

NOTICE OF FORECLOSURE SALE

July 2, 2025

4 Posted

Renewal Deed of Trust ("Deed of Trust"):

Dated: July 22, 2021

Grantor: TAPS Ranch II, LLC

Trustee: Matthew D. Mettaufer

Lender: Shelby Savings Bank, SSB, 111 Selma Street, Center, TX 75935

Recorded in: Document No. 2021-6381, Official Public Records, Nacogdoches County, Texas; and, in Vol. 430, Page 97, Real Property Records, San Augustine County, Texas

Legal Description: See Exhibit A attached hereto and incorporated by reference for all purposes herein.

Secures: Renewal and Extension Real Estate Lien Note ("Note") in the original principal amount of \$2,499,000.00, executed by TAPS Ranch II, LLC ("Borrower") and payable to the order of Lender

FILED FOR RECORD
July 2, 2025
AT *10:20* O'CLOCK *A* M
MARGO NOBLE, COUNTY CLERK
SAN AUGUSTINE COUNTY
SAN AUGUSTINE, TEXAS
BY *Shanda Flory*
DEPUTY

Foreclosure Sale:

Date: Tuesday, August 5, 2025

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.

Place: The outside door of the Nacogdoches County Courthouse leading to the County Courtroom in the County Court Offices, being on the NE side of the Courthouse, and within 25' of such door (inside or outside).

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Shelby Savings Bank, SSB's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and/or in the performance of the obligations of the Deed of Trust. Because of that default, Shelby Savings Bank, SSB, the owner and holder of the Note, has requested the Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Shelby Savings Bank, SSB's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Shelby Savings Bank, SSB's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Shelby Savings Bank, SSB passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Shelby Savings Bank, SSB. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

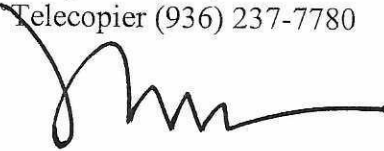
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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 immediately.

THIS INSTRUMENT APPOINTS THE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

METTAUER LAW FIRM, PLLC
403 Nacogdoches St., Suite 1
Center, Texas 75935
Telephone (936) 598-9400
Telecopier (936) 237-7780

A handwritten signature in black ink, appearing to read 'Matthew D. Mettauer', with a long horizontal stroke extending to the right.

Matthew D. Mettauer, Trustee
Attorney for Shelby Savings Bank, SSB
matthew@mettauerlaw.com
Texas Bar No. 24007674

EXHIBIT A

TRACT ONE:

ALL THAT CERTAIN tract or parcel of land lying and being situated about 13 miles east of the City of Nacogdoches, Nacogdoches County, Texas on the J. A. CARRIAGE SURVEY, A-17, and being the same land described as a 95 acre tract and a 10 acre tract in a conveyance from Tom B. Blount, et ux to L. O. Brown, et ux, dated January 18, 1967, recorded in Volume 342, Page 67 of the Deed Records Nacogdoches County, Texas, and more particularly described as follows:

BEGINNING at an iron axle rod found for corner at the base of a fence corner post in the approximate centerline of the old Chirano to Malrose road at the occupied SEC off the 10 acre tract and an interior corner of an 80.6 acre tract described in a conveyance from the Veteran's Land Program of the State of Texas to Thomas J. James, dated November 14, 1975, recorded in Volume 402, Page 268 of the Deed Records Nacogdoches County, Texas, from which a 45" Post Oak found marked "X", bears N 48° E, 42.5 feet;

THENCE with the approximate centerline of said road and a wire fence as follows:

N 61° 28' 59" W, 441.52 feet to a 3/4" iron pipe set for corner from which a 13" Elm, marked "X", bears N 15° E, 1.0 feet;

N 40° 48' 35" W, 497.29 feet to a 3/4" iron pipe set for corner from which a 17" Sweet Gum, marked "X", bears N 65° W, 41.0 feet;

