage: Natural established drainage patterns of creeks, streets, tracts or roadway ditches will not be impaired by any person or persons. Driveway culverts must be installed and will be of sufficient size to afford proper drainage of ditches without backing water up into ditch or diverting flow. Drainage culvert installation is subject to inspection and approval of the Architectural Control Committee and to County requirements. No dams or other obstructions shall be constructed to impede the natural flow of Piney Creek or the drainage ways emptying into any ponds or stock tanks currently located on the tract of land shown on Exhibit "A".
14. Antennas: Antennas of any kind shall not exceed ten feet above the roof of the Dwelling or Accessory Building.
15. Re-subdivision: No tract shall be re-subdivided or split into tracts of less than two acres.
16. Roadways: All roads fronting on any Tract in the Property shall comply with the Bastrop

County roadway standards.

17. Enforcement: These restrictions can be enforced by the Developer, the Association, any owner of a Tract, and the owner of the tract of land shown on Exhibit "C". Other than the Association, enforcement of these Restrictions, including the remedy of injunctive relief, shall be by a lawsuit in the District Court of Bastrop County, Texas. In addition, in the event of the failure of Owner to comply with the above requirements after ten (10) days written notice thereof, the Association or their designated agents may, without liability to the Owner, Contractor or any occupants of the Tract in trespass or otherwise, enter upon (and/or authorize one or more others to enter upon) said Tract, cause to be removed, such garbage, trash and rubbish or do any other thing necessary to secure compliance with these Restrictions. Payment for the charges shall be payable on the first day of the next calendar month.
18. Term and Amendment: These restrictions shall be effective for a period of twenty years from the date these restrictions are imposed. They will automatically be extended for an additional twenty year term unless terminated in writing by two-thirds of the Tract owners owning property on January 1, 2018. These restrictions may be amended from time to time by written amendment(s) filed of record in the Deed Records of Bastrop County, Texas, which have been approved by the Developer, two-thirds of the owners of tract in the Property and the Owner(s) of the tract of land identified on Exhibit "C" ("Adjacent Property"). All rights of the Owner(s) of the Adjacent Property under these restrictions terminate as to any tract in the Adjacent Property if Joan Yelderman Bohls, Kent Bohls, or Joan Yelderman Bohls' direct descendants collectively directly or through ownership



interests in a corporate, company or partnership entity indirectly ever own less than 80% of the fee simple interest in that tract located on the Adjacent Property.

19. Severability: If any part or provision of these Restrictive Covenants shall be declared invalid by judgment or court order, the same shall not affect any of the other provisions of these Restrictive Covenants, and such remaining provisions shall remain in full force and effect.
20. Waiver and Estoppel: The failure at any time to enforce these Restrictive Covenants, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to enforce.

Signed effective this 19<sup>th</sup> day of November, 1998.

Name:

Date of Signature:

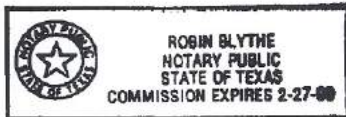
Marjorie L. Yelderman  
Marjorie L. Yelderman

November 24, 1998

ACKNOWLEDGMENT

STATE OF TEXAS           §  
                                     §  
COUNTY OF FORT BEND   §

This instrument was acknowledged before me on the 24<sup>th</sup> day of November, 1998, by  
Marjorie L. Yelderman.



Robin Blythe  
Notary Public In and For  
The State of Texas

AFTER RECORDING RETURN TO:

Scanlan, Buckle & Young, P.C.  
602 West 11<sup>th</sup> Street  
Austin, Texas 78701

