

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

533.93 ACRES OF LAND, MORE OR LESS, IN THE A DE LA SERDA SURVEY, FALLS COUNTY, TEXAS, MORE FULLY DESCRIBED IN THE ATTACHED EXHIBIT "A".

SAVE AND EXCEPT 276.47 ACRES IN A DE LA SERDA SURVEY, FALLS COUNTY, TEXAS, OUT OF A TRACT OF 533.93 ACRES MORE FULLY DESCRIBED IN ATTACHED EXHIBIT "B".

212.22 ACRES OF LAND, MORE OR LESS, IN THE A DE LA SERDA SURVEY, FALLS COUNTY, TEXAS, MORE FULLY DESCRIBED IN ATTACHED EXHIBIT "C".

SAVE AND EXCEPT 78.20 ACRES IN A DE LA SERDA SURVEY, FALLS COUNTY, TEXAS, OUT OF A TRACT 212.22 ACRES MORE FULLY DESCRIBED IN ATTACHED EXHIBIT "D".

188.96 ACRES OF LAND, MORE OR LESS, IN THE MICHAEL SESSUM SURVEY, FALLS COUNTY, TEXAS, MORE FULLY DESCRIBED IN ATTACHED EXHIBIT "E".

2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date,

time, and place:

Date: Tuesday, November 5, 2019

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale shall be completed no later than 4:00 p.m.

Place: The area of the Falls County Courthouse in Marlin, Texas, designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code as a place where foreclosure sales are to take place.

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear

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OCT 11 2019

LINDA WATKINS
CO. CLK. FALLS CO.

at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the beneficiary has the right to direct the trustee or substitute trustee to sell the property in one or more parcels and/or sell all or only part of the property.

Pursuant to the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any)

provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and condition of the property.

Pursuant to the Texas Property Code, the trustee or substitute trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the sale.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.) and state law, including section 51.015 Texas Property Code. Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice.

4. Type of Sale. The sale is a nonjudicial Deed of Trust lien foreclosure sale being conducted pursuant to the power of sale granted by that one certain Deed of Trust executed by James R. Lee and Arinda T. Lee, dated March 24, 2011, and recorded in Volume 00255, Page 00036 of the Deed of Trust Records of Falls County, Texas.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described in the original principal amount of \$450,000.00 payable to the order of First State Bank Central Texas as well as all other debts owed to First State Bank Central Texas which debts include a Promissory Note in the original principal balance of \$152,000.00 (collectively the "Obligation"). BancorpSouth Bank, successor in interest by merger

with First State Bank Central Texas is the current owner and holder of the Obligation and is the beneficiary under the Deed of Trust.

6. Default and Request To Act. Default has occurred under the Deed of Trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: October 11, 2019.



Blake Rasner
Substitute Trustee
Haley & Olson, P.C.
100 N. Ritchie Road, Suite 200
Waco, Texas 76712
Telephone: (254) 776-3336
Facsimile: (254) 776-6823
Email: brasner@haleyolso.com

Description of: 533.93 Acres, A. de la Serda Survey, A-67, Falls County, Texas.
 Owner: Buie Enterprises, Ltd.

BEING a ~~533.93~~ acres tract of land situated in the A. de la Serda Survey, A-67, Falls County, Texas, adjacent to the West side of county road (CR) 181 and the South side of county road (CR) 182, and being that called 217.6 acres, 193.7 acres, and 125 acres tract of land described as TRACT ONE in the deed dated November 29, 1994 from N. D. Buie, Jr. et ux to Buie Enterprises, Ltd. recorded in Vol. 54, Pg. 313, Official Public Records of Falls County, Texas, said 533.93 acres being more particularly described by metes and bounds as follows:

BEGINNING at a point where the centerline of CR 181 intersects the centerline of CR 182 in the South line of the Thomas B. Burnes called 253.73 acres tract of record in Vol. 59, Pg. 67, Official Public Records, for Northeast corner of said 217.6 acres tract and this tract, same being the Northwest corner of the Gary B. Randle called 94 acres tract of record in Vol. 10, Pg. 197, Official Public Records;