N 53° 45' 36" W, 297.27 feet to a 1/4" iron pipe set for corner from which a 20" Sweet Gum, marked "X", bears S 18° E, 19.8 feet and an 11" Sweet Gum, marked "X", bears N 60° W, 12.6 feet;

N 56° 20' 49" W, 316.09 feet to a 3/4" iron pipe set for corner from which a 10" Elm, marked "X", bears S 48° W, 6.9 feet;

N 59° 11' 24" W, 162.12 feet to a 3/4" iron pipe set for corner from which a 6" Hackberry, marked "X", bears S 24° W, 10.5 feet;

N 52° 35' 17" W, 249.38 feet to a 3/4" iron pipe set for corner from which a 9" Elm, marked "X", bears N 12° E, 20.5 feet;

N 57° 16' 47" W, 132.15 feet to a 3/4" iron pipe set for corner at the base of a fence corner post on the East side of the lane of the occupied most westerly corner of the 80.6 acre tract and the occupied NEC of a 1.0 acre tract described as Tract One in a conveyance from James William Brown to Leon R. Taylor dated July 1, 1966, recorded in Volume 336, Page 660 of the Deed Records of Nacogdoches County, Texas.

THENCE N 70° 02' 01" W, 185.52 feet with the NEB of the one acre tract, the approximate centerline of the old road and a wire fence to an iron axle rod found for corner at the NWC of the one acre tract and the NEC of a 2 1/2 acre tract described as Tract Two in the Brown to Taylor conveyance;

THENCE N 71° 00' 00" W, 260.96 feet continuing in the approximate centerline of the old road to a 3/4" iron pipe set for corner in an old lane running north at a SEC of a 7 acre tract described as Tract Four in the Brown to Taylor conveyance from which a 36" Post Oak, marked "X", bears N 02° E, 20.8 feet and a 16" Ash, marked "X", bears S 60° E, 42.7 feet;

THENCE N 24° 00' 00" W, (reference bearing) with an SBL of the 7 acre tract, at 13.89 feet pass the NEC of the 7 acre tract and the SEC of a 56 acre tract described as Tract Five in the Brown to Taylor conveyance, and at a total distance of 1970.23 feet

(called 1944.44 feet) to a 3/4" iron pipe set for corner in the old lane at the NEC of the 56 acre tract and in a SBL of a 141.75 acre tract described as Tract 6 in the Brown to Taylor conveyance, from which a 7" Water Oak, marked "X", bears N 10° W, 11.6 feet, a 12" Water Oak, marked "X", bears S 48° W, 25.6 feet and a 23" Sweet Gum, marked "X", bears S 05° E, 20.0 feet;

THENCE East, with the SBL of the 141.75 acre tract, at 1707.47 feet pass a 1" iron rod found for witness from which a 21" Oak, marked "X", bears S 50° W, 18.8 feet, a 4" Red Oak, marked "X", bears N 40° W, 14.2 feet and a 3" Basswood, marked "X", bears N 60° E, 6.6 feet, and at a total distance of 1720.47 feet corner in the centerline of Roman Branch at an interior corner of the 141.75 acre tract;

THENCE with the meanders of the centerline of Roman Branch and a SBL of the 141.75 acre tract as follows:

S 20° 15' 57" W, 28.44 feet; S 50° 41' 27" W, 56.33 feet; N 73° 01' 23" W, 44.43 feet; S 00° 26' 35" W, 97.97 feet; N 83° 46' 16" E, 81.66 feet;

S 39° 14' 07" E, 26.99 feet; S 11° 41' 22" E, 57.82 feet; S 38° 08' 08" W, 52.88 feet; N 83° 08' 49" W, 111.54 feet; S 33° 35' 55" E, 43.36 feet;

S 28° 27' 32" W, 96.02 feet; S 64° 34' 50" W, 104.34 feet; N 63° 22' 00" W, 36.27 feet; S 87° 37' 45" W, 88.58 feet; S 36° 12' 01" E, 61.68 feet;

N 80° 25' 09" W, 78.77 feet; S 28° 33' 21" W, 83.34 feet; S 21° 43' 49" E, 49.39 feet; S 59° 43' 44" W, 35.44 feet; S 41° 49' 58" W, 51.01 feet;

