

AN ORDINANCE RELEASING, ABANDONING, AND REMOVING ALL RIGHT-OF-WAYS, EASEMENTS, ALLEYS, AND ANY OTHER ENCUMBRANCES ON A 2.239 ACRE TRACT OF LAND (PROPERTY) LOCATED IN THE TOWN OF PATTISON, WALLER COUNTY, TEXAS DEFINED IN VOLUME 523, PAGE 629, OFFICIAL PUBLIC RECORDS AND BEING PARTIALLY CONTAINED IN BLOCK 63 OF THE TOWNSITE OF PATTISON (PLAT RECORDED IN VOLUME 9, PAGE 161 OF THE DEED RECORDS) AND BEING LOCATED IN THE S.C. HADY SURVEY, ABSTRACT 31, WALLER COUNTY, TEXAS AND KNOWN AS 3402 AVENUE B, ROUTE 1, BROOKSHIRE, TEXAS 77423.

WHEREAS, IN A SURVEY CONDUCTED BY CLAY & LEYENDECKER, INC. (DAVID LEYENDECKER), TEXAS REGISTRATION NO. 2085 AND DATED MARCH 22, 1999 AND IDENTIFIED AS EXHIBIT "A" HERE-IN, IT WAS DISCOVERED THAT A 30 FOOT WIDE STREET RIGHT-OF-WAY/EASEMENT AND A 20 FOOT WIDE ALLEY RIGHT-OF-WAY/EASEMENT, AS SHOWN IN EXHIBIT "A" AND DESCRIBED IN EXHIBIT "B" HERE-IN, EXTENDS IN AND THRU THE PROPERTY OWNED BY J.L. ROSE AND BESSIE ROSE (OWNER/SELLER); AND

WHEREAS, SAID OWNER/SELLER REQUIRES THE RELEASE , ABANDONMENT, AND REMOVAL OF ALL RIGHT-OF-WAYS, EASEMENTS, ALLEYS, AS IDENTIFIED IN EXHIBITS "A" AND "B" HERE-IN AND ANY OTHER ENCUMBRANCES ON THE PROPERTY THAT ARE OWNED BY AND/OR IN THE CONTROL OF THE TOWN OF PATTISON, TEXAS; AND

WHEREAS, THE OWNER/SELLER AGREES TO PAY TO THE TOWN OF PATTISON THE TOTAL AMOUNT OF \$1906.87 (ESTABLISHED BY TAKING THE TOTAL SQUARE FEET OF THE INDICATED RIGHT-OF-WAYS, EASEMENTS, AND ALLEYS AND MULTIPLYING BY THE LATEST COUNTY TAX VALUE OF A SQUARE FOOT OF THE LAND) FOR PAYMENT TO RELEASE, ABANDON, AND REMOVE ALL RIGHT-OF-WAYS, EASEMENTS, ALLEYS, AND ANY OTHER ENCUMBRANCES ON THE PROPERTY; AND

WHEREAS, IT APPEARS TO BE IN THE BEST INTEREST OF THE TOWN OF PATTISON TO RELEASE, ABANDON, AND REMOVE ALL RIGHT-OF WAYS, EASEMENTS, AND ALLEYS ON THE PROPERTY;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN OF PATTISON, WALLER COUNTY, TEXAS THAT THE TOWN OF PATTISON DOES HEREBY RELEASE, ABANDON, AND REMOVE ALL RIGHT-OF-WAYS, EASEMENTS, ALLEYS, AND ANY OTHER ENCUMBRANCES THAT ARE OWNED AND/OR UNDER THE CONTROL OF THE TOWN OF PATTISON ON THE PROPERTY DESCRIBED HERE-IN. THE TOWN OF PATTISON HERE-BY ACKNOWLEDGES RECEIPT OF \$1906.87 FROM J.L. ROSE AND

BESSIE ROSE IN THE FORM OF A CASHIERS CHECK MADE OUT TO THE TOWN OF PATTISON FOR FULL AND TOTAL PAYMENT TO RELEASE, ABANDON, AND REMOVE ALL RIGHT-OF-WAYS, EASEMENTS, ALLEYS AND ANY OTHER ENCUMBRANCES ON THE PROPERTY OWNED BY AND/OR IN THE CONTROL OF THE TOWN OF PATTISON.

THIS ORDINANCE SHALL BE PASSED FINALLY ON THE DATE OF ITS INTRODUCTION AND SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE AND APPROVAL BY THE MAYOR OF THE TOWN OF PATTISON, WALLER COUNTY, TEXAS.

