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CERTIFIED, CIVIL TRIAL

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TEXAS BOARD OF LEGAL SPECIALIZATION

JUSTIN DEMERATH

April 30, 2012

Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
P.O. Box 13528
Austin, Texas 78711-3528

RE: Application to the Woodville Independent School District from Texas Pellets, Inc.

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Woodville Independent School District is notifying the Applicant Texas Pellets, Inc. of its intent to consider the application for appraised value limitation on qualified property, which was received by the school district on April 16, 2012. The Board accepted the application at its April 16, 2012 Board meeting. The District has determined the application complete as of April 30, 2012. Please prepare the economic impact report.

Please note the signature of the authorized business representative for the application has been notarized. The company representative is based in Wismar, Germany. There is additional information required for notarial certification in Wismar, and the notary has provided all required information on the back of the signature page in the paper copy. Because it is on the back of the page, it appears as its own, separate page in the electronic copy. A paper copy of the application will be hand delivered to your office tomorrow.

In accordance with 34 Tex. Admin Code §9.1054, a copy of the application will be submitted to the Tyler County Appraisal District.

Sincerely,

A handwritten signature in black ink, appearing to be "J. Demerath", written in a cursive style.

Letter to Local Government Assistance & Economic Analysis Division

April 30, 2012

Page 2 of 2

Kevin O'Hanlon
School District Consultant

Cc: Chief Appraiser
Tyler County Appraisal District

Glenn Conner, Woodville ISD



Application for Appraised Value Limitation on Qualified Property

(Tax Code, Chapter 313, Subchapter B or C)

Form 50-296
(Revised May 2010)

INSTRUCTIONS: This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application.

This notice must include:

- the date on which the school district received the application;
- the date the school district determined that the application was complete;
- the date the school board decided to consider the application; and
- a request that the comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original completed application to the Comptroller in a three-ring binder with tabs separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its Web site. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules as explained in the Confidentiality Notice below.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, make a recommendation to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application before the 151st day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to complete the recommendation, economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's Web site to find out more about the program at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/index.html>. There are links on this Web page to the Chapter 313 statute, rules and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION

Authorized School District Representative

Date application received by district

First Name		Last Name	
Title			
School District Name			
Street Address			
Mailing Address			
City	State	ZIP	
Phone Number	Fax Number		
Mobile Number (optional)	E-mail Address		

I authorize the consultant to provide and obtain information related to this application.. ☐ Yes ☐ No

Will consultant be primary contact? ☐ Yes ☐ No



SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

First Name

Bob

Last Name

Popinski

Title

Associate

Firm Name

Moak Casey

Street Address

400 W. 15th Street, Suite 1410

Mailing Address

400 W. 15th Street, Suite 1410

City

Austin

State

TX

ZIP

78701

Phone Number

512-485-7878

Fax Number

512-485-7888

Mobile Number (Optional)

E-mail Address

bpopinski@moakcasey.com

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

Signature (Authorized School District Representative)

Date

C. Allen Connor, Superintendent

4-16-2012

Has the district determined this application complete? ☒ Yes ☐ No

If yes, date determined complete. 4.30.2012

Have you completed the school finance documents required by TAC 9.1054(c)(3)? ☐ Yes ☒ No

SCHOOL DISTRICT CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Date application received by the ISD	1 of 16	X
2	Certification page signed and dated by authorized school district representative	2 of 16	X
3	Date application deemed complete by ISD	2 of 16	X
4	Certification pages signed and dated by applicant or authorized business representative of applicant	4 of 16	X
5	Completed company checklist	12 of 16	X
6	School finance documents described in TAC 9.1054(c)(3) (Due within 20 days of district providing notice of completed application)	2 of 16	will supplement

**APPLICANT INFORMATION - CERTIFICATION OF APPLICATION****Authorized Business Representative (Applicant)**

First Name	Last Name	
Title		
Organization		
Street Address		
Mailing Address		
City	State	ZIP
Phone Number	Fax Number	
Mobile Number (optional)	Business e-mail Address	

Will a company official other than the authorized business representative be responsible for responding to future information requests? ☐ Yes ☐ No

If yes, please fill out contact information for that person.

First Name	Last Name	
Title		
Organization		
Street Address		
Mailing Address		
City	State	ZIP
Phone Number	Fax Number	
Mobile Number (optional)	E-mail Address	

I authorize the consultant to provide and obtain information related to this application.. ☐ Yes ☐ No

Will consultant be primary contact? ☐ Yes ☐ No



Form 50-296

Application for Appraised Value Limitation on Qualified Property

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

First Name

Benjamin J.

Last Name

Brooks

Title

Partner

Firm Name

Smith, Gambrell & Russell, LLP

Street Address

1230 Peachtree Street, Suite 3100

Mailing Address

City

Atlanta

State

GA

ZIP

30309

Phone Number

404-815-3705

Fax Number

404-685-7005

Business email Address

bbrooks@sgrlaw.com

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application is true and correct to the best of my knowledge and belief.

I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

Signature (Authorized Business Representative (Applicant))

Date

04-12-2012

GIVEN under my hand and seal of office this _____ day of April, 2012

Notary Public, State of _____

(Notary Seal)

My commission expires _____

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code § 37.10.

Notarial certificate verifying signature

UR-Nr. 599 / 2012

I, the Notary Public

Dr. Kai Woellert,

with the official residence in Wismar, Mecklenburg-Vorpommern, Germany,
(office: Am Markt 23, D-23966 Wismar)

hereby certify the above signature of:

Kai Becker,

born 1961-09-16,

business address: Am Torney 2a, D-23970 Wismar, Germany,

Issued and signed at Wismar, 2012-04-16



(Notar Dr. Kai Woellert, Notary Public)



**FEES AND PAYMENTS**

☐ Enclosed is proof of application fee paid to the school district.

For the purpose of this question, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.

Please answer only either A OR B:

A. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code, §313.027(i)? ☐ Yes ☐ No

B. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)? ☐ Yes ☐ No

BUSINESS APPLICANT INFORMATION

Legal Name under which application is made

Texas Taxpayer I.D. Number of entity subject to Tax Code, Chapter 171 (11 digits)

NAICS code

Is the applicant a party to any other Chapter 313 agreements? ☐ Yes ☐ No

If yes, please list name of school district and year of agreement.

APPLICANT BUSINESS STRUCTURE

Registered to do business in Texas with the Texas Secretary of State? ☐ Yes ☐ No

Identify business organization of applicant (corporation, limited liability corporation, etc.)

1. Is the applicant a combined group, or comprised of members of a combined group, as defined by Texas Tax Code Chapter 171.0001(7)? ☐ Yes ☐ No
If so, please attach documentation of the combined group membership and contact information.

2. Is the applicant current on all tax payments due to the State of Texas? ☐ Yes ☐ No

3. Are all applicant members of the combined group current on all tax payments due to the State of Texas? ☐ NA ☐ Yes ☐ No

If the answer to either question is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (Use attachment if necessary.)

**ELIGIBILITY UNDER TAX CODE CHAPTER 313.024**

Are you an entity to which Tax Code, Chapter 171 applies? ☐ Yes ☐ No

The property will be used as an integral part, or as a necessary auxiliary part, in one of the following activities:

- (1) manufacturing ☐ Yes ☐ No
- (2) research and development ☐ Yes ☐ No
- (3) a clean coal project, as defined by Section 5.001, Water Code ☐ Yes ☐ No
- (4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code ☐ Yes ☐ No
- (5) renewable energy electric generation ☐ Yes ☐ No
- (6) electric power generation using integrated gasification combined cycle technology ☐ Yes ☐ No
- (7) nuclear electric power generation ☐ Yes ☐ No
- (8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7) ☐ Yes ☐ No

Are you requesting that any of the land be classified as qualified investment? ☐ Yes ☐ No

Will any of the proposed qualified investment be leased under a capitalized lease? ☐ Yes ☐ No

Will any of the proposed qualified investment be leased under an operating lease? ☐ Yes ☐ No

Are you including property that is owned by a person other than the applicant? ☐ Yes ☐ No

Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment? ☐ Yes ☐ No

PROJECT DESCRIPTION

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information. (Use attachments as necessary)

Describe the ability of your company to locate or relocate in another state or another region of the state.

PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> New Jobs | <input type="checkbox"/> Construct New Facility | <input type="checkbox"/> New Business / Start-up | <input type="checkbox"/> Expand Existing Facility |
| <input type="checkbox"/> Relocation from Out-of-State | <input type="checkbox"/> Expansion | <input type="checkbox"/> Purchase Machinery & Equipment | |
| <input type="checkbox"/> Consolidation | <input type="checkbox"/> Relocation within Texas | | |

PROJECTED TIMELINE

Begin Construction _____ Begin Hiring New Employees _____

Construction Complete _____ Fully Operational _____

Purchase Machinery & Equipment _____

Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)? ☐ Yes ☐ No

Note: Improvements made before that time may not be considered qualified property.

When do you anticipate the new buildings or improvements will be placed in service? _____

State Source	Amount
Total	

THE PROPERTY

If not, please provide additional information on the project scope and size to assist in the economic analysis.

**INVESTMENT**

NOTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as rural, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's Web site at www.window.state.tx.us/taxinfo/proptax/hb1200/values.html.

At the time of application, what is the estimated minimum qualified investment required for this school district? _____

What is the amount of appraised value limitation for which you are applying? _____

What is your total estimated *qualified* investment? _____

NOTE: See 313.021(1) for full definition. Generally, Qualified Investment is the sum of the investment in tangible personal property and buildings and new improvements made between beginning of the qualifying time period (date of application final approval by the school district) and the end of the second complete tax year.

What is the anticipated date of application approval? _____

What is the anticipated date of the beginning of the qualifying time period? _____

What is the total estimated investment for this project for the period from the time of application submission to the end of the limitation period? _____

Describe the qualified investment. [See 313.021(1).]

Attach the following items to this application:

- (1) a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
- (2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your minimum qualified investment and
- (3) a map of the qualified investment showing location of new buildings or new improvements with vicinity map.

Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or 313.053 for rural school districts) for the relevant school district category during the qualifying time period? ☐ Yes ☐ No

Except for new equipment described in Tax Code §151.318(q) or (q-1), is the proposed tangible personal property to be placed in service for the first time:

- (1) in or on the new building or other new improvement for which you are applying? ☐ Yes ☐ No
- (2) if not in or on the new building or other new improvement for which you are applying for an appraised value limitation, is the personal property necessary and ancillary to the business conducted in the new building or other new improvement? ☐ Yes ☐ No
- (3) on the same parcel of land as the building for which you are applying for an appraised value limitation? ☐ Yes ☐ No

("First placed in service" means the first use of the property by the taxpayer.)

Will the investment in real or personal property you propose be counted toward the minimum qualified investment required by Tax Code §313.023, (or 313.053 for rural school districts) be first placed in service in this state during the applicable qualifying time period? ☐ Yes ☐ No

Does the investment in tangible personal property meet the requirements of Tax Code §313.021(1)? ☐ Yes ☐ No

If the proposed investment includes a building or a permanent, non-removable component of a building, does it house tangible personal property? ☐ Yes ☐ No

QUALIFIED PROPERTY

Describe the qualified property. [See 313.021(2)] (If qualified investment describes qualified property exactly you may skip items (1), (2) and (3) below.)

Attach the following items to this application:

- (1) a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
- (2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your qualified property and
- (3) a map of the qualified property showing location of new buildings or new improvements – with vicinity map.

Land

Is the land on which you propose new construction or improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303? ☐ Yes ☐ No

If you answered "no" to the question above, what is the anticipated date on which you will submit proof of a reinvestment zone with boundaries encompassing the land on which you propose new construction or improvements? _____

Will the applicant own the land by the date of agreement execution? ☐ Yes ☐ No

Will the project be on leased land? ☐ Yes ☐ No

See Attachment 4 for further explanation.

QUALIFIED PROPERTY (CONTINUED)

If the land upon which the new building or new improvement is to be built is part of the qualified property described by §313.021(2)(A), please attach complete documentation, including:

1. Legal description of the land
2. Each existing appraisal parcel number of the land on which the improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property
3. Owner
4. The current taxable value of the land. Attach estimate if land is part of larger parcel.
5. A detailed map (with a vicinity map) showing the location of the land

Attach a map of the reinvestment zone boundaries, certified to be accurate by either the governmental entity creating the zone, the local appraisal district, or a licensed surveyor. (With vicinity map)

Attach the order, resolution or ordinance establishing the zone, and the guidelines and criteria for creating the zone, if applicable.

Miscellaneous

Is the proposed project a building or new improvement to an existing facility? ☐ Yes ☐ No

Attach a description of any existing improvements and include existing appraisal district account numbers.

List current market value of existing property at site as of most recent tax year. _____
(Market Value) (Tax Year)

Is any of the existing property subject to a value limitation agreement under Tax Code 313? ☐ Yes ☐ No

Will all of the property for which you are requesting an appraised value limitation be free of a tax abatement agreement entered into by a school district for the duration of the limitation? ☐ Yes ☐ No

WAGE AND EMPLOYMENT INFORMATION

What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? _____

The last complete calendar quarter before application review start date is the:

☐ First Quarter ☐ Second Quarter ☐ Third Quarter ☐ Fourth Quarter of _____
(year)

What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the TWC? _____

Note: For job definitions see TAC §9.1051(14) and Tax Code 313.021(3). If the applicant intends to apply a definition for "new job" other than TAC §9.1051(14)(C), then please provide the definition of "new job" as used in this application. _____

Total number of new jobs that will have been created when fully operational _____

Do you plan to create at least 25 new jobs (at least 10 new jobs for rural school districts) on the land and in connection with the new building or other improvement? ☐ Yes ☐ No

Do you intend to request that the governing body waive the minimum new job creation requirement, as provided under Tax Code §313.025(f-1)? ☐ Yes ☐ No

If you answered "yes" to the question above, attach evidence documenting that the new job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards. **Note: Even if a minimum new job waiver is provided, 80% of all new jobs must be qualifying jobs pursuant to Texas Tax Code, §313.024(d).**

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? _____

If this project creates more than 1,000 new jobs, the minimum required wage for this project is 110% of the average county weekly wage for all jobs as described by 313.021(3)(E)(ii).

If this project creates less than 1,000 new jobs, does this district have territory in a county that meets the demographic characteristics of 313.051(2)? (see table of information showing this district characteristic at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/values.html>)

If yes, the applicant must meet wage standard described in 313.051(b) (110% of the regional average weekly wage for manufacturing)

If no, the applicant shall designate one of the wage standards set out in §§313.021(5)(A) or 313.021(5)(B).

**WAGE AND EMPLOYMENT INFORMATION (CONTINUED)**

For the following three wage calculations please include on an attachment the four most recent quarters of data for each wage calculation. Show the average and the 110% calculation. Include documentation from TWC Web site. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(7).

110% of the county average weekly wage for all jobs (all industries) in the county is _____

110% of the county average weekly wage for manufacturing jobs in the county is _____

110% of the county average weekly wage for manufacturing jobs in the region is _____

Please identify which Tax Code section you are using to estimate the wage standard required for this project:

☐ §313.021(5)(A) or ☐ §313.021(5)(B) or ☐ §313.021(3)(E)(ii), or ☐ §313.051(b)?

What is the estimated minimum required annual wage for each qualifying job based on the qualified property? _____

What is the estimated minimum required annual wage you are committing to pay for each of the qualifying jobs you create on the qualified property? _____

Will 80% of all new jobs created by the owner be qualifying jobs as defined by 313.021(3)? ☐ Yes ☐ No

Will each qualifying job require at least 1,600 of work a year? ☐ Yes ☐ No

Will any of the qualifying jobs be jobs transferred from one area of the state to another? ☐ Yes ☐ No

Will any of the qualifying jobs be retained jobs? ☐ Yes ☐ No

Will any of the qualifying jobs be created to replace a previous employee? ☐ Yes ☐ No

Will any required qualifying jobs be filled by employees of contractors? ☐ Yes ☐ No

If yes, what percent? _____

Does the applicant or contractor of the applicant offer to pay at least 80% of the employee's health insurance premium for each qualifying job? ☐ Yes ☐ No

Describe each type of benefits to be offered to qualifying jobholders. (Use attachments as necessary.)

ECONOMIC IMPACT

Is an Economic Impact Analysis attached (If supplied by other than the Comptroller's office)? ☐ Yes ☐ No

Is Schedule A completed and signed for all years and attached? ☐ Yes ☐ No

Is Schedule B completed and signed for all years and attached? ☐ Yes ☐ No

Is Schedule C (Application) completed and signed for all years and attached? ☐ Yes ☐ No

Is Schedule D completed and signed for all years and attached? ☐ Yes ☐ No

Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.

If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, please attach a separate schedule showing the amount for each year affected, including an explanation.

CONFIDENTIALITY NOTICE

**Property Tax Limitation Agreement Applications
Texas Government Code Chapter 313
Confidential Information Submitted to the Comptroller**

Generally, an application for property tax value limitation, the information provided therein, and documents submitted in support thereof, are considered public information subject to release under the Texas Public Information Act.

There is an exception, outlined below, by which information will be withheld from disclosure.

The Comptroller's office will withhold information from public release if:

- 1) it describes the specific processes or business activities to be conducted or the specific tangible personal property to be located on real property covered by the application;
- 2) the information has been segregated in the application from other information in the application; and
- 3) the party requesting confidentiality provides the Comptroller's office a list of the documents for which confidentiality is sought and for each document lists the specific reasons, including any relevant legal authority, stating why the material is believed to be confidential.

All applications and parts of applications which are not segregated and marked as confidential as outlined above will be considered public information and will be posted on the internet.

Such information properly identified as confidential will be withheld from public release unless and until the governing body of the school district acts on the application, or we are directed to do so by a ruling from the Attorney General.

Other information in the custody of a school district or the comptroller submitted in connection with the application, including information related to the economic impact of a project or the essential elements of eligibility under Texas Tax Code, Chapter 313, such as

the nature and amount of the projected investment, employment, wages, and benefits, will not be considered confidential business information and will be posted on the internet.

All documents submitted to the Comptroller, as well as all information in the application once the school district acts thereon, are subject to public release unless specific parts of the application or documents submitted with the application are identified as confidential. Any person seeking to limit disclosure of such submitted records is advised to consult with their legal counsel regarding disclosure issues and also to take the appropriate precautions to safeguard copyrighted material, trade secrets, or any other proprietary information. The Comptroller assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by respondents. A person seeking to limit disclosure of information must submit in writing specific detailed reasons, including any relevant legal authority, stating why that person believes the material to be confidential.

The following outlines how the Comptroller's office will handle requests for information submitted under the Texas Public Information Act for application portions and submitted records appropriately identified as confidential.

- This office shall forward the request for records and a copy of the documents at issue to the Texas Attorney General's office for an opinion on whether such information may be withheld from disclosure under the Texas Public Information Act.
- The Comptroller will notify the person who submitted the application/documents when the information is forwarded to the Attorney General's office.
- Please be aware that this Office is obligated to comply with an Attorney General's decision, including release of information ruled public even if it was marked confidential.



COMPANY CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Certification pages signed and dated by Authorized Business Representative (applicant)	4 of 16	
2	Proof of Payment of Application Fee (Attachment)	5 of 16	
3	For applicant members, documentation of Combined Group membership under Texas Tax Code 171.0001(7) (if Applicable) (Attachment)	5 of 16	
4	Detailed description of the project	6 of 16	
5	If project is located in more than one district, name other districts and list percentage in each district (Attachment)	7 of 16	
6	Description of Qualified Investment (Attachment)	8 of 16	
7	Map of qualified investment showing location of new buildings or new improvements with vicinity map.	8 of 16	
8	Description of Qualified Property (Attachment)	8 of 16	
9	Map of qualified property showing location of new buildings or new improvements with vicinity map	8 of 16	
10	Description of Land (Attachment)	9 of 16	
11	A detailed map showing location of the land with vicinity map.	9 of 16	
12	A description of all existing (if any) improvements (Attachment)	9 of 16	
13	Request for Waiver of Job Creation Requirement (if applicable) (Attachment)	9 of 16	
14	Calculation of three possible wage requirements with TWC documentation. (Attachment)	10 of 16	
15	Description of Benefits	10 of 16	
16	Economic Impact (if applicable)	10 of 16	
17	Schedule A completed and signed	13 of 16	
18	Schedule B completed and signed	14 of 16	
19	Schedule C (Application) completed and signed	15 of 16	
20	Schedule D completed and signed	16 of 16	
21	Map of Reinvestment Zone (Attachment) (Showing the actual or proposed boundaries and size, Certified to be accurate by either the government entity creating the zone, the local appraisal district, or a licensed surveyor, with vicinity map)*	9 of 16	
22	Order, Resolution, or Ordinance Establishing the Zone (Attachment)*	9 of 16	
23	Legal Description of Reinvestment Zone (Attachment)*	9 of 16	
24	Guidelines and Criteria for Reinvestment Zone(Attachment)*	9 of 16	

*To be submitted with application or before date of final application approval by school board.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 1 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

See page 4 of the Application for Certification Pages signed and dated by Applicant.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 2 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

Evidence of payment of application fee is attached.