S 29° 14' 56" E, 52.23 feet; S 08° 35' 30" E, 55.27 feet; S 36° 40' 15" W, 57.11 feet; S 77° 01' 09" E, 119.42 feet; S 28° 12' 27" W, 69.72 feet;

S 59° 46' 07" W, 78.92 feet; S 73° 11' 47" E, 104.29 feet; S 02° 01' 39" E, 85.98 feet; S 26° 28' 32" W, 64.14 feet; N 72° 11' 38" E, 58.22 feet;

S 45° 53' 45" N, 41.58 feet; S 74° 09' 40" E, 70.50 feet; S 13° 25' 52" W, 211.67 feet; N 84° 48' 46" E, 35.43 feet; S 01° 02' 25" W, 210.42 feet;

S 17° 25' 20" W, 113.41 feet; S 29° 37' 13" E, 34.90 feet; S 01° 40' 17" E, 92.58 feet; N 86° 42' 33" W, 174.68 feet; S 09° 32' 38" W, 99.22 feet;

S 29° 59' 24" N, 95.19 feet; S 62° 33' 28" W, 92.11 feet; S 60° 45' 07" E, 85.53 feet; S 85° 35' 47" W, 21.78 feet; N 75° 07' 30" W, 57.48 feet;

S 07° 47' 21" W, 28.33 feet to the NW corner of the 10 acre tract and the most southerly GNC of the 141.75 acre tract from which a 3/4" iron pipe set for witness bears S 81° 56' 18" E, 38.13 feet;

THENCE S 81° 56' 18" E, (called East) with the NW corner of the 10 acre tract, at 38.13 feet pass a 3/4" iron pipe set for witness, at 180.49 feet pass a 3/4" rod found on line from which a 7" White Oak, marked "X", bears S 50° W, 14.2 feet, and at a total distance of 582.13 feet (called 416.57 feet) a 3/4" iron pipe set for corner from which a 23" Black Jack Oak, found marked "X", bears S 14° E, 8.3 feet, a 10" Red Oak, found marked "X", bears S 69° E, 4.1 feet, a 5" Ash, marked "X", bears N 60° W, 12.4 feet and a 12" Pine, marked "X", bears N 38° E, 18.8 feet, said corner being the most northerly NW corner of the 80.6 acre tract and the NW corner of the 10 acre tract;

THENCE S 18° 40' 00" W, 1082.19 feet (called S 11° W, 1055.56 feet) with a NW corner of the 80.6 acre tract and the NW corner of the 10 acre tract to the place of BEGINNING containing 187.8 acres, more or less.

Tract One B:

All that certain tract or parcel of land lying and being situated about 13 miles east of the city of Nacogdoches, Nacogdoches County, Texas, on the U. A. CHIRINO SURVEY A-17, and being an access easement 15 feet in width across a one acre tract described in a conveyance from James William Brown to Leon Tylor, dated July 1, 1966, recorded in Volume 336, Page 660 of the Deed Records, Nacogdoches County, Texas, (reference bearing being the deed call for the NBL of a 2 1/2 acre tract described as Tract 2 in 336/660) and more particularly described as follows:

BEGINNING at a 3/4" iron pipe found for corner at the base of a fence corner post at the intersection of the east margin of a lane and the center of an old road at the NEC of the one acre tract, in the SW1/4 of a 96 acre tract described in a conveyance from Tom Blount to L. O. Brown, et ux, dated January 18, 1967, recorded in Vol. 341, Page 57 of the Deed Records Nacogdoches County, Texas, and at the occupied NWC of an 80.6 acre tract described in a conveyance from the Veterans' Land Program to Thomas James, dated November 14, 1975, recorded in Volume 402, Page 496 of the Deed Records of Nacogdoches County, Texas;

THENCE S 41° 35' 43" W, 453.56 feet (called S 38° W, 433.23' in 336/660 and S 38° W, 456.11' in 402/896) with a wire fence, the east margin of said land, the NE1/4 of the one acre tract and the NBL of the 80.6 acre tract to a 3/8" iron rod set for corner in the north right-of-way of State Highway 21 at the SEC of the one acre tract and the SW1/4 of the 80.6 acre tract;