THENCE S.28°00'00"E. (basis of bearing from 217.6 acres tract in Vol. 106, Pg. 112, Official Public Records) 3701.92 ft. with the centerline of CR 182 for East line of said 217.6 acres tract and this tract, same being the West line of said Randle tract, to a set 1/2" iron rod in the North line of the Gary Radle called 37-1/2 acres tract of record in Vol. 295, Pg. 597, Deed Records, Falls County, Texas, and in a fence line on the East side of CR 181 for an ell corner in the East line of said 217.6 acres tract and this tract, from which corner a 6" cedar fence corner post bears N.62°00'00"E. 22.32 ft.;

THENCE S.62°00'00"W. 279.41 ft. with the North line of said Radle tract, crossing said road to a set 1/2" iron rod in the Northwest margin of CR 181 for an angle corner in the extended centerline of said road and in the East line of this tract, from which corner a set 1/2" iron rod for reference at the base of a cross-tie fence corner post in the West margin of said road bears N.73°42'22"W. 26.49 ft., same being the Northwest corner of said Radle tract;

THENCE S.0°18'23"E. 1482.20 ft. with the centerline of CR 181 and the East line of said 217.6 acres tract for East line of this tract and West line of said Radle 37-1/2 acres tract, the West line of the Gary Radle 2 acres tract of record in Vol. 314, Pg. 187, Deed Records, and the West line of the Romney W. Radle called 126 acres tract of record in Vol. 33, Pg. 522, Official Public Records, to a point for Southeast corner of said 217.6 acres tract and this tract in the North line of the Sue C. Parker called 200.00 acres tract of record in Vol. 37, Pg. 592, Official Public Records, from which corner a set 1/2" iron rod for reference in the West margin of CR 182 at the base of a 12" treated wood fence corner post bears S.81°58'45"W. 33.50 ft.;

THENCE S.81°58'45"W. with the South line of said 217.6 acres tract and this tract, same being the North line of said Parker tract, at 33.50 ft. said iron rod for reference, in all, 1530.90 ft. with a fence to a set 1/2" iron rod in the East line of the Mary F. Jones Family Trust called 198 acres tract of record in Vol. 78, Pg. 334, Official Public Records, at the base of a 6" cedar fence corner post, for Southwest corner of said 217.6 acres tract and an angle corner in the South line of this tract, same being the Northwest corner of said Parker tract;

THENCE N.28°34'18"W. 729.76 ft. with a fence for the West line of said 217.6 acres tract and the East line of said Jones tract to a found steering wheel shaft for Southeast corner of said Buie 125 acres tract and ell corner in the South line of this tract, same being the Northeast corner of said Jones tract;

THENCE S.60°57'51"W. with the South line of said 125 acres tract and the North line of said Jones tract, at 2501.02 ft. a set 1/2" iron rod for reference at the base of a 6" cedar

Description of: 533.93 Acres, A. de la Serda Survey, A-67, Falls County, Texas.

Owner: Buio Enterprises, Ltd.

(continued):

fence corner post, continuing with the extension of said fence line, in all, 3218.92 ft. to a set 1/2" iron rod at the intersection of the South line of said 125 acres tract and the West line of said 193.7 acres tract for Southwest corner of said 193.7 acres tract and this tract, same being the Southeast corner of the Thomas D. Tate called 203.95 acres tract of record in Vol. 69, Pg. 558; Official Public Records;

THENCE N.29°37'02"W. with the extension of a fence line for the West line of said 193.7 acres tract and this tract, at 956.78 ft. a set 1/2" iron rod for reference at the base of a 5" treated wood fence corner post, continuing with said fence, at 3780.57 ft. a set 1/2" iron rod for reference in the South margin of CR 182 at the base of a cross-tie fence corner post, in all, 3812.34 ft. to a point in the center of said road and in the South line of the Jack E. Barrow called 358.13 acres tract of record in Vol. 125, Pg. 189, Official Public Records, for Northwest corner of said 193.7 acres tract and Northeast corner of said Tate tract;

THENCE in an Easterly direction with the centerline of said road for the North line of said 193.7 acres tract and the South line of said Barrow tract, N.61°51'36"E. 1584.48 ft. to a set 1/2" iron rod for angle corner, and N.62°20'00"E. 2106.68 ft. to a set 1/2" iron rod where the centerline of county road 129 intersects the centerline of CR 182, for angle corner, same being the Southeast corner of said Barrow tract and the Southwest corner of said Burnes tract;

THENCE N.61°31'00"E. 2049.23 ft. with the centerline of CR 182 for North line of said 193.7 acres tract and said 217.6 acres tract, same being the South line of said Burnes tract, to the point of BEGINNING, containing 533.93 acres, of which 7.60 acres lies within the county roads.

