

**GROSS LAND AREA:**  
427,469 Square Feet  
9.813 Acres

**AREA in R/W:**  
6,857 Square Feet  
0.157 Acres

**NET AREA:**  
420,612 Square Feet  
9.656 Acres

VESTED IN:  
Roberson Revocable Trust  
Volume 380, Page 680  
APN: 6437

TOTAL LAND AREA:  
1,394,588 Square Feet  
32.015 Acres

**GROSS LAND AREA:**  
967,119 Square Feet  
22.202 Acres

**AREA in R/W:**  
21,335 Square Feet  
0.490 Acres

**NET AREA:**  
945,784 Square Feet  
21.712 Acres

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 00°20'54" E | 80.00'   |
| L2   | N 89°59'16" W | 80.00'   |

**SURVEYOR'S OBSERVATIONS:**  
At the time of this survey, there was no visible evidence of encroachments or violations.

**FLOOD ZONE:**  
By scaled map location and graphic plotting only, the subject property does not lie within a Special Flood Hazard Area according to the Flood Insurance Rate Map for the County of Deaf Smith, Community Panel No. 481215 (Panel not printed).

**PARKING:**  
There are no striped parking spaces on the subject property.

**ZONING:**  
As of December 05, 2013, we have not yet received the current zoning information for the subject property.

**BASIS OF BEARING:**  
The basis for all bearings shown hereon is the North Line, known as being South 89°47'28" East, per Deed No. 12-0246 of the Deaf Smith County Records.

**STEWART TITLE INSURANCE COMPANY**  
**COMMITMENT NO. 1002-66291-RTT - SCHEDULE A:**

Legal subject to change upon receipt of survey and metes and bounds description:  
30.4 acres, more or less, out of the Southwest quarter of Section Block K3, Section 78, Deaf Smith County, Texas.

**STEWART TITLE INSURANCE COMPANY**  
**COMMITMENT NO. 1002-66291-RTT - SCHEDULE B, SECTION II:**

- Numbers correspond with survey-related Schedule B exception items contained in the above referenced Title Commitment.
- The following matters and all terms of the documents creating or offering evidence of the matters:
    - An order of the Commissioners Court of Deaf Smith County, Texas, established a public road over and across the South side of Section 78, Block K-3, pursuant to an order found in Volume 3, Page 103, of the Commissioners Court Minutes or Deaf Smith County, Texas.  
**AFFECTS THE SUBJECT PROPERTY - CONTAINS NO PLOTTABLE ITEMS**
    - Deed dated September 24, 1935, executed by Harry Kibbe to Deaf Smith County, State of Texas, more particularly described in Volume 79, Page 207, of the Deed Records of Deaf Smith County, Texas.  
**DOES NOT AFFECT THE SUBJECT PROPERTY**
    - Easement granted by Harry Kibbe and Mary E. Kibbe to Deaf Smith County Electric Cooperative, Inc., recorded in Volume 79, Page 346, Real Property Records, Deaf Smith County, Texas.  
**AFFECTS THE SUBJECT PROPERTY - CONTAINS NO PLOTTABLE ITEMS**
    - Easement granted by Linnie Mae Roberson and Wiley Hicks Roberson to City of Hereford, Texas, recorded in Volume 242, Page 628, Real Property Records, Deaf Smith County, Texas.  
**DOES NOT AFFECT THE SUBJECT PROPERTY**
    - Easement granted by Donald Cohen Roberson to City of Hereford, Texas, recorded in Volume 243, Page 213, Real Property Records, Deaf Smith County, Texas.  
**DOES NOT AFFECT THE SUBJECT PROPERTY**
    - Easement granted by Linnie Mae Roberson and Donald C. Roberson to Southwestern public Service Company, recorded in Volume 253, Page 722, Real Property Records, Deaf Smith County, Texas.  
**DOES NOT AFFECT THE SUBJECT PROPERTY**
    - Easement granted by Donald C. Roberson and Nancy L. Roberson as Co-Trustees of the Roberson Revocable Trust to Deaf Smith County Hospital District, filed July 12, 2007, recorded in Clerk's File No. 07-1782, Real Property Records, Deaf Smith County, Texas.  
**DOES NOT AFFECT THE SUBJECT PROPERTY**
    - Easement granted by Deaf Smith County Hospital District to City of Hereford, Texas, recorded in Clerk's File No. 09-0375, Real Property Records, Deaf Smith County, Texas.  
**DOES NOT AFFECT THE SUBJECT PROPERTY**
    - Easement granted by Deaf Smith County Hospital District to City of Hereford, Texas, recorded in Clerk's File No. 09-0376, Real Property Records, Deaf Smith County, Texas.  
**DOES NOT AFFECT THE SUBJECT PROPERTY**