Proof of payment of filing fee received by the
Comptroller of Public Accounts per TAC Rule
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of Public
Accounts)*

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 3 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

See attached.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 4 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

The Project

Applicant plans to design, acquire, construct and equip certain real and personal property constituting integrated facilities for the production of wood pellets (the "Project") on an approximately 198 acre site (the "Land") located at 164 County Road 1040 in Woodville, Tyler County, Texas. A proposed layout of the Project is attached hereto as Exhibit "A."

Project Components

The Project consists of several distinct sections or divisions, including a greenwood handling and storage section, a wet milling section, a dryer section, a dry milling section, a pelletizing section and a finished product handling section. The greenwood handling section consists of a log yard with a crane to move logs (Project Layout Item 1), de-barker (Project Layout Item 2), truck dump (Project Layout Item 3), chipper (Project Layout Item 4) and stacker-reclaimer (Project Layout Item 6). The wet milling station (Project Layout Item 9) is expected to contain up to seven (7) wet milling machines. The dryer station (Project Layout Item 11) is expected to consist of two separate drying drums. The dry milling section (Project Layout Item 12) will contain dry milling machines. The pelletizing section (Project Layout Item 14) will consist of pelletizing machines capable of applying six different pellet pressures, a conditioner and an air cooler. The finished product handling section consists of storage tanks (Project Layout Item 15), bucket elevators, chain conveyor, catwalk system and towers. In addition, the Project includes approximately 11 tractor-trailers used to transport raw material to the site and to transport finished product to Port Arthur.

Pelletizing Process

In the first step of the process, green wood is stripped of bark and milled to grind the wood into chips. The wood chips are then wet milled into finer pieces. The wood is then dried to remove moisture and then dry milled again to further refine it into a sawdust-like product. This material is then fed through a pelletizing machine which adds heat and pressure to the wood and extrudes the final pellet product. Once cooled, the pellets are stored and packaged for shipping.

The majority of the pellets are expected to be exported to Europe for consumer and industrial heating uses.

Existing Buildings and Buildings to be Constructed

The Land purchased by the Applicant includes three (3) existing buildings--one approximately 1,000 square foot building, one approximately 5200 square foot building and one approximately 2,000 square foot building (collectively, the "Existing Buildings"). The Existing Buildings are not part of the Applicant's Application for Appraised Value Limitation. The Applicant will construct new manufacturing buildings and a new office facility (the "New Buildings") on the site consisting of a total of approximately 40,000 square feet.

Explanation of Values in Schedule A

Pre-application values: truck purchase-\$26,000; Site Prep-\$250,000; site purchase \$5,750,000. The continuing investment reflected in Column D through the remainder of the schedule is the plant's investment in raw materials and the plant's operating costs.

Construction Schedule

Grading for construction of the New Buildings at the Project is expected to begin in May 2012. Construction of the New Buildings is expected to begin, pending approval of the Applicant's Application for Appraised Value Limitation, in July, 2012, and is to be completed by October, 2012. The Project is expected to be fully completed in the first quarter of 2013.

Project Ownership and Operation

The Project will be owned by the Applicant and is expected to be leased to German Pellets Texas, LLC, a Texas limited liability company unrelated to the Applicant ("GPT, LLC"), in whole or in part, pursuant to the terms of a lease (the "Lease") to be entered into between GPT, LLC and Applicant.

Ability to Relocate in Another State or Another Region of Texas

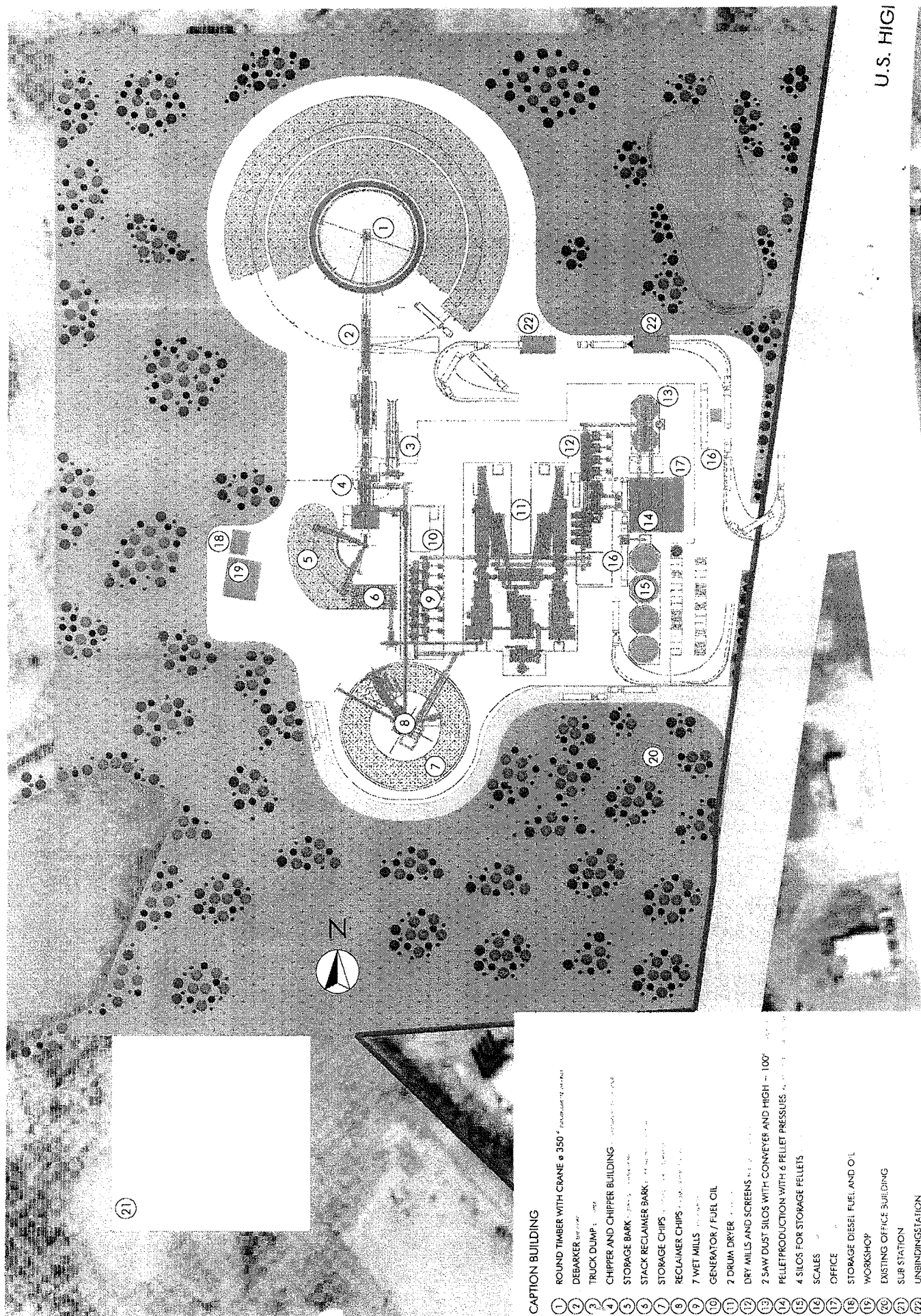
The location of Applicant's Project depends largely on the proximity to raw wood supply. The Applicant has evaluated prime locations in Mississippi and Louisiana, and most states in the Southeastern United States have sites which would fully support the Project.

Job Creation/Benefits to Community

GPT, LLC will serve as a contractor to the Applicant for the purpose of hiring employees to work at the Project. The Applicant expects GPT, LLC to hire at least 10 full-time permanent employees. In addition, the Applicant estimates that the Project will create an additional one hundred and ninety-four (194) indirect jobs consisting of approximately one hundred and fifty (150) full time jobs in logging and other support industries and forty-four (44) full time jobs related to the transportation of the Applicant's finished project to Port Arthur. The Applicant expects significant economic impact to the local timber industry, and expects to spend approximately \$20 million on raw timber materials in 2013 and between \$25-27 million on raw timber materials in each year between 2014 and 2027.

EXHIBIT “A”

Layout of the Project



CAPTION BUILDING

- 1 ROUND TIMBER WITH CRANE - 350' x 100'
- 2 DEBARKER
- 3 TRUCK DUMP
- 4 CHIPPER AND CHIPPER BUILDING
- 5 STORAGE BARK
- 6 STACK RECLAIMER BARK
- 7 STORAGE CHIPS
- 8 RECLAIMER CHIPS
- 9 WET MILLS
- 10 GENERATOR / FUEL OIL
- 11 DRUM DRYER
- 12 DRY MILLS AND SCREENS
- 13 2 SAW DUST SILOS WITH CONVEYER AND HIGH - 100'
- 14 PELLET PRODUCTION WITH 6 PELLET PRESSURES
- 15 4 SILOS FOR STORAGE PELLETS
- 16 SCALES
- 17 OFFICE
- 18 STORAGE DIESEL FUEL AND OIL
- 19 WORKSHOP
- 20 EXISTING OFFICE BUILDING
- 21 SUR STATION
- 22 UNBINDING STATION

German Pellets Texas, LLC

164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 5 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

Not applicable.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 6 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

The qualified investment will consist of the construction of the buildings and the installation of the equipment for the Project, as described in more detail on Attachment 4. The Project consists of several distinct sections or divisions, including a greenwood handling and storage section, a wet milling section, a dryer section, a dry milling section, a pelletizing section and a finished product handling section. The greenwood handling section consists of a log yard with a crane to move logs (Project Layout Item 1), de-barker (Project Layout Item 2), truck dump (Project Layout Item 3), chipper (Project Layout Item 4) and stacker-reclaimer (Project Layout Item 6). The wet milling station (Project Layout Item 9) is expected to contain up to seven (7) wet milling machines. The dryer station (Project Layout Item 11) is expected to consist of two separate drying drums. The dry milling section (Project Layout Item 12) will contain dry milling machines. The pelletizing section (Project Layout Item 14) will consist of pelletizing machines capable of applying six different pellet pressures, a conditioner and an air cooler. The finished product handling section consists of storage tanks (Project Layout Item 15), bucket elevators, chain conveyor, catwalk system and towers.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 7 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

See attached map of Project and vicinity map.





LEGEND	
CAPTION BUILDING	
1	ROUND TIMBER WITH CRANE # 350 * (KREISFÖRMIGER HOLZSTAMM)
2	DEBARKER (ENTLADER)
3	TRUCK DUMP (LKW-ENTLADER)
4	GRINDER AND GRINDER BUILDING (HOLZ- UND HOLZSTAMM-VERARBEITUNG)
5	STORAGE BARK (HOLZSTAMM-ABFALL)
6	STACK RECLAIMER BARK (HOLZSTAMM-ABFALL)
7	STORAGE CHIPS (HOLZSTAMM-ABFALL)
8	STACK RECLAIMER CHIPS (HOLZSTAMM-ABFALL)
9	7 WET MILLS (NÄSSMÜHLEN)
10	MCC / SUB STATION (MATERIALS HANDLING / SUBSTATION)
11	2 DRUM DRYER (TROMMELTROMMEL)
12	DRY MILLS AND SCREENS (TROMMELTROMMEL)
13	2 SAW DUST SILOS WITH CONVEYER AND HIGH - 100' (SAHSTÄUBESILO MIT FÖRER UND HOCH - 100')
14	PELLET PRODUCTION WITH 6 PELLET PRESSURES (PELLETHERSTELLUNG MIT 6 PELLET PRESSEN)
15	4 SILOS FOR STORAGE PELLETS (4 SILOS FÜR DIE SPEICHERUNG VON PELLETEN)
16	SCALES (WAAGEN)
17	OFFICE (BÜRO)
18	STORAGE DIESEL FUEL AND OIL / GAS STATION (SPEICHERUNG VON DIESEL, BENZIN UND GAS, TRENNSTELLE)
19	WORKSHOP (WERKSTATT)
20	EXISTING OFFICE BUILDING (EXISTIERENDES BÜROGEBÄUDE)
21	SUB STATION GERMAN PELLETS (SUBSTATION DEUTSCHE PELLETEN)
22	UNBINDING STATION (ENTBINDUNGSTATION)
23	SUB STATION ENERGY (SUBSTATION ENERGIE)

EXTERNAL PLANNING	
NAME	PLANNING
NAME	PLANNING
DATE	DATUM
DATE	DATUM
NOTE	
FOR WELDING PLATES, HAUFEN-RAILS, STEEL CONSTRUCTION, OTHER INSTALLATIONS FOR ATTACHMENT OF THE MACHINES SEE STATICS AND PLANS OF THE RESPECTIVE MECHANICAL ENGINEERING COMPANIES	
STEEL COLUMNS AND BASEMENTS, CROSSBAR, REINFORCEMENTS FOR STEEL HALL ACCORDING TO INSTRUCTIONS OF STATICS AND HALL DESIGNER.	
THE INSTALLATIONS (MACHINES SHOWN IN GREY WERE TRANSFERRED ONLY FOR INFORMATION PURPOSES INTO OUR PLANS	
ANSCHESSGERÄTE, HALTER-SCHNITTEN, STÄHLEKONSTRUKTIONEN, SONDEREINBAUTEN FÜR BESTELLUNG DER MASCHINEN (SIE STATIK UND PLÄNE DER JEWEILIGEN MASCHINENBAUFIRMEN).	
STAHLSTÜTZEN UND FÜHRUNGSRAILS, QUERBÄNDE, AUSSTÄRKLICHEN FÜR STAHLHÄLLE NACH ANFORDERUNG DER MASCHINEN (SIE STATIK UND PLÄNE DER JEWEILIGEN MASCHINENBAUFIRMEN).	
DIE GRAU DARGESTELLTEN EINBAUTEN (ANSCHESSGERÄTE) SIND NUR FÜR INFORMATION IN UNTERE PLÄNE ÜBERNOMMEN.	

IMPLEMENT PLAN DEFINITIONS	
PLANNING- AND CONSTRUCTION DIMENSIONS, NUMBERS OF ITEMS HAVE TO BE CHECKED BY ALL CRAFTS ON THEIR OWN RESPONSIBILITY RESPECTIVELY HAVE TO BE TAKEN AT THE BUILDING SITE.	
DISCREPANCIES HAVE TO BE ANNOUNCED TO THE CONSTRUCTION SUPERVISION AND PLANNING IMMEDIATELY RESPECTIVELY BEFORE THE BEGINNING OF WORK!	
BEFORE THE EXECUTION ALL DATA CONCERNING SLOTS AND BREAKTHROUGHS HAVE TO BE CHECKED BY THE MAIN CONSTRUCTOR TOGETHER WITH THE DESIGN ENGINEER.	
THE EXECUTION COMPANY HAS TO GUARANTEE FOR OBSERVANCE IT GENERALLY APPLIES THAT:	
THERMIC PROTECTION , NOISE PROTECTION AND STEAMROOFING ACCORDING TO DIN 18195.	
ALL HEIGHTS REFER TO FINISHED FLOOR LEVEL +/- 0,00 = XXX.XX M ABOVE SEA LEVEL.	
ALL DOOR HEIGHTS AS WELL AS PARAPET WALL HEIGHTS REFER TO THE TOP OF FINISHED LEVEL. IF A DOORSTOP IS DESIGNED THE HIGHER LEVEL COUNTS.	
THIS PLAN IS ONLY VALID IN CONNECTION WITH THE STATIC COMPUTATIONS AND THE POSITION PLANS!	
ALL MATERIAL DATA, SEPARATION AND CONSTRUCTION JOINTS, FOUNDATIONS HAVE TO BE TAKEN FROM THE STATICS.	
PLAN- UND BAUMAßE: STÜCKZAHLEN SIND VON ALLEN GEWERKEN AUF EIGENE VERANTWORTUNG ZU PRÜFEN BZW. AM BAU ZU NEHMEN. UNTERSCHIEDEN SIND DER BAUPLÄNE UND DER PLANNING SOWOHL BZW. VOR ARBEITSBEGINN ZU MELDEN!	
ALLE ANGABEN ÜBER SCHÜTZE UND DURCHBRÜCHE SIND VOR DER AUSFÜHRUNG VOM HAUPTUNTERNEHMER GEGENSÄMT MIT DEN PROJEKTANTEN ZU ÜBERPRÜFEN. BEI NICHTÜBERSTIMMUNG HÄFTET DER AUSFÜHRENDE.	
GRUNDSÄTZLICH GILT: WÄRMESCHUTZ NACH DIN 4108, SCHALLSCHUTZ NACH DIN 4109 UND FLUCHTSTRECKENSICHERUNG NACH DIN 18195.	
SÄMTLICHE HÖHEN BEZIEHEN SICH AUF FOK +/- 0,00 = XXX.XXX Ü NN. ALLE TÜRHÖHEN SOWIE BRÜSTUNGSHÖHEN VERSTEHEN SICH AB FERTIGSTANDSNOCHENKANTE. BEI AUSBLILDUNG VON ANSCHLAGEN GILT DIE HÖHER LEGENDE KOTE.	
DIESER PLAN IST NUR ZUSAMMEN MIT DEN STATISCHEN BERECHNUNGEN UND DER POSITIONIERUNG GÜLTIG! ALLE MATERIALANGABEN, TRENN- UND ARBEITSFÜGEN, FUNDAMENTE SIND DER STATIK ZU ENTNEHMEN.	

REVISION OF PLAN	
NR	DATE
NAME	REVISION
NR	DATE
NAME	REVISION
13-jan-2012	0.01
0.01	Changed: SUB Station, Unbinding Station, Surface concrete, asphalt, floor slabs, natural ground, gravelled road, underground media, drum dryer; Sub Station, Unbinding Station and Tractorer verschoben, Beton-, Asphalt-, Schotter-, Lagerflächen, Bodenplatten und unterirdische Medien verschoben
09-Mär-2012	0.02
0.02	New ramp, tunnel, and Rampa und einen Tunnel eingearbeitet; Changed machines, storage log, gravelled road, removed tunnel, Ramp T05-6 Moved TO 1-2-4/TO 7-8/TO 3 18-4' to the north direction
	Aktuelle Maschinenplanung eingesetzt; Lagerflächen Rundholz abgeändert; geschotterte Straße abgeändert; Tunnel entfernt; Rampa beim T05-6 TO 1-2-4/ TO 7-8/ TO 3 um 5,00m nach Norden verschoben



IMPLEMENT PLANNING	
PROJECT: CONSTRUCTION OF A NEW PELLET PLANT	
BAUVORABEN: 164 COUNTY ROAD 1040	
BAUHER: WOODVILLE, TEXAS 75979	
CLIENT: GERMAN PELLETS TEXAS LLC	
BAUHER: 164 COUNTY ROAD 1040	
WOODVILLE, TEXAS 75979	
PLANNING: SPITZNER PROJEKT GMBH & CO.KG	
WÖHRDSTRASSE 7 GER-93059 REGENSBURG	
Fon +49-941-502796-0 Fax +49-941-502796-99	
www.spitzner-projekt.de s.kroust@spitzner-projekt.de	
REMARKS: REMARKS	

PROJECT NR.	
P140	
PLANNING NR.	
00-W07	
VERSION	
A	
PART OF PROJECT: BAUTEIL	
SITE PLAN	
PLANNING CONTENT: PLANNINGHALT	
SITEPLAN SURFACE	
LAGERPLAN OBERFLÄCHENBESCHAFENHEIT	
SCALE:	
M 1:2000	
DATE:	
09-Mär-2012	
EDITOR:	
s.kroust	
FILENAME:	
P140-00-AD-XX.pln	
SIZE:	
0,90 x 1,14	

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 8 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

The qualified property will consist of the qualified investment more fully described on Attachment 6 above, together with the real property on which the Project will be developed. The legal description of the Project site is attached at Attachment 10 below.

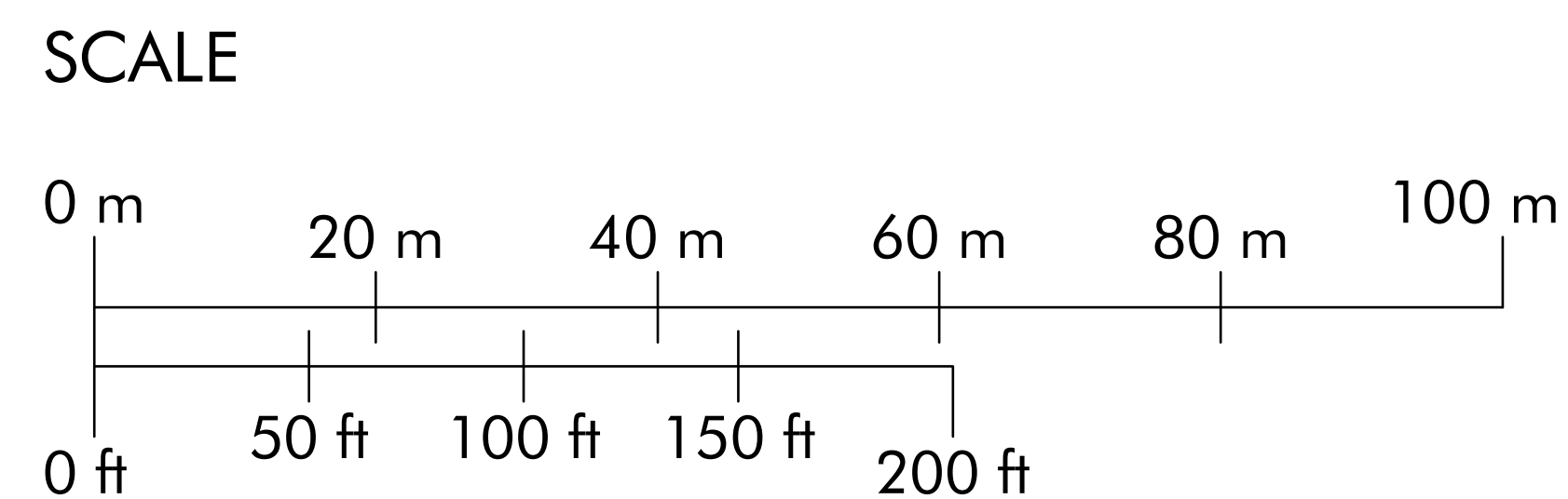
German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 9 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

See attached map with vicinity map.