The foregoing description was prepared from that plat dated September 24, 2002 that correctly represents that actual ground survey made under my supervision.

Joe L. Haney

9-27-02

Joe L. Haney, P.E., R.P.L.S. No. 3282-----Date



EXHIBIT "A" Pg. 2 of 2

SAVE & EXCEPT

BEING a 276.47 acres tract of land situated in the A. de la Serda Survey, A-67, Falls County, Texas, a part of that tract called 533.93 acres tract described in the deed to James R. Lee et ux recorded in Vol. 190, Pg. 347, Official Public Records of Falls County, Texas (F.C.O.P.R.), said 276.47 acres being more particularly described by metes and bounds as follows:

BEGINNING a point in the centerline of county road CR 182 and the South line of the Winn Family Partnership LP called 358.13 acres tract of record in Vol. 219, Pg. 186, F.C.O.P.R. for the Northwest corner of said Lee 533.93 acres tract and this tract, same being the Northeast corner of the James R. Lee et ux called 212.22 acres tract of record in Vol. 191, Pg. 371, F.C.O.P.R., from which corner a found $\frac{1}{2}$ " iron rod for reference, the Northeast corner of said 212.22 acres tract and a 78.20 acres tract surveyed this day in the South margin of said CR 182 at the base of a wood fence corner post bears S.29°37'02"E. 31.77 ft.;

THENCE with the centerline of said CR 182, the North line of said Lee 533.93 acres tract and the South line of said Winn tract N.61°51'36"E. 1584.48 ft. to a found $\frac{1}{2}$ " iron rod for an angle bend in the North line of said Lee 533.93 acres tract and this tract, and N. 62°20'00"E. 2106.68 ft to a found $\frac{1}{2}$ " iron rod in the centerline intersection of said CR 182 and county road CR 129 for an angle bend in the North line of this tract, same being the Southeast corner of said Winn tract and the Southwest corner of the Thomas E. Burnes called 253.73 acres tract of record in Vol. 59, Pg. 67, F.C.O.P.R.;

THENCE N.61°31'00"E. (basis of bearing) 2049.23 ft. with the centerline of said CR182, the North line of said Lee 533.93 acres tract and the South line of said Burnes tract to a found $\frac{1}{2}$ " iron rod at the intersection of said CR 182 and county road CR 181 for the Northeast corner of said Lee 533.93 acres tract and this tract, same being the Northwest corner of the Gary E. Randle called 94 acres tract of record in Vol. 10, Pg. 197, F.C.O.P.R., from which corner a found $\frac{1}{2}$ " iron rod for reference in the Southwest corner of said intersection at the base of a 7" treated fence corner post bears S.7°02'51"W. 46.77 ft.;

THENCE S.28°00'00"E. 2607.13 ft. with the centerline of said CR 181, the East line of said Lee 533.93 acres tract and the West line of said Randle tract to a point for the Southeast corner of this tract, from which corner a set $\frac{1}{2}$ " iron rod for reference in the West margin of said CR 181 at the base of an 8" treated fence corner post bears S.71°45'33"W. 32.39 ft.

THENCE S.71°45'33"W., at 32.39 ft. said rod for reference in the West margin of said CR 181, continuing along a fence, in all 5778.19 ft. to a set $\frac{1}{2}$ " iron rod in the West line of said Lee 533.93 acres tract and the East line of said Lee 212.22 acres tract at the base of an 8" treated fence corner post for the Southwest corner of this tract, same being the Southeast corner of said 78.20 acres tract;

THENCE N.29° 37'02"W. along a fence, and with West line of said Lee 533.93 acres tract and the East line of said Lee 212.22 acres tract, at 1555.89 ft. said rod for reference in the South margin of CR182, in all 1587.66 ft to the point of BEGINNING, containing 276.47 acres.

EXHIBIT 'B'

HANEY ENGINEERING AND SURVEYING

P.O. Box 307 (Mailing Address)

710 E. Milam St., Mexia, Texas 76667

Tel. No. 254-562-6954

Fax. No. 254-562-2278

Description: 212.22 Acres, A. de La Serda Survey, A-67, Falls County, Texas.

