

Attachment A

Application

**O'HANLON, McCOLLOM & DEMERATH**

ATTORNEYS AND COUNSELORS AT LAW

808 WEST AVENUE

AUSTIN, TEXAS 78701

TELEPHONE: (512) 494-9949

FACSIMILE: (512) 494-9919

**KEVIN O'HANLON**

CERTIFIED, CIVIL APPELLATE

CERTIFIED, CIVIL TRIAL

**LESLIE McCOLLOM**

CERTIFIED, CIVIL APPELLATE

CERTIFIED, LABOR AND EMPLOYMENT

TEXAS BOARD OF LEGAL SPECIALIZATION

**JUSTIN DEMERATH**

November 5, 2012

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

RE: Application to the Barbers Hill Independent School District from the Oneok  
Hydrocarbon, LP

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Barbers Hill Independent School District is notifying the Applicant Oneok Hydrocarbon, LP of its intent to consider the application for appraised value limitation on qualified property. The Applicant submitted the application to the school district on October 22, 2012. The Board voted to accept the application October 22, 2012. The application was determined completed on November 1, 2012. Please prepare the economic impact report. This Application has a first qualifying year of 2014.

The school district has determined that the wage information included in the application represents the most recent wage data available at the time of the application. The wage the Applicant has committed to paying on this project is well above the required statutory minimums. A paper copy of your application will be hand delivered to your office today.

Due to the size of the application, an electronic copy is not attached to this email. However, a paper copy and an electronic copy have been delivered to your office.

Please feel free to contact me with questions.

Sincerely,

Letter to Local Government Assistance & Economic Analysis Division  
November 5, 2012  
Page 2 of 2

A handwritten signature in black ink, appearing to read "Kevin O'Hanlon", written in a cursive style.

Kevin O'Hanlon  
School District Consultant

October 22<sup>nd</sup>, 2012

Barbers Hill ISD  
Dr. Greg Poole  
PO BOX 1108  
Mont Belvieu, TX 77580

**Re: Application for Section 313 - Value Limitation Agreement**

Dear Dr. Greg Poole:

Oneok Hydrocarbon, LP is considering plans to build a fractionation facility, EP Splitter, and IGP project inside Barbers Hill ISD, which will allow us the ability to process raw natural gas into useable products. The estimated investment for this project is \$480,000,000.

The positive economic impact stretches beyond the investment by providing hundreds of jobs during the construction phase, and at least 10 full time local jobs once construction is complete.

Oneok Hydrocarbon, LP is committed to the growth and welfare of the community. We believe our investment in Mont Belvieu affirms our dedication to maintaining a considerable presence in the area.

Attached is our application for property tax abatement. We respectfully request this 10 year limitation under The Appraised Value Limitation on Qualified Property (Chapter 313 of the Texas Tax Code).

Please feel free to contact me if you have any questions. I can be reached via telephone 469-298-1594 or by email [mfry@keatax.com](mailto:mfry@keatax.com).

Sincerely,



Mike Fry  
Senior Property Tax Consultant

Enclosures





# Application for Appraised Value Limitation on Qualified Property (Tax Code, Chapter 313, Subchapter B or C)

(Revised May 2010)

## INSTRUCTIONS:

a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district

- 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

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

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

## SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION

Authorized School District Representative

10/22/2012

Becky

McManus

Title

Assistant Superintendent of Finance

Barbers Hill Independent School District

9600 Eagle Drive

Mailing Address

P. O. Box 1108

City

Mont Belvieu

Phone Number

(281) 576-2221

Mobile Number (optional)

State

TX

ZIP

77580-1108

Fax Number

(281) 576-5879

E-mail Address

BMcManus@bhisd.net

I authorize the consultant to provide and obtain information related to this application..... ☒ Yes ☐

Will consultant be primary contact? ..... ☒ Yes ☐



# Application for Appraised Value Limitation on Qualified Property

## SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

### Authorized School District Consultant (If Applicable)

Kevin		O'Hanlon	
Title Consultant			
O'Hanlon, McCollom & Demerath			
808 West Avenue			
Mailing Address 808 West Avenue			
City Austin	State TX	ZIP 78701	
Phone Number 512-494-9949	Fax Number 512-494-9919		
Mobile Number (Optional)	E-mail Address kohanlon@808west.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  Date 10-22-12

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

If yes, date determined complete. 11/2/2012

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)	2 of 16	will supplement

## APPLICANT INFORMATION - CERTIFICATION OF APPLICATION

## Authorized Business Representative (Applicant)

First Name

Tim

Last Name

Blake

Title

V P Oneok Tax

Organization

Oneok Hydrocarbon, LP

Street Address

100 West Fifth Street , Tax 14-5

Mailing Address

Tax 14-5, PO Box 871

City

Tulsa

State

Oklahoma

ZIP

74102-0871

Phone Number

(918)588-7109

Fax Number

(918)588-7145

Mobile Number (optional)

Business e-mail Address

tim.blake@oneok.com

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

Marshall

Last Name

Mungle

Title

Tax Manager

Organization

Oneok Hydrocarbon, LP

Street Address

100 West Fifth Street , Tax 14-5

Mailing Address

Tax 14-5, PO Box 871

City

Tulsa

State

Oklahoma

ZIP

74102-0871

Phone Number

(918)588-7700

Fax Number

(918)588-7145

Mobile Number (optional)

E-mail Address

marshall.mungle@oneok.com

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

Mike

Last Name

Fry

Title

Tax Agent

Firm Name

K E Andrews

Street Address

1900 Dalrock Road

Mailing Address

1900 Dalrock Road

City

Rowlett

State

Texas

ZIP

75088

Phone Number

469-298-1594

Fax Number

469-298-1619

Business email Address

mfry@keatax.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

10/10/12

GIVEN under my hand and seal of office this 10 day of October, 2012



Kim Baucum  
Notary Public, State of Oklahoma

My commission expires 12/7/2012

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.

**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, §13.027(l)? ..... ☐ 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 §13.027(l)? ... ☐ Yes ☒ No

**BUSINESS APPLICANT INFORMATION**

Legal Name under which application is made

Oneok Hydrocarbon, LP

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

14812520568

NAICS code

325120

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.

Barbers Hill ISD - 2012

**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.)

Limited Partnership

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 ☒ NoWill any of the proposed qualified investment be leased under a capitalized lease? ☐ Yes ☒ NoWill any of the proposed qualified investment be leased under an operating lease? ☐ Yes ☒ NoAre you including property that is owned by a person other than the applicant? ☐ Yes ☒ NoWill 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)

# See Attachment

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

# See Attachment

**PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)**

- ☒ New Jobs ☒ Construct New Facility ☐ New Business / Start-up ☐ Expand Existing Facility
- ☐ Relocation from Out-of-State ☐ Expansion ☒ Purchase Machinery & Equipment
- ☐ Consolidation ☐ Relocation within Texas

**PROJECTED TIMELINE**

Begin Construction May 2013 Begin Hiring New Employees July 2014

Construction Complete December 2014 Fully Operational January 2015

Purchase Machinery & Equipment September 2012

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? January 2015



**ECONOMIC INCENTIVES**

Identify state programs the project will apply for:

State Source

Amount

N/A

N/A

Total

Will other incentives be offered by local units of government? ..... ☒ Yes ☐ No

Please use the following box for additional details regarding incentives. (Use attachments if necessary.)

Seeking abatement with Chambers County with the following percentages through year 5 of the project. Year 1 - 100%, Year 2 - 100%, Year 3 - 75%, Year 4 - 60%, Year 5 - 50%. Seeking Mont Belvieu City abatement with the following percentages through year 9 of the project. Year 1 - 100%, Year 2 - 100%, Year 3 - 100%, Year 4 - 100%, Year 5 - 75%, Year 6 - 60%, Year 7 - 50%.

**THE PROPERTY**Identify county or counties in which the proposed project will be located ChambersCentral Appraisal District (CAD) that will be responsible for appraising the property ChambersWill this CAD be acting on behalf of another CAD to appraise this property? ..... ☐ Yes ☒ No

List all taxing entities that have jurisdiction for the property and the portion of project within each entity

County: Chambers -100%  
(Name and percent of project)City: Mont Belvieu City -100%  
(Name and percent of project)Hospital District: N/A  
(Name and percent of project)Water District: N/A  
(Name and percent of project)Other (describe): N/A  
(Name and percent of project)Other (describe): N/A  
(Name and percent of project)Is the project located entirely within this ISD? ..... ☒ Yes ☐ No

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](http://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? \$30,000,000

What is the amount of appraised value limitation for which you are applying? \$30,000,000

What is your total estimated *qualified* investment? \$155,000,000

**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? May 2013

What is the anticipated date of the beginning of the qualifying time period? May 2013

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? 480 million

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



**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. 0 2012  
(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)? 0

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

☐ First Quarter ☐ Second Quarter ☒ Third Quarter ☐ Fourth Quarter of 2012  
(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? Twelve (12)

**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. N/A

Total number of new jobs that will have been created when fully operational 10

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(i).

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? 10

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 \$1096.15

110% of the county average weekly wage for manufacturing jobs in the county is \$1750.01

110% of the county average weekly wage for manufacturing jobs in the region is \$1136.08

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? \$59,076

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? \$59,076

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.)

# See Attachment

**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.



## Schedule A (Rev. May 2010): Investment

Applicant Name  
Onook Hydrocarbon, LP  
ISD Name  
Barbers Hill ISD

Form 50-296

PROPERTY INVESTMENT AMOUNTS									
(Estimated investment in each year. Do not put cumulative totals.)									
	Year	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)	Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment)	2013-2014	2013	-	-	-	-	-	
	Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property)			\$ 325,000,000	-	-	-	\$ 325,000,000	
	Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property)			-	-	-	-	-	
	Complete tax years of qualifying time period			1	2014-2015	2014	\$ 155,000,000	\$	\$ 155,000,000
	2			2015-2016	2015	\$	\$	\$	
	3			2016-2017	2016	-	-	-	
	4			2017-2018	2017	-	-	-	
	5			2018-2019	2018	-	-	-	
	6			2019-2020	2019	-	-	-	
	7			2020-2021	2020	-	-	-	
	8			2021-2022	2021	-	-	-	
	9			2022-2023	2022	-	-	-	
	10			2023-2024	2023	-	-	-	
	11			2024-2025	2024	-	-	-	
	12			2025-2026	2025	-	-	-	
13	2026-2027	2026	-	-	-				
14	2027-2028	2027	-	-	-				
15	2028-2029	2028	-	-	-				
Tax Credit Period (with 50% cap on credit)	Value Limitation Period								
Credit Settle-Up Period	Continue to Maintain Viable Presence								
	Post- Settle-Up Period								
	Post- Settle-Up Period								

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.