PASSED THIS 13 DAY OF April 1999

APPROVED THIS 13 DAY OF April 1999

Linda A Mladenka
LINDA MLADENKA
MAYOR OF THE TOWN OF PATTISON

ATTEST:

Lynda Fairchild
LYNDA FAIRCHILD
SECRETARY OF THE TOWN OF PATTISON

EXECUTED IN MULTIPLE ORIGINALS THIS 13 DAY OF April 1999

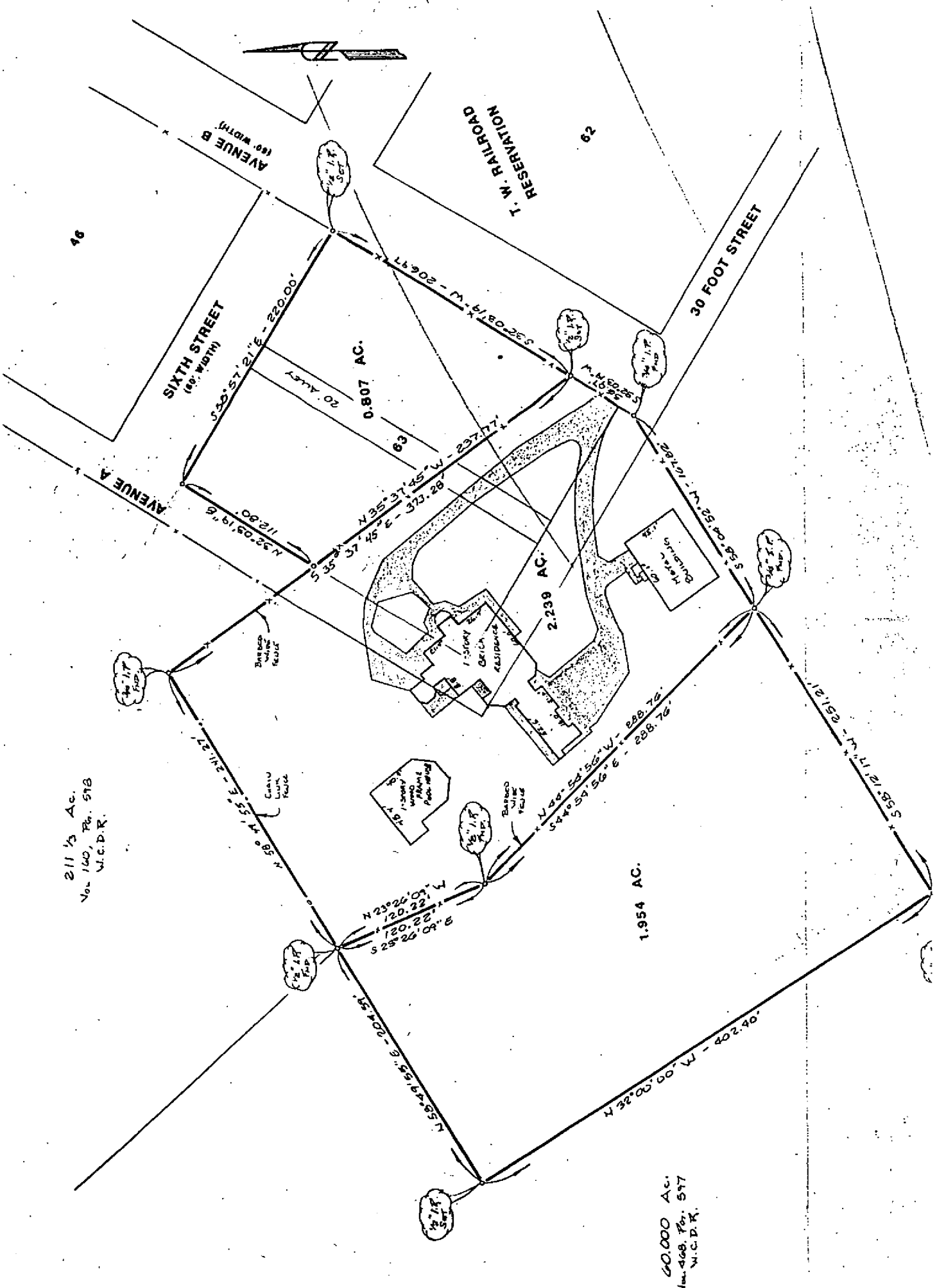
SWORN TO and SUBSCRIBED before me by Linda Mladenka, Mayor of Pattison for and on behalf of the Town of Pattison, Waller County, Texas on the 13th day of April, 1999.