LEGEND

GENCODE

CAPTION BUILDING

- 1 ROUND TIMBER WITH CRANE & 350 T GENCODE
- 2 DEBRISER GENCODE
- 3 TRUCK DUMP GENCODE
- 4 GRINDER AND GRINDER BUILDING GENCODE
- 5 STORAGE BARK GENCODE
- 6 STACK RECLAIMER BARK GENCODE
- 7 STORAGE CHIPS GENCODE
- 8 STACK RECLAIMER CHIPS GENCODE
- 9 7 WET MILLS GENCODE
- 10 MCC / SUB STATION GENCODE
- 11 2 DRUM DRYER GENCODE
- 12 DRY MILLS AND SCREENING GENCODE
- 13 2 SAW STICK SLICES WITH COMBWEYER AND 100' GENCODE
- 14 PELLET PRODUCTION WITH 2 PELLET PRESSURES GENCODE
- 15 4 SILOS FOR STORAGE PELLETS GENCODE
- 16 SCALES GENCODE
- 17 OFFICE GENCODE
- 18 STORAGE DIESEL FUEL OIL / GAS STATION GENCODE
- 19 WORKSHOP GENCODE
- 20 EXISTING OFFICE BUILDING GENCODE
- 21 SUB STATION GERMAN PELLETS GENCODE
- 22 UNBINDING STATION GENCODE
- 23 SUB STATION ENTERGY GENCODE

NOTE

FOR THE ARCHITECTS

FOR WELDING PLANTS, HALFEN RAULS, STEEL CONSTRUCTION, OTHER INSTALLATIONS FOR ATTACHMENT OF THE MACHINES SEE STATICS AND PLANS OF THE MECHANICAL ENGINEERING COMPANIES.

STEEL COLUMNS AND BASEMENTS, CROSSBAR, REINFORCEMENTS FOR STEEL HALL ACCORDING TO INSTRUCTIONS OF STATICS AND HALL DESIGNER.

THE INSTALLATIONS / MACHINES SHOWN IN GREY WERE TRANSFERRED ONLY FOR INFORMATION PURPOSES INTO OUR PLANS

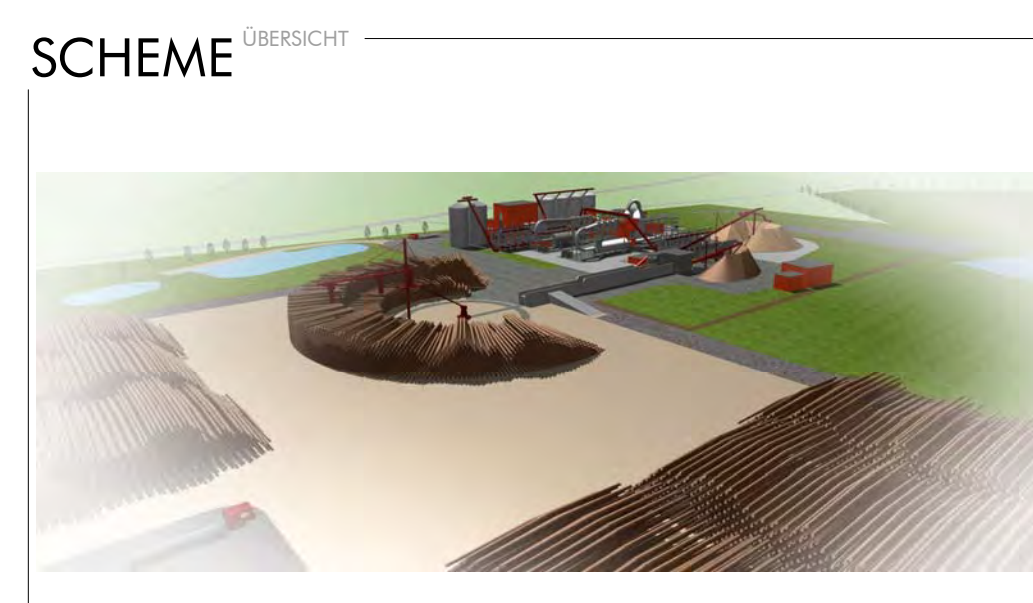
ANSCHESSPANNUNGEN, HALTEN UND VERANKERUNGEN, STAHLKONSTRUKTIONEN, SCHÜSSER UND ANDERE FÜR BEFESTIGUNG DER MASCHINEN SIEHE STATIK UND PLÄNE DER MECHANISCHEN INGENIEURFIRMEN.

STAHLSTÄBEN UND PLANHOLZBÄNDE, QUERSÄBEN, VERANKERUNGEN FÜR STAHLHÄLLEN ANSCHLIESSEN STATIK UND HÄLLENBETRIEBER.

DE GRAU DARGESTELLTE EINBAUTEN / MASCHINEN SIND NUR INFORMATIV IN UNSERE PLÄNE ÜBERNOMMEN.

[illegible]

REVISION OF PLAN		ÄNDERUNGEN	
NR	DATE	NAME	REVISION ÄNDERUNG
4	13-jan-12	o.sis	<p>Charged: SUB Station, Unbinding Station, Surface concrete, asphalt, floor slabs, natural ground, <u>gravelled road</u>, underground media, drum dryer</p> <p>Sub Station, Unbinding Station and Tractorwre verschoben, Beton-, Asphalt-, Zu- und Abfuhr-, Lagerflächen, Bodenplatten und Unterirdische Medien verschoben</p> <p><u>New ramp, tunnel</u>, zwei Ramps und einen Tunnel hinzugefügt</p>
A	09-MAR-12	o.sis	<p>Charged machines, storage lsg, <u>gravelled road</u>, <u>removal tunnel</u>, Ramp TOS Moved To 1-2 4-70 T 8 18-4 T 7 18-4 to the north direction</p> <p>Abfuhr Maschinenplanung eingeteilt, Lagerflächen Rumpfs abgeändert gestrichelte Straße abgeändert, Tunnel entfernt, Kanal hinzugefügt</p> <p>TOS-1 / 2 - 4 / 7 - 8 T 7 18-4 zu 5,60m nach Norden verschoben</p>



<h1>IMPLEMENT PLANING</h1>			
PROJECT: BAUVERFAHREN:		CONSTRUCTION OF A NEW PELLET PLANT 164 County Road 1040 WOODVILLE, TEXAS 75799 USA	
CLIENT: BAUHER:		GERMAN PELLETS TEXAS LLC 1644 COUNTY ROAD 1040 WOODVILLE, TEXAS 75799 USA	
PLANNING: PLANUNG:		SPITZNER PROJEKT GMBH & CO. KG WÖHRDSTRASSE 7 GER 93059 REGENSBURG Fon +49 941-502796-0 Fax +49 941-502796-9 www.spitzner-projekt.de s.kroux@obs-netz.de	
REMARKS: BEMERKUNGEN:			
<div></div>			
PROJECTNR.: P140		PART OF PROJECT: SAUTLE: SITE PLAN LAGEPLAN	
PLANNR.: 00-W04		PLANNING CONTENT: PLANINHALT: SITEPLAN LAGEPLAN	
<div></div>			
VERSION A		SCALE: 1:500	
REVISION: REVISIONEN GEÄNDERT LETTER: BUECHSELN GEÄNDERT		DATE: 09-März-2012	
		EDITOR: s.kroux	
		FILENAME: P140-00-A0-X00.pln	
		SIZE: 0,90 x 1,14	

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 10 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

See attached.

AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75979
(409) 283-8197

FIELDNOTE DESCRIPTION

FIELDNOTES TO A 188.675 ACRE TRACT OF LAND AS SITUATED IN THE WM. CHAMBLISS SURVEY, A-189, THE E.L. JENNINGS SURVEY, A-405, AND THE JOHN NOWLIN SURVEY, A-487, TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT SAME CERTAIN 262.127 ACRE TRACT AS CONVEYED TO NORTH AMERICAN PROCUREMENT COMPANY, HEREAFTER REFERRED TO AS "NAPCO", BY DEED RECORDED IN VOLUME 878, PAGE 601 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 188.675 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET FOR THE MOST WESTERLY SOUTHWEST CORNER OF THE NAPCO 262.127 ACRES AND OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE WM. CHAMBLISS SURVEY, A-189, AND THE SOUTHEAST CORNER OF THE G.M. BUCHANAN SURVEY, A-94, LOCATED ON THE NORTH LINE OF SAID JOHN NOWLIN SURVEY AND THE NORTH LINE OF THE ALAN BELL ESTATE 114.33 ACRE TRACT RECORDED IN VOLUME 618, PAGE 769 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE N 04°02'37"W 1934.60 FT., WITH THE WEST LINE OF THE CHAMBLISS SURVEY, TO A 1/2" IRON ROD SET ON THE NORTHWEST RIGHT OF WAY OF COUNTY ROAD 1030 FOR THE NORTHWEST CORNER OF THIS TRACT, SAME BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF THE EAST TEXAS ELECTRIC COOPERATIVE INC. 63.608 ACRE TRACT RECORDED IN VOLUME 973, PAGE 796 OF THE OFFICIAL PUBLIC RECORDS;

THENCE ALONG AND WITH THE NORTH RIGHT OF WAY OF COUNTY ROAD 1030 AND THE SOUTH BOUNDARY OF THE EAST TEXAS ELECTRIC COOPERATIVE 63.608 ACRE TRACT AS FOLLOWS:

- 1) N 64°49'51"E 391.16 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 2) N 62°33'31"E 407.71 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 3) N 60°34'33"E 368.27 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 4) N 57°17'48"E 151.63 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 5) N 53°27'26"E 410.17 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 6) N 58°15'57"E 90.51 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 7) N 68°03'42"E 76.31 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 8) N 75°28'24"E 92.96 FT. TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE ELECTRIC COOPERATIVE 63.608 ACRE TRACT AND THE MOST NORTHERLY CORNER OF THIS TRACT LOCATED AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF COUNTY ROAD 1030 WITH THE SOUTHWEST RIGHT OF WAY OF COUNTY ROAD 1020;

THENCE ALONG AND WITH THE SOUTHWEST RIGHT OF WAY OF SAID COUNTY ROAD 1020 AS FOLLOWS:

- 1) S 48°30'09"E 136.33 FT. TO A POINT FOR CORNER;
- 2) S 69°25'26"E 26.88 FT. TO A 1/2" IRON ROD SET FOR CORNER ON THE EAST LINE OF THE JENNINGS SURVEY AND THE WEST LINE OF THE E.T. NOLIN SURVEY, A-489, AND THE WEST LINE OF THE NORTH AMERICAN PROCUREMENT COMPANY 6.007 ACRE TRACT;

THENCE S 03°10'17"E 49.58 FT., WITH THE EAST LINE OF THE JENNINGS SURVEY AND THE WEST LINE OF THE NOLIN SURVEY AND WEST LINE OF THE NAPCO 6.007 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE SOUTHWEST CORNER OF SAME AND OF THE NOLIN SURVEY AND SOUTHEAST CORNER OF THE JENNINGS SURVEY LOCATED ON THE NORTH LINE OF THE WM. CHAMBLISS SURVEY AND THE NORTH LINE OF A 0.943 ACRE TRACT, PREVIOUSLY A PART OF THE NAPCO 262.127 ACRE TRACT;

Exhibit " A "

Page 1 of 3 pages

220

PAGE 3
188.675 ACRES

THENCE S 08°10'49"W 102.29 FT., WITH THE WEST RIGHT OF OLD HIGHWAY 69, TO A CONCRETE R.O.W. MARKER FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT IN SAME;

THENCE SOUTHWESTERLY 187.07 FT. ALONG THE ARC OF THE CURVE IN SAID RIGHT OF WAY, HAVING A CENTRAL ANGLE OF 06°03'31", A RADIUS OF 1769.10 FT. AND A CHORD BEARING S 05°07'26"W 186.98 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF THE NAPCO 262.127 ACRE TRACT AND OF THIS TRACT AND OF THIS TRACT LOCATED AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF OLD HIGHWAY 69 WITH THE NORTH RIGHT OF WAY OF COUNTY ROAD NO. 1050;

THENCE ALONG AND WITH THE MEANDERS OF THE NORTH RIGHT OF WAY OF COUNTY ROAD NO. 1050 AS FOLLOWS:

- 1) S 47°24'08"W 229.27 FT. TO A POINT FOR CORNER;
- 2) S 50°25'30"W 291.56 FT. TO A POINT FOR CORNER;
- 3) S 51°22'02"W 415.72 FT. TO A POINT FOR CORNER;
- 4) S 51°35'40"W 258.87 FT. TO A POINT FOR CORNER;
- 5) S 51°32'14"W 439.00 FT. TO A POINT FOR CORNER;
- 6) S 52°38'50"W 267.65 FT. TO A 1/2" IRON ROD SET FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THE NAPCO 262.127 ACRES AND OF THIS TRACT AND THE SOUTHEAST CORNER OF THE PREVIOUSLY MENTIONED ALAN BELL ESTATE 114.33 ACRE TRACT;


THENCE N 03°28'48"W 1863.49 FT., WITH THE EAST LINE OF THE BELL 114.33 ACRES AND THE WEST LINE OF THE NAPCO 262.127 ACRE TRACT, TO A PINE KNOT STAKE FOUND FOR AN INTERIOR ANGLE CORNER OF SAME AND THE NORTHEAST CORNER OF SAID BELL TRACT LOCATED ON THE NORTH LINE OF THE NOWLIN SURVEY AND THE SOUTH LINE OF THE WM. CHAMBLISS SURVEY;

THENCE S 87°04'37"W 739.36 FT., WITH THE NORTH LINE OF THE NORTH LINE OF THE BELL 114.33 ACRES AND SAID NOWLIN SURVEY AND THE SOUTH LINE OF WM. CHAMBLISS SURVEY, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 188.675 ACRES OF LAND.

THE BEARINGS RECITED HEREIN ARE BASED AND/OR ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD 83.

SURVEYED JUNE 29, 2011

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.


LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800

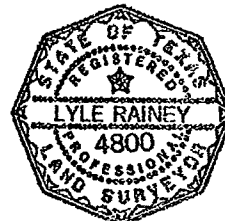


Exhibit " A "
Page 3 of 3 pages

A handwritten mark, possibly initials, enclosed in a circle.

PAGE 2
188.675 ACRES

THENCE S 86°24'03"W 71.95 FT., WITH THE SOUTH LINE OF THE JENNINGS SURVEY AND THE NORTH LINE OF THE CHAMBLISS SURVEY, TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE 0.943 ACRE TRACT AND AN INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE S 04°47'00"E 173.37 FT., WITH THE WEST LINE OF THE 0.943 ACRE TRACT, TO A 1/2" IRON ROD FOUND SOUTHWEST CORNER OF SAME AND ANOTHER INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE S 69°05'36"E, AT 210.11 FT. PASS THE SOUTHEAST CORNER OF THE 0.943 ACRE TRACT AND THE SOUTHWEST CORNER OF A 2.21 ACRE TRACT, ALSO A PART OF THE NAPCO 262.127 ACRES, AND AT 643.07 FT. PASS THE SOUTHEAST CORNER OF SAME AND THE SOUTHWEST CORNER OF THE E. & R. ALLISON FAMILY PROPERTIES, LTD. 5.016 ACRE TRACT RECORDED IN VOLUME 825, PAGE 739 OF THE OFFICIAL PUBLIC RECORDS, IN ALL A TOTAL DISTANCE OF 826.96 FT. TO A 1/2" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THE NAPCO 262.127 ACRES AND OF IS TRACT;

THENCE N 08°11'50"E 149.59 FT., WITH A WEST LINE OF THE NAPCO TRACT, TO A 1/2" IRON ROD FOUND FOR A NORTHWEST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THE ALLISON 5.016 ACRE TRACT;

THENCE S 81°44'25"E 279.94 FT., WITH A NORTH LINE OF SAID NAPCO 262.127 ACRES TRACT, TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAME AND THE MOST EASTERLY NORTHEAST CORNER OF THIS TRACT AND MOST EASTERLY SOUTHEAST CORNER OF THE ALLISON TRACT LOCATED ON THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69;

THENCE ALONG AND WITH THE MEANDERS OF THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69 AS FOLLOWS:

- 1) S 08°08'09"W 148.18 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 2) S 22°12'56"W 60.92 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 3) S 08°07'36"W 259.54 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 4) N 82°30'01"E 15.60 FT. TO A 1/2" IRON ROD SET FOR CORNER;
- 5) S 08°08'09"W 1506.51 FT., TO A 1/2" IRON ROD SET FOR AN ANGLE CORNER ON THE WEST RIGHT OF WAY OF OLD HIGHWAY 69;

THENCE ALONG AND WITH THE WEST RIGHT OF WAY OF OLD HIGHWAY 69 AS FOLLOWS:

- 1) S 02°25'58"W 100.00 FT. TO A 1/2", IRON ROD SET FOR CORNER;
- 2) S 08°10'19"W 194.96 FT. TO A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF THE OLD HIGHWAY WITH THE SOUTH LINE OF THE WM. CHAMBLISS SURVEY AND THE NORTH LINE OF THE JOHN NOWLIN SURVEY FOR A SOUTHEAST CORNER OF THE NAPCO 262.127 ACRES AND OF THIS TRACT, SAME BEING THE NORTHEAST CORNER OF THE ALAN W. BELL 2.756 ACRE TRACT DESCRIBED IN VOLUME 593, PAGE 960 OF THE OFFICIAL PUBLIC RECORDS;

THENCE S 85°48'12"W 514.74 FT., WITH THE COMMON LINE BETWEEN THE CHAMBLISS SURVEY AND SAID NOWLIN SURVEY AND THE NORTH LINE OF THE BELL 2.756 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE NORTHWEST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THE NAPCO TRACT AND OF THIS TRACT;

THENCE S 45°41'17"E 622.62 FT., WITH THE SOUTHWEST LINE OF THE BELL 2.756 ACRE TRACT, TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAME AND AN EXTERIOR ANGLE CORNER OF THIS TRACT LOCATED ON THE WEST RIGHT OF WAY OF OLD HIGHWAY 69;



German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 11 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

See map and vicinity map at Attachment 9.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 12 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

At present, there are three (3) small buildings on the land (the "Existing Buildings"). They are shown as items 18, 19 and 20 on the Project Layout attached at Attachment 4. The building identified as item 18 is a diesel fuel storage shed. The building identified as item 19 is a maintenance shed and workshop. The final building shown as item 20 is a wooden storage building. The Applicant has the option of demolishing all buildings, but at present plans to refurbish the buildings identified as items 18 and 19 and to include them in the Project. The third building identified as item 20 is expected to be demolished. The Existing Buildings are not part of the Applicant's Application for Appraised Value Limitation.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 13 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

Not applicable.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENT 14 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

110% of County Weekly Wage for All Jobs

Quarter*	Avg. Weekly Wage
4 th Quarter 2010	\$550
1 st Quarter 2011	\$552
2 nd Quarter 2011	\$512
3 rd Quarter 2011	\$526

*—Most recent available data.

Average wage for All Jobs over last 4 quarters= \$2,140 / 4= \$535

110% of County Weekly Wage for All Jobs= \$535 x 1.10=\$588.50

110% of County Weekly Wage for Manufacturing Jobs

Quarter*	Avg. Weekly Wage
4 th Quarter 2010	\$765
1 st Quarter 2011	\$724
2 nd Quarter 2011	\$743
3 rd Quarter 2011	\$785

*—Most recent available data.