- MISCELLANEOUS NOTES:**
- There is direct access to the subject property via W. 15th Street, a public right-of-way.
  - The location of the underground utilities shown hereon have been obtained by searches of available records, diligent field check, and field verified where accessible only. It is believed that they are essentially correct, but their accuracy or completeness is not guaranteed; therefore the contractor is urged to proceed with caution, follow the procedure for contacting the utility protection service prior to commencing construction, and field verify for accuracy, location and conditions. The exact location and elevation of the service connections is unknown and should be field verified by the contractor for accuracy and location.
  - There is no posted address on site; subject property is vacant land.
  - At the time of this survey, there was no observable surface evidence of earth moving work, building construction or building additions within recent months.
  - At the time of this survey, there was no observable evidence of the subject property being used as a solid waste dump, ramp or sanitary landfill.
  - At the time of this survey, there was no observable evidence of any recent changes in street right-of-way lines either completed or proposed, and available from the controlling jurisdiction.
  - At the time of this survey, there was no observable evidence of any recent street or sidewalk construction or repairs.
  - The Property surveyed and shown hereon is the same property described in Schedule A of Stewart Insurance Title Company Title Commitment No. 1002-66291-RTT with an effective date of August 1, 2010.

**SURVEYOR'S LEGAL DESCRIPTION:**

All of that tract or parcel of land containing 9.813 acres situated in the south one-half of Section No. 78, Block K-3, Abstract No. 1490, R.J. Kibbe, Original Grantee, Certificate No. 920 of the A.B. & M. Surveys, Deaf Smith County, Texas, being a part of the land conveyed by Warranty Deed from Donald C. & Nancy L. Roberson to Donald C. & Nancy L. Roberson, Co-Trustees, and their successors in trust of the Roberson Revocable Trust dated May 16, 1991 as recorded in Volume 380, Page 680 of Deaf Smith County Records and being more particularly described as follows:

Commencing on the centerline of West 15th Street (Variable Width) at the southwest corner of Section 78; Thence, along the south line of Section 78 and the centerline of West 15th Street, South 89°59'16" East, 3194.36 feet to the southeast corner of land now or formerly conveyed to the City of Hereford as recorded in Deed No. 12-0246 of Deaf Smith County Records and the southwest corner of Roberson Revocable Trust land;

Thence, along the east line of City of Hereford land, North 00°20'54" East, 80.00 feet to a 5/8" capped rebar set at the Point of Beginning of the parcel of land herein described, a NGS Brass Disc Monument (PID: E00049) bears South 32°25'59" East, 8201.11 feet from said corner;

Thence, along the east line of City of Hereford land, North 00°20'54" East, 1366.75 feet to a 3/8" capped rebar (cap illegible) found on the south line of land now or formerly conveyed to Deaf Smith County Hospital District as recorded in Deed No. 08-0760 of Deaf Smith County Records;

Thence, along the south line of Deaf Smith County Hospital District land, South 89°47'28" East, 300.00 feet to a 5/8" capped rebar set;

Thence, crossing through Roberson Revocable Trust land, South 00°20'54" West, 1445.72 feet to a 5/8" capped rebar set on the south line of Section 78 and the centerline of West 15th Street;

Thence, along the south line of Section 78 and the centerline of West 15th Street, North 89°59'16" West, 220.01 feet to a 5/8" capped rebar set;

Thence, crossing through Roberson Revocable Trust land, North 00°20'54" East, 80.00 feet to a 5/8" capped rebar set;

Thence, North 89°59'16" West, 80.00 feet to the Point of Beginning and containing 427,469 square feet, or 9.813 acres of land, more or less.

**PROPOSED UTILITY EASEMENT DESCRIPTION:**

Being a twenty (20) foot wide Utility Easement situated in the south one-half of Section No. 78, Block K-3, Abstract No. 1490, R.J. Kibbe, Original Grantee, Certificate No. 920 of the A.B. & M. Surveys, Deaf Smith County, Texas, being a part of the land conveyed by Warranty Deed from Donald C. & Nancy L. Roberson to Donald C. & Nancy L. Roberson, Co-Trustees, and their successors in trust of the Roberson Revocable Trust dated May 16, 1991 as recorded in Volume 380, Page 680 of Deaf Smith County Records and being more particularly described as follows:

Commencing on the centerline of West 15th Street (Variable Width) at the southwest corner of Section 78;

Thence, along the south line of Section 78 and the centerline of West 15th Street, South 89°59'16" East, 3194.36 feet to the southeast corner of land now or formerly conveyed to the City of Hereford as recorded in Deed No. 12-0246 of Deaf Smith County Records and the southwest corner of Roberson Revocable Trust land;

Thence, continuing along the south line of Section 78 and the centerline of West 15th Street, South 89°59'16" East, 80.00 feet;

Thence, crossing through said Roberson Revocable Trust land, North 00°20'54" East, 31.40 feet to the north right of way line of West 15th Street and the Point of Beginning of the parcel of land herein described;

Thence, continuing North 00°20'54" East, 20.00 feet;

Thence, South 89°52'05" East, 220.00 feet;

Thence, South 00°20'54" West, 20.00 feet to the north right of way line of West 15th Street;