NOTARY - STATE OF TEXAS

Helen Harwell



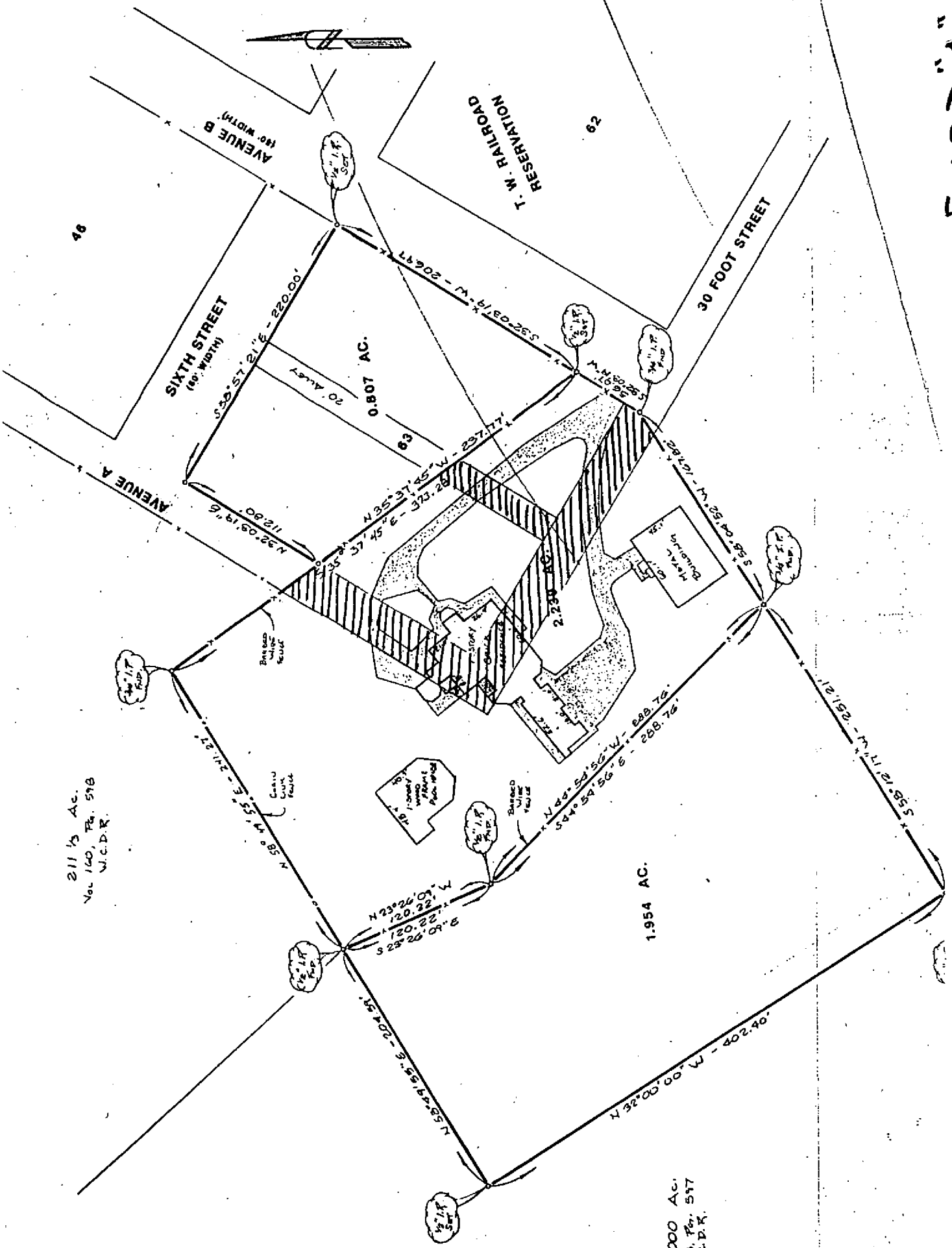
EXHIBIT "A"



21 1/3 Ac.
Vol. 140, Pg. 518
W.C.D.R.

60.000 AC.
Vol. 468, Pg. 597
W.C.D.R.

EXHIBIT "A"



PLAT OF SURVEY

BEING A 5.000 ACRE TRACT OF LAND CONSISTING OF A CALLED
 2.239 ACRE TRACT (VOLUME 523, PAGE 629, OFFICIAL PUBLIC RECORDS),
 A 0.807 ACRE TRACT OUT OF BLOCK 63 OF THE TOWNSHIP OF PATTISON
 (VOLUME 192, PAGE 603, DEED RECORDS) AND A 1.954 ACRE TRACT
 OUT OF A 60.000 ACRE TRACT (VOLUME 468, PAGE 598, DEED RECORDS)
 SITUATED IN THE S.C. HADY SURVEY, ABSTRACT 31, WALLER COUNTY, TEXAS.