Average wage for Manufacturing Jobs over last 4 quarters= \$3,017 / 4= \$754.25

110% of County Weekly Wage for Manufacturing Jobs= \$754.25 x 1.10=\$829.68

110% of County Weekly Wage for Manufacturing Jobs in Region (Deep East Texas)

\$15.71 per hour	\$628.40 (average weekly salary)
x 40 hours per week	x 1.10
\$628.40 per week	\$691.24=110% of average weekly salary in Region

\$691.24 per week

x 52 weeks

\$35,944.48 = 110% of average annual wage for Manufacturing Jobs in Region

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2010	4th Qtr	Tyler County	Private	00	0	10	Total, All Industries	\$550
2011	1st Qtr	Tyler County	Private	00	0	10	Total, All Industries	\$502
2011	2nd Qtr	Tyler County	Private	00	0	10	Total, All Industries	\$512
2011	3rd Qtr	Tyler County	Private	00	0	10	Total, All Industries	\$526
2011	3rd Qtr	Tyler County	Private	31	2	31-33	Manufacturing	\$785
2011	2nd Qtr	Tyler County	Private	31	2	31-33	Manufacturing	\$743
2011	1st Qtr	Tyler County	Private	31	2	31-33	Manufacturing	\$724
2010	4th Qtr	Tyler County	Private	31	2	31-33	Manufacturing	\$765

2010 Manufacturing Wages by Council of Government Region
Wages for All Occupations

COG	Wages	
	Hourly	Annual
Texas		
<u>1. Panhandle Regional Planning Commission</u>	\$18.60	\$38,683
<u>2. South Plains Association of Governments</u>	\$16.21	\$33,717
<u>3. NORTEX Regional Planning Commission</u>	\$18.34	\$38,153
<u>4. North Central Texas Council of Governments</u>	\$23.45	\$48,777
<u>5. Ark-Tex Council of Governments</u>	\$15.49	\$32,224
<u>6. East Texas Council of Governments</u>	\$17.63	\$36,672
<u>7. West Central Texas Council of Governments</u>	\$17.48	\$36,352
<u>8. Rio Grande Council of Governments</u>	\$15.71	\$32,683
<u>9. Permian Basin Regional Planning Commission</u>	\$19.90	\$41,398
<u>10. Concho Valley Council of Governments</u>	\$15.33	\$31,891
<u>11. Heart of Texas Council of Governments</u>	\$17.91	\$37,257
<u>12. Capital Area Council of Governments</u>	\$25.37	\$52,778
<u>13. Brazos Valley Council of Governments</u>	\$15.24	\$31,705
<u>14. Deep East Texas Council of Governments</u>	\$15.71	\$32,682
<u>15. South East Texas Regional Planning Commission</u>	\$27.56	\$57,333
<u>16. Houston-Galveston Area Council</u>	\$24.52	\$51,002
<u>17. Golden Crescent Regional Planning Commission</u>	\$20.07	\$41,738
<u>18. Alamo Area Council of Governments</u>	\$17.28	\$35,952
<u>19. South Texas Development Council</u>	\$13.27	\$27,601
<u>20. Coastal Bend Council of Governments</u>	\$21.55	\$44,822
<u>21. Lower Rio Grande Valley Development Council</u>	\$14.35	\$29,846
<u>22. Texoma Council of Governments</u>	\$18.10	\$37,651
<u>23. Central Texas Council of Governments</u>	\$17.21	\$35,788
<u>24. Middle Rio Grande Development Council</u>	\$13.21	\$27,471

Source: Texas Occupational Employment and Wages

Data published: June 2011

Data published annually, next update will be June 2012.

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.

German Pellets Texas, LLC
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ATTACHMENT 15 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

In addition to wages, Applicant or its contractor will pay approximately 80% of the cost of medical, dental and vision insurance for at least 80% of new employees. Disability insurance will also be provided.

German Pellets Texas, LLC
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Texas Taxpayer ID:32044557216

ATTACHMENT 16 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

Not applicable.

German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

ATTACHMENTS 17, 18, 19 AND 20 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

Please see items 17 through 20 attached.

Schedule A (Rev. May 2010): Investment

Form 50-236

Applicant Name
ISD Name

PROPERTY INVESTMENT AMOUNTS											
(Estimated investment in each year. Do not put cumulative totals.)											
			School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total Investment (A+B+D)		
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)			2012-2013	2012	56,000	250,000		5,750,000	6,056,000		
					0	0		200,000	200,000		
					140,584,000	2,000,000	142,584,000	1,160,000	143,744,000		
Tax Credit Period (with 50% cap on credit)		Complete tax years of qualifying time period		1	2013-2014	2013	32,000,000	0	32,000,000	35,562,000	67,562,000
				2	2014-2015	2014	2,000,000	29,000	2,029,000	47,886,000	49,915,000
				3	2015-2016	2015	2,000,000	29,000		48,464,000	50,493,000
				4	2016-2017	2016	2,000,000	29,000		49,116,000	51,145,000
				5	2017-2018	2017	2,000,000	29,000		49,654,000	51,683,000
		Value Limitation Period	6	2018-2019	2018	3,000,000	29,000		50,265,000	53,294,000	
			7	2019-2020	2019	3,000,000	29,000		50,889,000	53,918,000	
			8	2020-2021	2020	3,000,000	29,000		51,594,000	54,623,000	
			9	2021-2022	2021	3,000,000	29,000		52,173,000	55,202,000	
			10	2022-2023	2022	3,000,000	29,000		52,833,000	55,862,000	
Credit Settle-Up Period	Continue to Maintain Viable Presence	11	2023-2024	2023	4,000,000	29,000		53,507,000	57,536,000		
		12	2024-2025	2024	4,000,000	29,000		54,268,000	58,297,000		
		13	2025-2026	2025	4,000,000	29,000		54,895,000	58,924,000		
		14	2026-2027	2026	4,000,000	29,000		55,100,000	59,129,000		
		15	2027-2028	2027	4,000,000	29,000		55,100,000	59,129,000		

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.

Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D).

For the purposes of investment, please list amount invested each year, not cumulative totals.

Column B: Include estimates of investment for "replacement" property-property that is part of original agreement but scheduled for probable replacement during limitation period.

The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).

Column D: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings. Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value-for planning, construction and operation of the facility. The most significant example for many projects would be land. Other examples may be items such as professional services, etc.

Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

04/16/2012

Schedule B (Rev. May 2010): Estimated Market And Taxable Value

Applicant Name
ISD Name

Form 50-296

								Qualified Property			Reductions from Market Value	Estimated Taxable Value	
								Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"		Final taxable value for I&S - after all reductions	Final taxable value for M&O—after all reductions
		Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY				5,750,000	0	0	0	5,750,000	5,750,000
		pre-year 1	2012-2013	2012				5,750,000	0	0	0	5,750,000	5,750,000
	Complete tax years of qualifying time period	1	2013-2014	2013				5,750,000	2,250,000	172,840,000	0	182,000,000	182,000,000
		2	2014-2015	2014				5,750,000	2,221,000	160,892,000	0	168,863,000	168,863,000
		3	2015-2016	2015				5,750,000	2,192,000	148,902,000	146,844,000	156,844,000	10,000,000
		4	2016-2017	2016				5,750,000	2,163,000	136,912,000	134,825,000	144,825,000	10,000,000
		5	2017-2018	2017				5,750,000	2,134,000	124,922,000	122,806,000	132,806,000	10,000,000
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	6	2018-2019	2018				5,750,000	2,105,000	113,932,000	111,787,000	121,787,000	10,000,000
		7	2019-2020	2019				5,750,000	2,076,000	102,942,000	100,768,000	110,768,000	10,000,000
		8	2020-2021	2020				5,750,000	2,047,000	91,952,000	89,749,000	99,749,000	10,000,000
		9	2021-2022	2021				5,750,000	2,018,000	87,509,000	85,277,000	95,277,000	10,000,000
		10	2022-2023	2022				5,750,000	1,989,000	89,613,000	87,352,000	97,352,000	10,000,000
		11	2023-2024	2023				5,750,000	1,960,000	92,717,000	0	100,427,000	100,427,000
		12	2024-2025	2024				5,750,000	1,931,000	95,821,000	0	103,502,000	103,502,000
		13	2025-2026	2025				5,750,000	1,902,000	98,925,000	0	106,577,000	106,577,000
		14	2027-2028	2026				5,750,000	1,873,000	102,029,000	0	109,652,000	109,652,000
		15	2026-2027	2027				5,750,000	1,844,000	105,133,000	0	112,727,000	112,727,000
Credit Settle-Up Period	Continue to Maintain Viable Presence												
Post-Settle-Up Period													
Post-Settle-Up Period													

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation.

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

 04/16/2012

DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

Schedule C- Application: Employment Information

Applicant Name
ISD Name

Form 50-296

				Construction		New Jobs		Qualifying Jobs		
				Tax Year (Fill in actual tax year) YYYY	Column A: Number of Construction FTE's or man-hours (specify) 5,500 man hours	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
			Year pre- year 1	2012-2013	2012	30,316	0	N/A	0	N/A
		Complete tax years of qualifying time period	1	2013-2014	2013	N/A	10	35,945	8	35,945
			2	2014-2015	2014	N/A	10	35,945	8	35,945
			3	2015-2016	2015	N/A	10	35,945	8	35,945
			4	2016-2017	2016	N/A	10	35,945	8	35,945
			5	2017-2018	2017	N/A	10	35,945	8	35,945
Tax Credit Period (with 50% cap on credit)		Value Limitation Period	6	2018-2019	2018	N/A	10	35,945	8	35,945
			7	2019-2020	2019	N/A	10	35,945	8	35,945
			8	2020-2021	2020	N/A	10	35,945	8	35,945
			9	2021-2022	2021	N/A	10	35,945	8	35,945
			10	2022-2023	2022	N/A	10	35,945	8	35,945
Credit Settle-Up Period		Continue to Maintain Viable Presence	11	2023-2024	2023	N/A	10	35,945	8	35,945
			12	2024-2025	2024	N/A	10	35,945	8	35,945
			13	2025-2026	2025	N/A	10	35,945	8	35,945
		Post- Settle-Up Period	14	2027-2028	2026	N/A	10	35,945	8	35,945
			15	2026-2027	2027	N/A	10	35,945	8	35,945

Notes: For job definitions see TAC §9.1051(14) and Tax Code §313.021(3).

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

04/16/2012

Schedule D: (Rev. May 2010): Other Tax Information

Form 50-296

Applicant
Name

	Year	School Year (YYYY-YYYY)	Tax/ Calendar Year YYYY	Sales Tax Information		Franchise Tax	Other Property Tax Abatements Sought			
				Sales Taxable Expenditures		Franchise Tax	County	City	Hospital	Other
				Column F: Estimate of total annual expenditures* subject to state sales tax	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)	0	2012-2013	2012	240,000	1,220,000	0	N/A	N/A	N/A	N/A
	1	2013-2014	2013	10,304,000	29,943,000	114,000	100%	N/A	100%	N/A
Complete tax years of qualifying time period	2	2014-2015	2014	14,006,000	40,239,000	155,000	100%	N/A	100%	N/A
	3	2015-2016	2015	14,432,000	40,616,000	158,000	90%	N/A	90%	N/A
	4	2016-2017	2016	14,727,000	41,035,000	162,000	80%	N/A	80%	N/A
	5	2017-2018	2017	15,040,000	41,389,000	165,000	70%	N/A	70%	N/A
Tax Credit Period (with 50% cap on credit)	6	2018-2019	2018	15,501,000	41,783,000	172,000	60%	N/A	60%	N/A
	7	2019-2020	2019	15,905,000	42,184,000	177,000	50%	N/A	50%	N/A
Value Limitation Period	8	2020-2021	2020	16,221,000	42,630,000	178,000	40%	N/A	40%	N/A
	9	2021-2022	2021	16,454,000	43,006,000	177,000	30%	N/A	30%	N/A
	10	2022-2023	2022	16,738,000	43,426,000	177,000	20%	N/A	20%	N/A
	11	2023-2024	2023	17,030,000	43,854,000	177,000	10%	N/A	10%	N/A
Credit Settle- Up Period	12	2024-2025	2024	17,378,000	44,327,000	178,000	0%	N/A	0%	N/A
	13	2025-2026	2025	17,637,000	44,729,000	177,000	0%	N/A	0%	N/A
Post-Settle- Up Period	14	2027-2028	2026	17,700,000	45,000,000	180,000	0%	N/A	0%	N/A
Post-Settle- Up Period	15	2026-2027	2027	17,700,000	45,000,000	180,000	0%	N/A	0%	N/A

*For planning, construction and operation of the facility.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

04/16/2012

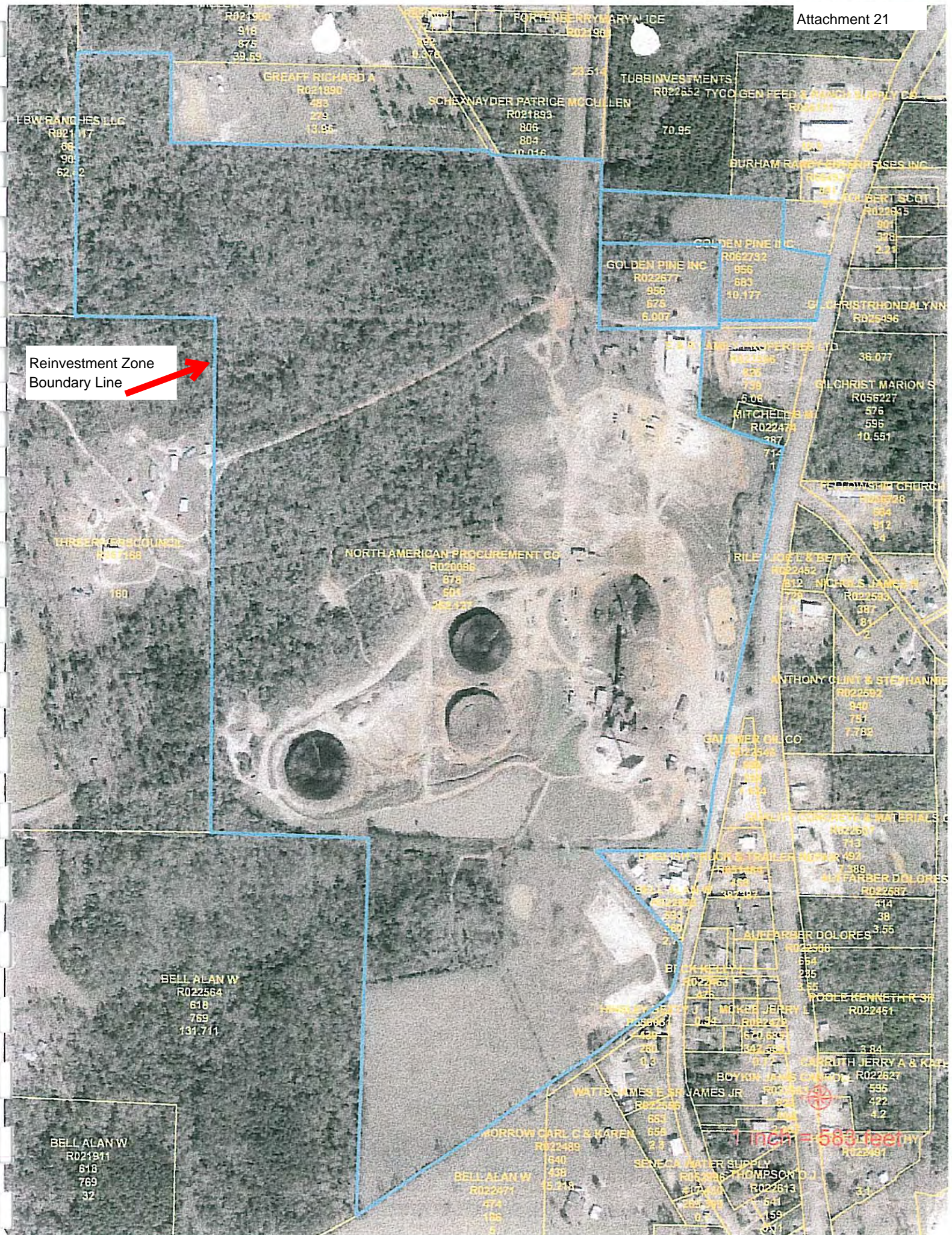
German Pellets Texas, LLC
164 County Road 1040
Woodville, Texas 75979

Texas Taxpayer ID:32044557216

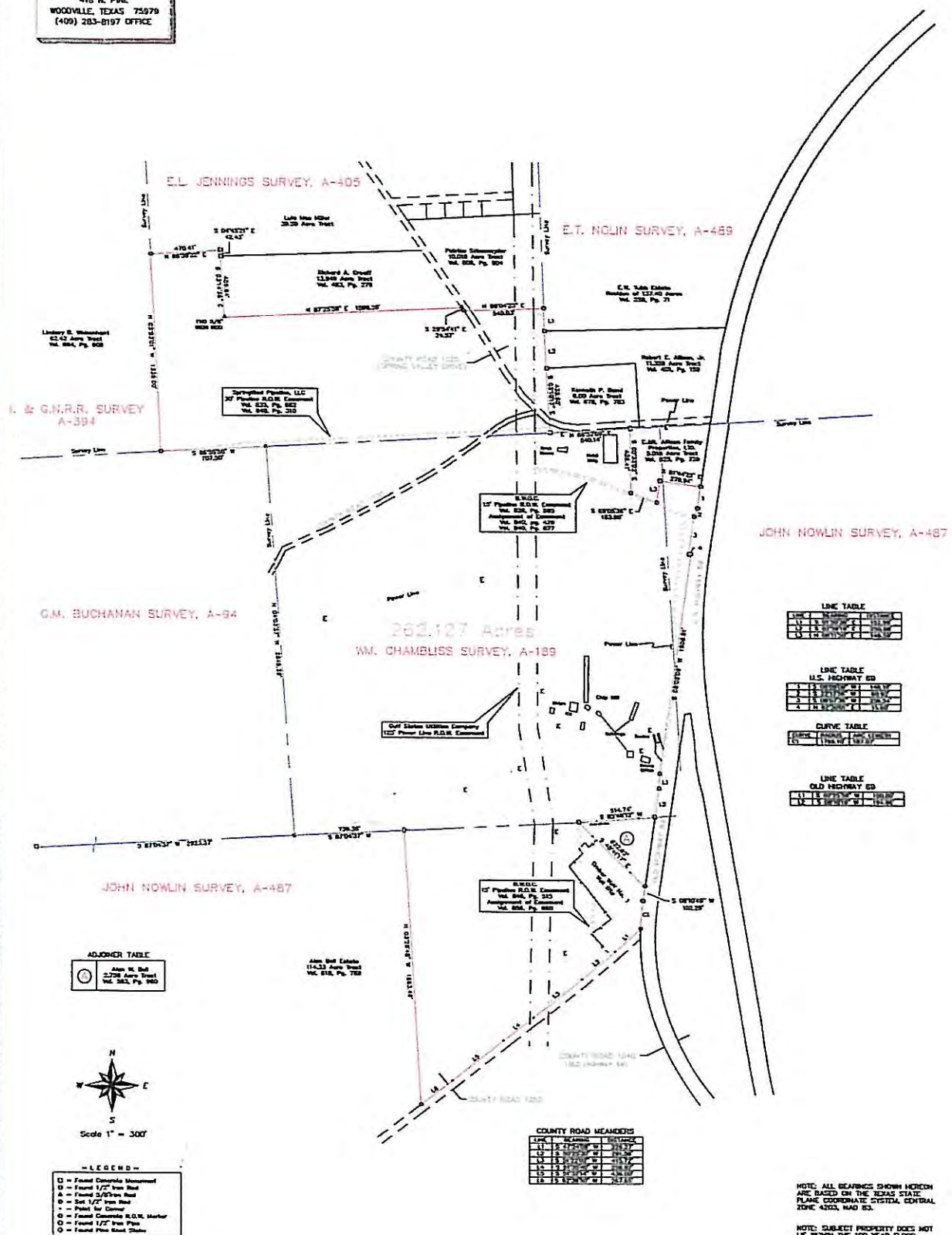
ATTACHMENTS 21, 22, 23 AND 24 TO FORM 50-296
Application for Appraised Value Limitation on Qualified Property

Materials relating to the Reinvestment Zone within which the Project is being developed are attached hereto. These materials include items requested in 21 through 23. Please note that these materials will be supplemented with additional items to be received from the School District with respect to the creation of the Reinvestment Zone. Item 24 will follow from the School District.