Owner: Thomas D. Tate et ux

BEING a 212.22 acres tract of land situated in the A. de La Serda Survey, A-67, Falls County, Texas, a part of that TRACT NO. 1 called 203.95 acres and that TRACT NO. 2 called 6.38 acres described in the deed dated September 3, 1996 from A. L. Turner et ux to Thomas D. Tate et ux recorded in Vol. 69, Pg. 558, Official Public Records of Falls County, Texas, said 212.22 acres being more particularly described by metes and bounds as follows:

BEGINNING at a set $\frac{1}{2}$ " iron rod in the North right of way line of State Highway 7 (S.H. 7) at a 6" cedar fence corner post for Southwest corner of said 6.38 acres tract and the Southeast corner of the Fritz A. Grohoske $124\frac{3}{4}$ acres tract of record in Vol. 255, Pg. 74, F.C.D.R.;

THENCE N. $1^{\circ}24'31"$ E. 1051.37 ft. to a set $\frac{1}{2}$ " iron rod in the West line of said TRACT NO. 1 at a 6" cedar fence corner post for North corner of said TRACT NO. 2 and for an angle corner in the West line of this tract, same being an angle corner in the East line of said Grohoske tract

THENCE N. $27^{\circ}30'42"$ W. 2784.89 ft. with the West line of this tract and with a fence, same being the East line of Grohoske, at 1569.72 ft. a found $\frac{1}{2}$ " iron rod at a T-post for the Northeast corner of said Grohoske tract and the Southeast corner of the Timothy G. O'Neill 88.26 acres tract of record in Vol. 150, Pg. 925, F.C.O.P.R., continuing with said fence and the East line of said O'Neill tract to a found $\frac{1}{2}$ " iron rod in the South line of county road CR 182 at a 16" oak tree and 10" cedar fence corner post for Northwest corner of TRACT NO. 1 and this tract, same a reference for the Northeast corner of said O'Neill tract;

THENCE N. $62^{\circ}00'27"$ E. 2294.96 ft. with the South line of CR 182 to a found $\frac{1}{2}$ " iron rod at a cross-tie fence corner post for Northeast corner of TRACT NO. 1 and this tract same being the Northwest corner of Robert K. Sims 533.93 acres tract of record in Vol. 147, Pg. 586, F.C.O.P.R.;

THENCE S. $29^{\circ}37'02"$ E. (basis of bearing- Vol. 147, Pg. 586, F.C.O.P.R.) 3780.46 ft. with a fence for East line of this tract to a found $\frac{1}{2}$ " iron rod at a PVC pipe in the North line of the Mary F. Jones Family Trust 190 acres tract of record in Vol. 78, Pg. 334, F.C.O.P.R., for Southeast corner of TRACT NO. 1 and this tract, same being the Southwest corner of said Sims tract;

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EXHIBIT 'C' Pg. 1 of 2

Description: 212.22 Acres, A. de La Serda Survey, A-67, Falls County, Texas.

Owner: Thomas D. Tate et ux

(continued):

THENCE S.60°55'00"W. 1497.33 ft. with a fence for South line of TRACT NO. 1 and this tract and the North line of said Jones tract to a set ½" iron rod at a 6" cedar fence corner post for angle corner in the South line of this tract and Northeast corner of the Ralph Lawless 7.7 acres tract of record in Vol. 316, Pg. 971, F.C.D.R.;

THENCE S.61°06'18"W. 762.60 ft. along a fence and the North line of said Lawless tract to a set ½" iron rod for angle corner in the South line of said TRACT NO. 1 and this tract, same being the East corner of the Billy Kay called 0.52 acres tract of record in Vol. 84, Pg. 526, F.C.O.P.R.;

THENCE S.79°39'39"W. 364.62 ft. with a fence and the North line of said Kay tract to a set ½" iron rod at a 10" cedar fence corner post for angle corner in the South line of this tract and the Northwest corner of said Kay tract;

THENCE S.4°01'19"E. 124.56 ft. with a fence and the West line of said Kay tract to a set ½" iron rod in the North right of way line of S.H: 7 at a 6" treated wood fence corner post for angle corner in the South line of said TRACT NO. 2 and this tract, same being the Southwest corner of said Kay tract;

THENCE in a Westerly direction 309.16 ft. with the arc of a right of way curve having a radius of 5793.75 ft., a central angle of 3°03'26", and a long chord bearing S.85°14'40"W. 309.12 ft. to the point of BEGINNING, containing 212.22 acres.

