

8531669

DEED

1104-02-1803

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

MACO STEWART III, aka MACO STEWART (hereinafter called Grantor), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration to Grantor in hand paid by PETER J. LaVALLE, Trustee (hereinafter called Grantee), the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto the said Grantee, the following described property lying and being situated in Galveston County, Texas, to-wit:

THE SURFACE ONLY of that certain 24.15 acre tract of land out of W. K. Wilson League, Abstract 208, Galveston County, Texas, being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

This conveyance is expressly made subject to all restrictions, reservations and easements or other matters which may appear of record in Galveston County, Texas, affecting the above described real property, to the extent the same may be valid and enforceable.

Grantor, his heirs, executors, successors and assigns hereby expressly waive the use of the surface of the above described property for any purpose, completely waiving ingress and egress for any purpose.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, his heirs and assigns forever, and Grantor does hereby bind himself, his heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said Grantee, his heirs, and assigns against every person whomsoever lawfully claiming or to claim the same of any part thereof.

EAR

This conveyance is subject to and the Grantee accepts this Deed subject to the restriction of the total use of the 24.15 acres out of the W.K. Wilson League, Galveston County, Texas, described in Exhibit "A" attached to the Deed and incorporated herein for all purposes so that water and sewer usage shall not exceed 1,800 gallons of water per acre per day. This restriction shall remain in effect ^{only} for so long as such restriction is necessitated by the restricted availability of water and sewer capacity from the City of LaMarque or other sources and shall run to the benefit of and be specifically enforceable ^{only} by Maco Stewart, III and/or the City of LaMarque.

P.J. Trustee
DR

P.J. Trustee
DR

There is further exepcted and reserved unto Grantor, his heirs and assigns all of the oil, gas and other minerals of every kind or description in and under and that may be produced from the above property, together with all rights and pwers to lease the same subject to the waiver of surface rights contained herein.

Signed for Identification:

Peter J. LaValle, Trustee

 Peter J. LaValle, Trustee

Maco Stewart, III

By: *David J. Robbins*

 David J. Robbins
 attorney in act

DR

EXECUTED this the 6th day of August, 1985.

MACO STEWART III
MACO STEWART III,
aka MACO STEWART

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared MACO STEWART III, known to me to be the person whose name subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 6th day of August, 1985.

Sue Young
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
SUE YOUNG

GRANTEE'S ADDRESS:
PETER J. LAVALLE, TRUSTEE
P.O. BOX 3058
TEXAS CITY, TX 77592

3106/c
8745-1

Return to : Jim Daniels
P.O. Box 3058
Texas City, TX 77590

OK

THE SURFACE ONLY OF:

A 24.15, More or Less, Acre Tract of Land out of the W. K. Wilson League, Galveston County, Texas, more particularly described by metes and bounds as follows:

- COMMENCING: At the Southwest corner of the W. K. Wilson League;
- THENCE: North zero (0) degrees fifty-one (51) minutes ten (10) seconds East along the West line of the W. K. Wilson League, a distance of one thousand one hundred thirty-five and two one-hundredths (1,135.02) feet to a point at the intersection of the Southeast Right-Of-Way line of F. M. Road No. 1764 (120-foot Right-Of-Way);
- THENCE: North forty-eight (48) degrees fifty-seven (57) minutes East along the Southeast Right-Of-Way line of F. M. Road No. 1764, a distance of two thousand forty-four and twenty-six one-hundredths (2,044.26) feet to the POINT OF BEGINNING of this tract;
- THENCE: Continuing North forty-eight (48) degrees fifty-seven (57) minutes East along the said Right-Of-Way line, a distance of one thousand one hundred sixteen and eighty-seven one-hundredths (1116.87) feet to a point for corner at the intersection of the Southwest Right-Of-Way line of F.M. Road 2004;
- THENCE: South eighty-five (85) degrees twenty-two (22) minutes East along the Right-Of-Way line of F. M. Road 2004, a distance of one hundred forty and fourteen one-hundredths (140.14) feet to a point for corner;
- THENCE: South forty (40) degrees one (01) minute East along the said Right-Of-Way line, a distance of six hundred forty-six and eight tenths (646.8) feet to a point for corner;
- THENCE: South thirty-five (35) degrees thirty-six (36) minutes forty-six (46) seconds West, a distance of one thousand two hundred (1,200.0) feet to a point for corner;
- THENCE: North forty-three (43) degrees two (2) minutes four (4) seconds West, a distance of one thousand twenty-four and forty one-hundredths (1,024.40) feet to the POINT OF BEGINNING.

FILED FOR RECORD

AUG 8 10 46 AM '85

Mary Jane Christman
 COUNTY CLERK, GALVESTON COUNTY, TEXAS

STATE OF TEXAS COUNTY OF GALVESTON
 I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Real Property of Galveston County, Texas, on

AUG 8 1985



Mary Jane Christman
 COUNTY CLERK, Galveston County, Texas

STEWART TITLE CO.
 P. O. BOX 1540
 GALVESTON, TEXAS 77550

EXHIBIT A
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