Column C: 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.

Column E: 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.

10/22/12

DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE



**Schedule B (Rev. May 2010): Estimated Market And Taxable Value**  
**Oneok Hydrocarbon, LP**

Applicant Name

ISD Name

**Barbers Hill ISD**

**Form 50-296**

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	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 ISD - after all reductions	Final taxable value for M&O--after all reductions
	pre- year 1	2013-2014	2013	-	-	-	-	-	-
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period	1	2014-2015	-	-	160,000,000	-	160,000,000	160,000,000
		2	2015-2016	-	-	400,000,000	-	400,000,000	400,000,000
		3	2016-2017	-	-	380,000,000	-	380,000,000	30,000,000
		4	2017-2018	-	-	361,000,000	-	361,000,000	30,000,000
		5	2018-2019	-	-	342,950,000	-	342,950,000	30,000,000
		6	2019-2020	-	-	325,802,500	-	325,802,500	30,000,000
		7	2020-2021	-	-	309,512,375	-	309,512,375	30,000,000
		8	2021-2022	-	-	294,036,756	-	294,036,756	30,000,000
		9	2022-2023	-	-	279,334,918	-	279,334,918	30,000,000
		10	2023-2024	-	-	265,368,173	-	265,368,173	30,000,000
Credit Settle-Up Period	Continue to Maintain Viable Presence	11	2024-2025	-	-	252,099,764	-	252,099,764	252,099,764
		12	2025-2026	-	-	239,494,776	-	239,494,776	239,494,776
		13	2026-2027	-	-	227,520,037	-	227,520,037	227,520,037
Post-Settle-Up Period		14	2027-2028	-	-	216,144,035	-	216,144,035	216,144,035
Post-Settle-Up Period		15	2028-2029	-	-	205,336,833	-	205,336,833	205,336,833

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.

*[Signature]*

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

10/22/12

# Schedule C- Application: Employment Information

Applicant Name  
ISD Name

Oneok Hydrocarbon, LP  
Barbers Hill ISD

Form 50-296

Form 306-256

Construction					New Jobs		Qualifying Jobs	
		Column A: Number of Construction FTE's or man- hours (specify)	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	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY						
pre-year 1	2013-2014	2013		50 FTE	\$ 55,000.00	0	\$ -	
1	2014-2015	2014		400 FTE	\$ 55,000.00	0	\$ -	
2	2015-2016	2015		400 FTE	\$ 55,000.00	10	\$ 59,076.00	
3	2016-2017	2016				10	\$ 59,076.00	
4	2017-2018	2017				10	\$ 59,076.00	
5	2018-2019	2018				10	\$ 59,076.00	
6	2019-2020	2019				10	\$ 59,076.00	
7	2020-2021	2020				10	\$ 59,076.00	
8	2021-2022	2021				10	\$ 59,076.00	
9	2022-2023	2022				10	\$ 59,076.00	
10	2023-2024	2023				10	\$ 59,076.00	
11	2024-2025	2024				10	\$ 59,076.00	
12	2025-2026	2025				10	\$ 59,076.00	
13	2026-2027	2026				10	\$ 59,076.00	
14	2027-2028	2027				10	\$ 59,076.00	
15	2028-2029	2028				10	\$ 59,076.00	
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period	Value Limitation Period						
Credit Settle-Up Period	Continue to Maintain Viable Presence							
Post- Settle-Up Period								
Post- Settle-Up Period								

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

10/22/12



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

**Applicant Name**

Oneok Hydrocarbon, LP

ISD Name

Barbers Hill ISD

Form 50-296

Sales Tax Information				Other Property Tax Abatements Sought			
Sales Taxable Expenditures				Franchise Tax	County	City	Hospital
	Year	School Year (YYYY-YYYY)	Tax/ Calendar Year (YYYY)	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	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)	1	2014-2015	2014	\$ 400,000	\$ 600,000	\$ 275,856	100
	2	2015-2016	2015	\$ 400,000	\$ 600,000	\$ 319,113	100
Complete tax years of qualifying time period	3	2016-2017	2016	\$ 400,000	\$ 600,000	\$ 362,370	100
	4	2017-2018	2017	\$ 400,000	\$ 600,000	\$ 405,527	100
Value Limitation Period	5	2018-2019	2018	\$ 400,000	\$ 600,000	\$ 448,884	75
	6	2019-2020	2019	\$ 400,000	\$ 600,000	\$ 492,141	60
Tax Credit Period (with 50% cap on credit)	7	2020-2021	2020	\$ 400,000	\$ 600,000	\$ 535,398	50
	8	2021-2022	2021	\$ 400,000	\$ 600,000	\$ 578,655	50
Continue to Maintain Viable Presence	9	2022-2023	2022	\$ 400,000	\$ 600,000	\$ 621,912	50
	10	2023-2024	2023	\$ 400,000	\$ 600,000	\$ 665,169	25
Credit Settle-Up Period	11	2024-2025	2024	\$ 400,000	\$ 600,000	\$ 708,426	
	12	2025-2026	2025	\$ 400,000	\$ 600,000	\$ 751,683	
Post-Settle-Up Period	13	2026-2027	2026	\$ 400,000	\$ 600,000	\$ 794,940	
	14	2027-2028	2027	\$ 400,000	\$ 600,000	\$ 838,197	
Post-Settle-Up Period	15	2028-2029	2028	\$ 400,000	\$ 600,000	\$ 881,454	

\*For planning, construction and operation of the facility.

10/22/12  
DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

**Attachment**

**A**

**Certification pages by Authorized Business Representative**



Form 50-296

## Application for Appraised Value Limitation on Qualified Property

## APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

## Authorized Company Consultant (If Applicable)

First Name

Mike

Last Name

Fry

Title

Tax Agent

Firm Name

K E Andrews

Street Address

1900 Dalrock Road

Mailing Address

1900 Dalrock Road

City

Rowlett

State

Texas

ZIP

75088

Phone Number

469-298-1594

Fax Number

469-298-1619

Business email Address

mfry@keatax.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

10/16/12

GIVEN under my hand and seal of office this 10 day of October, 2012



Kim Baucum  
Notary Public, State of Oklahoma

My commission expires 12/7/2012

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.



**Attachment**

**B**

**Proof of Payment of Application Fee**

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)*

**Attachment**

**C**

**Documentation of Combined Group Membership**

**N/A**

## **Attachment**

**D**

### **Detailed Description of Project**

**ATTACHMENT: 1**  
**APPLICATION FOR TAX ABATEMENT**  
**BARBERS HILL SCHOOL DISTRICT**

**Proposed Project Description**

Oneok Hydrocarbon, LP proposes to build a new NGL fractionator in Mont Belvieu, Texas.

**NGL Fractionation**

NGL fractionation is the process of manufacturing raw NGL mix produced by natural gas processing plants into discrete NGL purity components (i.e., ethane, propane, normal butane, iso-butane, and natural gasoline).

**Fractionation Process**

The fractionation process is accomplished by applying heat and pressure to the mixture of raw NGL hydrocarbons and separating each discrete product at the different boiling points for each NGL component of the mixture. The raw NGL mixture is passed through a specific series of distillation towers: deethanizer, depropanizer, debutanizer, and deisobutanizer. The name of each of these towers corresponds to the NGL component that is separated in that tower. The raw NGL mixture first passes through the deethanizer, where its temperature is increased to the point where ethane (the lightest component) boils off the top of the tower as a gas and is condensed into a purity liquid that is routed to storage. The heavier components in the mixture at the bottom of the tower (i.e., propane, butane, iso butane, and natural gasoline) are routed to the second tower (depropanizer), where the process is repeated and the next lightest component (propane) is separated. This process is repeated until the mixture of liquids has been separated into its purity components. This facility will also be built with the necessary equipment to produce International Grade Propane, along with an ethane-propane splitter which allows for purity ethane to be shipped to petrochemical customers.

**Demand for NGLs**

Sources of U.S. NGL demand include petrochemical consumption, gasoline blending, heating and fuel, and exports. Demand is driven primarily by the petrochemical industry, which accounts for 40-50% of total consumption. The U.S. petrochemical industry uses NGL products as feedstock (i.e. raw material) to produce ethylene, propylene, and butadiene (also known as olefins).

The following factors influence demand for each individual NGL component:

- **Ethane.** Essentially all of the ethane extracted from natural gas is consumed by the petrochemical industry as a feedstock for ethylene production. (Ethylene is a building block for polyethylene, which is the most popular plastic in the world.)
- **Propane.** Approximately 25-30% of propane is used as a feedstock by the petrochemical industry to produce ethylene and propylene. (Like ethylene,

propylene is an important building block used in the manufacture of plastics.) The bulk of the remaining demand for propane is primarily as a heating fuel in the residential and commercial markets.

- **Normal butane.** Normal butane is used as a petrochemical feedstock for the production of ethylene and butadiene (used to make synthetic rubber), as a blendstock for motor gasoline, and as a feedstock to create isobutene.
- **Isobutane.** Isobutane has the same molecular formula as normal butane, but a different structural formula (i.e., atoms are rearranged). Isobutane is used in refinery alkylation to enhance the octane content of motor gasoline.
- **Natural gasoline.** Natural gasoline is used primarily as a blendstock.