Reinvestment Zone
Boundary Line



AREA SURVEYING & MAPPING
410 N. PINE
WOODVILLE, TEXAS 75079
(409) 283-8197 OFFICE

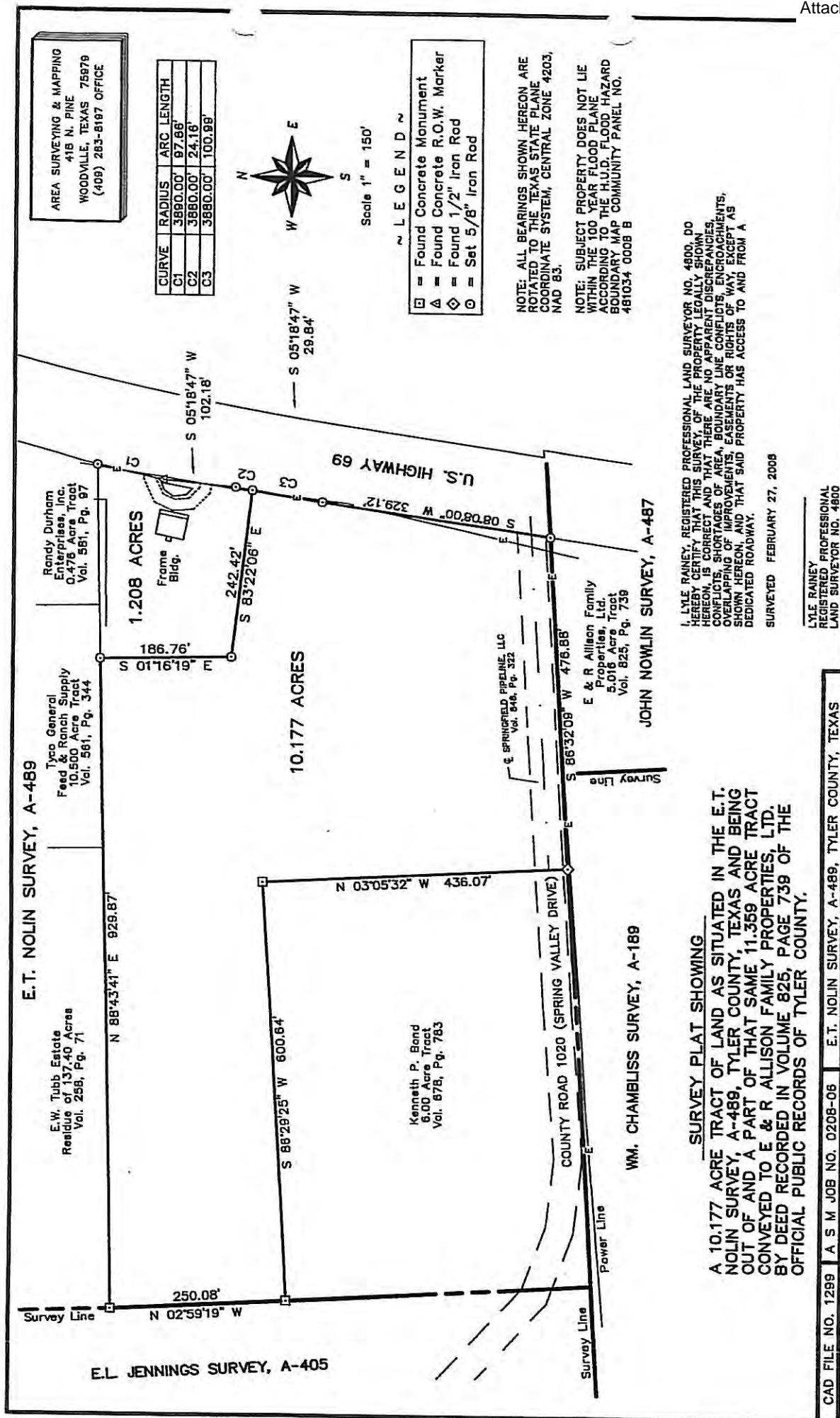


SURVEY PLAT SHOWING
A 282.127 ACRE TRACT OF LAND AS SITUATED IN THE E.L. JENNINGS SURVEY, A-405, THE E.T. NOLIN SURVEY, A-489, THE WM. CHAMBLISS SURVEY, A-189, AND THE JOHN NOWLIN SURVEY, A-487, TYLER COUNTY, TEXAS AND BEING A SURVEY OF THE RESIDUE OF THOSE SAME CERTAIN TRACTS CONVEYED TO GRIFFEN SHIPPING, INC. AS DESCRIBED IN VOLUME 724, PAGE 433 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY.

L. L. L. SURVEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE SURVEY OF THE PROPERTY LEGALLY SHOWN HEREON IS CORRECT AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, ENCUMBRANCES OF AREA, INCUMBRANCES, ENCUMBRANCES, ENCUMBRANCES OF ENCUMBRANCES, ENCUMBRANCES OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED HIGHWAY.

SURVEYED MARCH 21, 2007

L. L. L. SURVEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75979
(409) 283-8187 OFFICE



Scale 1" = 100'

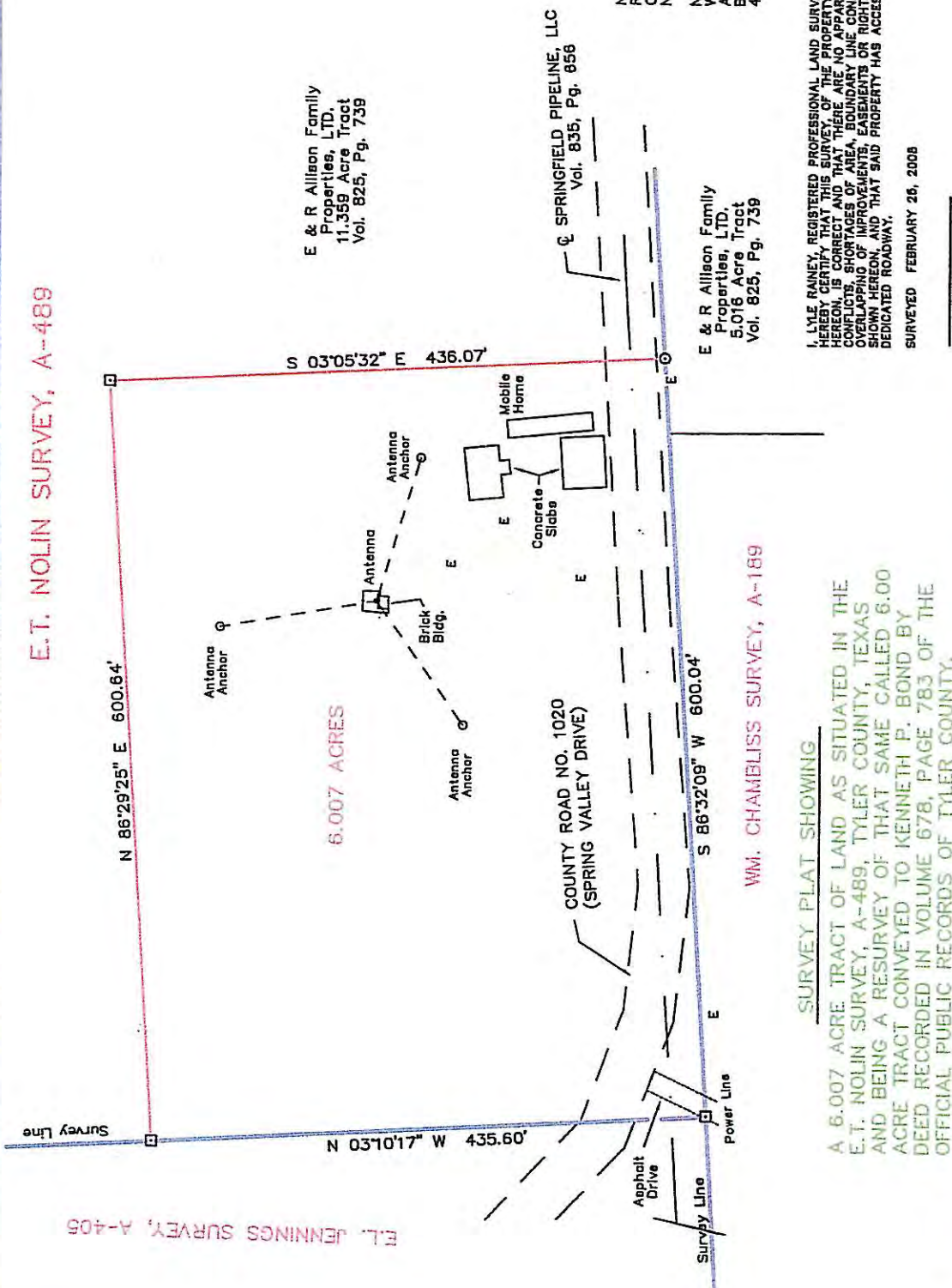
~ L E G E N D ~

- = Found Concrete Monument
- △ = Found P.K. Nail in Asphalt
- = Found 1/2" Iron Rod

NOTE: ALL BEARINGS SHOWN HEREON ARE ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD 83.

NOTE: SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLANE ACCORDING TO THE H.U.D. FLOOD HAZARD BOUNDARY MAP COMMUNITY PANEL NO. 481034 0008 B

E.T. NOLIN SURVEY, A-489



E & R Allison Family
Properties, LTD.
11.358 Acre Tract
Vol. 825, Pg. 739

SPRINGFIELD PIPELINE, LLC
Vol. 835, Pg. 858

E & R Allison Family
Properties, LTD.
5.018 Acre Tract
Vol. 825, Pg. 739

SURVEY PLAT SHOWING
A 6.007 ACRE TRACT OF LAND AS SITUATED IN THE
E.T. NOLIN SURVEY, A-489, TYLER COUNTY, TEXAS
AND BEING A RESURVEY OF THAT SAME CALLED 6.00
ACRE TRACT CONVEYED TO KENNETH P. BOND BY
DEED RECORDED IN VOLUME 678, PAGE 783 OF THE
OFFICIAL PUBLIC RECORDS OF TYLER COUNTY.

I, LYLE RAINY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO
HEREBY CERTIFY THAT THIS SURVEY, OF THE PROPERTY LEGALLY SHOWN
HEREON, IS CORRECT AND THAT THERE ARE NO APPARENT DISCREPANCIES,
COLLISIONS, SHORTAGES OF AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS,
CONVEYANCE IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY EXCEPT AS
SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A
DEDICATED ROADWAY.

SURVEYED FEBRUARY 26, 2008

LYLE RAINY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800

CAD FILE NO. 1299 A S M JOB NO. 0208-08 E.T. NOLIN SURVEY, A-489, TYLER COUNTY, TEXAS

**Woodville Independent School District
Resolution for Designation of Reinvestment Zone**

WHEREAS, Section 312.0025 of the Texas Tax Code permits a school district to designate a reinvestment zone if that designation is reasonably likely to contribute to the expansion of primary employment in the reinvestment zone, or attract major investment in the reinvestment zone that would be a benefit to property in the reinvestment zone and to the school district and contribute to the economic development of the region of this state in which the school district is located; and,

WHEREAS, the Woodville Independent School District (the "District") desires to encourage the development of primary employment and to attract major investment in the District that would be a benefit to property in a reinvestment zone created by the District and to the school district and contribute to the economic development of the region in which the school district is located; and,

WHEREAS, the District has received an application for limitation on appraised value of property for school district maintenance and operations taxes (the "Application") by Texas Pellets, Inc.; and,

WHEREAS, a public hearing is required by Chapter 312 of the Texas Tax Code prior to approval of a reinvestment zone; and

WHEREAS, the District published notice of a public hearing to be held on _____, 2012, regarding the designation of the area described in the attached **Exhibit A** as a reinvestment zone for the purposes of Chapter 313 of the Texas Tax Code; and

WHEREAS, the improvements set forth in the Application by Texas Pellets, Inc. are feasible and of benefit to the reinvestment zone after expiration of an agreement for limitation on appraised value; and

WHEREAS, the District wishes to create a reinvestment zone within the boundaries of the school district in Tyler County as shown on the map attached as **Exhibit B**; and

WHEREAS, all interested members of the public were given an opportunity to make comments at the public hearing.

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE WOODVILLE
INDEPENDENT SCHOOL DISTRICT:**

SECTION 1. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

SECTION 2. That the Board of Trustees of the Woodville Independent School District, after conducting such hearing and having heard such evidence and testimony, has made the following findings and determinations based on the evidence and testimony presented to it:

- (a) That the public hearing on the adoption of *Texas Pellets, Inc. Reinvestment Zone* has been properly called, held and conducted, and that notices of such hearing have been published as required by law and mailed to the respective presiding officers of the governing bodies of all taxing units overlapping the territory inside the proposed reinvestment zone; and,
- (b) That the boundaries of *Texas Pellets, Inc. Reinvestment Zone* be and, by the adoption of this Resolution, is declared and certified to be, the area as described in the description attached hereto as “**Exhibit A**”; and,
- (c) That the map attached hereto as “**Exhibit B**” is declared to be and, by the adoption of this Resolution is certified to accurately depict and show the boundaries of *Texas Pellets, Inc. Reinvestment Zone* which is normatively described in **Exhibit A**; and further certifies that the property described in **Exhibit A** is inside the boundaries shown on **Exhibit B**; and,
- (d) That creation of *Texas Pellets, Inc. Reinvestment Zone* with boundaries as described in **Exhibit A** and **Exhibit B** will result in benefits to the Woodville Independent School District and to land included in the zone, and that the improvements sought are feasible and practical; and,
- (e) *Texas Pellets, Inc. Reinvestment Zone* described in **Exhibit A** and **Exhibit B** meets the criteria set forth in Texas Tax Code §312.0025 for the creation of a reinvestment zone as set forth in the Property Redevelopment and Tax Abatement Act, as amended, in that it is reasonably likely that the designation will contribute to the retention or expansion of primary employment, and/or will attract investment in the zone that will be a benefit to the property, and would contribute to economic development within the Woodville Independent School District.

SECTION 3. That pursuant to the Property Redevelopment and Tax Abatement Act, as amended, the Woodville Independent School District, hereby creates a reinvestment zone under the provisions of Tex. Tax Code § 312.0025, encompassing the area

described by the descriptions in **Exhibit A** and **Exhibit B**, and such reinvestment zone is hereby designated and shall hereafter be referred to as *Texas Pellets, Inc. Reinvestment Zone*.

SECTION 4. That *Texas Pellets, Inc. Reinvestment Zone* shall take effect upon adoption by the Board of Trustees and shall remain designated as a commercial-industrial reinvestment zone for a period of five (5) years from such date of such designation.

SECTION 5. That if any section, paragraph, clause or provision of this Resolution shall for any reason beheld to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 6. That it is hereby found, determined and declared that a sufficient notice of the date, hour, place and subject of the meeting of the Woodville Independent School District Board of Trustees, at which this Resolution was adopted, was posted at a place convenient and readily accessible at all times, as required by the Texas Open Government Act, Texas Government Code, Chapter 551, as amended; and that a public hearing was held prior to the designation of such reinvestment zone, and that proper notice of the hearing was published in newspapers of general circulation in Woodville County of the State of Texas, and furthermore, such notice was, in fact, delivered to the presiding officer of any effected taxing entity as prescribed by the Property Redevelopment and Tax Abatement Act.

PASSED, APPROVED AND ADOPTED on this _____ day of June, 2012.

Woodville Independent School District

By: _____
Trey Allison
President
Board of Trustees

ATTEST: _____
Ted Watts
Secretary
Board of Trustees

07-3075 VOL 878 PAGE 601

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TYLER §

THAT GRIFFIN CHIPPING, INC., a Texas corporation with an office in Tyler County, Texas, and FAITH FOREST PARTNERS, L.P., a Texas limited partnership also with an office in Tyler County, Texas (hereinafter simply referred to as the "Grantors"), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto NORTH AMERICAN PROCUREMENT COMPANY (herein simply referred to as the "Grantee"), a Texas corporation whose mailing address is P. O. Box 2279, Woodville, Texas 75979, all of the following described real property situated in Tyler County, Texas, to-wit:

BEING all that certain 262.127 acre tract or parcel of land situated in the Wm. Chambliss Survey, Abstract No. 189, the E. L. Jennings Survey, Abstract No. 405 and the John Nowlin Survey, Abstract No. 487, all in Tyler County, Texas, which said tract or parcel of land is more particularly described on the Exhibit "A" attached hereto, incorporated herein by reference and made a part hereof for all purposes the same as if

GF#07-3264

R020096

copied herein verbatim (sometimes herein referred to as the "Property").

SAVE AND EXCEPT, from the land hereinabove described, and there is reserved unto the Grantors, their successors and assigns, all of the oil, gas and other such liquid or gaseous hydrocarbons in, on, under or that may be produced from the Property.

This conveyance is made and accepted subject to:

(1) Any portion of the Property which lies within the right of way of County Road 1040 (old Highway 69), County Road 1050, County Road 1030, and County Road 1020 (Spring Valley Drive) as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

(2) Affidavits to the Public signed by Lester Lowery regarding surface application "on-site wastewater treatment system" dated August 28, 1992, recorded in Volume 532, Page 188, et seq., Official Public Records of Tyler County, Texas and dated September 29, 1992, recorded in Volume 533, Page 513, et seq., Official Public Records of Tyler County, Texas;

(3) Easement granted by instrument dated June 5, 1930, executed by W. C. Hughes, et ux, to Gulf States Utilities Company, recorded in Volume 64, Page 505, et seq., of the Deed Records of Tyler County, Texas;

(4) Easement granted by instrument dated December 1, 1950, executed by Mrs. Ida Parker Hughes, et al, to Gulf States Utilities Company, recorded in Volume 129, Page 151, et seq., of the Deed Records of Tyler County, Texas;

(5) Easement granted by instrument dated September 20, 1960, executed by Mrs. W. C. Hughes to Gulf States Utilities Company and Southwestern Bell

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Telephone Company, recorded in Volume 183, Page 613, et seq., of the Deed Records of Tyler County, Texas;

(6) Easement granted by instrument dated July 21, 1961, executed by Mrs. W. C. Hughes to Gulf States Utilities Company and Southwestern Bell Telephone Company, recorded in Volume 196, Page 67, et seq., of the Deed Records of Tyler County, Texas;

(7) Easement granted by instrument dated September 1, 1971, executed by Mrs. Ida P. Hughes, et al, to Seneca Water Supply Corporation, recorded in Volume 291, Page 328, et seq., of the Deed Records of Tyler County, Texas;

(8) Deed dated November 16, 1932, executed by W. C. Hughes to State of Texas, State Highway Department for the sale of gravel, recorded in Volume 72, Page 322, et seq., Deed Records of Tyler County, Texas;

(9) Easement granted by instrument dated March 18, 1939, executed by W. C. Hughes to Gulf State Utilities Company, recorded in Volume 88, Page 473, et seq., of the Deed Records of Tyler County, Texas;

(10) Easement granted by instrument dated June 15, 1938, executed by W. C. Hughes, et ux, to J. C. Clemmons, recorded in Volume 87, Page 295, et seq., of the Deed Records of Tyler County, Texas;

(11) Right of Way Deed granted by instrument dated April 22, 1932, executed by W. C. Hughes, et ux, to the State of Texas, State Highway Commission recorded in Volume 69, Page 373, et seq., of the Deed Records of Tyler County, Texas;

(12) Easement granted by instrument dated September 14, 1960, executed by Roy Fry to Gulf States Utilities Company, recorded in Volume 183, Page 615, et seq., of the Deed Records of Tyler County, Texas;

(13) Easement granted by instrument dated April 20, 1970, executed by Stephens Lumber Company to Seneca Water Supply Corporation, recorded in Volume 291, Page 486, et seq., of the Deed Records of Tyler County, Texas;

(14) Easement granted by instrument dated November 21, 1972, executed by E & L Lumber Company, Inc. to Gulf States Utilities Company, recorded in Volume 306, Page 669, et seq., of the Deed Records of Tyler County, Texas;

(15) Easement granted by instrument dated February 23, 1981, executed by E & L Lumber Company, Inc. to Gulf States Utilities Company, recorded in Volume 402, Page 322, et seq., of the Deed Records of Tyler County, Texas;

(16) Easement granted by instrument dated November 21, 1989, executed by E & L Lumber Company, Inc. to Gulf States Utilities Company, recorded in Volume 487, Page 558, et seq., of the Deed Records of Tyler County, Texas;

(17) Easement granted by instrument dated September 12, 1985, executed by E & L Lumber Company, Inc. to Gulf States Utilities Company, recorded in Volume 448, Page 261, et seq., of the Deed Records of Tyler County, Texas;

(18) Easement granted by instrument dated June 14, 1988, executed by E & L Lumber Company, Inc. to Gulf States Utilities Company, recorded in Volume 473, Page 380, et seq., of the Deed Records of Tyler County, Texas;

(19) Release of Liabilities dated July 23, 1985, executed by E & L Lumber Company, Inc. to Gulf States Utilities Company, as same pertains to Easement recorded in Volume 183, Page 615, et seq., Deed Records, of Tyler County, Texas, and said Release of Liabilities being recorded in Volume 447, Page 657, et seq., Deed Records of Tyler County, Texas;

(20) Right of Way granted by instrument dated April 18, 1970, executed by Fannie T. Kline to Seneca Water Supply Corporation, recorded in Volume 291, Page 491, et seq., of the Deed Records of Tyler County, Texas;

(21) Easement granted by instrument dated October 12, 1992, executed by E & L Lumber Company, Inc. to Gulf States Utilities Company, recorded in Volume 536, Page 178, et seq., of the Official Public Records of Tyler County, Texas;

(22) Easement granted by instrument dated November 31, 1995, executed by E & L Chipping Company, Inc. to Gulf States Utilities Company, recorded in Volume 600, Page 21, et seq., of the Official Public Records of Tyler County, Texas;

(23) Easement granted by instrument dated November 10, 1969, executed by H. H. Hays, et ux, Pauline Hays, to Seneca Water Supply Corporation, recorded in Volume 291, Page 488, et seq., of the Deed Records of Tyler County, Texas;

(24) Easement granted by instrument dated December 1, 1977, executed by Jim Collins, et ux, Madeline McCulley Collins, to Southwestern Bell Telephone Company, recorded in Volume 368, Page 760, et seq., of the Deed Records of Tyler County, Texas;

(25) Easement granted by instrument dated September 6, 1938, executed by E. W. Phillips, et ux, Altie Phillips, to Gulf States Utilities Company, recorded in Volume 88, Page 478, et seq., of the Deed Records of Tyler County, Texas;

(26) Easement granted by instrument dated August 30, 1971, executed by E. L. Boykin, Co Administrator, to Seneca Water Supply Corporation, recorded in Volume 291, Page 358, et seq., of the Deed Records of Tyler County, Texas;