1003 Jefferson Street  
Bastrop, Texas 78002  
(512) 583-0802  
Fax: (512) 322-0801

LEGAL DESCRIPTION

*all  
to  
present*

910.459 ACRES OF LAND OUT OF THE SAMUEL H. REID SURVEY, ABSTRACT NO. 290, THE RALPH W. WHITTLESEY SURVEY, ABSTRACT NO. 363 AND THE WILLIAM M. EASTLAND SURVEY, ABSTRACT NO. 157 IN BASTROP COUNTY, TEXAS, SAVE AND EXCEPT THAT TRACT CONVEYED AS 8.5 ACRES OUT OF SAID WILLIAM EASTLAND SURVEY TO SAINT PETERS CHURCH BY DEED RECORDED IN VOLUME 44, PAGE 209 AND MENTIONED IN VOLUME 151, PAGE 551 AND VOLUME 189, PAGE 538, ALL OF BASTROP COUNTY DEED RECORDS; SAID 910.459 ACRES COMPRISED OF A PORTION OF THAT TRACT CONVEYED AS 446.3 ACRES TO MARK L. YELDERMAN, JOAN YELDERMAN BOHLS, MARIE YELDERMAN CAMP AND MARGIE ANN YELDERMAN NORDT BY DEED RECORDED IN VOLUME 702, PAGE 494, BASTROP COUNTY DEED RECORDS, ALL OF THAT TRACT CONVEYED AS 2.28 ACRES TO R. L. YELDERMAN BY DEED RECORDED IN VOLUME 202, PAGE 706 OF SAID DEED RECORDS, A PORTION OF THAT TRACT CONVEYED AS 77.580 ACRES TO MARK YELDERMAN, JOAN YELDERMAN BOHLS, JUDY DAY YELDERMAN, MARIA YELDERMAN CAMP AND MARGIE ANN YELDERMAN NORDT BY DEED RECORDED IN VOLUME 776, PAGE 13 OF SAID DEED RECORDS, A PORTION OF THAT TRACT CONVEYED AS 100 ACRES TO MARK YELDERMAN, JOAN YELDERMAN, JUDY YELDERMAN, MARIA YELDERMAN AND MARGIE ANN YELDERMAN BY DEED RECORDED IN VOLUME 419, PAGE 421 OF SAID DEED RECORDS AND A PORTION OF THAT TRACT CONVEYED AS TRACT 1, 563 2/3 ACRES, ALL OF THAT TRACT CONVEYED AS TRACT 2, 50 ACRES, ALL THAT TRACT CONVEYED AS TRACT 3, 36 ACRES, ALL OF THAT TRACT CONVEYED AS TRACT 4, 50 ACRES AND A PORTION OF THAT TRACT CONVEYED AS TRACT 5, 231.9 ACRES TO MARK L. YELDERMAN AND ROBERT L. YELDERMAN, TRUSTEES OF THE JUDY YELDERMAN PRICE TRUST BY DEED RECORDED IN VOLUME 595, PAGE 235 OF SAID DEED RECORDS AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF C. RICHARD RALPH, REGISTERED PROFESSIONAL LAND SURVEYOR DURING NOVEMBER, 1998:

*to  
corner*

BEGINNING at an iron rod found for the southeast corner hereof, the common east corner of said 2.28 acres and that tract conveyed as 4.520 acres to Joan Yelderman Bohls by deed recorded in Volume 780, Page 150 of said Deed Records and a point on the west right-of-way line of State Highway No. 304 (120' R.O.W.);

THENCE the following nine (9) courses:

- 1) N 79°51'21" W, 233.31 feet to an iron rod set for the common west corner of said 2.28 acres and said 4.520 acres and a point on the easterly line of said 446.3 acres;
- 2) S 08°16'31" W, 575.73 feet to an iron rod set for the southwest corner of said 4.520 acres and a point on the north line of that tract conveyed as 103.23 acres to Clyde H. Paulk, Jr. and Barbara A. Paulk by deed recorded in Volume 420, Page 707 of said Deed Records;
- 3) N 61°05'20" W, 297.78 feet to an iron rod found at a fence corner for the northwest corner of said 103.23 acres and the north corner of a 32.939 acre tract surveyed this day;
- 4) S 52°14'51" W, 2842.45 feet over and across said 446.3 acres to an iron pipe found at a fence corner for the common east corner of said 446.3 and said 77.580 acres, the southwest corner of