#### List of Improvements

##### Plant Components

- DeEthanizer
- DePropanizer
- Debutanizer
- Towers
- Heat Medium
- Gasoline Treater
- Compression Equipment
- Ethane-Propane Splitter
- International Grade Propane



**Ability to locate or relocate:**

Oneok Hydrocarbon LP currently operates in three states. They allocate capital investment to projects and locations that create the best economic return. The existence of a limitation on tax value is a significant factor in calculating the economic return and allocation of reserves to the project. However, Oneok Hydrocarbon LP could redirect its expenditures to its plants in:

**Medford – Oklahoma**  
**Bushton - Kansas**

**Attachment**

**E**

**District Allocation of Project**

**District Allocation:**

**Oneok Hydrocarbon LP is located 100% in Chambers County and Barbers Hill ISD**



**Attachment**

**F**

**Description of Qualified Investment**

**ATTACHMENT: 1**  
**APPLICATION FOR TAX ABATEMENT**  
**BARBERS HILL SCHOOL DISTRICT**

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Sources of U.S. NGL demand include petrochemical consumption, gasoline blending, heating and fuel, and exports. Demand is driven primarily by the petrochemical industry, which accounts for 40-50% of total consumption. The U.S. petrochemical industry uses NGL products as feedstock (i.e. raw material) to produce ethylene, propylene, and butadiene (also known as olefins).

The following factors influence demand for each individual NGL component:

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#### **List of Improvements**

##### **Plant Components**

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- DePropanizer
- Debutanizer
- Towers
- Heat Medium
- Gasoline Treater
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- International Grade Propane



**Attachment**

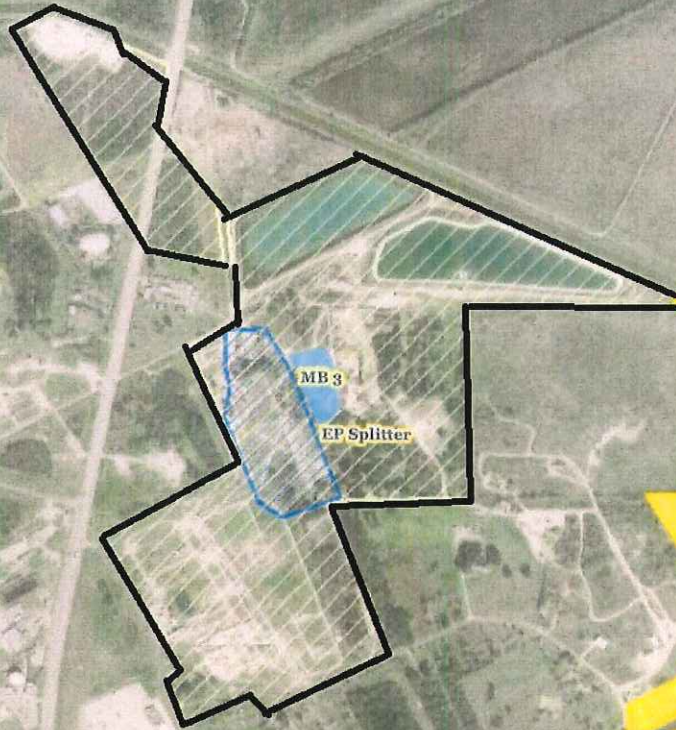
**G**

**Map of Qualified Investment**

Reinvestment Zone Boundary

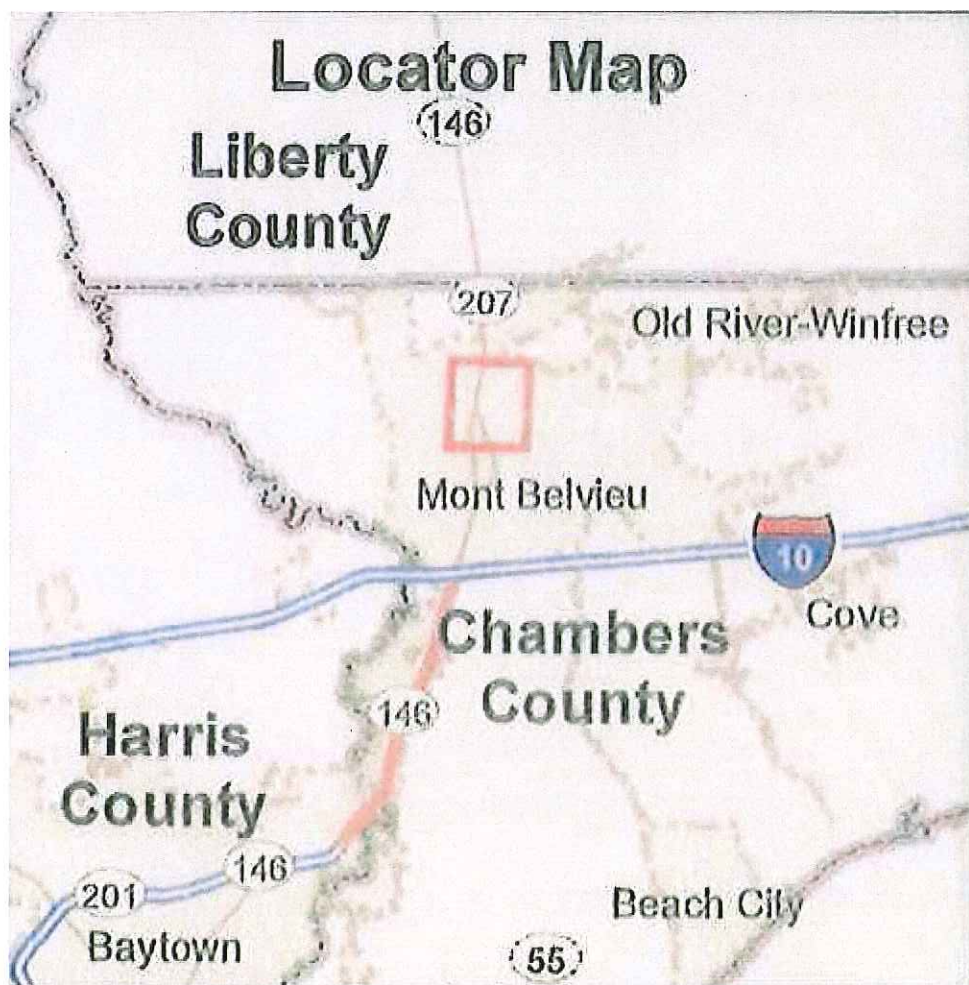
Qualified Investment/Property

"MB3" - Mont Belvieu Frac 3  
EP Splitter



infree







**Attachment**

**H**

**Description of Qualified Property**

**ATTACHMENT: 1**  
**APPLICATION FOR TAX ABATEMENT**  
**BARBERS HILL SCHOOL DISTRICT**

**Proposed Project Description**

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##### Plant Components

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- DePropanizer
- Debutanizer
- Towers
- Heat Medium
- Gasoline Treater
- Compression Equipment
- Ethane-Propane Splitter
- International Grade Propane