(27) Easement granted by instrument dated November 16, 1950, executed by C. E. Roberson, et ux, to Gulf States Utilities Company, recorded in Volume 128, Page 254, et seq., of the Deed Records of Tyler County, Texas;

(28) Easement granted by instrument dated August 20, 1971, executed by E. L. Boykin to Seneca Water Supply Corporation, recorded in Volume 291, Page 360, et seq., of the Deed Records of Tyler County, Texas;

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(29) Right of Way Deed granted by instrument dated June 11, 1932, executed by E. W. Tubb, et ux, Tussie Tubb, to the State Highway Commission, recorded in Volume 69, Page 165, et seq., of the Deed Records of Tyler County, Texas;

(30) Easement granted by instrument dated December 18, 1969, executed by C. W. Lawson, et ux, Mary Lawson, to Seneca Water Supply Corporation, recorded in Volume 292, Page 3, et seq., of the Deed Records of Tyler County, Texas;

(31) Easement granted by instrument dated August 1, 1971, executed by J. W. Fain, et ux, to Seneca Water Supply Corporation, recorded in Volume 291, Page 350, et seq., of the Deed Records of Tyler County, Texas;

(32) Easement granted by instrument dated February 22, 1972, executed by C. R. Birdwell to Seneca Water Supply Corporation, recorded in Volume 293, Page 224, et seq., of the Deed Records of Tyler County, Texas;

(33) Subject to the Power Lines and Electric Easements reflected on the plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

(34) Reservation of all mineral and/or royalty interest, the bonuses, rentals and all other rights incidental thereto, in a Deed dated January 2, 1925, from C. R. Robinson and wife, Austa Robinson, to C. F. Miller and wife, Lena Miller, and recorded in Volume 53, Page 46, et seq., Deed Records, Tyler County, Texas;

(35) Terms, conditions and stipulations contained in Mineral Lease dated August 5, 2005, between Griffin Chipping, Inc. and B.W.O.C. Inc., and recorded in Volume 831, Page 739, et seq., Official Public Records, Tyler County, Texas;

(36) Pipeline Right of Way and Easement shown in instrument dated December 1, 2005, executed by Griffin

Chipping Company to B.W.O.C. Inc., recorded in Volume 826, Page 585, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

(37) Right of Way shown in instrument dated March 2, 2006, executed by Griffin Chipping, Inc. to Springfield Pipeline, LLC, recorded in Volume 835, Page 662, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

(38) Assignment of Easements and Right of Ways as shown in instrument dated February 1, 2006, executed by B.W.O.C. Inc. to OGS Pipeline LLC, recorded in Volume 840, Page 429, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

(39) Subject to Assignment of Easements and Right of Ways as shown in instrument dated May 9, 2006, executed by OGS Pipeline LLC to Eagle Rock Operating, L.P., recorded in Volume 840, Page 877, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

(40) Pipeline Right of Way and Easement shown in instrument dated June 8, 2006, executed by Griffin Chipping, Inc. to B.W.O.C. Inc., recorded in Volume 846, Page 515, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

(41) Right of Way Agreement dated March 2, 2006, executed by Griffin Chipping, Inc. to Springfield Pipeline, LLC, recorded in Volume 848, Page 310, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800;

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(42) Assignment of Easements, Rights of Way and Pipeline, dated June 12, 2006, executed by B.W.O.C. Inc. to Eagle Rock Energy, recorded in Volume 856, Page 660, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800; and

(43) Designation Unit - Timberwolf "A" 2H dated July 10, 2006, executed by and between B.W.O.C. Inc. and Newfield Exploration Company to Griffin Chipping, Inc., et al, recorded in Volume 848, Page 947, et seq., Official Public Records, Tyler County, Texas, and as reflected on plat dated March 21, 2007, prepared by Area Surveying & Mapping, Lyle Rainey, R.P.L.S. No. 4800.

TO HAVE AND TO HOLD the above described premises, together with all and singular the appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever; and Grantors do hereby bind themselves, their successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

[SIGNATURE PAGES TO FOLLOW]

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EXECUTED this 20 day of April, 2007.

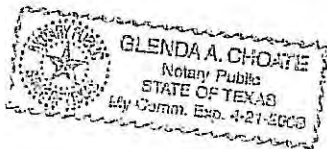
GRIFFIN CHIPPING, INC.,
a Texas corporation

By: Billy J. Griffin
Name: Billy J. Griffin
Title: PRESIDENT

THE STATE OF TEXAS §

COUNTY OF TYLER §

This instrument was acknowledged before me on the
20 day of April, 2007 by Billy J. Griffin the PRESIDENT of
GRIFFIN CHIPPING, INC., a Texas corporation, on behalf of said
corporation.



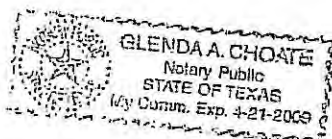
Glenda
Notary Public - State of Texas
Printed Name: _____
Commission Expires: _____

EXECUTED this 20 day of April, 2007.FAITH FOREST PARTNERS, L.P., a Texas
limited partnershipBy: Billy J. Griffin
Name: BILLY J. GRIFFIN
Title: PRESIDENT

THE STATE OF TEXAS §

COUNTY OF TYLER §

This instrument was acknowledged before me on the
20 day of April, 2007 by BILLY J. GRIFFIN, the PRESIDENT of
FAITH FOREST PARTNERS, L.P., a Texas limited partnership, on
behalf of said limited partnership.



Glendaa A. Choate
Notary Public - State of Texas
Printed Name: _____
Commission Expires: _____

EXHIBIT "A"

AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75979
(409) 283-8197

FIELDNOTE DESCRIPTION

FIELDNOTES TO A 262.127 ACRE TRACT OF LAND AS SITUATED IN THE WM. CHAMBLISS SURVEY, A-189, THE E.L. JENNINGS SURVEY, A-405, AND THE JOHN NOWLIN SURVEY, A-487, TYLER COUNTY, TEXAS AND BEING OUT OF THE GRIFFIN CHIPPING, INC. TRACTS, BEING ALL OF THAT SAME CALLED 110 ACRE TRACT, MORE OR LESS, DESIGNATED AS "TRACT NO. 1", THE RESIDUE OF THAT SAME CALLED 5 ACRES, MORE OR LESS, DESIGNATED AS "TRACT NO. 2", ALL OF THAT SAME CALLED 50 ACRES, MORE OR LESS, DESIGNATED AS "TRACT NO. 3", THE RESIDUE OF THAT SAME CALLED 12.75 ACRE TRACT DESIGNATED AS "TRACT NO. 4", THE RESIDUE OF THAT CALLED 25.50 ACRES, MORE OR LESS, DESIGNATED AS "TRACT NO. 5", ALL OF THAT CALLED 1.56 ACRE TRACT AND THE RESIDUE OF A 0.54 ACRE TRACT, DESIGNATED AS "TRACT NO. 6", ALL OF A CALLED 0.959 ACRE TRACT, DESIGNATED AS "TRACT NO. 7", THE RESIDUE OF A CALLED 49.52 ACRE TRACT, DESIGNATED AS "TRACT NO. 8", THE RESIDUE OF A CALLED 10 ACRES, MORE OR LESS, DESIGNATED AS "TRACT NO. 9", ALL OF THAT SAME CALLED 0.943 ACRE TRACT, DESIGNATED AS "TRACT NO. 10", ALL OF THAT SAME 0.119 ACRE TRACT, DESIGNATED AS "TRACT NO. 11", ALL OF THAT SAME 2.21 ACRE TRACT, DESIGNATED AS "TRACT NO. 12", AND ALL OF SAME CALLED 1.00 ACRE TRACT, DESIGNATED AS "TRACT NO. 13", AND ALL OF THAT SAME CALLED 5.914 ACRE TRACT, DESIGNATED AS "TRACT NO. 14", AS DESCRIBED IN A DEED OF TRUST RECORDED IN VOLUME 724, PAGE 433 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 262.127 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THE GRIFFIN CHIPPING, INC. 110 ACRES AND OF SAID WM. CHAMBLISS SURVEY AND A SOUTHWEST CORNER OF THIS TRACT, SAME BEING THE SOUTHEAST CORNER OF THE G.M. BUCHANAN SURVEY, A-94, LOCATED ON THE NORTH LINE OF SAID JOHN NOWLIN SURVEY AND THE NORTH LINE OF THE ALAN BELL ESTATE 114.33 ACRE TRACT RECORDED IN VOLUME 618, PAGE 769 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE N 04°02'37"W 2645.39 FT., WITH THE WEST LINE OF THE CHAMBLISS SURVEY, TO A 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF SAME AND THE NORTHWEST CORNER OF THE GRIFFIN CHIPPING 110 ACRES, SAME BEING THE NORTHEAST CORNER OF SAID BUCHANAN SURVEY LOCATED ON THE SOUTH LINE OF THE GRIFFIN CHIPPING 50 ACRE TRACT AND THE SOUTH LINE OF SAID E.L. JENNINGS SURVEY;

THENCE S 86°55'58"W 707.50 FT., WITH THE NORTH LINE OF THE BUCHANAN SURVEY AND THE SOUTH LINE OF SAID E.L. JENNINGS SURVEY, TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAME AND THE MOST WESTERLY SOUTHWEST CORNER OF THIS TRACT AND MOST WESTERLY SOUTHWEST CORNER OF THIS TRACT, SAME BEING THE MOST EASTERLY SOUTHEAST CORNER OF THE I. & G.N.R.R. SURVEY, A-394, AND THE SOUTHEAST CORNER OF THE LINDSEY B. WHISENHANT 62.42 ACRE TRACT RECORDED IN VOLUME 664, PAGE 909 OF THE OFFICIAL PUBLIC RECORDS;

THENCE N 02°53'01"W 1335.00 FT., WITH THE UPPER EAST LINE OF THE I. & G.N.R.R. SURVEY AND THE WEST LINE OF THE E.L. JENNINGS SURVEY, TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE GRIFFIN CHIPPING 5.914 ACRE TRACT AND OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE LULA MAE MILLER 39.59 ACRE TRACT;

PAGE 2
262.127 ACRES

THENCE N 86°39'22"E 470.41 FT., WITH THE NORTH LINE OF THE GRIFFIN CHIPPING 5.914 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE NORTHEAST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF SAID MILLER 39.59 ACRE TRACT;

THENCE S 04°45'21"E 42.43 FT., WITH THE EAST LINE OF THE GRIFFIN CHIPPING 5.914 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THE MILLER TRACT AND THE NORTHWEST CORNER OF THE RICHARD A. GREAFF 13.949 ACRE TRACT RECORDED IN VOLUME 483, PAGE 279 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE S 03°14'36"E 409.64 FT., CONTINUING WITH THE EAST LINE OF THE GRIFFIN CHIPPING 5.914 ACRE TRACT, TO A 5/8" IRON ROD FOUND FOR AN INTERIOR ANGLE CORNER OF SAME AND THE SOUTHWEST CORNER OF SAID GREAFF TRACT;

THENCE N 87°25'58"E 1596.56 FT., WITH THE SOUTH LINE OF THE GREAFF 13.949 ACRE TRACT, TO A 5/8" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAME AND THE EASTERLY NORTHEAST CORNER OF THE 5.914 ACRE TRACT AND AN EXTERIOR ANGLE CORNER OF THIS TRACT LOCATED ON THE WEST RIGHT OF WAY OF COUNTY ROAD NO. 1020, KNOWN AS SPRING VALLEY DRIVE;

THENCE S 29°54'41"E 24.57 FT., WITH THE WEST RIGHT OF WAY OF SAID COUNTY ROAD, TO A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF THE 5.914 ACRES LOCATED AT THE INTERSECTION OF THE COUNTY ROAD RIGHT OF WAY WITH THE NORTH LINE OF THE GRIFFIN CHIPPING 50 ACRE TRACT;

THENCE N 88°04'23"E, WITH THE NORTH LINE OF THE 50 ACRES TRACT, AT 23.90 FT. PASS THE CENTER OF SAID COUNTY ROAD, IN ALL A TOTAL DISTANCE OF 540.03 FT. TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAME AND A NORTHEAST CORNER OF THIS TRACT, SAME BEING THE SOUTHEAST CORNER OF THE PATRICE SCHEKNAYDER 10.016 ACRE TRACT LOCATED ON THE EAST LINE OF SAID E.L. JENNINGS SURVEY AND THE WEST LINE OF THE E.T. NOLIN SURVEY, A-489, AND THE WEST LINE OF THE E.W. TUEB ESTATE TRACT, BEING THE RESIDUE OF A 137.40 ACRE TRACT DESCRIBED IN VOLUME 258, PAGE 71 OF THE DEED RECORDS OF TYLER COUNTY;

THENCE S 01°50'39"E 152.99 FT., WITH THE COMMON LINE BETWEEN THE JENNINGS SURVEY AND THE NOLIN SURVEY AND THE EAST LINE OF THE GRIFFIN CHIPPING 50 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE SOUTHWEST CORNER OF THE TUEB TRACT, SAME BEING THE NORTHWEST CORNER OF THE ROBERT E. ALLISON, JR. 11.359 ACRE TRACT RECORDED IN VOLUME 401, PAGE 159 OF SAID COUNTY DEED RECORDS;

THENCE S 02°59'19"E 250.08 FT., CONTINUING WITH SAID SURVEY LINE AND THE EAST LINE OF THE GRIFFIN 50 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE MOST WESTERLY SOUTHWEST CORNER OF SAID ALLISON 11.359 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF THE KENNETH P. BOND 6.00 ACRE TRACT DESCRIBED IN VOLUME 678, PAGE 783 OF SAID OFFICIAL PUBLIC RECORDS;

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262.127 ACRES

THENCE S 03°10'17"E, CONTINUING WITH SAID SURVEY LINE AND THE EAST LINE OF THE 50 ACRE TRACT, AT 358.70 FT. AGAIN PASS THE CENTER OF SAID COUNTY ROAD NO. 1020 IN ALL A TOTAL DISTANCE OF 435.60 FT. TO A CONCRETE MONUMENT FOUND FOR THE SOUTHEAST CORNER OF SAME AND THE SOUTHEAST CORNER OF SAID JENNINGS SURVEY, SAME BEING THE SOUTHWEST CORNER OF SAID E.T. NOLIN SURVEY LOCATED ON THE NORTH LINE OF SAID WM. CHAMBLISS SURVEY;

THENCE N 86°32'09"E 540.14 FT., WITH THE SOUTH LINE OF SAID NOLIN SURVEY AND THE NORTH LINE OF THE WM. CHAMBLISS SURVEY, TO A 1/2" IRON PIPE FOUND ON THE SOUTH RIGHT OF WAY OF COUNTY ROAD NO. 1020 FOR THE NORTHEAST CORNER OF THE GRIFFIN CHIPPING 2.21 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF THE E. & R. ALLISON FAMILY PROPERTIES, LTD. 5.016 ACRE TRACT AS DESCRIBED IN VOLUME 825, PAGE 739 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE S 00°33'02"E 439.41 FT., WITH THE EAST LINE OF THE GRIFFIN CHIPPING 2.21 ACRE TRACT, TO A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE ALLISON 5.016 ACRE TRACT LOCATED ON THE NORTH LINE OF THE GRIFFIN CHIPPING 25.50 ACRE TRACT;

THENCE S 69°05'36"E 183.89 FT., WITH THE NORTH LINE OF SAID 25.50 ACRES AND THE WESTERLY SOUTH LINE OF THE ALLISON 5.016 ACRE TRACT, TO A 1/2" IRON ROD SET FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAME AND THE SOUTHWEST CORNER OF THE GRIFFIN CHIPPING 1.00 ACRE TRACT;

THENCE N 08°11'50"E 149.59 FT., WITH THE WEST LINE OF THE GRIFFIN 1.00 ACRE TRACT, TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF SAID ALLISON TRACT;

THENCE S 81°44'25"E 279.94 FT., WITH THE NORTH LINE OF SAID GRIFFIN CHIPPING 1.00 ACRE TRACT, TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAME AND THE MOST EASTERLY NORTHEAST CORNER OF THIS TRACT, SAME BEING THE MOST EASTERLY SOUTHEAST CORNER OF THE ALLISON 5.016 ACRE TRACT LOCATED ON THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69;

THENCE ALONG AND WITH THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69 AS FOLLOWS:

- 1) S 08°08'09"W 148.18 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 2) S 22°12'56"W 60.92 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 3) S 08°07'36"W 259.54 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 4) N 82°30'01"E 15.60 FT. TO A 1/2" IRON ROD SET FOR CORNER;
- 5) S 08°08'09"W 1506.51 FT., TO A 1/2" IRON ROD SET FOR AN ANGLE CORNER ON THE WEST RIGHT OF WAY OF OLD HIGHWAY 69;

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262.127 ACRES

THENCE ALONG AND WITH THE WEST RIGHT OF WAY OF OLD HIGHWAY 69 AS FOLLOWS:

- 1) S 02°25'58"W 100.00 FT. TO A 1/2" IRON ROD SET FOR CORNER;
- 2) S 08°10'19"W 194.96 FT. TO A 1/2" IRON ROD AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF SAID HIGHWAY WITH THE SOUTH LINE OF THE WM. CHAMBLISS SURVEY AND THE NORTH LINE OF THE JOHN NOWLIN SURVEY FOR THE NORTHEAST CORNER OF THE ALAN W. BELL 2.756 ACRE TRACT AS DESCRIBED IN VOLUME 593, PAGE 960 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE S 85°48'12"W 514.74 FT., WITH THE COMMON LINE BETWEEN THE CHAMBLISS SURVEY AND SAID NOWLIN SURVEY AND THE NORTH LINE OF THE BELL 2.756 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE NORTHWEST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE S 45°41'17"E 622.62 FT., WITH THE SOUTHWEST LINE OF THE BELL 2.756 ACRE TRACT, TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAME LOCATED ON THE WEST RIGHT OF WAY OF SAID OLD HIGHWAY 69;

THENCE S 08°10'49"W 102.29 FT., WITH THE WEST RIGHT OF OLD HIGHWAY 69, TO A CONCRETE R.O.W. MARKER FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT IN SAME;

THENCE SOUTHWESTERLY 187.07 FT. ALONG THE ARC OF THE CURVE IN SAID RIGHT OF WAY, HAVING A CENTRAL ANGLE OF 06°03'31", A RADIUS OF 1769.10 FT. AND A CHORD BEARING S 05°07'26"W 186.98 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF THE GRIFFIN CHIPPING 49.52 ACRES AND OF THIS TRACT LOCATED AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF OLD HIGHWAY 69 WITH THE NORTH RIGHT OF WAY OF COUNTY ROAD NO. 1050;

THENCE ALONG AND WITH THE MEANDERS OF THE NORTH RIGHT OF WAY OF COUNTY ROAD NO. 1050 AS FOLLOWS:

- 1) S 47°24'08"W 229.27 FT. TO A POINT FOR CORNER;
- 2) S 50°25'30"W 291.56 FT. TO A POINT FOR CORNER;
- 3) S 51°22'02"W 415.72 FT. TO A POINT FOR CORNER;
- 4) S 51°35'40"W 258.87 FT. TO A POINT FOR CORNER;
- 5) S 51°32'14"W 439.00 FT. TO A POINT FOR CORNER;
- 6) S 52°38'50"W 267.65 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THE GRIFFIN CHIPPING 49.52 ACRES AND THE MOST SOUTHERLY SOUTHWEST CORNER OF THIS TRACT, SAME BEING THE SOUTHEAST CORNER OF THE PREVIOUSLY MENTIONED ALAN BELL ESTATE 114.33 ACRE TRACT;

PAGE 5
262.127 ACRES

THENCE N 03°28'48"W 1863.49 FT., WITH THE EAST LINE OF THE BELL 114.33 ACRES AND THE WEST LINE OF THE GRIFFIN CHIPPING 49.52 ACRE TRACT, TO A PINE KNOT STAKE FOUND FOR THE NORTHWEST CORNER OF SAME AND THE NORTHEAST CORNER OF SAID BELL TRACT LOCATED ON THE NORTH LINE OF SAID JOHN NOWLIN SURVEY AND THE SOUTH LINE OF SAID FM CHAMBLISS SURVEY AND THE SOUTH LINE OF THE GRIFFIN CHIPPING 110 ACRE TRACT;

THENCE S 87°04'37"W 739.36 FT., WITH THE COMMON LINE BETWEEN SAID SURVEYS AND THE SOUTH LINE OF THE GRIFFIN CHIPPING 110 ACRE TRACT, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 262.127 ACRES OF LAND.

THE BEARINGS RECITED HEREIN ARE BASED AND/OR ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD 83.

SURVEYED MARCH 21, 2007

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.

Lyle Rainey
LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



PAGE 5 OF 5

THE STATE OF TEXAS
COUNTY OF TYLER

I hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 20 day of April 2007 at 4:00 o'clock P M. and was this day duly recorded at 9:00 A.M., in Vol. 878 Pages 601 et seq. OFFICIAL PUBLIC RECORDS of said County.

Witness my hand and official seal at the office in Woodville this 23 day of April 2007.