THENCE N 57° 28' 36" W, 15.35 feet with the SW1/4 of the one acre tract and the north right-of-way of State Highway 21 to a 3/8" iron rod set for corner on the west margin of said lane;

THENCE N 41° 35' 43" E, 249.84 feet with the west margin of said lane to a 3/8" iron rod set for corner in a wire fence in the center of said old road, the NBL of the one acre tract and the SW1/4 of the 80.6 acre tract;

THENCE S 70° 02' 01" E, 17.37 feet with a wire fence, the center of the old road, the NBL of the one acre tract and the SW1/4 of 96 acre tract to the place of BEGINNING containing 0.15 acres, more or less.

TRACT TWO:

All that certain lot or parcel of land situated in San Augustine County, Texas, in the JACOB GARRETT SURVEY, A-116 and the J. MOSS SURVEY, A-188, being all of a called 10.607 acre tract conveyed from Richard O. Hickey and wife, Eddie Pearl Hickey to Greg Burks and wife, Stacey Burks and recorded in Volume 319 Page 79 of the Real Property Records of San Augustine County, Texas, all of a called 16.47 acre tract conveyed from R.L. Burks and wife, Era L. Burks to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 602 of the Deed Records of San Augustine County, Texas, all of a called 4.0477 acre tract conveyed from Russell Burks to Russell G. Burks and wife, Stacey Burks and recorded in Volume 297 Page 158 of the Deed Records of San Augustine County, Texas, all of a called 40.065 acre tract conveyed from Val Sharp, Jr. and wife, Lucy Sharp to Russell Greg Burks and recorded in Volume 280 Page 116 of the Deed Records of San Augustine County, Texas, and all of a called 30.13 acre tract conveyed from Russell L. Burks and wife, Mary Frances Burks to Russell G. Burks and wife, Stacey O. Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, all of a called 2.097 acre tract conveyed from Rickey L. Smith and wife, Carolyn Kay Smith to Russell Gregory Burks and wife, Stacey Burks and recorded in Volume 364 Page 545 of the Real Property Records of San Augustine County, Texas, all of a called 5.758 acre tract conveyed from Russell L. Burks to Russell G. Burks and wife, Stacy O. Burks and recorded in Volume 304 Page 184 of the Real Property Records of San Augustine County, Texas, all of a called 0.791 acre tract conveyed from Edward McEachern and wife, Royalene N. McEachern to Gregory Burks and wife, Stacey Burks and recorded in Volume 360 Page 470 of the Real Property Records of San Augustine County, Texas, all of a called 6.0 acre tract conveyed from Fred Cox to Greg Burks and recorded in Volume 157 Page 94 of the Real Property Records of San Augustine County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" Iron Rod found at the northeast corner of the called 6.0 acre tract conveyed to Greg Burks and recorded in Volume 157 Page 94 of the Real Property Records of San Augustine County, Texas;

THENCE S 43° 11' 26" W with the southeast line of the called 6.0 acre tract conveyed to Greg Burks and recorded in Volume 157 Page 94 of the Real Property Records of San Augustine County, Texas, with a northwest line of a called 79 acre tract listed as FIRST TRACT conveyed to Charles Watson and Janell Oglesbee Watson and recorded in Volume 144 Page 208 of the Deed Records of San Augustine County, Texas and generally with a barbed wire fence, a distance of 300.54 feet to a 1/2" Iron Rod found for corner;

THENCE S 86° 54' 30" W with the south line of the called 6.0 acre tract conveyed to Greg Burks and recorded in Volume 157 Page 94 of the Real Property Records of San Augustine County, Texas, with a north line of a called 79 acre tract listed as SECOND TRACT conveyed to Charles Watson and Janell Oglesbee Watson and recorded in Volume 144 Page 208 of the Deed Records of San Augustine County, Texas and generally with a barbed wire fence, a distance of 870.73 feet to a 3/8" Iron Rod found for corner;