## **Attachment**

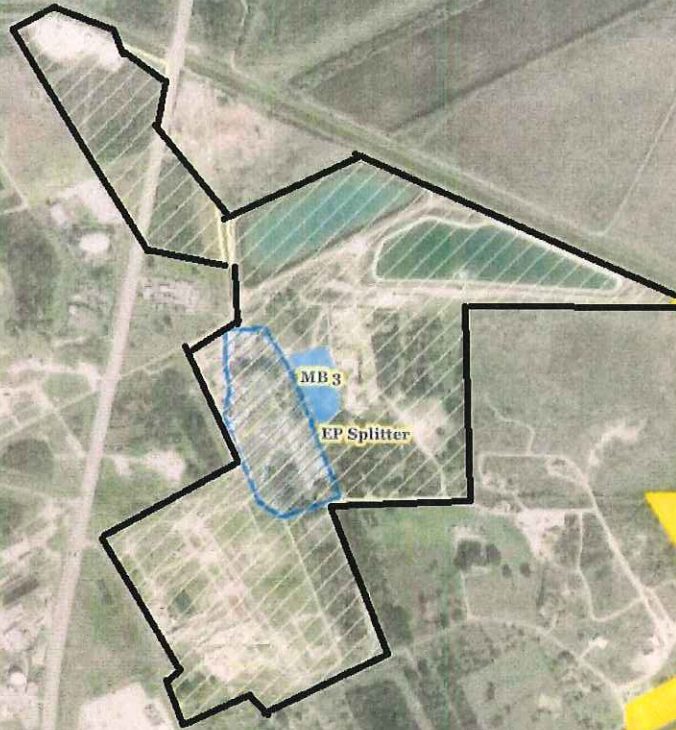
**I**

### **Map of Qualified Property**

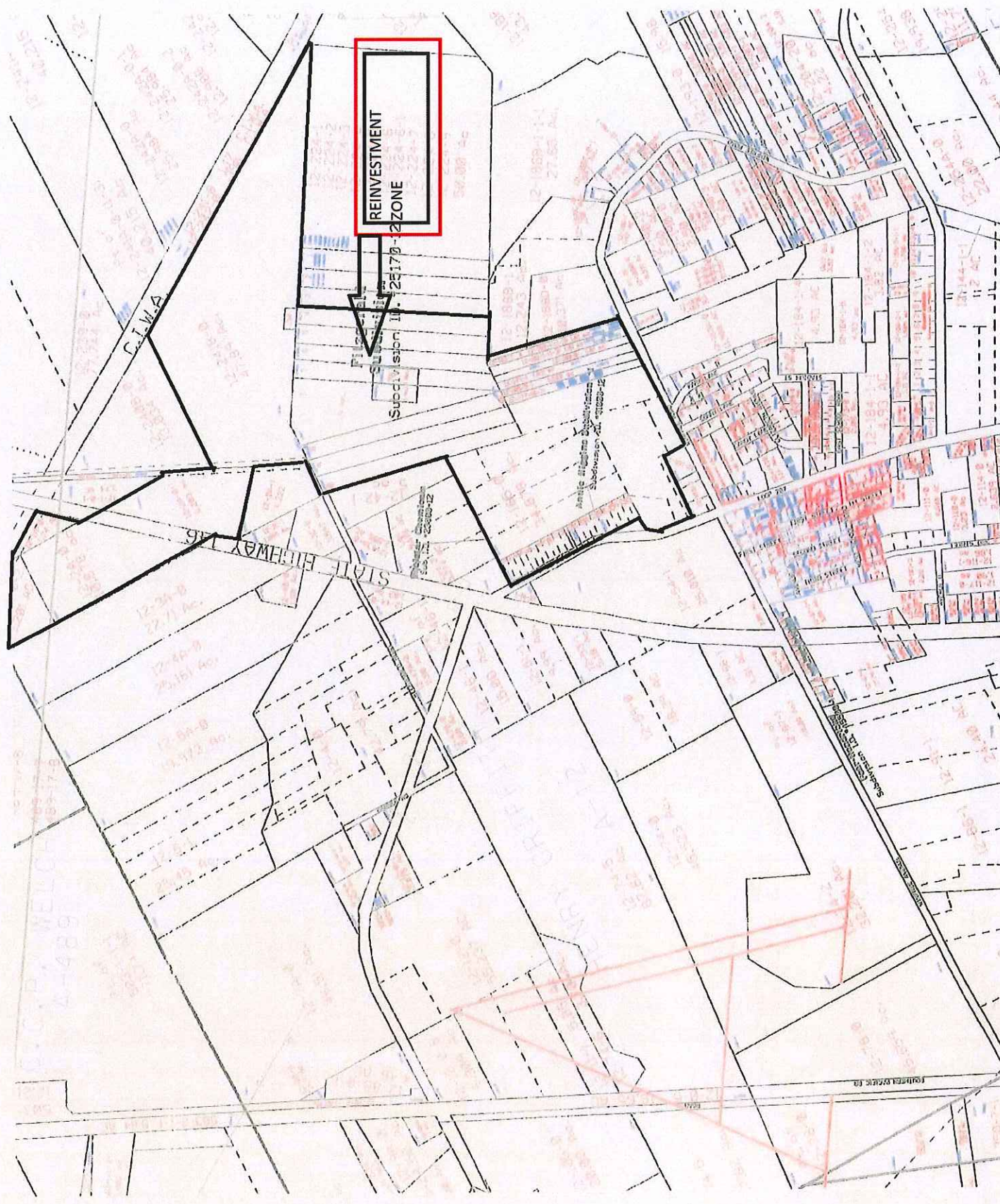
Reinvestment Zone Boundary

Qualified Investment/Property

"MB3" - Mont Belvieu Frac 3  
EP Splitter







REINVESTMENT

Subdivision 11-25170-2 ZONE

C.I.W.A.

STATE HIGHWAY 16

Archie Higgins Subdivision

FOURTH STREET, E.A.

Section 16, Township 14 N., Range 10 E.

WELCH 4-4889



**Attachment**

**J**

**Description of Land**

# Chambers County Appraisal District

Chief Appraiser - Michael L. Fregla, RPA



Official Website

Hosted by Patchard & Abbott, Inc.



Real Estate Roll Search Results: --- 26 matches found

Account Number	Acres	Lot	Property Type	Owner Name	Property Location	City/State/Zip
<a href="#">00012-17700-00300-090001</a>	7,890	4391	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	WINFREE RD	MONT BELVIEU TX 77523
<a href="#">25170-00012-00000-000600</a>	15,530	4392	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">25170-00012-00000-000701</a>	12,260	4393	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU YX
<a href="#">00012-18000-00000-090001</a>	11,270	4394	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	WINFREE RD	MONT BELVIEU TX 77523
<a href="#">25170-00012-00000-001100</a>	29,430	4397	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	FITZGERALD	MONT BELVIEU TX
<a href="#">25170-00012-00000-000300</a>	15,530	5168	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">25170-00012-00000-000400</a>	15,520	5171	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">00012-17900-00100-090001</a>	5,270	5172	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	WINFREE RD	MONT BELVIEU TX 77523
<a href="#">25170-00012-00000-000500</a>	15,530	10050	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">25170-00012-00000-000200</a>	15,530	12114	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
						1 2 3

# Chambers County Appraisal District

Chief Appraiser - Michael L. Fregia, RPA



Official Website

Hosted By Pritchard & Abbott, Inc.



Real Estate Roll Search Results: --- 26 matches found

Account / Tax Number	Market Value	Parcel ID	Property Type	Owner Name	Property Location	City/State/Zip
<a href="#">25170-00012-00000-000100</a>	85,500	14578	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">00012-18200-00100-090001</a>	10,140	14579	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	WINFREE RD	MONT BELVIEU TX 77523
<a href="#">25170-00012-00000-001000</a>	33,250	16186	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">25170-00012-00000-000900</a>	32,360	16187	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">25170-00012-00000-000800</a>	31,560	16189	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">00012-16500-00000-090001</a>	5,908,470	16190	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	WINFREE RD	MONT BELVIEU TX 77523
<a href="#">31000-00012-00100-001300</a>	1,550	16191	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">31000-00012-00100-000100</a>	1,860	16192	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">31000-00012-00100-001400</a>	14,900	16193	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">00012-24102-00000-060001</a>	156,600	16194	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX 77523
						1 2 3



# Chambers County Appraisal District

Chief Appraiser - Michael L. Fregia, RPA



Official Website

Hosted by Pritchard & Abbott, Inc.



Real Estate Roll Search Results: --- 26 matches found

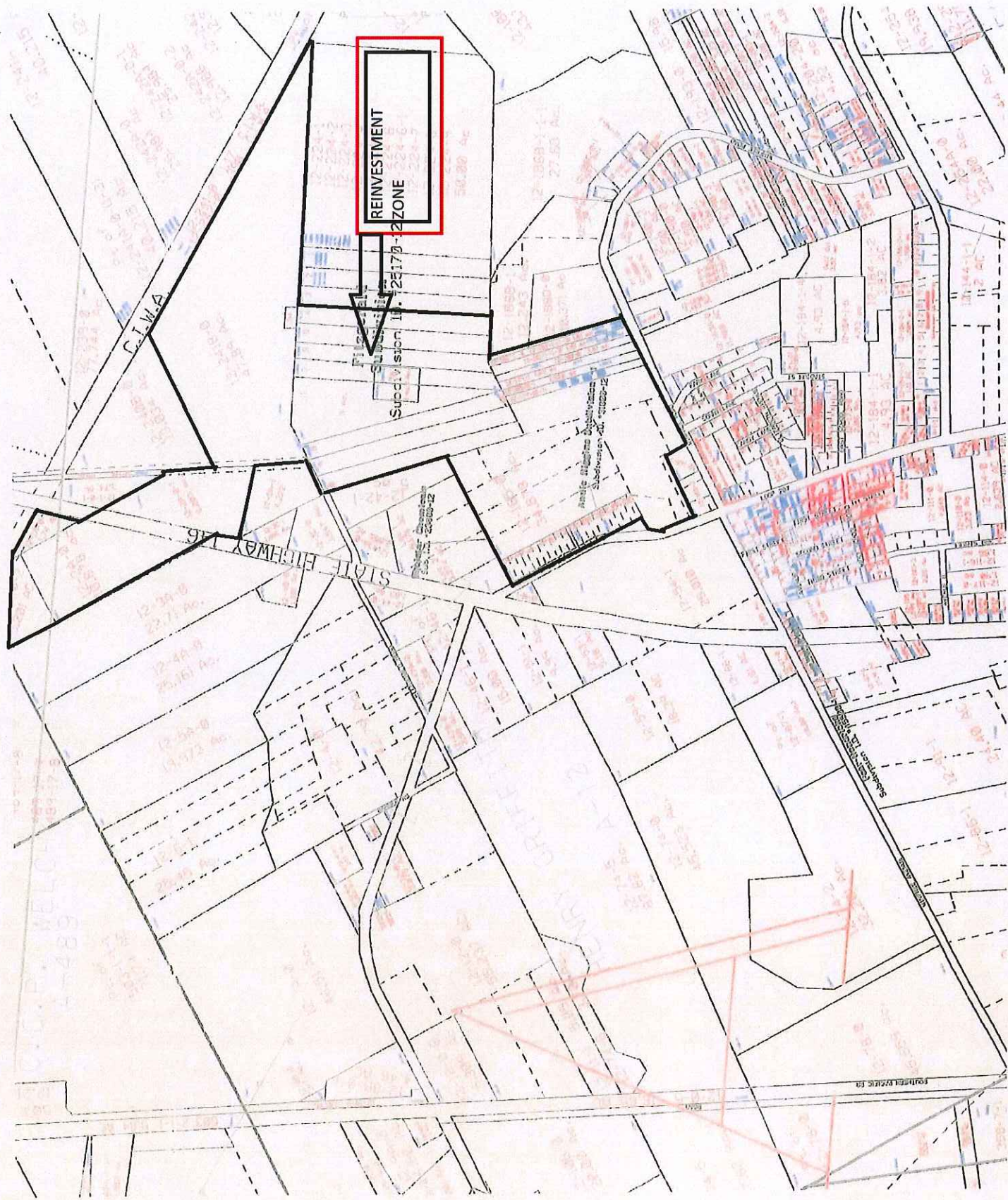
Account Number	Market Value	Assessed Value	Property Type	Owner Name	County, Tax Map	Address
<a href="#">25170-00012-00000-000702</a>	3,270	20340	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	11360 FITZGERALD	MONT BELVIEU TX
<a href="#">25170-00012-00000-000802</a>	940	33535	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">25170-00012-00000-001120</a>	3,270	45275	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	11332 FITZGERALD RD	MONT BELVIEU TX 77523
<a href="#">00012-16500-00000-090100</a>	11,350	46213	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC	WINFREE RD	MONT BELVIEU TX 77523
<a href="#">25170-00012-00000-000801</a>	60	46270	Real Estate	ONEOK MONT BELVIEU STORAGE CO LLC		MONT BELVIEU TX
<a href="#">00012-00101-00000-090100</a>	137,110	47237	Real Estate	ONEOK NGL PIPELINE LP		MONT BELVIEU TX 77523
1 2 3						

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REINVESTMENT

Subdivision 1A 25170-2 ZONE

C.I.V.A.