Bastrop Texas

COUNTY CLERK'S OFFICE  
PORTIONS OF THIS  
DOCUMENT NOT  
REPRODUCIBLE  
WHEN RECORDED



**PROFESSIONAL  
LAND SURVEYORS**

910.459 Acres  
Save and Except 8.5 Acres  
Page 2 of 5

**EXHIBIT "A"**

- 5) S 28°00'56" W, 483.53 feet along the fenced common line of said 77.580 acre and said Frampton tracts to an iron rod set;
- 6) S 29°19'15" W, 657.32 feet along the fenced common line of said 77.580 acre and said Frampton tract, the east line of said 100 acres and the west line of that tract conveyed as Tract One, 15.383 acres and Tract Two, 100 acres to D'Lana Gai Campbell Anderson by deed recorded in Volume 931, Page 679 of said Deed Records to an iron rod set;
- 8) S 29°33'05" W, 610.59 feet along the fenced common line of said 100 acres and said Anderson tract to an iron rod set;
- 9) S 29°30'17" W, 431.29 feet as fenced to an iron rod set for the common south corner of said 100 acres and said Anderson tract and a point on the north line of that tract conveyed as 300 acres to Richard L. Burdick by deed recorded in Volume 219, Page 354 of said Deed Records;
- 10) N 60°30'56" W, 709.43 feet along the fenced south line of said 100 acres to an iron rod set for the common north corner of said 563 2/3 acres and said Burdick tract and a point along the approximate centerline of Piney Creek;

THENCE the following 18 courses along common line of said 563 2/3 acres and said Burdick tract and the approximate centerline of said Piney Creek:

- 1 S 29°13'58" E, 394.20 feet to an iron rod set;
- 2 S 04°06'02" E, 327.13 feet to an iron rod set;
- 3 S 35°33'49" E, 166.72 feet to an iron rod set;
- 4 S 70°24'11" E, 231.44 feet to an iron rod set;
- 5 S 63°53'05" E, 332.08 feet to an iron rod set;
- 6 S 69°27'35" E, 209.61 feet to an iron rod set;
- 7 S 40°01'23" E, 349.99 feet to an iron rod set;
- 8 S 49°57'47" E, 283.19 feet to an iron rod set;
- 9 S 11°29'16" W, 331.97 feet to an iron rod set;
- 10 S 49°40'52" E, 161.60 feet to an iron rod set;
- 11 S 57°40'01" W, 181.78 feet to an iron rod set;
- 12 S 78°57'18" W, 193.36 feet to an iron rod set;
- 13 S 72°43'59" W, 81.14 feet to an iron rod set;
- 14 N 78°20'18" W, 451.51 feet to an iron rod set;
- 15 S 86°09'59" W, 344.61 feet to an iron rod set;
- 16 S 64°56'40" W, 329.61 feet to an iron rod set;
- 17 S 20°55'17" W, 78.82 feet to an iron rod set;
- 18 S 03°12'10" E, 24.85 feet to an iron rod set for the south corner hereof, the common south corner of said 563 2/3 acres and said Burdick tract and a point on the north line of Lot 423, Pine Valley Estates Section 2, a Subdivision of record in Cabinet 1, Page 186 A, Bastrop County Plat Records;

THENCE the following fourteen (14) courses along the fenced common line of said 563 2/3 acres and said Subdivision and the north line of that tract conveyed as 1000 acres to Roland N. Flick, Jr. by deed recorded in Volume 328, Page 253 of said Deed Records:

- 1) N 39°56'18" W, 62.73 feet to an iron rod set;
- 2) N 60°29'30" W, 434.81 feet to an iron rod found;
- 3) N 60°49'55" W, 434.13 feet to an iron rod found;