THENCE S 85° 26' 44" W with the south line of the called 0.791 acre tract conveyed to Gregory Burks and wife, Stacey Burks and recorded in Volume 380 Page 470 of the Real Property Records of San Augustine County, Texas, with a north line of a called 79 acre tract listed as SECOND TRACT conveyed to Charles Watson and Janell Oglesbee Watson and recorded in Volume 144 Page 208 of the Deed Records of San Augustine County, Texas and generally with a barbed wire fence, a distance of 56.88 feet to a 1/2" Iron Rod found for corner;

THENCE N 03° 58' 02" W with the west line of the called 0.791 acre tract conveyed to Gregory Burks and wife, Stacey Burks and recorded in Volume 380 Page 470 of the Real Property Records of San Augustine County, Texas, with the east line of a called 1.940 acre tract conveyed to Brandon Bailey and wife, Vickie Bailey and recorded in Volume 340 Page 645 of the Real Property Records of San Augustine County, Texas, and generally with a barbed wire fence, a distance of 98.02 feet to a 1/2" Iron Rod found for corner;

THENCE S 86° 19' 54" W with the south line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, with the north line of the called 1.940 acre tract conveyed to Brandon Bailey and wife, Vickie Bailey and recorded in Volume 340 Page 645 of the Real Property Records of San Augustine County, Texas, and generally with a barbed wire fence, at 364.58 feet pass a 3/8" Iron Rod found for reference and at a total distance of 428.76 feet to a Point for Corner in Farm-to-Market Road 3409;

THENCE N 20° 27' 00" W with a west line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, a distance of 557.15 feet to a Point for Corner in Farm-to-Market Road 3409;

THENCE N 30° 23' 37" W with a southwest line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, a distance of 840.30 feet to a Point for Corner in Farm-to-Market Road 3409;

THENCE N 03° 22' 34" W with a west line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, a distance of 107.33 feet to a Point for Corner;

THENCE S 69° 22' 24" W with a southeast line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, at 6.33 feet pass a 1/2" Iron rod found for reference and at a total distance of 53.31 feet to a Point for Corner in Farm-to-Market Road 3409;

THENCE N 35° 52' 06" W with a southwest line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, a distance of 191.66 feet to a Point for Corner in Farm-to-Market Road 3409;

THENCE N 15° 54' 26" W with a west line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, a distance of 82.59 feet to a Point for Corner in Farm-to-Market Road 3409;

THENCE N 09° 03' 10" W with a west line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, a distance of 154.03 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE with the west boundary of the called 5.768 acre tract conveyed to Russell G. Burks and wife, Stacey O. Burks and recorded in Volume 304 Page 134 of the Real Property Records of San Augustine County, Texas, and with the west boundary of the called 40.065 acre tract conveyed to Russell Greg Burks and recorded in Volume 280 Page 116 of the Deed Records of San Augustine County, Texas, with a curve turning to the right with an arc length of 419.25 feet, with a radius of 954.93 feet, with a chord bearing of N 03° 18' 41" E, with a chord length of 415.89 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 15° 53' 20" E with a west line of the called 40.065 acre tract conveyed to Russell Greg Burks and recorded in Volume 280 Page 116 of the Deed Records of San Augustine County, Texas, a distance of 208.19 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE with the west boundary of the called 40.065 acre tract conveyed to Russell Greg Burks and recorded in Volume 280 Page 116 of the Deed Records of San Augustine County, Texas, with a curve turning to the left with an arc length of 335.00 feet, with a radius of 954.93 feet, with a chord bearing of N 05° 50' 20" E, with a chord length of 333.28 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 04° 12' 40" W with a west line of the called 40.065 acre tract conveyed to Russell Greg Burks and recorded in Volume 280 Page 116 of the Deed Records of San Augustine County, Texas, a distance of 791.48 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 89° 37' 42" W with the south line of the called 2.097 acre tract conveyed to Russell Gregory Burks and wife, Stacey Burks and recorded in Volume 304 Page 545 of the Real Property Records of San Augustine County, Texas, and with a north line of a called 25.9041 acre tract conveyed to David W. Burks and recorded in Volume 62 Page 3 of the Real Property Records of San Augustine County, Texas, at 51.05 feet pass a 1/2" Iron Rod found for reference and at a total distance of 485.08 feet to a 5/8" Iron Rod found at a fence corner;