The foregoing description was prepared from that plat dated April 18, 2006 that represents the facts found from that on the ground survey made under my supervision.

Mark D. Haney
Mark D. Haney, R.P.L.S. No. 5841



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EXHIBIT "C" Pg. 2 of 2

SAVE & EXCEPT

HANEY SURVEYING SERVICES

P.O. Box 307 (Mailing Address)

710 E. Milam St., Mexico, Texas 76667

Tel. No. 254-562-6954

Fax No. 254-562-2278

Pg.1

Description of: 78.20 Acres, A. de la Serda Survey, A-67, Falls County,
Texas,
Owner: James R. Lee et ux

BEING a 78.20 acres tract of land situated in the A. de la Serda Survey, A-67, Falls County, Texas, a part of that tract called 212.22 acres tract described in the deed to James R. Lee et ux recorded in Vol. 191, Pg. 371, Official Public Records of Falls County, Texas (F.C.O.P.R.), said 78.20 acres being more particularly described by metes and bounds as follows:

BEGINNING a found $\frac{1}{2}$ " Iron rod in the South margin of county road CR 182 and the West line of the James R. Lee et ux called 533.93 acres tract of record in Vol. 190, Pg. 347, F.C.O.P.R., and a 276.47 acres tract surveyed this day, at the base of a wood fence corner post for the Northeast corner of said 212.22 acres tract and this tract, from which corner a point in the centerline of said road and the South line of the Winn Family Partnership, LP, called 358.13 acres tract of record in Vol. 219, Pg. 186, F.C.O.P.R. for the Northwest corner of said 533.93 acres tract and said 276.47 acres tract bears N.29 37'02"W. 31.77 ft.;

THENCE S.29 37'02"E. 1587.66 ft. with a fence, the East line of said 212.22 acres tract and the West line of said 533.93 acres tract to an 8" treated fence corner post for the Southeast corner of this tract, same being the Southwest corner of said 276.47 acres tract;

THENCE S.75°49'26"W. 882.48 ft. with a cross fence to a set $\frac{1}{2}$ " iron rod at the base of an 8" wood fence corner post for an angle corner in the South line of this tract;

THENCE S.14°05'51"W. 136.01 ft. with a cross fence to a set $\frac{1}{2}$ " iron rod at the base of a wood fence corner post for an angle corner in the South line of this tract;

THENCE S.19°12'29"W. 136.20 ft. with a cross fence to a set $\frac{1}{2}$ " iron rod in a gate at a fence intersection for an angle corner in the South line of this tract;

THENCE S.71°53'33"W. 1322.84 ft. with a cross fence to a set $\frac{1}{2}$ " iron rod in the West line of said 212.22 acres tract and the East line of the Fritz A. Grohoske at the base of an 8" wood fence corner post for the Southwest corner of this tract;

THENCE N.27°30'42"W. with a fence, the East line of said 212.22 acres tract and the West line of said Grohoske tract, at 100.92 acres tract the Northeast corner of said Grohoske tract and the Southeast corner of the Timothy C. O'Neil et ux

Description of: 78.20 Acres, A. de la Serda Survey, A- 67, Falls County,

Texas,

Owner: James R. Lee et ux

called 88.26 acres tract of record in Vol. 150, Pg. 925, F.C.O.P.R., continuing with said fence, in all 1342.69 ft. to a found 1/2" iron rod in the South margin of said road at the base of a 16" oak tree and 10" cedar fence corner post for the Northwest corner of said 212.22 acres tract and this tract, same being the Northeast corner of said O'Neil tract;

THENCE N.62°00'27"E. 2294.96 ft. along a fence, the South margin of said road and the North line of said 212.22 acres tract to the point of BEGINNING, containing 78.20 acres.

The foregoing description was prepared from that plat dated October 5, 2010 that represents the facts found from that survey made on the ground under my supervision.

Mark D. Haney

Mark D. Haney, R.P.L.S., No. 5841

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EXHIBIT 'D' Pg. 2 of 2

HANEY ENGINEERING AND SURVEYING

P.O. Box 307 (Mailing Address)

710 E. Milam St., Mexia, Texas 76667

Tel. No. 254-562-6954

Fax. No. 254-562-2278

Description: 188.96 Acres, Michael Sessum Survey, Falls County, Texas.