Bastrop, Texas



**PROFESSIONAL  
LAND SURVEYORS**

910.459 Acres  
Save and Except 8.5 Acres  
Page 3 of 5

**EXHIBIT "A"**

- 4) N 60°57'27" W, 410.87 feet to an iron rod found;
- 5) N 59°45'14" W, 289.11 feet to an iron rod found;
- 6) N 61°39'58" W, 255.92 feet to an iron rod found;
- 7) N 60°27'51" W, 689.38 feet to an iron rod found;
- 8) N 59°20'31" W, 197.97 feet to an iron rod found;
- 9) N 61°44'24" W, 378.31 feet to an iron rod found;
- 10) N 59°54'23" W, 514.16 feet to an iron rod found;
- 11) N 61°00'13" W, 806.18 feet to an iron rod set;
- 12) N 60°23'05" W, 1324.21 feet to an iron rod found for the common north corner of said Subdivision and said Flick tract;
- 13) N 60°59'03" W, 860.59 feet to an iron rod set;
- 14) N 60°42'14" W, 571.35 feet to an iron rod set for the southwest corner of said 563 2/3 acres;

THENCE the following thirteen (13) courses along the common fenced line of said 562 2/3 acres and said Flick tract and the south line of said Tract 2, 50 acres:

- 1) N 29°29'15" E, 283.60 feet to an iron rod set;
- 2) N 29°52'08" E, 487.06 feet to an iron rod set;
- 3) N 28°35'19" E, 658.89 feet to an iron rod set;
- 4) N 30°00'28" E, 707.48 feet to an iron rod set;
- 5) N 28°18'41" E, 163.94 feet to an iron rod set for a point on the south line of said Tract 2, 50 acres;
- 6) N 59°08'40" W, 437.52 feet to an iron rod set;
- 7) N 60°40'36" W, 642.87 feet to an iron rod set;
- 8) N 59°50'19" W, 265.12 feet to an iron rod set;
- 9) N 60°38'34" W, 184.42 feet to an iron rod set;
- 10) N 61°48'16" W, 76.07 feet to an iron rod set;
- 11) N 60°50'40" W, 125.03 feet to an iron rod set;
- 12) N 42°32'27" W, 23.02 feet to an iron rod set;
- 13) N 53°08'53" W, 28.20 feet to an iron rod set for the common south corner of said Tract 2, 50 acres and that tract conveyed as 76.574 acres to Robert N. Miller and Dorothy L. Miller by deed recorded in Volume 336, page 315 of said Deed Records and a point on the approximate centerline of Sandy Creek;

THENCE the following seventeen (17) courses along common line of said Tract 2, 50 acres, Tract 4, 50 acres and said Miller tract and the common line of said Tract 3, 36 acres and that tract conveyed as Tract 3, 4 acres to same said Trustees by same said deed recorded in Volume 595, Page 235; same being along the approximate centerline of said Sandy Creek:

- 1) N 40°00'34" E, 222.72 feet to an iron rod set;
- 2) N 84°13'10" E, 177.75 feet to an iron rod set;
- 3) N 70°52'56" E, 232.09 feet to an iron rod set;
- 4) S 87°09'19" E, 222.81 feet to an iron rod set;
- 5) S 40°23'20" E, 117.46 feet to an iron rod set;
- 6) S 62°08'14" E, 118.88 feet to an iron rod set;
- 7) S 74°50'21" E, 194.16 feet to an iron rod set;

Surveyed Texas

PROFESSIONAL  
LAND SURVEYORS910.459 Acres  
Save and Except 8.5 Acres  
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## EXHIBIT "A"

- 8) N 49°11'32" E, 129.17 feet to an iron rod set;
- 9) N 25°45'20" W, 190.16 feet to an iron rod set;
- 10) N 02°26'56" W, 452.16 feet to an iron rod set;
- 11) N 76°48'04" W, 150.16 feet to an iron rod set;
- 12) N 45°45'33" W, 214.32 feet to an iron rod set;
- 13) N 24°12'15" E, 125.15 feet to an iron rod set;
- 14) N 11°31'49" W, 190.48 feet to an iron rod set;
- 15) N 00°02'32" E, pass at 316.09 feet an iron rod set for the common east corner of said Tract 3, 4 acres and said Miller tract, continue for a total of 382.29 feet to an iron rod set;
- 16) N 04°03'25" E, 111.44 feet to an iron rod set;
- 17) N 08°16'42" E, 139.65 feet to an iron rod set for the northwest corner hereof, the common north corner of said Tract 3, 4 acres and said Tract 3, 36 acres, the common west corner of said Tract 3, 36 acres and said 231.9 acres and the southeast corner of that tract conveyed as 72.07 acres to Charles Watterson and Virginia Woodress Watterson by deed recorded in Volume 149, page 64 of said Deed Records;