Bonnie Ferguson Clerk
County Court, Tyler County, Texas

By *Jean Jordan* Deputy



② 07-3075 M
8/10

General Warranty Deed

Griffin Chipping, Inc., a Texas Corporation
and Faith Forest Partners, L.P., a Texas
Limited Partnership

To

North American Procurement Company, a
Texas Corporation

Return to:

North American Procurement Company
P.O. Box 2279
Woodville, Texas 75979

Tyler County Title
07-3264 - GC

NOT 258157 618

4:11 PM
7/10/79

09-26-49

VOL. 956 PAGE 683

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

R062732

ASSUMPTION GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 §
COUNTY OF TYLER §

KNOW ALL MEN BY THESE PRESENTS:

THAT NORTH AMERICAN PROCUREMENT COMPANY, a Texas corporation with an office in Tyler County, Texas (hereinafter simply referred to as the "Grantor"), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, including Grantee's assumption and agreement to pay, discharge, and indemnify and hold Grantor harmless from the unpaid principal balance, interest and other sums owing and to be owed on that one certain Promissory Note dated April 1, 2008, executed by North American Procurement Company, payable to the order of Citizens State Bank, in the original principal sum of TWO HUNDRED TWENTY-SIX THOUSAND NINETY-FIVE AND 35/100 (\$226,095.35) DOLLARS, secured by a Deed of Trust for the benefit of Citizens State Bank which is of record in Volume 917, Page 365, et seq., of the Official Public Records of Tyler County, Texas, the obligations of which are assumed by Grantee's acceptance of this conveyance, to the undersigned paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged, has, subject to

the exceptions and reservations hereinafter provided, GRANTED, SOLD and CONVEYED, and by these presents does, subject to the exceptions and reservations hereinafter provided, GRANT, SELL and CONVEY unto GOLDEN PINE, INC., a Texas corporation also with an office in Tyler County, Texas (herein simply referred to as the "Grantee"), all of the following described real property situated in Tyler County, Texas (the "Property"), to-wit:

BEING all that certain 10.177 acre tract of land, more or less, situated in the E. T. Nolin Survey, Abstract No. 489 in Tyler County, Texas, which said tract of land is more particularly described on the Exhibit "A" attached hereto, incorporated herein by reference and made a part hereof for all purposes the same as if copied herein verbatim.

This conveyance is made and accepted subject to (i) any and all visible and apparent easements over and across the Property, whether or not of record in Tyler County, Texas, (ii) any and all restrictions, conditions, covenants, easements, and mineral/royalty reservations or mineral/royalty interest conveyances, if any, relating to the Property, to the extent that they are still in force and effect, as shown of record in the Official Public Records of Tyler County, Texas, (iii) any and all discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements, any portion of the subject Property lying within the boundary of any road or roadway, (iv) any and all additional ad valorem taxes imposed after the date of

execution of this Assumption General Warranty Deed as a result of any change in use of any part or portion of the Property, the intent of the parties being that all such additional ad valorem taxes shall be the responsibility of, and borne completely by, the Grantee, its successors and assigns and (v) the above referenced lien for the benefit of Citizens State Bank.

GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE IS EXPERIENCED IN THE OWNERSHIP AND OPERATION OF PROPERTIES SIMILAR TO THE PROPERTY AND THAT GRANTEE HAS INSPECTED THE PROPERTY TO ITS SATISFACTION AND IS QUALIFIED TO MAKE SUCH INSPECTION. GRANTEE ACKNOWLEDGES THAT IT IS FULLY RELYING ON GRANTEE'S (OR GRANTEE'S REPRESENTATIVE'S) INSPECTION OF THE PROPERTY AND NOT UPON ANY STATEMENTS (ORAL OR WRITTEN) WHICH MAY HAVE BEEN MADE OR MAY BE MADE (OR PURPORTEDLY MADE) BY GRANTOR OR ANY OF ITS REPRESENTATIVES. GRANTEE ACKNOWLEDGES THAT GRANTEE HAD (OR GRANTEE'S REPRESENTATIVES HAVE) THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY GRANTEE IN ORDER TO ENABLE GRANTEE TO EVALUATE THE CONDITION OF THE PROPERTY AND ALL OTHER ASPECTS OF THE PROPERTY (INCLUDING, BUT NOT LIMITED TO, THE ENVIRONMENTAL CONDITION OF THE PROPERTY), AND GRANTEE ACKNOWLEDGES THAT GRANTEE IS RELYING SOLELY UPON ITS OWN (OR ITS REPRESENTATIVE'S) INSPECTION, EXAMINATION AND EVALUATION OF THE PROPERTY. AS A MATERIAL PART OF THE CONSIDERATION FOR THIS CONVEYANCE, GRANTEE HEREBY ACCEPTS THE

PROPERTY IN ITS "AS IS" - "WHERE IS" CONDITION AND WITH ALL FAULTS, IF ANY, AND WITHOUT REPRESENTATIONS AND WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, EXCEPT ONLY THE TITLE WARRANTIES EXPRESSLY SET FORTH IN THIS DEED. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, IN CONNECTION WITH THE SALE OF THE PROPERTY TO GRANTEE, GRANTOR AND GRANTOR'S OFFICERS, MEMBERS, AGENTS, DIRECTORS, EMPLOYEES, PARTNERS, ATTORNEYS, CONTRACTORS AND AFFILIATES ("GRANTOR'S RELATED PARTIES") HAVE MADE NO, AND SPECIFICALLY DISCLAIM, AND GRANTEE ACCEPTS THAT GRANTOR AND GRANTOR'S RELATED PARTIES HAVE DISCLAIMED, ANY AND ALL REPRESENTATIONS, GUARANTEES OR WARRANTIES, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW (EXCEPT AS TO TITLE AS HEREINABOVE PROVIDED), OF OR RELATING TO THE PROPERTY, INCLUDING WITHOUT LIMITATION, OR RELATING TO (A) THE USE, INCOME POTENTIAL, EXPENSES, OPERATION, CHARACTERISTICS OR CONDITION OF THE PROPERTY OR ANY PORTION THEREOF, INCLUDING WITHOUT LIMITATION, WARRANTIES OF SUITABILITY, HABITABILITY, MERCHANTABILITY, TENANTABILITY, DESIGN OR FITNESS FOR ANY SPECIFIC OR A PARTICULAR PURPOSE, OR GOOD AND WORKMANLIKE CONSTRUCTION, (B) THE NATURE, MANNER, CONSTRUCTION, CONDITION, STATE OF REPAIR OR LACK OF REPAIR OF ANY TIMBER OR IMPROVEMENTS LOCATED ON THE PROPERTY, ON THE SURFACE OR SUBSURFACE THEREOF, WHETHER OR NOT OBVIOUS, VISIBLE OR APPARENT, (C) THE NATURE OR QUALITY OF CONSTRUCTION, STRUCTURAL DESIGN OR ENGINEERING OF THE

PROPERTY, (D) THE ENVIRONMENTAL CONDITION OF THE PROPERTY AND THE PRESENCE OR ABSENCE OF OR CONTAMINATION BY HAZARDOUS MATERIALS, OR THE COMPLIANCE OF THE PROPERTY WITH REGULATIONS OR LAWS PERTAINING TO HEALTH OR THE ENVIRONMENT, AND (E) THE SOIL CONDITIONS, DRAINAGE, FLOODING CHARACTERISTICS, UTILITIES OR OTHER CONDITIONS EXISTING WITH RESPECT TO THE PROPERTY. THE GRANTEE HEREBY EXPRESSLY ASSUMES ALL RISKS, LIABILITIES, CLAIMS, DAMAGES, AND COSTS (AND AGREES THAT GRANTOR SHALL NOT BE LIABLE FOR ANY SPECIAL, DIRECT, INDIRECT, CONSEQUENTIAL, OR OTHER DAMAGES) ON AND AFTER THE DATE OF THIS DEED RESULTING OR ARISING FROM OR RELATED TO THE OWNERSHIP, USE, CONDITIONS, LOCATIONS, MAINTENANCE, REPAIR OR OPERATION OF THE PROPERTY. GRANTEE ACKNOWLEDGES THAT ANY CONDITION OF THE PROPERTY WHICH GRANTEE DISCOVERS OR DESIRES TO CORRECT OR IMPROVE PRIOR TO OR AFTER THE DATE HEREOF SHALL BE AT GRANTEE'S SOLE EXPENSE. GRANTEE EXPRESSLY WAIVES (TO THE EXTENT ALLOWED BY APPLICABLE LAW) ANY CLAIMS UNDER FEDERAL LAW, STATE OR OTHER LAW THAT GRANTEE MIGHT OTHERWISE HAVE AGAINST GRANTOR RELATING TO THE USE, CHARACTERISTICS OR CONDITION OF THE PROPERTY.

TO HAVE AND TO HOLD the above described Property, together with all and singular the appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns, subject to the exceptions and

reservations hereinabove provided, to WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The 2009 ad valorem taxes on the Property have not been prorated by and between the parties. Rather, by acceptance of this Assumption General Warranty Deed, Grantee agrees to pay the 2009 ad valorem taxes on the Property, Grantee assumes responsibility for paying the 2009 ad valorem taxes on the Property and Grantee further agrees to indemnify and hold harmless Grantor from and against any and all liability or responsibility arising out of, or having to do with, the payment of the 2009 ad valorem taxes on the Property.

[SIGNATURE PAGES ATTACHED]

EXECUTED this 25 day of March, 2009.

Grantees Address:

NORTH AMERICAN PROCUREMENT COMPANY, a
Texas corporation

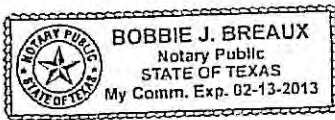
P.O. Box 2279
Woodville, Texas
75979

By: *Lonnie Grissom, Jr.*
Lonnie Grissom, Jr.,
Its President

THE STATE OF TEXAS §

COUNTY OF TYLER §

25th This instrument was acknowledged before me on the
day of March, 2009 by Lonnie Grissom, Jr., the President
of North American Procurement Company, a Texas corporation, on
behalf of said corporation.



Bobbie J. Breaux
Notary Public, State of Texas
Printed Name: Bobbie J. Breaux
Commission Expires: 2-13-2013

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TERMS AND CONDITIONS accepted this 25 day of March, 2009.

Grantees Address:

GOLDEN PINE, INC., a Texas corporation

P.O. Box 2279
Woodville, Texas
75979

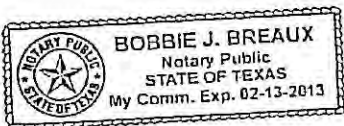
By:

Lonnie Grissom, Jr.
Its President

THE STATE OF TEXAS §

COUNTY OF TYLER §

25th This instrument was acknowledged before me on the day of March, 2009 by Lonnie Grissom, Jr., the President of Golden Pine, Inc., a Texas corporation, on behalf of said corporation.



Bobbie J. Breaux
Notary Public, State of Texas
Printed Name: Bobbie J. Breaux
Commission Expires: 2-13-2013

FILED FOR RECORD
AT 9:15 O'CLOCK A M
ON THE 1 DAY OF May
A.D. 2009
Vol. 956 Page 683
In the OP Records

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.



STATE OF TEXAS } OFFICIAL PUBLIC
COUNTY OF TYLER } RECORD

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the named RECORDS of Tyler County, Texas, as stamped hereon by me.

Donece Gregory
COUNTY CLERK, TYLER COUNTY, TEXAS

BY Wanda Hunter
DEPUTY

Donece Gregory
COUNTY CLERK
TYLER COUNTY, TEXAS

AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75979
(409) 283-8197

FIELDNOTE DESCRIPTION

FIELDNOTES TO A 10.177 ACRE TRACT OF LAND AS SITUATED IN THE E.T. NOLIN SURVEY, A-489, TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT SAME CALLED 11.359 ACRE TRACT, DESIGNATED AS "TRACT 1", AS CONVEYED TO E & R ALLISON FAMILY PROPERTIES, LTD. BY DEED RECORDED IN VOLUME 825, PAGE 739 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 10.177 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND ON THE EAST LINE OF THE E.L. JENNINGS SURVEY, A-405, AND THE WEST LINE OF SAID E.T. NOLIN SURVEY, A-489, FOR THE NORTHWEST CORNER OF THE ALLISON 11.359 ACRES AND OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE E.W. TUBB ESTATE TRACT, BEING THE RESIDUE OF A CALLED 137.40 ACRE TRACT RECORDED IN VOLUME 258, PAGE 71 OF THE DEED RECORDS OF TYLER COUNTY;

THENCE N 88°43'41"E, WITH THE NORTH LINE OF THE ALLISON 11.359 ACRE TRACT, AT 658.27 FT. PASS THE SOUTHEAST CORNER OF THE TUBB ESTATE TRACT AND THE SOUTHWEST CORNER OF THE TYCO GENERAL FEED AND RANCH SUPPLY 10.500 ACRE TRACT RECORDED IN VOLUME 561, PAGE 344 OF SAID OFFICIAL RECORDS, IN ALL A TOTAL DISTANCE OF 929.87 FT. TO A 5/8" IRON ROD SET FOR THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT;

THENCE S 01°16'19"E 186.76 FT. TO A 5/8" IRON ROD SET FOR AN INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE S 83°22'06"E 242.42 FT. TO A 5/8" IRON ROD SET FOR THE MOST NORTHERLY NORTHEAST CORNER OF THIS TRACT LOCATED ON THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69;

THENCE SOUTHWESTERLY 100.99 FT. ALONG THE ARC OF THE CURVE IN THE HIGHWAY RIGHT OF WAY, HAVING A CENTRAL ANGLE OF 01°29'29", A RADIUS OF 3880.00 FT. AND A CHORD BEARING S 09°04'36"W 100.98 FT. TO A 5/8" IRON ROD SET FOR CORNER AT THE END OF SAID CURVE;

THENCE S 08°08'00"W, CONTINUING WITH THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69, AT 254.12 FT. PASS A 5/8" IRON ROD SET FOR REFERENCE CORNER ON THE NORTH SIDE OF COUNTY ROAD NO. 1020 AND AT 301.88 FT. PASS THE CENTER OF SAID COUNTY ROAD, IN ALL A TOTAL DISTANCE OF 329.12 FT. TO A POINT ON THE NORTH LINE OF THE JOHN NOWLIN SURVEY, A-487, AND THE SOUTH LINE OF SAID E.T. NOLIN SURVEY FOR THE SOUTHEAST CORNER OF THE ALLISON 11.359 ACRES AND OF THIS TRACT AND THE NORTHEAST CORNER OF THE E & R ALLISON FAMILY PROPERTIES, LTD. 5.016 ACRE TRACT ALSO DESCRIBED IN VOLUME 825, PAGE 739 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE S 86°32'09"W, WITH THE COMMON SOUTH LINE OF THE ALLISON 11.359 ACRES AND SAID E.T. NOLIN SURVEY, AT APPROXIMATELY 340.00 FT. PASS THE NORTHWEST CORNER OF THE JOHN NOWLIN SURVEY AND THE NORTHEAST CORNER OF THE WM. CHAMBLISS SURVEY, A-189, IN ALL A TOTAL DISTANCE OF 476.88 FT. TO A 1/2" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THE ALLISON 11.359 ACRES AND OF THIS TRACT, SAME BEING THE SOUTHEAST CORNER OF A 6.00 ACRE TRACT CONVEYED TO KENNETH P. BOND BY DEED RECORDED IN VOLUME 678, PAGE 783 OF SAID OFFICIAL PUBLIC RECORDS;

PAGE 2
10.177 ACRES

THENCE N 03°05'32"W, WITH THE LOWER WEST LINE OF THE ALLISON 11.359 ACRE TRACT, AT 26.65 FT. AGAIN PASS THE CENTER OF SAID COUNTY ROAD NO. 1020 AND AT 60.00 FT. PASS A 5/8" IRON ROD SET FOR REFERENCE CORNER, IN ALL A TOTAL DISTANCE OF 436.07 FT. TO A CONCRETE MONUMENT FOUND FOR AN INTERIOR ANGLE CORNER OF SAME AND OF THIS TRACT AND THE NORTHEAST CORNER OF THE BOND 6.00 ACRE TRACT;

THENCE S 86°29'25"W 600.64 FT., WITH THE WESTERLY SOUTH LINE OF THE ALLISON 11.359 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE MOST WESTERLY SOUTHWEST CORNER OF SAME AND OF THIS TRACT AND THE NORTHWEST CORNER OF THE BOND 6.00 ACRE TRACT LOCATED ON THE WEST LINE OF THE E.T. NOLIN SURVEY AND THE EAST LINE OF THE PREVIOUSLY MENTIONED E.L. JENNINGS SURVEY;

THENCE N 02°59'19"W 250.08 FT., WITH THE COMMON LINE BETWEEN SAID SURVEYS AND THE UPPER WEST LINE OF THE ALLISON 11.359 ACRE TRACT, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 10.177 OF ACRES OF LAND.

THE BEARINGS RECITED HEREIN ARE ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NORTH AMERICAN DATUM, 1983.

SURVEYED FEBRUARY 27, 2008

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.

LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800

09-2648
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

R022677

ASSUMPTION GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TYLER §

THAT NORTH AMERICAN PROCUREMENT COMPANY, a Texas corporation with an office in Tyler County, Texas (hereinafter simply referred to as the "Grantor"), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, including Grantee's assumption and agreement to pay, discharge, and indemnify and hold Grantor harmless from the unpaid principal balance, interest and other sums owing and to be owed on that one certain Promissory Note dated March 7, 2008, executed by North American Procurement Company, payable to the order of Citizens State Bank, in the original principal sum of TWENTY-NINE THOUSAND TWO HUNDRED FIFTY AND NO/100 (\$29,250.00) DOLLARS, secured by the Vendor's Lien retained in a Warranty Deed with Vendor's Lien from Kenneth P. Bond to the Grantor which is of record in Volume 914, Page 813, et seq., of the Official Public Records of Tyler County, Texas and further secured by a Deed of Trust for the benefit of Citizens State Bank which is of record in Volume 914, Page 816, et seq., of the Official Public Records of Tyler County, Texas,

Texas, the obligations of which are assumed by Grantee's acceptance of this conveyance, to the undersigned paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged, has, subject to the exceptions and reservations hereinafter provided, GRANTED, SOLD and CONVEYED, and by these presents does, subject to the exceptions and reservations hereinafter provided, GRANT, SELL and CONVEY unto GOLDEN PINE, INC., a Texas corporation also with an office in Tyler County, Texas (herein simply referred to as the "Grantee"), all of the following described real property situated in Tyler County, Texas (the "Property"), to-wit:

BEING all that certain 6.00 acre tract of land, more or less, situated in the E. T. Nolin Survey, Abstract No. 489 in Tyler County, Texas, which said tract of land is more particularly described on the Exhibit "A" attached hereto, incorporated herein by reference and made a part hereof for all purposes the same as if copied herein verbatim.

This conveyance is made and accepted subject to (i) any and all visible and apparent easements over and across the Property, whether or not of record in Tyler County, Texas, (ii) any and all restrictions, conditions, covenants, easements, and mineral/royalty reservations or mineral/royalty interest conveyances, if any, relating to the Property, to the extent that they are still in force and effect, as shown of record in the Official Public Records of Tyler County, Texas, (iii) any and all discrepancies, conflicts, or shortages in area or

boundary lines, or any encroachments or protrusions, or any overlapping of improvements, any portion of the subject Property lying within the boundary of any road or roadway, (iv) any and all additional ad valorem taxes imposed after the date of execution of this Assumption General Warranty Deed as a result of any change in use of any part or portion of the Property, the intent of the parties being that all such additional ad valorem taxes shall be the responsibility of, and borne completely by, the Grantee, its successors and assigns, and (v) the above referenced liens for the benefit of Citizens State Bank.

GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE IS EXPERIENCED IN THE OWNERSHIP AND OPERATION OF PROPERTIES SIMILAR TO THE PROPERTY AND THAT GRANTEE HAS INSPECTED THE PROPERTY TO ITS SATISFACTION AND IS QUALIFIED TO MAKE SUCH INSPECTION. GRANTEE ACKNOWLEDGES THAT IT IS FULLY RELYING ON GRANTEE'S (OR GRANTEE'S REPRESENTATIVE'S) INSPECTION OF THE PROPERTY AND NOT UPON ANY STATEMENTS (ORAL OR WRITTEN) WHICH MAY HAVE BEEN MADE OR MAY BE MADE (OR PURPORTEDLY MADE) BY GRANTOR OR ANY OF ITS REPRESENTATIVES. GRANTEE ACKNOWLEDGES THAT GRANTEE HAD (OR GRANTEE'S REPRESENTATIVES HAVE) THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY GRANTEE IN ORDER TO ENABLE GRANTEE TO EVALUATE THE CONDITION OF THE PROPERTY AND ALL OTHER ASPECTS OF THE PROPERTY (INCLUDING, BUT NOT LIMITED TO, THE ENVIRONMENTAL CONDITION OF THE PROPERTY),

AND GRANTEE ACKNOWLEDGES THAT GRANTEE IS RELYING SOLELY UPON ITS OWN (OR ITS REPRESENTATIVE'S) INSPECTION, EXAMINATION AND EVALUATION OF THE PROPERTY. AS A MATERIAL PART OF THE CONSIDERATION FOR THIS CONVEYANCE, GRANTEE HEREBY ACCEPTS THE PROPERTY IN ITS "AS IS" - "WHERE IS" CONDITION AND WITH ALL FAULTS, IF ANY, AND WITHOUT REPRESENTATIONS AND WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, EXCEPT ONLY THE TITLE WARRANTIES EXPRESSLY SET FORTH IN THIS DEED. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, IN CONNECTION WITH THE SALE OF THE PROPERTY TO GRANTEE, GRANTOR AND GRANTOR'S OFFICERS, MEMBERS, AGENTS, DIRECTORS, EMPLOYEES, PARTNERS, ATTORNEYS, CONTRACTORS AND AFFILIATES ("GRANTOR'S RELATED PARTIES") HAVE MADE NO, AND SPECIFICALLY DISCLAIM, AND GRANTEE ACCEPTS THAT GRANTOR AND GRANTOR'S RELATED PARTIES HAVE DISCLAIMED, ANY AND ALL REPRESENTATIONS, GUARANTEES OR WARRANTIES, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW (EXCEPT AS TO TITLE AS HEREINABOVE PROVIDED), OF OR RELATING TO THE PROPERTY, INCLUDING WITHOUT LIMITATION, OR RELATING TO (A) THE USE, INCOME POTENTIAL, EXPENSES, OPERATION, CHARACTERISTICS OR CONDITION OF THE PROPERTY OR ANY PORTION THEREOF, INCLUDING WITHOUT LIMITATION, WARRANTIES OF SUITABILITY, HABITABILITY, MERCHANTABILITY, TENANTABILITY, DESIGN OR FITNESS FOR ANY SPECIFIC OR A PARTICULAR PURPOSE, OR GOOD AND WORKMANLIKE CONSTRUCTION, (B) THE NATURE, MANNER, CONSTRUCTION, CONDITION,

STATE OF REPAIR OR LACK OF REPAIR OF ANY TIMBER OR IMPROVEMENTS LOCATED ON THE PROPERTY, ON THE SURFACE OR SUBSURFACE THEREOF, WHETHER OR NOT OBVIOUS, VISIBLE OR APPARENT, (C) THE NATURE OR QUALITY OF CONSTRUCTION, STRUCTURAL DESIGN OR ENGINEERING OF THE PROPERTY, (D) THE ENVIRONMENTAL CONDITION OF THE PROPERTY AND THE PRESENCE OR ABSENCE OF OR CONTAMINATION BY HAZARDOUS MATERIALS, OR THE COMPLIANCE OF THE PROPERTY WITH REGULATIONS OR LAWS PERTAINING TO HEALTH OR THE ENVIRONMENT, AND (E) THE SOIL CONDITIONS, DRAINAGE, FLOODING CHARACTERISTICS, UTILITIES OR OTHER CONDITIONS EXISTING WITH RESPECT TO THE PROPERTY. THE GRANTEE HEREBY EXPRESSLY ASSUMES ALL RISKS, LIABILITIES, CLAIMS, DAMAGES, AND COSTS (AND AGREES THAT GRANTOR SHALL NOT BE LIABLE FOR ANY SPECIAL, DIRECT, INDIRECT, CONSEQUENTIAL, OR OTHER DAMAGES) ON AND AFTER THE DATE OF THIS DEED RESULTING OR ARISING FROM OR RELATED TO THE OWNERSHIP, USE, CONDITIONS, LOCATIONS, MAINTENANCE, REPAIR OR OPERATION OF THE PROPERTY. GRANTEE ACKNOWLEDGES THAT ANY CONDITION OF THE PROPERTY WHICH GRANTEE DISCOVERS OR DESIRES TO CORRECT OR IMPROVE PRIOR TO OR AFTER THE DATE HEREOF SHALL BE AT GRANTEE'S SOLE EXPENSE. GRANTEE EXPRESSLY WAIVES (TO THE EXTENT ALLOWED BY APPLICABLE LAW) ANY CLAIMS UNDER FEDERAL LAW, STATE OR OTHER LAW THAT GRANTEE MIGHT OTHERWISE HAVE AGAINST GRANTOR RELATING TO THE USE, CHARACTERISTICS OR CONDITION OF THE PROPERTY.

TO HAVE AND TO HOLD the above described Property, together with all and singular the appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns, subject to the exceptions and reservations hereinabove provided, to WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

The 2009 ad valorem taxes on the Property have not been prorated by and between the parties. Rather, by acceptance of this Assumption General Warranty Deed, Grantee agrees to pay the 2009 ad valorem taxes on the Property, Grantee assumes responsibility for paying the 2009 ad valorem taxes on the Property and Grantee further agrees to indemnify and hold harmless Grantor from and against any and all liability or responsibility arising out of, or having to do with, the payment of the 2009 ad valorem taxes on the Property.

[SIGNATURE PAGES ATTACHED]

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TERMS AND CONDITIONS accepted this 25 day of March, 2009.

Grantees Address: GOLDEN PINE, INC., a Texas corporation

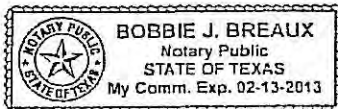
P.O. Box 2279
Woodville, Texas
75979

By: 
Lonnie Grissom, Jr.,
Its President

THE STATE OF TEXAS §

COUNTY OF TYLER §

25th This instrument was acknowledged before me on the day of March, 2009 by Lonnie Grissom, Jr., the President of Golden Pine, Inc., a Texas corporation, on behalf of said corporation.



Bobbie J. Breaux
Notary Public, State of Texas
Printed Name: Bobbie J Breaux
Commission Expires: 2-13-2013

VOL. 956 PAGE 682

EXECUTED this 25 day of March, 2009.

Grantees Address:

P.O. Box 2279
Woodville, Texas
75979NORTH AMERICAN PROCUREMENT COMPANY, a
Texas corporation

By:

Lonnie Grissom, Jr.
Its President

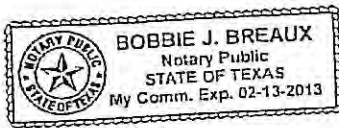
THE STATE OF TEXAS

§

COUNTY OF TYLER

§

25th This instrument was acknowledged before me on the
day of March, 2009 by Lonnie Grissom, Jr., the President
of North American Procurement Company, a Texas corporation, on
behalf of said corporation.



Bobbie J. Breaux
Notary Public, State of Texas
Printed Name: Bobbie J. Breaux
Commission Expires: 2-13-2013

FILED FOR RECORD
AT 9:15 O'CLOCK A M
ON THE 1 DAY OF May
A.D. 2009
Vol. 956 Page 675
In the OP Records

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE,
RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFOR-
CIBLE UNDER FEDERAL LAW.



STATE OF TEXAS }
COUNTY OF TYLER }

OFFICIAL PUBLIC
RECORD

Donece Gregory

COUNTY CLERK, TYLER COUNTY, TEXAS

BY

Wanda Johnston
DEPUTY

I hereby certify that this instrument was FILED
on the date and at the time stamped herein by
me and was duly RECORDED in the Volume
and Page of the named RECORDS of Tyler
County, Texas, as stamped herein by me.

Donece Gregory
COUNTY CLERK
TYLER COUNTY, TEXAS

09-2648 *pt*

R- Golden Pine, Inc
PO Box 2279
Woodville, TX
75979

(09-2648 + 09-2649)

AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75979
(409) 283-8197

FIELDNOTE DESCRIPTION

FIELDNOTES TO A 6.007 ACRE TRACT OF LAND AS SITUATED IN THE E.T. NOLIN SURVEY, A-489, TYLER COUNTY, TEXAS AND BEING A RESURVEY OF THAT SAME CALLED 6.00 ACRE TRACT AS CONVEYED TO KENNETH P. BOND BY DEED RECORDED IN VOLUME 678, PAGE 783 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 6.007 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND ON THE NORTH LINE OF THE WM. CHAMBLISS SURVEY, A-189, FOR THE SOUTHEAST CORNER OF THE E.L. JENNINGS SURVEY, A-405, AND THE COMMON SOUTHWEST CORNER OF SAID E.T. NOLIN SURVEY AND SAID BOND 6.00 ACRES AND OF THIS TRACT;

THENCE N 03°10'17"W, WITH THE COMMON LINE BETWEEN THE E.L. JENNINGS SURVEY AND THE NOLIN SURVEY AND THE WEST LINE OF THE BOND 6.00 ACRE TRACT, AT 76.90 FT. PASS THE CENTER OF COUNTY ROAD NO. 1020, IN ALL A TOTAL DISTANCE OF 435.60 FT. TO A CONCRETE MONUMENT FOUND FOR THE NORTHWEST CORNER OF SAME AND OF THIS TRACT AND THE WESTERLY SOUTHWEST CORNER OF THE E & R ALLISON FAMILY PROPERTIES, LTD. 11.359 ACRE TRACT AS DESCRIBED IN VOLUME 825, PAGE 739 OF THE OFFICIAL PUBLIC RECORDS;

THENCE N 86°29'25"E 600.64 FT., WITH THE NORTH LINE OF THE BOND 6.00 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE NORTHEAST CORNER OF SAME AND OF THIS TRACT AN INTERIOR ANGLE CORNER OF SAID ALLISON 11.359 ACRE TRACT;

THENCE S 03°05'32"E 436.07 FT., WITH THE EAST LINE OF THE BOND 6.00 ACRE TRACT, TO A 1/2" IRON ROD FOUND ON THE SOUTH SIDE OF SAID COUNTY ROAD NO. 1020 FOR THE SOUTHEAST CORNER OF THE BOND 6.00 ACRES AND OF THIS TRACT, SAME BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF THE ALLISON 11.359 ACRE TRACT LOCATED ON THE SOUTH LINE OF THE NOLIN SURVEY AND THE NORTH LINE OF THE PREVIOUSLY MENTIONED WM. CHAMBLISS SURVEY;

THENCE S 86°32'09"W 600.04 FT., WITH THE COMMON LINE BETWEEN THE CHAMBLISS SURVEY AND THE NOLIN SURVEY AND THE SOUTH LINE OF THE BOND 6.00 ACRE TRACT, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 6.007 OF ACRES OF LAND.

THE BEARINGS RECITED HEREIN ARE ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NORTH AMERICAN DATUM, 1983.

SURVEYED FEBRUARY 25, 2008

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.

LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800

EXHIBIT “B”

LEGAL DESCRIPTION

Exhibit “A”

German Pellets

Volume 1032 Page 918 – Page 921

(Attached)

FIELDNOTES TO A 188.675 ACRE TRACT OF LAND AS SITUATED IN THE WM. CHAMBLISS SURVEY, A-189, THE E.L. JENNINGS SURVEY, A-405, AND THE JOHN NOWLIN SURVEY, A-487, TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT SAME CERTAIN 262.127 ACRE TRACT AS CONVEYED TO NORTH AMERICAN PROCUREMENT COMPANY, HEREAFTER REFERRED TO AS "NAPCO", BY DEED RECORDED IN VOLUME 878, PAGE 601 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 188.675 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET FOR THE MOST WESTERLY SOUTHWEST CORNER OF THE NAPCO 262.127 ACRES AND OF THIS TRACT, SAME BEING THE SOUTHWEST CORNER OF THE WM. CHAMBLISS SURVEY, A-189, AND THE SOUTHEAST CORNER OF THE G.M. BUCHANAN SURVEY, A-94, LOCATED ON THE NORTH LINE OF SAID JOHN NOWLIN SURVEY AND THE NORTH LINE OF THE ALAN BELL ESTATE 114.33 ACRE TRACT RECORDED IN VOLUME 618, PAGE 769 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE N 04°02'37"W 1934.60 FT., WITH THE WEST LINE OF THE CHAMBLISS SURVEY, TO A 1/2" IRON ROD SET ON THE NORTHWEST RIGHT OF WAY OF COUNTY ROAD 1030 FOR THE NORTHWEST CORNER OF THIS TRACT, SAME BEING THE MOST SOUTHERLY SOUTHWEST CORNER OF THE EAST TEXAS ELECTRIC COOPERATIVE INC. 63.608 ACRE TRACT RECORDED IN VOLUME 973, PAGE 796 OF THE OFFICIAL PUBLIC RECORDS;

THENCE ALONG AND WITH THE NORTH RIGHT OF WAY OF COUNTY ROAD 1030 AND THE SOUTH BOUNDARY OF THE EAST TEXAS ELECTRIC COOPERATIVE 63.608 ACRE TRACT AS FOLLOWS:

- 1) N 64°40'51"E 391.16 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 2) N 62°33'31"E 407.71 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 3) N 60°34'33"E 368.27 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 4) N 57°17'48"E 151.63 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 5) N 53°27'26"E 410.17 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 6) N 58°15'57"E 90.51 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 7) N 68°03'42"E 76.31 FT. TO A 1/2" IRON ROD FOUND FOR CORNER;
- 8) N 75°28'24"E 92.96 FT. TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE ELECTRIC COOPERATIVE 63.608 ACRE TRACT AND THE MOST NORTHERLY CORNER OF THIS TRACT LOCATED AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF COUNTY ROAD 1030 WITH THE SOUTHWEST RIGHT OF WAY OF COUNTY ROAD 1020;

THENCE ALONG AND WITH THE SOUTHWEST RIGHT OF WAY OF SAID COUNTY ROAD 1020 AS FOLLOWS:

- 1) S 48°30'09"E 136.33 FT. TO A POINT FOR CORNER;
- 2) S 69°25'26"E 26.88 FT. TO A 1/2" IRON ROD SET FOR CORNER ON THE EAST LINE OF THE JENNINGS SURVEY AND THE WEST LINE OF THE E.T. NOWLIN SURVEY, A-489, AND THE WEST LINE OF THE NORTH AMERICAN PROCUREMENT COMPANY 6.007 ACRE TRACT;

THENCE S 03°10'17"E 49.58 FT., WITH THE EAST LINE OF THE JENNINGS SURVEY AND THE WEST LINE OF THE NOLIN SURVEY AND WEST LINE OF THE NAPCO 6.007 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE SOUTHWEST CORNER OF SAME AND OF THE NOLIN SURVEY AND SOUTHEAST CORNER OF THE JENNINGS SURVEY LOCATED ON THE NORTH LINE OF THE RM. CHAMBLISS SURVEY AND THE NORTH LINE OF A 0.943 ACRE TRACT, PREVIOUSLY A PART OF THE NAPCO 262.127 ACRE TRACT;

THENCE S 86°24'03"W 71.95 FT., WITH THE SOUTH LINE OF THE JENNINGS SURVEY AND THE NORTH LINE OF THE CHAMBLISS SURVEY, TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF THE 0.943 ACRE TRACT AND AN INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE S 04°47'00"E 173.37 FT., WITH THE WEST LINE OF THE 0.943 ACRE TRACT, TO A 1/2" IRON ROD FOUND SOUTHWEST CORNER OF SAME AND ANOTHER INTERIOR ANGLE CORNER OF THIS TRACT;

THENCE S 69°05'36"E, AT 210.11 FT. PASS THE SOUTHEAST CORNER OF THE 0.943 ACRE TRACT AND THE SOUTHWEST CORNER OF A 2.21 ACRE TRACT, ALSO A PART OF THE NAPCO 262.127 ACRES, AND AT 643.07 FT. PASS THE SOUTHEAST CORNER OF SAME AND THE SOUTHWEST CORNER OF THE E. & R. ALLISON FAMILY PROPERTIES, LTD. 5.016 ACRE TRACT RECORDED IN VOLUME 825, PAGE 739 OF THE OFFICIAL PUBLIC RECORDS, IN ALL A TOTAL DISTANCE OF 826.96 FT. TO A 1/2" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THE NAPCO 262.127 ACRES AND OF IS TRACT;

THENCE N 08°11'50"E 149.59 FT., WITH A WEST LINE OF THE NAPCO TRACT, TO A 1/2" IRON ROD FOUND FOR A NORTHWEST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THE ALLISON 5.016 ACRE TRACT;

THENCE S 81°44'25"E 279.94 FT., WITH A NORTH LINE OF SAID NAPCO 262.127 ACRES TRACT, TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAME AND THE MOST EASTERLY NORTHEAST CORNER OF THIS TRACT AND MOST EASTERLY SOUTHEAST CORNER OF THE ALLISON TRACT LOCATED ON THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69;

THENCE ALONG AND WITH THE MEANDERS OF THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69 AS FOLLOWS:

- 1) S 08°08'03"W 148.18 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 2) S 22°12'56"W 60.92 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 3) S 08°07'36"W 259.54 FT. TO A R.O.W. MARKER FOUND FOR CORNER;
- 4) N 82°30'01"E 15.60 FT. TO A 1/2" IRON ROD SET FOR CORNER;
- 5) S 08°08'09"W 1506.51 FT., TO A 1/2" IRON ROD SET FOR AN ANGLE CORNER ON THE WEST RIGHT OF WAY OF OLD HIGHWAY 69;

THENCE ALONG AND WITH THE WEST RIGHT OF WAY OF OLD HIGHWAY 69 AS FOLLOWS:

- 1) S 02°25'58"W 100.00 FT. TO A 1/2" IRON ROD SET FOR CORNER;
- 2) S 08°10'19"W 194.96 FT. TO A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF THE OLD HIGHWAY WITH THE SOUTH LINE OF THE WM. CHAMBLISS SURVEY AND THE NORTH LINE OF THE JOHN NOWLIN SURVEY FOR A SOUTHEAST CORNER OF THE NAPCO 262.127 ACRES AND OF THIS TRACT, SAME BEING THE NORTHEAST CORNER OF THE ALAN W. BELT 2.756 ACRE TRACT DESCRIBED IN VOLUME 593, PAGE 960 OF THE OFFICIAL PUBLIC RECORDS;

THENCE S 85°48'12"W 514.74 FT., WITH THE COMMON LINE BETWEEN THE CHAMBLISS SURVEY AND SAID NOWLIN SURVEY AND THE NORTH LINE OF THE BELT 2.756 ACRE TRACT, TO A CONCRETE MONUMENT FOUND FOR THE NORTHWEST CORNER OF SAME AND AN INTERIOR ANGLE CORNER OF THE NAPCO TRACT AND OF THIS TRACT;

THENCE S 45°41'17"E 622.62 FT., WITH THE SOUTHWEST LINE OF THE BELT 2.756 ACRE TRACT, TO A 1/2" IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAME AND AN EXTERIOR ANGLE CORNER OF THIS TRACT LOCATED ON THE WEST RIGHT OF WAY OF OLD HIGHWAY 69;

THENCE S 08°10'49"W 102.29 FT., WITH THE WEST RIGHT OF OLD HIGHWAY 69, TO A CONCRETE R.O.W. MARKER FOUND FOR CORNER AT THE BEGINNING OF A CURVE TO THE LEFT IN SAME;

THENCE SOUTHWESTERLY 187.07 FT. ALONG THE ARC OF THE CURVE IN SAID RIGHT OF WAY, HAVING A CENTRAL ANGLE OF 06°03'31", A RADIUS OF 1769.10 FT. AND A CHORD BEARING S 05°07'26"W 186.98 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF THE NAPCO 262.127 ACRE TRACT AND OF THIS TRACT AND OF THIS TRACT LOCATED AT THE INTERSECTION OF THE WEST RIGHT OF WAY OF OLD HIGHWAY 69 WITH THE NORTH RIGHT OF WAY OF COUNTY ROAD NO. 1050;

THENCE ALONG AND WITH THE MEANDERS OF THE NORTH RIGHT OF WAY OF COUNTY ROAD NO. 1050 AS FOLLOWS:

- 1) S 47°24'08"W 229.27 FT. TO A POINT FOR CORNER;
- 2) S 50°25'30"W 291.56 FT. TO A POINT FOR CORNER;
- 3) S 51°22'02"W 415.72 FT. TO A POINT FOR CORNER;
- 4) S 51°35'40"W 258.87 FT. TO A POINT FOR CORNER;
- 5) S 51°32'14"W 439.00 FT. TO A POINT FOR CORNER;
- 6) S 52°38'50"W 267.65 FT. TO A 1/2" IRON ROD SET FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF THE NAPCO 262.127 ACRES AND OF THIS TRACT AND THE SOUTHEAST CORNER OF THE PREVIOUSLY MENTIONED ALAN BELT ESTATE 114.33 ACRE TRACT;


THENCE N 03°28'48"W 1863.49 FT., WITH THE EAST LINE OF THE BELL 114.33 ACRES AND THE WEST LINE OF THE NABCO 262.127 ACRE TRACT, TO A PINE KNOT STAKE FOUND FOR AN INTERIOR ANGLE CORNER OF SAME AND THE NORTHEAST CORNER OF SAID BELL TRACT LOCATED ON THE NORTH LINE OF THE NOWLIN SURVEY AND THE SOUTH LINE OF THE WM. CHAMBLISS SURVEY;

THENCE S 87°04'37"W 739.36 FT., WITH THE NORTH LINE OF THE NORTH LINE OF THE BELL 114.33 ACRES AND SAID NOWLIN SURVEY AND THE SOUTH LINE OF WM. CHAMBLISS SURVEY, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 188.675 ACRES OF LAND.

THE BEARINGS RECITED HEREIN ARE BASED AND/OR ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD 83.

SURVEYED JUNE 29, 2011

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.


LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800