STATE HIGHWAY 146

Subdivision 1A 25170-2 ZONE

Subdivision 1A 25170-2 ZONE

Subdivision 1A 25170-2 ZONE

Subdivision 1A 25170-2 ZONE

VALERO ACQUISITION 2006



**ONEOK MONT BELVIEU PROPERTY**

**ACQUIRED FROM VALERO**

(Attached to and made a part of Special Warranty Deed by and between Valero Refining-Texas, L.P., as Grantor, and ONEOK Mont Belvieu Storage Company, L.L.C., as Grantee.)

**PARCEL A: TRACT OF 55.30 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 55.30 acre tract of land situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 55.30 acre tract being out of that certain 57.07 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records (C.C.O.P.R.), said 55.30 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

**BEGINNING** at an old 2" iron pipe in concrete, accepted as the Southerly corner of the Annie Higgins Subdivision No. 1 as recorded in Volume 27, Page 43, Chambers County Deed Records (C.C.D.R.):

THENCE, along the Westerly line of said Annie Higgins Subdivision, North 32°49'21" West, 238.04 feet to a 5/8" iron rod with plastic cap set in the curved Easterly ROW line of State Highway Loop No. 207 (width varies);

THENCE, 207.29 feet Northwesterly along a non-tangent curve to the left having a radius of 607.96 feet, a delta of 19°32'08" and a chord bearing North 23°03'16" West, 206.29 feet to a found 1" iron pipe;

THENCE, along said Easterly ROW line, North 32°49'21" West, 690.13 feet to a 1/2" iron rod found for the most Westerly Northwest corner of the herein described tract;

THENCE, North 57°23'00" East, 194.43 feet to a found 5/8" iron rod;

THENCE, North 57°12'26" East, 190.41 feet to a found 3/4" iron pipe;

THENCE, North 57°03'23" East, 499.46 feet to a found 1" iron pipe in concrete;

THENCE, North 57°08'27" East, at 154.94 feet pass a found 1/2" iron rod in concrete, and continuing for a total distance of 165.00 feet to a found 1" iron pipe;

THENCE, North 22°04'28" West, at 936.76 feet pass a 4"x4" concrete monument found for reference in the Southerly ROW line of Fitzgerald Road (60' wide), and continuing for a total distance of 967.41 feet to a 1-1/2" iron pipe found in the center of Fitzgerald Road, said iron pipe being the most Northerly Northwest corner of the herein described tract;

THENCE, along the centerline of said Fitzgerald Road, North 57°05'33" East, 368.29 feet to a 1/2" iron rod with cap set in asphalt for a corner of a Charles Dyer tract as recorded in Volume 455, Page 150, Chambers County Deed Records (C.C.D.R.), said corner being South 57°05'33" West, 27.0 feet from a 3" iron pipe found at the Northeast corner of said 57.07 acre tract;

THENCE, along the Westerly line of said Dyer tract, South 25°21'57" East, 30.26 feet to a found 1/2" iron rod in concrete;

THENCE, along the Southerly line of said Dyer tract and the Southerly ROW line of Fitzgerald Road, North 57°05'33" East, 25.00 feet to a 4"x4" concrete monument found for corner;

THENCE, South 21°38'58" East, 1507.82 feet to 4"x4" concrete monument found for corner of a second Charles Dyer tract as recorded in said Volume 455, Page 150;

THENCE, along the Northerly line of said second Dyer tract, South 41°20'40" West, 145.08 feet to a found 4" x 4" concrete monument;

THENCE, along the Westerly line of said second Dyer tract, South 22°06'11" East, 25.31 feet to a 4" x 4" concrete monument found in the South line of Home Tract 8 of the Fitzgerald partition as recorded in Volume 309, Page 667, C.C.D.R.;

THENCE, along the Southerly line of Home Tract 8, South 56°44'00" West, 3.22 feet to a 4"x4" concrete monument found at the Northwesterly corner of Oil Tract 6;

THENCE, along the Westerly line of Oil Tract 6, South 21°32'23" East, 1099.58 feet to a 1" iron pipe found in the Northerly ROW line of Winfree Road;

THENCE, along the Northerly ROW line of Winfree Road, South 57°27'17" West, at 233.83 feet pass a found 1-1/4" iron pipe in concrete, and continuing for a total distance of 260.00 feet to a found 1-1/4" iron pipe in concrete;

THENCE, along the Southerly line of a 10 foot wide easement to Chambers County for road right of way as recorded in Volume 176, Page 82, C.C.D.R., South 57°22'43" West, 438.40 feet to a found 1" iron pipe;

THENCE, North 32°37'50" West, 172.00 feet to found 1/2" iron rod;

THENCE, South 57°21'54" West, 379.21 feet to a found 1/2" iron rod;

THENCE, North 24°44'21" West, 28.48 feet to a found 1/2" iron rod;



THENCE, South 57°21'54" West, 100.50 feet to a 1/2" iron rod found in the Northeasterly ROW line of State Highway Loop 207;

THENCE, along said Northeasterly ROW line, North 24°44'21" West, 46.26 feet to a 1/2" iron rod found at an angle point in said ROW line;

THENCE, along said Northeasterly ROW line, North 23°15'15" West, 192.92 feet to a 1" iron pipe found at the beginning of a non-tangent curve to the right;

THENCE, 133.33 feet along said curve to the right having a radius of 681.20 feet, a delta of 11°12'52", and a chord bearing North 19°07'55" West, 133.11 feet to a found 1" iron pipe;

THENCE, North 57°35'12" East, 104.19 feet to the POINT OF BEGINNING and containing 55.30 acres of land.

**PARCEL A, TRACT 2: TRACT OF 1.6215 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 1.6215 acre tract of land situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 1.6215 acre tract being out of that certain 57.07 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records (C.C.O.P.R.), said 1.6215 acre tract being Oil Tract 5 of the Fitzgerald partition as recorded in Volume 309, Page 667, Chambers County Deed Records, said 1.6215 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

BEGINNING at a 2" iron pipe found at the Southeast corner of said Oil Tract 5, said "POINT OF BEGINNING" being in the Northerly ROW line of Winfree Road (width varies);

THENCE, along the Southerly line of said Oil Tract 5, South 59°50'34" West, 64.97 feet to a 5/8" iron rod found at the Southwest corner of said Oil Tract 5;

THENCE, along the Westerly line of said Oil Tract 5, North 21°33'01" West, 1100.47 feet to a 5/8" iron rod found in the Southerly line of Home Tract 8 of said Fitzgerald partition;

THENCE, along the Southerly line of said Oil Tract 5, said Southerly line being the Southerly line of a Charles Dyer tract as recorded in Volume 455, Page 150, C.C.D R., North 56°47'17" East, 65.27 feet to a 5/8" iron rod with plastic cap set for corner;

THENCE, along the Easterly line of said Oil Tract 5, South 21°34'00" East, 1103.94 feet to the POINT OF BEGINNING and containing 1.6215 acres of land.



**PARCEL B: TRACT OF 47.37 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 47.37 acre tract of land situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 47.37 acre tract being that same 47.37 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records (C.C.O.P.R.), said 47.37 acre tract being part of Prairie Tract 1 and part of Prairie Tract 2 described in the partition of the F.M. Fitzgerald lands as recorded in Volume 309, Page 667, C.C.D.R., said 47.37 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

**BEGINNING** at a 3" iron pipe found in the most Southerly corner of Prairie Tract 1 and the herein described tract, said 3" iron pipe being at the intersection of the centerline of Fitzgerald Road (60' wide) with the Easterly ROW line of Old Dayton-Barbers Hill Road (width varies-abandoned);

THENCE, along said Easterly ROW line of Old Dayton-Barbers Hill Road as abandoned in Volume 02-576, Page 172, C.C.O.P.R., North 07°30'31" West, at 33.21 feet pass a found 1" iron pipe, and continuing for a total distance of 755.27 feet to a 1" iron pipe found for corner;

THENCE, along the Northerly line of Prairie Tract 2, same being the Southerly line of a call 12.152 acre tract as recorded in Volume 393, Page 366, C.C.D.R., North 57°20'13" East, 1005.92 feet to a 1" iron pipe found in the Southwesterly line of the Coastal Water Authority (CWA) canal (no deed description found), from which iron pipe a found 4"x4" concrete monument bears North 65°20'17" West, 0.94 feet;

THENCE, along the Southwesterly line of said CWA canal, as fenced and marked with concrete monuments, as follows:

South 65°20'17" East, 297.01 feet to a found 4"x4" concrete monument;  
South 65°19'45" East, 401.27 feet to a found 4"x4" concrete monument;  
South 64°47'04" East, 415.56 feet to a found 4"x4" concrete monument;  
South 64°47'54" East, 400.43 feet to a found 4"x4" concrete monument;  
South 64°46'48" East, 397.01 feet to a found 4"x4" concrete monument;  
South 64°46'07" East, 402.56 feet to a found 4"x4" concrete monument;  
South 64°27'36" East, 47.66 feet to a found fence corner post for corner;

THENCE, South 42°21'52" West, 86.44 feet to a turnbuckle found in the most Southerly line of said Prairie Tract 1, said turnbuckle being in the North line of a call 50.44 acre tract as recorded in Volume 97-330, Page 563, C.C.O.P.R.;

THENCE, along the Northerly line of said 50.44 acre tract and the Northerly line of the Home Tracts of said Fitzgerald partition, same being the Southerly line of said Prairie Tract 1, South

87°02'28" West, at 1323.87 feet pass an old 1-1/2" iron pipe found at the Northeast corner of Home Tract 1 of said partition, and continuing for a total distance of 1749.23 feet to an old 1-1/2" iron pipe found at the Northeast corner of Home Tract 4;

THENCE, South 87°10'29" West, 21.09 feet to a 1/2" iron rod found at the Southeast corner of a Mobil Oil Company Pump Station 0.34 acre lease tract as recorded in Volume 177, Page 633, C.C.D.R.;

THENCE, North 02°58'38" West, 100.59 feet to a 1/2" iron rod found at the Northeast corner of said 0.34 acre tract;

THENCE, South 87°10'29" West, 150.00 feet to a 1/2" iron rod found at the Northwest corner of said 0.34 acre tract;

THENCE, South 02°58'38" East, 100.59 feet to a 6' chain link fence corner found at the Southwest corner of said 0.34 acre lease tract and being in the Southerly line of Prairie Tract 1;

THENCE, South 87°10'29" West, 773.03 feet to a found 5/8" iron rod;

THENCE, South 56°54'26" West, 166.15 feet to the POINT OF BEGINNING and containing 47.37 acres of land.