THENCE S 59°44'00" E, 5882.61 feet to an iron rod set for the southeast corner of said 231.9 acres and a point on the west line of said 563 2/3 acres and N 28°25'36" W, 523.94 feet along the common line of said 231.9 acres and said 563 2/3 acres to an iron rod set approximately 10 feet west of the westerly high bank of said Piney Creek for a point on the west line of a 324.788 acre tract surveyed this day;

THENCE the following thirty eight (38) courses over and across said 563 2/3 acres, said 446.3 acres and said 77.580 acres along the west and south line of said 324.788 acres:

- 1) N 87°34'27" E, 140.57 feet to an iron rod set;
- 2) S 37°37'17" E, 125.83 feet to an iron rod set;
- 3) S 23°54'00" W, 210.36 feet to an iron rod set;
- 4) S 18°04'40" E, 133.91 feet to an iron rod set;
- 5) S 41°09'02" E, 154.78 feet to an iron rod set;
- 6) S 34°43'44" E, 255.50 feet to an iron rod set;
- 7) S 31°55'16" E, 83.34 feet to an iron rod set;
- 8) S 57°44'09" E, 80.11 feet to an iron rod set;
- 9) S 11°16'48" E, departing from said line approximately 10' west of the westerly high bank of said Piney Creek 900.79 feet to an iron rod set for the southwest corner of said 324.788 acres;
- 10) N 81°22'12" E, 511.54 feet to an iron rod set;
- 11) N 06°53'02" E, 192.49 feet to an iron rod set;
- 12) N 21°32'49" E, 141.35 feet to an iron rod set;
- 13) N 14°46'32" E, 92.81 feet to an iron rod set;
- 14) N 04°05'38" W, 62.37 feet to an iron rod set;
- 15) N 57°54'33" E, 187.64 feet to an iron rod set;
- 16) N 50°54'03" E, 99.21 feet to an iron rod set;
- 17) N 70°05'15" E, 274.65 feet to an iron rod set;
- 18) N 68°30'07" E, 169.76 feet to an iron rod set;
- 19) N 62°09'43" E, 289.70 feet to an iron rod set;
- 20) N 69°47'31" E, 169.69 feet to an iron rod set;
- 21) N 57°29'54" E, 173.27 feet to an iron rod set;

Resurvey Texas

**PROFESSIONAL  
LAND SURVEYORS**

910.459 Acres  
Save and Except 8.5 Acres.  
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**EXHIBIT "A"**

- 22) N 49°30'13" E, 243.21 feet to an iron rod set;
- 23) N 59°03'56" E, 232.00 feet to an iron rod set;
- 24) N 47°06'26" E, 197.81 feet to an iron rod set;
- 25) N 62°29'15" E, 227.67 feet to an iron rod set;
- 26) N 48°16'24" E, 113.64 feet to an iron rod set;
- 27) N 58°59'28" E, 160.52 feet to an iron rod set;
- 28) N 43°19'18" E, 85.22 feet to an iron rod set;
- 29) S 56°25'36" E, 56.73 feet to an iron rod set;
- 30) N 43°16'02" E, 237.34 feet to an iron rod set;
- 31) — N 56°14'04" W, 63.88 feet to an iron rod set;
- 32) N 38°00'20" E, 168.79 feet to an iron rod set;
- 33) N 55°15'03" E, 45.54 feet to an iron rod set;
- 34) N 44°15'00" E, 87.82 feet to an iron rod set;
- 35) N 37°48'43" E, 84.43 feet to an iron rod set;
- 36) N 64°51'48" E, 116.47 feet to an iron rod set;
- 37) N 63°26'03" E, 1291.14 feet to an iron rod set;
- 38) S 79°54'11" E, 175.46 feet to an iron rod set for the northeast corner hereof, the southeast corner of said 324.788 acres, a point on the east line of said 446.3 acres and the west line of a 0.838 acre tract situated between the west line of said Highway and the east line of 446.3 acres and surveyed this day;