NOTE: This survey consists of a separate plat and a legal description.

This survey relies on record data furnished by KEYS-CO-VE TITLE CO. HEADQUARTERS, FORT
MARSH, 19 11, G.P. No. 11021620

This property is NOT in the 100 Year Flood Plain, according to the WALLER COUNTY
 Flood Plain Map Community Panel No. 2403-40 0115 B, Map No. ---, Dated DEC. 18, 1986.

NOTE: All bearings recited hereon are based on the SOUTH WEST QUARTER OF T11S, R. 100E
AS BE T. 106N. R. 100E. N. 88° 00' 00" WEST

The Undersigned does certify that the above is an accurate PLAT OF SURVEY, made on
 the ground, of the property legally described hereon in MARCH, 19 99, and is
 correct, and that there are no discrepancies, conflicts, encroachments or easements
 apparent on the ground except as shown hereon.



David Leyendecker
 For Clay & Leyendecker, Inc.
 David Leyendecker, R.P.L.S.
 Texas Registration No. 2085

THIS SURVEY NOT VALID WITHOUT AN ORIGINAL SIGNATURE.

Scale: 1" = 60'
 99-02-050 C
 Dwn. By: D.T. Date: MARCH 22, 99
 Sheet Number of

Clay & Leyendecker, Inc.
 Consulting Engineers & Surveyors
 Katy, Texas

EXHIBIT "A"

FIELD NOTES FOR A 0.384 ACRE TRACT CONSISTING OF TWO 30-FOOT ROADWAYS AND A 20-FOOT ALLEY BOUNDING BLOCK 63 OF THE TOWNSITE OF PATTISON (PLAT RECORDED IN VOLUME 9, PAGE 161 OF THE DEED RECORDS) AND BEING LOCATED IN THE SAMUEL C. HADY SURVEY, ABSTRACT 31, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a ½ inch iron rod set for the East corner of said Block 63 and being at the intersection of the Northwest line of Avenue B (60 foot width) and the Southwest line of Sixth Street (60 foot width) and being the East corner of a 0.807 acre tract (surveyed at the same time as this tract and not yet recorded);

THENCE: South 32° 03' 19" West a distance of 250.00 feet along the Northwest line of said Avenue B to a point for the South corner of said Block 63 and located in the Northeast line of said 30-foot street and being the **ACTUAL PLACE OF BEGINNING**;

THENCE: South 32° 03' 19" West a distance of 13.04 feet along the Northwest line of said Avenue B to a ¾ inch iron pipe found at an angle in the fence for the Southeast corner of a 2.239 acre tract (Volume 523, Page 629, Official Public Records);

THENCE: South 58° 04' 52" West a distance of 19.05 feet to a point in the Southwest line of said 30-foot street;

THENCE: North 58° 57' 21" West a distance of 241.64 feet along the Southwest line of said 30-foot street to a point for the West corner of the Townsite of Pattison;

THENCE: North 32° 03' 19" East a distance of 180.04 feet along the Northwest line of a 30-foot street to a point in the Northeast line of said 2.239 acre tract;

THENCE: South 35° 37' 45" East a distance of 32.42 feet to a ½ inch iron rod set in the Southeast line of said 30-foot street for the West corner of said 0.807 acre tract;

THENCE: South 32° 03' 19" West a distance of 137.20 feet along the Northwest line of said Block 63 to a point at the intersection of said 30-foot streets for the West corner of said Block 63;

THENCE: South 58° 57' 21" East a distance of 100.00 feet along the Southwest line of said Block 63 to a point at the intersection of said 30-foot street and a 20-foot alley;

THENCE: North 32° 03' 19" East a distance of 250.00 feet along the Northwest line of said 20 foot alley to a point in the Southwest line of said Sixth Street;

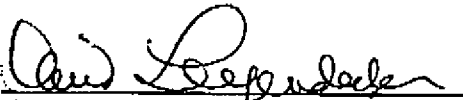
THENCE: South 58° 57' 21" East a distance of 20.00 feet along the Southwest line of said Sixth Street to a point;

THENCE: South 32° 03' 19" West a distance of 250.00 feet along the Southeast line of said 20-foot alley to a point in the Northeast line of said 30-foot street;

THENCE: South 58° 57' 21" East a distance of 100.00 feet to the ACTUAL PLACE OF BEGINNING and containing 0.384 acres of land or 16,736 square feet.

The bearings recited herein are based on the Northwest line of Avenue B running South 32° 03' 19" West.

This survey consists of a separate plat and a legal description.



For Clay & Leyendecker, Inc.
David Leyendecker, R.P.L.S.
Texas Registration No. 2085
April 2, 1999



DT/lkw
HADY0.384