**PARCEL C: TRACT OF 0.6433 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 0.6433 acre tract situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 0.6433 acre tract being that same 0.6433 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records, said 0.6433 tract being the Easterly portion of Old Dayton-Barbers Hill Road adjoining a call 47.375 acre tract and containing a call 0.497 acre tract both as recorded in Volume 01-526, Page 745, Chambers County Official Public Records (C.C.O.P.R.), said 0.6433 acre tract being that same called 0.664 acre tract out of said Old Dayton-Barbers Hill Road as abandoned and recorded in Volume 02-576, Page 172, C.C.O.P.R. and as shown on plat recorded in Volume 'A', Page 228, Chambers County Map Records, said 0.6433 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

**COMMENCING** at a 3" iron pipe found in the most Southerly corner of said 47.375 acre tract, said 47.375 acre tract being that same 47.37 acre tract as recorded in said Volume 04-669, Page 586, C.C.O.P.R., said 3" iron pipe being at the intersection of the centerline of Fitzgerald Road (60' wide) with the Easterly ROW line of said Old Dayton-Barbers Hill Road, said Easterly ROW line being the West line of said 47.37 acre tract;

THENCE, along the West line of said 47.37 acre tract, North 07°30'31" West, 33.21 feet to a 1" iron pipe found for the POINT OF BEGINNING and Southeast corner of the herein described 0.6433 acre tract, said "POINT OF BEGINNING" being at the intersection of said West line with the projection of the Northwesternly ROW line of Fitzgerald Road, said "POINT OF BEGINNING" being the Southeast corner of said 0.664 acre tract;

THENCE, South 57°05'33" West, 44.58 feet with the projected Northwesternly line of Fitzgerald Road to a 5/8" iron rod with plastic cap set for corner;

THENCE, North 07°16'35" West, 723.65 feet (call=723.92') to a 5/8" iron rod with plastic cap set for the Northwest corner of the herein described 0.6433 acre tract;

THENCE, North 57°20'13" East, 41.25 feet to a 1" iron pipe found at the most Westerly Northwest corner of said 47.37 acre tract;

THENCE, along said Easterly ROW line of Old Dayton-Barbers Hill Road, same being the West line of said 47.37 acre tract, South 07°30'31" East, 722.06 feet (call=722.61') to the POINT OF BEGINNING and containing 0.6433 acres of land.



**DYER PROPERTY ACQUISITION**

{937521;}

GENERAL WARRANTY DEED

STATE OF TEXAS )  
 ) ss.  
COUNTY OF CHAMBERS )

OFFICIAL PUBLIC RECORDS  
CHAMBERS COUNTY, TEXAS  
Hearthor H. Hawthorne, County Clerk

That B-J DYER FAMILY LIMITED PARTNERSHIP, a Texas limited partnership, CHARLES D. DYER and MARY BETH DYER, husband and wife, BRYANT DYER and RHONDA R. DYER, husband and wife, ANDY VIRUETTE, JR. and JULIE DYER VIRUETTE, husband and wife (collectively, "Grantors"), for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) paid to Grantors and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged have GRANTED, SOLD and CONVEYED and do hereby GRANT, SELL and CONVEY unto ONEOK MONT BELVIEU STORAGE COMPANY, L.L.C., a Delaware limited liability company ("Grantee"), all right title and interest of every kind and character, including any life estate, homestead, reversionary or easement rights (except as hereinafter provided) in and to that certain land located in the City of Mont Belvieu, Chambers County, Texas, being more particularly described on Exhibit "A", attached hereto and made a part hereof, together with all improvements located on such land (such land and improvements being collectively referred to as the "Property") LESS AND EXCEPT any interest in and to oil, gas and other minerals or royalties therein and thereunder, and all rights, interests and estates of whatsoever nature incident thereto or arising therefrom, PROVIDED THAT Grantors shall retain no right to use the surface for production, development, ingress or egress or the right to use the surface in any way in connection therewith, and SUBJECT TO the easements, rights of way, gas storage agreements and gas storage easements, restrictive covenants of record, special assessments not yet due, and those items listed on Exhibit "B" attached hereto and made a part hereof;

TO HAVE AND TO HOLD the Property unto the Grantee, Grantee's successors and assigns forever, subject to the reservation in favor of Grantors as provided above, and Grantors, their successors and assigns, hereby covenant, promise and agree to and with Grantee that (i) at the delivery of these presents that Grantors are lawfully seized in their own right of an absolute and indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, and that the same are free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages, liens and encumbrances of whatsoever nature, except and subject to those matters described above, and (ii) Grantors do hereby bind themselves, their heirs, successors and assigns to warrant and forever defend, all and singular, the Property unto the said Grantee, its successors and assigns, against all persons whomsoever claiming or to claim the same or any part thereof.

EXECUTED as of the 15 th day of April, 2008, but effective for all purposes as of 4 : 45  
P.m. central time on April 15, 2008.

**B-J DYER FAMILY LIMITED PARTNERSHIP**  
a Texas limited partnership,

By:  
(Signatories below execute this conveyance as both  
members of the Partnership and as individual interest  
holders)

  
Charles D. Dyer

  
Mary Beth Dyer aka Mary Elizabeth Dyer

  
Bryant Dyer

  
Rhonda R. Dyer

  
Andy Viruetto, Jr.

  
Julie Dyer Viruetto fka Julie Dyer Eades



ACKNOWLEDGEMENT

STATE OF TEXAS            )  
                                  ) ss.  
COUNTY OF Chambers    )

This instrument was acknowledged before me on the 15 th day of April, 2008, by **CHARLES D. DYER** and **MARY BETH DYER**, husband and wife, **BRYANT DYER** and **RHONDA R. DYER**, husband and wife, and **ANDY VIRUETTE, JR.** and **JULIE DYER VIRUETTE**, husband and wife, in their individual capacities and as partners in **B-J DYER FAMILY LIMITED PARTNERSHIP**, a Texas limited partnership.

  
\_\_\_\_\_  
Notary Public

Notary Commission No. \_\_\_\_\_

My Commission Expires:

\_\_\_\_\_  
[SEAL]

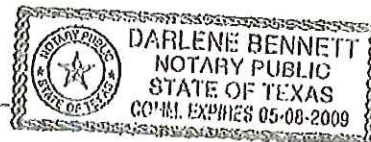


EXHIBIT "A"

FIELD NOTES of a 27.92 acre tract of land situated in the Henry Griffith League, Abstract No. 12, Chambers County, Texas, being all of the following tracts of land:

A) residue of 10 acres called Tract 1, 4.75 acres called Tract 2, 1.61 acres called Tract 3, & 3.75 acres called Tract 4 conveyed to B-J Dyer Family Limited Partnership by Charles D. Dyer, et ux, by deed dated December 28, 2006, and recorded in Volume 923 at Page 706 of the Official Public Records of Chambers County, Texas.

B) 1 acre conveyed to Bryant Dyer, et ux, by Mary Beth Dyer, et vlr, by deed recorded in Volume 453 at Page 234 of the Official Public Records of Chambers County, Texas.

C) residue of 4.75 acres conveyed to Charles D. Dyer by Virginia Lillich, et al, by deed recorded in Volume 345 at Page 498 of the Deed Records of Chambers County, Texas.

D) 4.7864 acres, 1.61 acres, a tract of land called Tract "A", & a tract of land called Tract "B" conveyed to Bryant Dyer, et al, by Hal K. Jarrell, Trustee, by deed dated December 16, 1997, and recorded in Volume 352 at Page 319 of the Official Public Records of Chambers County, Texas.

This 27.92 acre tract of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE NORTH AND SOUTH LINES OF SAID 4.7864 ACRES.

BEGINNING at a 1 ½ inch iron pipe found leaning for the Southeast corner of this tract of land, the Southeast corner of said 4.7864 acres, the Southwest corner of 4.75 acres called Tract 4D conveyed to Kinnie Lee Fitzgerald by W. L. Fitzgerald, Jr., by deed dated September 25, 1933, and recorded in Volume 36 at Page 623 of the Deed Records of Chambers County, Texas, and in the North line of 15.43 acres conveyed to B. G. Lawrence by P. O. Wood, et ux, by deed dated February, 1967, and recorded in volume 282 at Page 291 of the Deed Records of Chambers County, Texas.

THENCE South 85°48'45" West with a South line of this tract of land, the South line of said 4.7864 acres, and the North line of said 15.43 acres a distance of 141.39 feet to a 2 inch iron pipe found for an angle corner of this tract of land, the Southwest corner of said 4.7864 acres, the Southeast corner of said 4.75 acres called Tract 2, and an angle corner of said 15.43 acres.

THENCE South 58°53'39" West with a South line of this tract of land, a South line of said 4.75 acres called Tract 2, and the North line of said 15.43 acres a distance of 55.99 feet to a 2 inch iron pipe found for a Southwest corner of this tract of land, a Southwest corner of said 4.75 acres called Tract 2, the Northwest corner of said 15.43 acres, and in the East line of 1.61 acres awarded to Mary O. Scott by deed dated March 30, 1918, and recorded in Volume 309 at Page 667 of the Deed Records of Chambers County, Texas.

THENCE North 24°30'18" West with a West line of this tract of land, a West line of said 4.75 acres called Tract 2, and the East line of said 1.61 acres a distance of 28.67 feet to a 2 inch iron pipe found leaning for an interior corner of this tract of land, an interior corner of said 4.75 acres called Tract 2, and the Northeast corner of said 1.61 acres.