THENCE S 08°16'31" W, 439.71 feet to an iron rod set for the southwest corner of said 0.838 acre and the northwest corner of said 2.28 acres and N 88°22'47" E, 115.32 feet to an iron rod set for the southeast corner of said 0.838 acre, the northeast corner of said 2.28 acres and a point on the west line of said Highway;

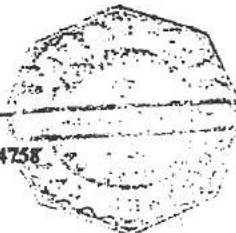
THENCE S 02°04'00" E, 666.12 feet along the west line of said Highway to the POINT OF BEGINNING, containing 910.459 acres of land, more or less, save and except said 8.5 acres and shown as Tract 1 on the survey map prepared herewith.

Surveyed by:



C. Richard Ralph  
Registered Professional Land Surveyor No. 4758

Project No. 98311295



November 18, 1998



PROFESSIONAL  
LAND SURVEYORS

## EXHIBIT "B"

1003 Jefferson Street  
Bastrop, Texas 78002  
(512) 333-0902  
Fax: (512) 332-0901

## LEGAL DESCRIPTION

155.608 ACRES OF LAND OUT OF THE WILLIAM BILLINGSLEY SURVEY, ABSTRACT NO. 105 IN BASTROP COUNTY, TEXAS, COMPRISED OF A PORTION OF THAT TRACT CONVEYED AS TRACT 5, 231.9 ACRES TO MARK L. YELDERMAN AND ROBERT L. YELDERMAN, TRUSTEES OF THE JUDY YELDERMAN PRICE TRUST BY DEED RECORDED IN VOLUME 595, PAGE 235, BASTROP COUNTY DEED RECORDS AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF C. RICHARD RALPH, REGISTERED PROFESSIONAL LAND SURVEYOR DURING NOVEMBER, 1998:

BEGINNING at an iron rod set along the centerline of Sandy Creek for the northwest corner hereof, the common north corner of said 231.9 acres and that tract conveyed as 72.07 acres to Charles C. Watterson and Virginia Woodress Watterson by deed recorded in Volume 149, Page 64 of said Deed Records and a point on the south line of that tract conveyed as 391 1/2 acres to Charles C. Watterson by deed recorded in Volume 157, Page 264 of said Deed Records;

THENCE the following eleven (11) courses along the fenced north line of said 231.9 acres:

- 1) S 44°57'04" E, 32.75 feet to an iron rod set;
- 2) S 35°28'06" E, 59.76 feet to an iron rod set;
- 3) S 45°23'59" E, 317.36 feet to an iron rod set;
- 4) S 46°02'06" E, 389.11 feet to an iron rod set for the south corner of said 391 1/2 acres and a point on the west line of that tract conveyed as 739 acres to Stephen Barker by deed recorded in Volume 203, Page 117 of said Deed Records;
- 5) S 44°13'03" W, 565.20 feet to an iron rod set for the southwest corner of said Barker tract;
- 6) N 89°50'20" E, 398.75 feet to an iron rod set;
- 7) N 88°27'22" E, 852.78 feet to an iron rod set;
- 8) N 88°02'10" E, 583.33 feet to an iron rod set;
- 9) N 88°33'04" E, 570.42 feet to an iron rod set;
- 10) N 88°45'01" E, 450.82 feet to an iron rod set;
- 11) N 89°42'55" E, 239.88 feet to an iron rod set approximately 10 feet west of the westerly high bank of Piney Creek for the northeast corner hereof, a point on the south line of said Barker tract and the northwest corner of a 324.778 acre tract surveyed this day;

THENCE the following seventeen (17) courses along said line approximately 10 feet west of the westerly high bank of said Piney Creek, same being the common line hereof and of said 324.778 acres:

- 1) S 12°18'18" W, 263.61 feet to an iron rod set;
- 2) S 00°35'59" E, 97.01 feet to an iron rod set;
- 3) S 07°24'24" E, 265.39 feet to an iron rod set;
- 4) S 24°06'13" E, 422.88 feet to an iron rod set;
- 5) S 70°45'04" E, 137.81 feet to an iron rod set;
- 6) S 45°51'49" E, 423.33 feet to an iron rod set;
- 7) S 77°40'16" E, 101.01 feet to an iron rod set;
- 8) S 50°05'30" E, 183.38 feet to an iron rod set;
- 9) S 01°02'41" E, 124.88 feet to an iron rod set;
- 10) S 19°59'47" W, 239.85 feet to an iron rod set;

Bastrop Texas



PROFESSIONAL  
LAND SURVEYORS155.608 Acres  
Page 2 of 2

## EXHIBIT "B"

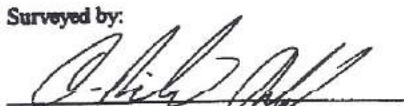
- 11) S 53°29'09" W, 163.92 feet to an iron rod set;
- 12) S 31°52'27" W, 84.03 feet to an iron rod set;
- 13) S 03°24'52" W, 143.10 feet to an iron rod set;
- 14) S 12°43'46" E, 151.18 feet to an iron rod set;
- 15) S 78°13'43" E, 214.34 feet to an iron rod set;
- 16) N 87°34'27" E, 63.24 feet to an iron rod set for point on the common line of said 231.9 acres and that tract conveyed as Tract 1, 565 2/3 acres to Mark L. Yelderman and Robert L. Yelderman, Trustees of the Judy Yelderman Price Trust by deed recorded in Volume 595, Page 235 of said Deed Records;

THENCE S 28°25'36" W, 523.94 feet to an iron rod set for the common south corner of said 231.9 acres and said 565 2/3 acres and N 59°44'00" W, 5882.61 feet along the common line of said 231.9 acres and said 565 2/3 acres and the north line of that tract conveyed as Tract 3, 36 acres to same said Trustees by same said Deed to an iron rod set for the southwest corner hereof, the common west corner of said 231.9 acres and said 36-acres, the common east corner of that tract conveyed as Tract 3, 4 acres to same said Trustees by same said Deed and said Watterson tract and a point along the approximate centerline of said Sandy Creek;

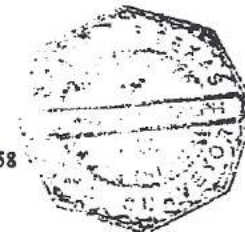
THENCE following twelve (12) courses along the approximate centerline of said Sandy Creek, same being the common line of said 231.9 acres and said Watterson tract:

- 1) N 08°16'42" E, 29.15 feet to an iron rod set;
- 2) N 16°27'09" W, 116.51 feet to an iron rod set;
- 3) N 39°29'43" E, 151.02 feet to an iron rod set;
- 4) S 62°51'05" E, 191.53 feet to an iron rod set;
- 5) S 23°36'19" E, 192.16 feet to an iron rod set;
- 6) S 60°11'01" E, 161.84 feet to an iron rod set;
- 7) N 70°13'10" E, 217.55 feet to an iron rod set;
- 8) N 81°47'29" E, 87.98 feet to an iron rod set;
- 9) N 18°15'03" E, 206.22 feet to an iron rod set;
- 10) N 04°04'53" W, 262.41 feet to an iron rod set;
- 11) N 53°47'43" E, 251.44 feet to an iron rod set;
- 12) N 58°28'30" E, 237.78 feet to the POINT OF BEGINNING, containing 155.608 acres of land, more or less and shown as Tract 2 on the survey map prepared herewith.

Surveyed by:

  
 C. Richard Ralph  
 Registered Professional Land Surveyor No. 4758

Project No. 98311295



November 18, 1998

Bastrop, Tenn

FILED AND RECORDED

VOL 949 PAGE 214

*Shirley Wilhelm*

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Shirley Wilhelm

COUNTY CLERK

BASTROP COUNTY, TEXAS

By *Br.*

Stankin, Buckle + Young

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