THENCE N 04° 27' 42" W with the west line of the called 2.097 acre tract conveyed to Russell Gregory Burks and wife, Stacey Burks and recorded in Volume 304 Page 645 of the Real Property Records of San Augustine County, Texas; and with an east line of a called 14.60 acre tract conveyed to Ricky L. Smith and Walter Lee Smith and recorded in Volume 369 Page 209 of the Real Property Records of San Augustine County, Texas, a distance of 190.31 feet to a 1/2" Iron Rod found at a fence corner;

THENCE S 89° 26' 35" E with the north line of the called 2.097 acre tract conveyed to Russell Gregory Burks and wife, Stacey Burks and recorded in Volume 304 Page 645 of the Real Property Records of San Augustine County, Texas, at 436.33 feet pass a 3/8" Iron Rod found for reference and at a total distance of 486.04 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 04° 12' 40" W with the west line of the called 4.0447 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 297 Page 168 of the Deed Records of San Augustine County, Texas, a distance of 34.13 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE S 86° 29' 31" E with the north line of the called 4.0447 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 297 Page 168 of the Deed Records of San Augustine County, Texas, with the south line of a called 1.60 acre tract conveyed to Russell Gregory Burks and recorded in Volume 332 Page 524 of the Real Property Records of San Augustine County, Texas, at 53.23 feet pass a 5/8" Iron Rod set for reference with cap stamped "ETSM, LLC" and at a total distance of 298.27 feet to a 3/8" Iron Rod found for corner;

THENCE N 03° 56' 50" E with the most southerly west line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 309 Page 502 of the Deed Records of San Augustine County, Texas, and with the east line of the called 1.60 acre tract conveyed to Russell Gregory Burks and recorded in Volume 332 Page 524 of the Real Property Records of San Augustine County, Texas, a distance of 238.89 feet to a 3/8" Iron Rod found for corner;

THENCE S 87° 53' 16" W with a south line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas, with the north line of the called 1.60 acre tract conveyed to Russell Gregory Burks and recorded in Volume 332 Page 524 of the Real Property Records of San Augustine County, Texas, at 277.85 feet pass a 5/8" Iron Rod set for reference with cap stamped "ETSM, LLC" and at a total distance of 329.69 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 04° 12' 40" W with a west line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas, a distance of 273.58 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 05° 15' 20" W with a west line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas, a distance of 247.52 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE S 85° 52' 23" E with a north line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas, with the south line of the called 1.48 acre tract conveyed to Mary Frances Burks and recorded in Volume 269 Page 377 of the Deed Records of San Augustine County, Texas, at 50.83 feet pass a 5/8" Iron Rod set for reference with cap stamped "ETSM, LLC" and at a total distance of 360.94 feet to a 1/2" Iron Rod found for corner;

THENCE N 04° 57' 38" W with the most northerly west line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas, and with the east line of the called 1.48 acre tract conveyed to Mary Frances Burks and recorded in Volume 269 Page 377 of the Deed Records of San Augustine County, Texas, a distance of 178.32 feet to a 5/8" Iron Rod set for corner with cap stamped "ETSM, LLC";

THENCE S 89° 57' 10" W with the most westerly south line of the called 10.607 acre tract conveyed to Greg Burks and wife, Stacey Burks and recorded in Volume 319 Page 79 of the Real Property Records of San Augustine County, Texas, and with the north line of the called 1.48 acre tract conveyed to Mary Frances Burks and recorded in Volume 269 Page 377 of the Deed Records of San Augustine County, Texas, at 310.10 feet pass a Red Rail found for reference and at a total distance of 361.76 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 05° 16' 20" W with a west line of the called 10.607 acre tract, conveyed to Greg Burks and wife, Stacey Burks and recorded in Volume 819, Page 79 of the Real Property Records of San Augustine County, Texas, a distance of 239.42 feet to a Point for Corner in the center of Farm-to-Market Road 3409;