THENCE South 56°50'05" West with a South line of this tract of land, the South lines of said 4.75 acres called Tract 2, the South line of said 3.75 acres called Tract 4, the North line of said 1.61 acres, and the North line of 1.61 acres awarded to Mrs. S. E. Morgan by deed dated March 30, 1918, and recorded in Volume 309 at Page 667 of the Deed Records of Chambers County, Texas, at a distance of 97.66 feet found a 1 ½ inch iron pipe on line, in all a total distance of



126.71 feet to a 2 inch Iron pipe found in concrete for an interior corner of this tract of land, the Northwest corner of said Morgan 1.61 acres, and the Northeast corner of said Bryant Dyer 1.61 acres.

THENCE South 21°37'52" East with an East line of this tract of land, the East line of said Bryant Dyer 1.61 acres, and the West line of said Morgan 1.61 acres a distance of 1102.57 feet to a ½ inch iron rod set for the Southeast corner of this tract of land, the Southeast corner of said Bryant Dyer 1.61 acres, and the Southwest corner of said Morgan 1.61 acres in the North right of way line of Winfree Road, 60 foot wide right of way.

THENCE South 57°23'05" West with a South line of this tract of land, the South line of said Bryant Dyer 1.61 acres, and the North right of way line of Winfree Road a distance of 65.11 feet to a ½ inch iron rod set for the Southwest corner of this tract of land, the Southwest corner of said Bryant Dyer 1.61 acres, and the Southeast corner of 1.61 acres awarded to Kinzey Lee Fitzgerald, et al, by deed dated March 30, 1918, and recorded in Volume 309 at Page 667 of the Deed Records of Chambers County, Texas.

THENCE North 21°37'52" West with a West line of this tract of land, the West line of said Bryant Dyer 1.61 acres, and the East line of said Fitzgerald 1.61 acres a distance of 1101.93 feet to a ½ inch iron rod set for an interior corner of this tract of land, the Northwest corner of said Bryant Dyer 1.61 acres, the Northeast corner of said Fitzgerald 1.61 acres, and in the South line of said 3.75 acres called Tract 4.

THENCE South 56°50'05" West with a South line of this tract of land, the South line of said 3.75 acres called Tract 4, the South line of said Tract "B", and the North line of said Fitzgerald 1.61 acres, at a distance of 60.92 feet found a 2 inch iron pipe on line, in all a total distance of 65.42 feet to a 1 inch iron pipe found for an angle corner of this tract of land, the Northwest corner of said Fitzgerald 1.61 acres, and a Northeast corner of part of 57.07 acres called Parcel "A" conveyed to Valero Refining Texas, L.P., by EOTT Energy Liquids, L.P., by deed recorded in Volume 669 at Page 586 of the Official Public Records of Chambers County, Texas. From this corner a capped iron rod found bears South 22°04'15" West a distance of 0.25 feet.

THENCE South 56°36'48" West with a South line of this tract of land, the South line of said Tract "B", and the North line of said part of 57.07 acres a distance of 65.24 feet to a 1 inch iron pipe found for an interior corner of this tract of land, a Northwest corner of said part of 57.07 acres, and the Northeast corner of said 1.61 acres called Tract 3.

THENCE South 21°37'52" East with an East line of this tract of land, the East line of said 1.61 acres called Tract 3, and the West line of said part of 57.07 acres a distance of 1100.39 feet to a ½ inch iron rod set for the Southeast corner of this tract of land, the Southeast corner of said 1.61 acres called Tract 3, and a Southwest corner of said part of 57.07 acres in the North line of said Winfree Road.

THENCE South 57°23'01" West with a South line of this tract of land, the South line of said 1.61 acres called Tract 3, and the North right of way line of Winfree Road, at a distance of 38.91 feet found a concrete monument on line, in all a total distance of 65.11 feet to a 5/8 inch iron rod inside a 1 inch iron pipe found for a Southwest corner of this tract of land, the Southwest corner of said 1.61 acres called Tract 3, and a Southeast corner of said part of 57.07 acres.

THENCE North 21°37'52" West with the West line of this tract of land, the West line of said 1.61 acres called Tract 3, and an East line of said part of 57.07 acres a distance of 1099.50 feet to a concrete monument found broken for a Northwest corner of this tract of land, the Northwest corner of said 1.61 acres called Tract 3, and an interior corner of said part of 57.07 acres.

THENCE North 56°36'48" East with a North line of this tract of land, the North line of said 1.61 acres called Tract 3, and a South line of said part of 57.07 acres, a distance of 2.95 feet to a



concrete monument found broken for a Southwest corner of this tract of land, the Southwest corner of said Tract "B", and a Southeast corner of said part of 57.07 acres.

THENCE North 21°45'25" West with a West line of this tract of land, the West line of said Tract "B", and an East line of said part of 57.07 acres a distance of 25.39 feet to a concrete monument found for an Interior corner of this tract of land, the Northwest corner of said Tract "B", and an Interior corner of said part of 57.07 acres.

THENCE North 41°14'12" East with a North line of this tract of land, the North line of said Tract "B", and a South line of said part of 57.07 acres a distance of 145.20 feet to a concrete monument found for an Interior corner of this tract of land, the Northeast corner of said Tract "B", a Southeast corner of said part of 57.07 acres, and in the West line of said residue of 10 acres.

THENCE North 21°45'25" West with a West line of this tract of land, the West line of said residue of 10 acres, and an East line of said part of 57.07 acres a distance of 1507.93 feet found a concrete monument broken for an Interior corner of this tract of land, the Southeast corner of said Tract "A", and a Northeast corner of said part of 57.07 acres at the South line of Fitzgerald Road, 60 foot wide right of way.

THENCE South 56°54'44" West with a South line of this tract of land, the South line of said Tract "A", the South right of way line of Fitzgerald Road, a North line of said part of 57.07 acres a distance of 25.00 feet to a ½ inch Iron rod set for a Southwest corner of this tract of land, the Southwest corner of said Tract "A", and an Interior corner of said part of 57.07 acres.

THENCE North 31°09'25" West with a West line of this tract of land, the West line of said Tract "A", and an East line of said part of 57.07 acres a distance of 30.01 feet to a ½ inch Iron rod set for a Northwest corner of this tract of land, the Northwest corner of said Tract "A", and a Northeast corner of said part of 57.07 acres.

THENCE North 56°54'44" East with a North line of this tract of land, the North line of said Tract "A", the North line of said residue of 10 acres, and the South line of 47.37 acres called Parcel "B" conveyed to Valero Refining Texas, L.P., by EOTT Energy Liquids, L.P., by deed recorded in Volume 669 at Page 586 of the Official Public Records of Chambers County, Texas, at a distance of 28.90 feet found an aluminum disc on line, at a distance of 30.00 feet found a 3 inch iron pipe for the Northeast corner of said Tract "A", the Northwest corner of said residue of 10 acres, and the Southeast corner of said 47.37 acres, in all a total distance of 196.37 feet to a 5/8 inch Iron rod found for an angle corner of this tract of land, an angle corner of said residue of 10 acres, and an angle corner of said 47.37 acres.

THENCE North 87°04'28" East with a North line of this tract of land, a North lines of said residue of 10 acres, 3.75 acres called Tract 4, 4.75 acres called Tract 2, 4.7864 acres, the South line of said 47.37 acres, and the South line of a 0.34 of an acre tract of land conveyed in Lease Agreement from Mary O. Scott, et vir, to Magnolia Pipe Line Company by instrument dated April 20, 1956, and recorded in Volume 177 at Page 633 of the Deed Records of Chambers County, Texas, at a distance of 386.82 feet found a 1 ½ inch iron pipe in concrete for the Northeast corner of said residue of 10 acres, and the Northwest corner of said 3.75 acres called Tract 4, in all a total distance of 801.61 feet to a ½ inch Iron rod set for the Northeast corner of this tract of land, the Northeast corner of said 4.7864 acres, and the Northwest corner of said Fitzgerald 4.75 acres.

THENCE South 02°36'15" East with an East line of this tract of land, the East line of said 4.7864 acres, and the West line of said Fitzgerald 4.75 acres a distance of 1470.80 feet to the PLACE OF BEGINNING, containing within said boundaries 27.92 acres of land, more or less.

END OF EXHIBIT "A"

EXHIBIT "B"

1. Pipeline right of way dated July 12, 1965, recorded in Volume 265, Page 509 of the Deed Records of Chambers County, Texas, from Louise E. Eckman, et al to Sinclair Pipe Line Company. (Home Tract 7)
2. Pipeline right of way dated August 10, 1965, recorded in Volume 266, Page 267 of the Deed Records of Chambers County, Texas, from Lawson H. Davis, et al to Sinclair Pipe Line Company. (Home Tract 6)
3. Pipeline right of way dated September 24, 1965, recorded in Volume 268, Page 248 of the Deed Records of Chambers County, Texas, from Elda Fitzgerald to Sinclair Pipe Line Company. (Home Tract 11)
4. Pipeline right of way dated September 24, 1965, recorded in Volume 268, Page 359 of the Deed Records of Chambers County, Texas, from Mildred Somers, et al to Sinclair Pipe Line Company. (Home Tract 8)
5. Easement dated November 17, 1965, recorded in Volume 270, Page 259 of the Deed Records of Chambers County, Texas, from Willard Alvester Leavens to Houston Lighting and Power Company. (Home Tract 5)
6. Easement dated February 4, 1976, recorded in Volume 380, Page 721 of the Deed Records of Chambers County, Texas, from Charles D. Dyer to Houston Lighting and Power Company. (Home Tract 7)
7. Easement dated February 4, 1976, recorded in Volume 380, Page 725 of the Deed Records of Chambers County, Texas, from Mary Beth Dyer to Houston Lighting and Power Company. (Home Tract 11)
8. Terms, conditions and stipulations contained in that certain Agreement dated December 17, 1979 regarding the placement and width of underground storage wells, as described in Memorandum recorded in Volume 446, Page 312 of the Deed Records of Chambers County, Texas, by and between Tenneco Oil Company and Charles Dyer and Mary Beth Dyer. (Home Tracts 6, 7 and 11 and Oil Tracts 3 and 6)
9. Pipeline right of way dated December 17, 1979, recorded in Volume 455, Page 156 of the Deed Records of Chambers County, Texas, from Tenneco Oil Company to Charles Dyer. (Home Tract 8)
10. Pipeline right of way dated March 23, 1981, recorded in Volume 476, Page 27 of the Deed Records of Chambers County, Texas, from Charles D. Dyer, et ux to Matador Pipeline, Inc. (Home Tracts 8 and 11 and Oil Tract 3)
11. Pipeline right of way dated March 18, 1992, recorded in Volume 170, Page 896 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to Koch Pipelines, Inc., as amended by instrument dated April 15, 1993, recorded in Volume 205, Page 122 of the Official Public Records of Chambers County, Texas. (Home Tracts 7, 8 and 11 and Oil Tract 3)
12. Pipeline right of way dated March 19, 1992, recorded in Volume 170, Page 889 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer et ux to Koch Pipelines, Inc. (Home Tract 7)



