

ACKNOWLEDGMENT AND RATIFICATION OF EASEMENT

STATE OF TEXAS
 COUNTY OF ERATH

*
 * KNOW ALL MEN BY THESE PRESENTS:
 *

WHEREAS, DOLORES MITCHELL, Individually and as Guardian of the Person and Estate of BRIAN S. WALLACE, owns those certain tracts being 140.637 acres of land, more or less, out of the Reuben Dillard Survey, Abstract No. 198, Erath County, Texas; and,

WHEREAS, MARK DAVIS and wife, KARLA DAVIS, owns that certain tract being 160 acres out of the Reuben Dillard Survey, A-198, Erath County, Texas.

WHEREAS, historically, a roadway has crossed the 140.637 acre tract connecting the 160 acre tract to a public right of way.

NOW, THEREFORE, DOLORES MITCHELL, Individually and as Guardian of the Person and Estate of BRIAN S. WALLACE,, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) to it in hand paid by MARK DAVIS and wife, KARLA DAVIS, the receipt whereof is hereby acknowledged, has GRANTED and CONVEYED, and by these presents does GRANT and CONVEY, unto the said MARK DAVIS and wife, KARLA DAVIS, their heirs and assigns, the free and uninterrupted use, liberty, privilege and easement of passing to, from, along and across an existing road across that certain 140.637 acres situated in said county adjoining the premises of said MARK DAVIS and wife, KARLA DAVIS, in and across such land more fully

described by metes and bounds in Exhibit "A", attached hereto and made a part hereof for all purposes, and said Davis land being 160 acres, more fully described in Exhibit "B", attached hereto and made a part hereof for all purposes; together with free ingress, egress, regress to and for the said MARK DAVIS and wife, KARLA DAVIS, their heirs and assigns, and their tenants, guests and invitees, by foot, with automobiles, trucks, trailers and other vehicles and human or animal traffic, as by them shall be necessary or convenient at all times and seasons forever, in, along, upon and out of said tracts in the area described in Exhibit "A" on the existing roadway located thereon, IN COMMON WITH IT, the said DOLORES MITCHEL, Individually and as Guardian of the Person and Estate of BRIAN S. WALLACE, their heirs, successors and assigns, and their tenants, guests and invitees; to have and to hold all and singular the rights and privileges aforesaid to them, the said MARK DAVIS and wife, KARLA DAVIS, their heir and assigns, to their proper use and behoof, IN COMMON WITH IT, the said DOLORES MITCHELL, Individually and as Guardian of the Person and Estate of BRIAN S. WALLACE, their heirs, successors and assigns, and their tenants, guests and invitees.

WITNESS my hand this 24 day of January, 1994.

Dolores Mitchell
Dolores Mitchell, Individually

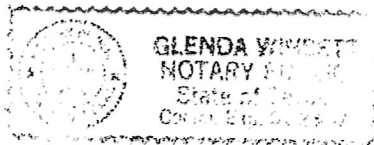
Dolores Mitchell

Dolores Mitchell, as Guardian
of the Estate of Brian S.
Wallace

STATE OF TEXAS *
 *
COUNTY OF ERATH *

This instrument was acknowledged before me on this the
24 day of January, 1994, by DOLORES MITCHELL,
Individually and as Guardian of the Person and Estate of
Brian S. Wallace.

Glenda Winsett
Notary Public, State of Texas



NOTICE

This instrument was prepared solely
from information and on instructions
given to us by our client. No title
opinion or other information has been
furnished to us or given by us in
connection with its preparation.

LAW OFFICES OF RICHARD D. COAN, P.C.

AFTER RECORDING RETURN TO:

Richard D. Coan, P.C.
188 North Graham St.
Stephenville, Texas 76401

PREPARED IN THE LAW OFFICE OF:

Richard D. Coan, P.C.
188 North Graham St.
Stephenville, Texas 76401

All those tracts of land, BEING 140.637 acres of land, more or less, out of the REUBEN DILLARD SURVEY, Abst. No. 198, Erath County, Texas, and being described in two tracts described as follows:

TRACT ONE: Being 139.25 acres of land, more or less, off the north side of Block #5, of the Reuben Dillard 640 acre survey, Patent No. 47, Vol. #4, Abstract #198, situated in Erath County, Texas, about 10 miles east of Stephenville and described by metes and bounds as follows, to-wit:

BEGINNING 118 vrs. N 35-30 W from the SW corner of said Dillard Survey at the NW corner of the C.C. Meador 20-1/4 acre tract;
THENCE N 35-30 W 917 vrs. with original W line of said Dillard Sur. to NWC of Block #5 at SWC of Block #1;
THENCE N 60-45 E 1020 vrs. to NEC of Block #5 and SEC of Block #1;
THENCE S 32-50 E 917 vrs. with E line of Block #5, 917 vrs. to NEC of said C.C. Meador 20-1/4 acres;
THENCE S 60-45 W 975 vrs. to place of beginning.

TRACT TWO: All that certain 1.387 acres out of the R. Dillard Survey, A-198, and being part of a certain 20.50 acre tract described in Deed dated May 14, 1987, from Jay Mills, to Toby Jay Mills, recorded in Vol. 718, page 187, Deed Records of Erath County, Texas, and also being same land described as 1.37 acres in Survey made by J.O. Yantis, recorded in Vol. 358, page 129, said records, and the 1.387 acres being described as follows:

BEGINNING at an iron rod at fence corner in North side of a county road, at the fenced SWC of the R. Dillard Survey, A-198, for the SWC of said 20.5 acres, SWC of said 1.37 acres, and SWC of this tract;
THENCE N. 35-30 W. with fence and West line of the Dillard Survey, 337.1 feet to an iron rod set in fence, for the NWC of this tract;
THENCE N. 60-47 E. 222.3 feet to a 12" corner post, in North line of the Mills 20.5 acres, for the NEC of the former 1.37 acres and NEC of this tract;
THENCE S. 21-18 E. with fence, 337.1 feet to a 12" corner post, in North line of county road, for South line of the 20.5 acres, SEC of said 1.37 acres and SEC of this tract;
THENCE S. 60-18 W. with North side of road, 139.0 feet to the place of beginning, containing 1.387 acres.

EXHIBIT "A"

200 ORIGINAL

160 acres of land out of Reuben Dillard Survey, Abstract No. 198, Patent No. 47, Volume 4, dated March 24, 1847, described by metes and bounds as follows:

BEGINNING at the original NWC of said Dillard Survey, being the most Western corner of said Survey;

THENCE North 58 deg. 40' East 1070 varas with the NBL of original survey to the NWC of Block 2 of said Survey;

THENCE South 32 deg. 50' East 1002 varas with the West line of Block 2 to the NEC of Block 5 of said Survey;

THENCE South 60 deg. 45' West 1020 varas to the NWC of Block 5 in the WBL of said Dillard Survey;

THENCE North 35 deg. 30' West 960 varas with WBL of original survey to the place of BEGINNING.

EXHIBIT "B"

17.00
Chg + net
Coan + Elliott

95 0751

FILED FOR RECORD
At 2:00 O'Clock P M

FEB 13 1995

NELDA CROCKETT, COUNTY CLERK
ERATH COUNTY, TEXAS
BY _____ DEPUTY