THENCE N 81° 59' 58" E with the most westerly north line of the called 10.607 acre tract conveyed to Greg Burks and wife, Stacey Burks and recorded in Volume 319, Page 79 of the Real Property Records of San Augustine County, Texas, and with the south line of the remainder of a called 3.6359 acre tract listed as BLOCK THREE (3) conveyed to Eddie Pearl Hickey and recorded in Volume 273 Page 323 of the Deed Records of San Augustine County, Texas, at 49.86 feet pass a 1/2" Iron Rod found for reference and at a total distance of 405.53 feet to a Pipe Fence Corner found for corner;

THENCE N 05° 01' 12" W with a west line of the called 10.607 acre tract, conveyed to Greg Burks and wife, Stacey Burks and recorded in Volume 319 Page 79 of the Real Property Records of San Augustine County, Texas, and with the east line of the remainder of the called 3.6359 acre tract listed as BLOCK THREE (3) conveyed to Eddie Pearl Hickey and recorded in Volume 273 Page 323 of the Deed Records of San Augustine County, Texas, a distance of 283.65 feet to a 1/2" Iron Rod found for corner;

THENCE N 04° 56' 29" W with the most northerly west line of the called 10.607 acre tract conveyed to Greg Burks and wife, Stacey Burks and recorded in Volume 319, Page 79 of the Real Property Records of San Augustine County, Texas, and with the east line of a called .9920 acre tract conveyed to Cory L. Baker and Latisha M. Thebeau and recorded in Volume 208 Page 76 of the Real Property Records of San Augustine County, Texas, a distance of 219.75 feet to a 1/2" Iron Rod found for corner at the south right-of-way of State Highway 21;

THENCE N 74° 11' 59" E with the south right-of-way of State Highway 21 at 458.93 feet pass a 3/8" Iron Rod found for reference and at a total distance of 479.50 feet to a Point for Corner in Caney Creek;

THENCE the following 29 calls with the meanders of Caney Creek;

S 00° 56' 07" W a distance of 69.96 feet;
 S 02° 36' 26" E a distance of 60.73 feet;
 S 06° 05' 39" W a distance of 29.08 feet;
 S 08° 19' 14" W a distance of 53.15 feet;
 S 03° 51' 48" W a distance of 38.33 feet;
 S 08° 14' 20" W a distance of 31.78 feet;
 S 03° 12' 44" W a distance of 46.52 feet;
 S 12° 13' 27" W a distance of 51.86 feet;
 S 07° 13' 47" W a distance of 34.75 feet;
 S 03° 07' 47" E a distance of 31.68 feet;
 S 24° 39' 48" W a distance of 17.42 feet;
 S 00° 45' 08" W a distance of 25.29 feet;
 S 00° 00' 20" E a distance of 20.08 feet;
 S 33° 04' 24" E a distance of 18.11 feet;
 S 31° 42' 21" E a distance of 24.83 feet;
 S 04° 08' 09" E a distance of 25.74 feet;
 S 20° 35' 39" E a distance of 46.25 feet;
 S 22° 57' 58" E a distance of 24.52 feet;
 S 09° 58' 37" W a distance of 24.41 feet;
 S 45° 52' 22" E a distance of 17.87 feet;
 S 15° 02' 18" E a distance of 28.77 feet;
 S 13° 08' 03" E a distance of 37.00 feet;
 S 09° 06' 43" W a distance of 14.00 feet;

S 20° 38' 19" E a distance of 39.68 feet;
 S 19° 46' 20" E a distance of 20.00 feet;
 S 31° 17' 16" E a distance of 28.51 feet;
 S 20° 23' 30" E a distance of 24.06 feet;
 S 25° 58' 00" E a distance of 36.16 feet;
 S 31° 12' 00" E a distance of 44.50 feet to a Point for Corner in
 Carey Creek;

THENCE S 69° 16' 09" E with the most easterly north line of the called 18.47
 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded
 in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas, and
 with the south line of a called 3.25 acre tract listed as TRACT THREE conveyed to
 Joseph Lee Seale and wife Josie B. Seale and recorded in Volume 259 Page 399 of the
 Real Property Records of San Augustine County, Texas, a distance of 74.93 feet to a
 3/8" Iron Rod found for corner.