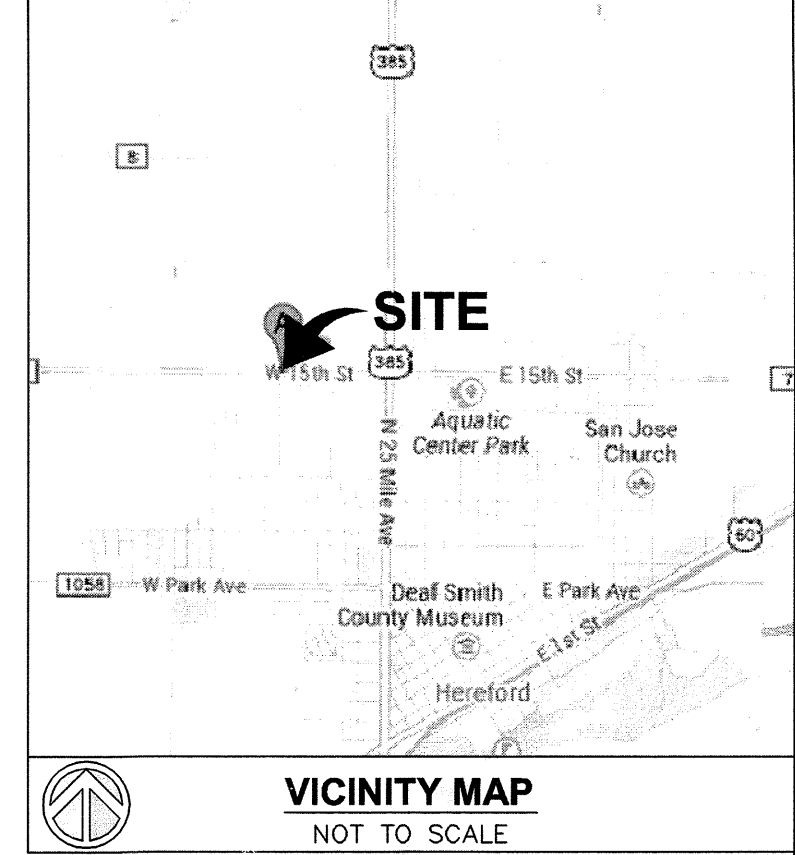
Thence, along the north right of way line of West 15th Street, North 89°52'05" West, 220.00 feet to the Point of Beginning and containing 0.1010 acres (4,400 square feet) of land, more or less.

**CERTIFICATION:**

To: CP 43 (TX) LLC, a Texas limited liability company, Republic Title of Texas and its underwriter, First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11(b), 13, 16, 17, 18 and 19 of Table A thereof. The field work was completed on November 7, 2013.

By: *Leo S. Bond*  
Leo S. Bond, RPLS  
Texas Registered Professional Land Surveyor No. 5793  
For and on behalf of Millman Surveying, Inc.



**SYMBOL LEGEND**

- R/W - Right-of-Way
- P/L - Adjoiner Property Line
- € - Centerline
- P.O.B. - Place/Point of Beginning
- P.O.C. - Place/Point of Commencement
- (X) - Schedule B-Section II Item
- - Monumentation Found as Noted
- ⊙ - Manhole
- ⊕ - Water Valve
- ⊖ - Telephone Pedestal
- ⊗ - Utility Vault
- ⊘ - Wall (As Noted)
- ⊙ - Utility Pole
- ⊙ - Light Pole
- ⊙ - Fence (As Noted)
- - Concrete Area

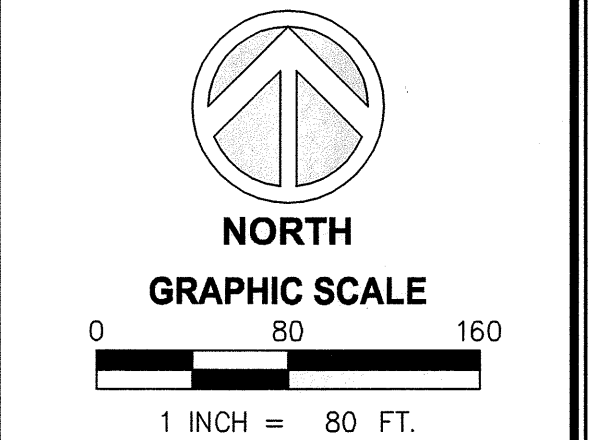
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ALTA/ACSM LAND TITLE  
SURVEY PREPARED FOR:

**CP 43 (TX) LLC**  
3131 McKinney Avenue, Suite 475  
Dallas, Texas, 75204

**virtualsurveyor**  
for more information  
visit <http://vimeo.com/257774196>

W. 15th Street  
City of Hereford  
County of Deaf Smith  
State of Texas



Surveyor's Seal  
**Leo S. Bond**  
5793  
Texas Registered Professional Land Surveyor

**REVISION HISTORY**

| BY: | DATE:      | COMMENT:                               |
|-----|------------|--|
| JJT | 12/12/2013 | Revised Boundary & Surveyor's Legal    |
| JJT | 12/17/2013 | Client Comments and Utility Easement   |
| JFD | 5/14/2014  | Sanitary Sewer Invert Elevations Added |

Sheet No. **1** of **1**

MSI Project No. 30584  
PM: JJT Drafter: DFS