Owner: Mary F. Jones Family Trust

BEING a 188.96 acres tract of land situated in the Michael Sessums Survey, Falls County, Texas, a part of that tract called 190 acres described in the deed dated August 30, 1997 from Walton Jones, Trustee, to the Mary F. Jones Family Trust recorded in Vol. 78, Pg. 334, Official Public Records of Falls County, Texas (F.C.O.P.R.), said 188.96 acres being more particularly described by metes and bounds as follows:

BEGINNING at a set $\frac{1}{2}$ " iron rod in the North right of way line of State Highway 7 (S.H. 7) at a 6" cedar fence corner post for Southwest corner of this tract, same being the Southeast corner of the Ralph Lawless 7.7 acres tract of record in Vol. 316, Pg. 971, Deed Records of Falls County Texas (F.C.D.R.)

THENCE N.6°37'44"W. 569.26 ft. to a set $\frac{1}{2}$ " iron rod in the South line of the Thomas D. Tate 203.95 acres TRACT NO. 1 of record in Vol. 69, Pg. 558, (F.C.O.P.R.) at a 6" cedar fence corner post for Northwest corner of this tract and Northeast corner of said Lawless tract;

THENCE N.60°55'00"E. 1497.33 ft. with the North line of this tract and with a fence, to a found $\frac{1}{2}$ " iron rod at a PVC pipe for angle corner in the North line of this tract, same being the Southeast corner of said Tate tract and the Southwest corner of the Robert R. Sims, Sr. 533.93 acres tract of record in Vol. 147, Pg. 586, (F.C.O.P.R.);

THENCE N.60°58'29"E. 3218.88 ft. with the North line of this tract and with a fence to a found steering wheel shaft for Northeast corner of this tract and an ell corner in the South line of said Sims tract;

THENCE S.28°34'15"E. 729.97 ft. to set $\frac{1}{2}$ " iron rod at / for an angle corner in the East line of this tract, same being an ell corner in the South line of said Sims tract and the Northwest corner of the Sue C. Parker 200 acres tract of record in Vol. 37, Pg. 592, (F.C.O.P.R.)

THENCE S.28°53'02"E., at 1727.21 ft. a set $\frac{1}{2}$ " iron rod for reference at a 6" cedar fence corner post, in all, 1,757.47 ft. to the center of county road CR 181 in the West line of said Parker tract for an angle corner in the East line of this tract, same being the most Northerly corner of the Falls County tract of record in Vol. 246, Pg. 558, (F.C.D.R.);

Part 1

EXHIBIT "E" Pg. 1 of 2

Description: 188.96 Acres, Michael Sessum Survey, Falls County, Texas.

Owner: Mary F. Jones Family Trust

(continued):

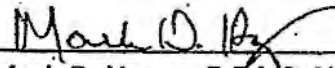
THENCE with the center of county road CR 181, S.24°19'00"W. 211.47 ft. to a point for Southeast corner of this tract and Southwest corner of said Falls County tract in the North line of the Herman F. Zapalac 118.15 acres tract of record in Vol. 128, Pg. 903, (F.C.O.P.R.); continuing with the center of CR 181 for South line of this tract and North line of said Zapalac tract N.85°29'32"W. 454.31 ft., and S.79°02'20"W. 3143.10 ft. with the projected road centerline to a set ½" iron rod in the North right of way line of S.H. 7 for an angle corner in the South line of this tract

THENCE in a Westerly direction 486.60 ft. with the arc of a right of way curve having a radius of 2924.76 ft., a central angle of 9°32'00", and a long chord bearing N.83°51'32"W. 486.08 ft. to a set ½" iron rod at a point of tangency;

THENCE N.88°37'33"W. 1146.75 ft. with said right of way line for South line of this tract to the point of BEGINNING, containing 188.96 acres.

Basis of bearing is S.29°37'02"E. on the West line of the Robert R. Sims, Sr. tract of record in Vol. 147, Pg. 586, F.C.O.P.R.

The foregoing description was prepared from that plat dated April 18, 2006 that represents the facts found from that on the ground survey made under my supervision.


Mark D. Haney, R.L.S. No. 5841



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