THENCE S 03° 46' 12" E with an east line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas; and with the west line of a called 73.713 acre tract listed as TRACT ONE conveyed to Joseph Lee Seale and wife Josie B. Seale and recorded in Volume 259 Page 399 of the Real Property Records of San Augustine County, Texas, a distance of 881.85 feet to a Fence Corner found for corner;

THENCE S 00° 01' 25" E with the most southerly east line of the called 18.47 acre tract conveyed to Russell Gregory Burks and wife, Stacey O. Burks and recorded in Volume 303 Page 502 of the Deed Records of San Augustine County, Texas; with the most northerly west line of a called 29.25 acre tract conveyed to Kenneth G. Fountain III and recorded in Volume 336 Page 45 of the Real Property Records of San Augustine County, Texas, and generally with a barbed wire fence, a distance of 86.26 feet to a 1/2" Iron Rod found for corner;

THENCE S 03° 44' 15" E with the east line of the called 4.0447 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 297 Page 158 of the Deed Records of San Augustine County, Texas, with the east line of the called 40.065 acre tract conveyed to Russell Greg. Burks and recorded in Volume 280 Page 116 of the Deed Records of San Augustine County, Texas, with the most southerly west line of the called 29.25 acre tract conveyed to Kenneth G. Fountain III and recorded in Volume 336 Page 45 of the Real Property Records of San Augustine County, Texas, and generally with a barbed wire fence, a distance of 843.70 feet to a 1/2" Iron Rod found for corner;

THENCE S 04° 00' 18" E with the east line of the called 40.065 acre tract conveyed to Russell Greg Burks and recorded in Volume 280 Page 116 of the Deed Records of San Augustine County, Texas, with the west line of a called 118.636 acre tract conveyed to E.H. & R.N. McEachern Living Trust and recorded in Volume 263 Page 664 of the Real Property Records of San Augustine County, Texas, and generally with a barbed wire fence, a distance of 1037.28 feet to a 3/8" Iron Rod found for corner;

THENCE S 04° 00' 34" E with the east line of the called 30.13 acre tract conveyed to Russell G. Burks and wife, Stacey Burks and recorded in Volume 78 Page 668 of the Real Property Records of San Augustine County, Texas, and with the west line of the called 118.636 acre tract conveyed to E.H. & R.N. McEachern Living Trust and recorded in Volume 263 Page 664 of the Real Property Records of San Augustine County, Texas, at 532.5 feet pass through the north side of a shop, at 566.9 feet pass through the south side of a shop and at a total distance of 1602.47 feet to a 1/2" Iron Rod found for corner;

THENCE N 86° 35' 55" E with north line of the called 0.791 acre tract conveyed to Gregory Burks and wife, Stacey Burks and recorded in Volume 380 Page 470 of the Real Property Records of San Augustine County, Texas, with the south line of the called 118.636 acre tract conveyed to E.H. & R.N. McEachern Living Trust and recorded in Volume 263 Page 664 of the Real Property Records of San Augustine County, Texas, and generally with a barbed wire fence, a distance of 282.46 feet to a 3/8" Iron Rod found for corner.

THENCE N 86° 39' 32" E with north line of the called 6.0 acre tract conveyed to Greg Burks and recorded in Volume 157 Page 94 of the Real Property Records of San Augustine County, Texas, with the south line of the called 118.636 acre tract conveyed to E.H. & R.N. McEachern Living Trust and recorded in Volume 263 Page 664 of the Real Property Records of San Augustine County, Texas, and generally with a barbed wire fence, a distance of 865.59 feet to the Point of Beginning being 111.110 acres of land more or less.