13. Pipeline easement rights conveyed in Gift Deed dated December 5, 1996, recorded in Volume 325, Page 245 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to Bryant Dyer and Julie Dyer Eades and reconveyed to Charles D. Dyer and Mary E. Dyer by Gift Deed dated June 15, 1999, recorded in Volume 453, Page 228 of the Official Public Records of Chambers County, Texas.
14. Royalty interests in and to all oil, gas and other minerals conveyed in Deed dated June 19, 1958, recorded in Volume 202, Page 218 of the Deed Records of Chambers County, Texas, from Elda Fitzgerald to Mildred Somers, et al.
15. All oil, gas and other minerals from an undivided interest in subject property reserved by conveyance of the Surface Estate Only in Deed dated May 28, 1973, recorded in Volume 348, Page 283 of the Deed Records of Chambers County, Texas, from Joe M. Davis, et al to Charles D. Dyer. (Oil Tract 6 and Home Tract 6)
16. All oil royalties from an undivided interest in subject property reserved in Deed dated June 20, 1975, recorded in Volume 369, Page 778 of the Deed Records of Chambers County, Texas, from Clyde V. Hornback, et al to Charles D. Dyer. (Oil Tract 6 and Home Tract 6)
17. All oil, gas and other minerals, together with the right of ingress and egress for the purpose of exploring for and developing same, reserved in Deed dated September 25, 1975, recorded in Volume 374, Page 477 of the Deed Records of Chambers County, Texas, from Elda Fitzgerald to Mary Beth Dyer. (Home Tract 11)
18. All oil, gas and other minerals, including salt, together with the right of ingress and egress for the purpose of exploring for and developing same, conveyed in Gift Deed dated December 5, 1996, recorded in Volume 325, Page 245 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to Bryant Dyer and Julie Dyer Eades, and reconveyed to Charles D. Dyer and Mary E. Dyer by Gift Deed dated June 15, 1999, recorded in Volume 453, Page 228 of the Official Public Records of Chambers County, Texas.
19. All oil, gas and other minerals in, under and that may be produced from subject property reserved in Deed dated December 28, 2006, recorded in Volume 923, Page 706 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to B-J Dyer Family Limited Partnership. (Home Tracts 6, 7 and 11 and Oil Tract 6)
20. Subject to the terms, conditions and stipulations contained in any valid and existing oil, gas and/or minerals lease affecting subject property, any ratifications or renewals thereof, any oil or gas units designated under the terms thereof, and/or the rights of all parties thereto and thereunder, including but not limited to those certain oil, gas and mineral leases recorded in Volume 16, Page 177, Volume 21, Page 291, Volume 30, Page 625, Volume 553, Pages 7, 11, 15, 19 and 23 and Volume 561, Pages 293, 297, 301, 305 and 309, all of the Deed Records of Chambers County, Texas, and in Volume 89, Page 290 of the Official Public Records of Chambers County, Texas.

END OF EXHIBIT "B"



**FITZGERALD PROPERTY ACQUISITION**

{937521;}

OFFICIAL PUBLIC RECORDS  
CHAMBERS COUNTY, TEXAS  
Heather H. Hawthorne, County Clerk

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.

**SPECIAL WARRANTY DEED**

Date: April, 29, 2008

Grantor: PHILIP R. FITZGERALD; FRANK H. FITZGERALD; BRYAN LEE FITZGERALD; and BARBARA FITZGERALD O'TOOLE

Grantor's Mailing Address:

PHILIP R. FITZGERALD  
P. O. BOX 109457  
HOUSTON, TEXAS 77224

FRANK H. FITZGERALD  
12602 LAUREN LANE  
MONTGOMERY, TEXAS 77356

BRYAN LEE FITZGERALD  
5610 RUMMELL ROAD  
LITTLE ROCK ARKANSAS 77356

BARBARA FITZGERALD O'TOOLE  
2904 MID LANE  
HOUSTON, TEXAS 77017

Grantee: ONEOK Mont Belvieu Storage Company, L.L.C., a Delaware limited liability company

Grantee's Mailing Address:

ONEOK Mont Belvieu Storage Company, L.L.C.  
501 GAGE  
TOPEKA, KANSAS

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Special Warranty Deed  
Philip R. Fitzgerald et al to  
ONEOK Mont Belvieu Storage Company LLC

Page 1 of 5

2008 36341

**Property (including any improvements):**

Those two (2) certain tracts or parcels of land situated in the HENRY GRIFFITH LEAGUE, Abstract No. 12, Chambers County, Texas, and being Lot 4C commonly known as OIL TRACT NO. 4 and Lot 4D, commonly known as HOME TRACT NO. 4 as set aside to Kinzie Lee Fitzgerald and W. L. Fitzgerald, Jr, as heirs of Myrtle R. Fitzgerald in Report of Commissioners entered in Cause No. 167 in the District Court of Chambers County, Texas, styled "T. S. Fitzgerald vs. F. M. Fitzgerald, et al". Said tracts or parcels of land being more particularly described by metes and bounds as follows, to-wit:

**OIL TRACT NO. 4:** BEGINNING at the South corner of Oil Tract No. 3;

THENCE North 18° 36' West along the line between Tracts 3 and 4, 396 varas to the South line of Home Tract No. 7;

THENCE South 60° 20' West along the South line of said Home Tract No. 7, 23.44 varas;

THENCE South 18° 36' East 396 varas to the South line of said Fitzgerald lands;

THENCE North 60° 20' East 23.44 varas to the PLACE OF BEGINNING, containing 1.61 acres of land, more or less.

**HOME TRACT NO. 4:** BEGINNING at the Westerly corner of Home Tract No. 3;

THENCE North 00° 40' East along the line between Tracts 3 and 4, 527.6 varas to the South line of Prairie Tract No. 1;

THENCE West 61 varas;

THENCE South 00° 40' West 628.4 varas;

THENCE North 89° 05' East 61 varas to the PLACE OF BEGINNING, containing 4.76 acres of land, more or less.

**Reservations from Conveyance:**

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Grantor waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor.



Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

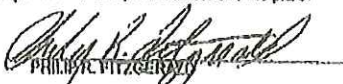
**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all properly recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2009, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor grants and conveys the Property to Grantee as separate property.

When the context requires, singular nouns and pronouns include the plural.

  
PHILIP R. FITZGERALD

FRANK H. FITZGERALD  
  
FRANK H. FITZGERALD

BARBARA FITZGERALD O'TOOLE

Nothing herein, however, restricts or prohibits the pooling or utilization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2008, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor grants and conveys the Property to Grantee as separate property.

When the context requires, singular nouns and pronouns include the plural.

\_\_\_\_\_  
PHILIP R. FITZGERALD

\_\_\_\_\_  
FRANK H. FITZGERALD

\_\_\_\_\_  
BRYAN LEE FITZGERALD

*Barbara Fitzgerald O'Toole*  
\_\_\_\_\_  
BARBARA FITZGERALD O'TOOLE

Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but either on the surface or subsurface support of any improvements constructed or to be constructed on the Property.

**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2008, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whosoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor grants and conveys the Property to Grantee as separate property

When the context requires, singular nouns and pronouns include the plural

PHILIP R. FITZGERALD

*Philip R. Fitzgerald*  
PHILIP R. FITZGERALD

RYAN LEE FITZGERALD

BARBARA FITZGERALD OYCOLE



STATE OF TEXAS )  
COUNTY OF Chambers )

This instrument was acknowledged before me on April 29  
2008, by PHILIP R. FITZGERALD.

Darlene Bennett  
Notary Public, State of Texas  
My commission expires: 04-29-2010  

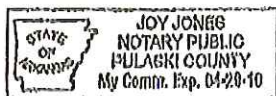

STATE OF TEXAS )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_  
2008, by FRANK H. FITZGERALD.

Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

STATE OF ARKANSAS )  
COUNTY OF Pulaski )

This instrument was acknowledged before me on April 28  
2008, by BRYAN LEE FITZGERALD.

  
JOY JONES  
NOTARY PUBLIC  
PULASKI COUNTY  
My Comm. Exp. 04-29-10

Joy Jones  
Notary Public, State of ARKANSAS  
My commission expires: 04-29-2010

STATE OF TEXAS )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_  
2000, by PHILIP R. FITZGERALD.

Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

STATE OF TEXAS )  
COUNTY OF HARRIS )

This instrument was acknowledged before me on 18 Apr. L  
2000, by FRANK H. FITZGERALD.



Margaret Gallagher  
Notary Public, State of Texas  
My commission expires: 8/12/2000

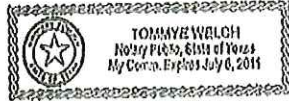
STATE OF ARKANSAS )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_  
2000, by BRYAN LEE FITZGERALD.

Notary Public, State of ARKANSAS  
My commission expires: \_\_\_\_\_

STATE OF ~~ARKANSAS~~ <sup>TEXAS</sup> )  
COUNTY OF ~~Sevier~~ <sup>Dallas</sup> )

This instrument was acknowledged before me on April 28, 2008,  
2008, by BARBARA FITZGERALD O'TOOLE.



Tommy Welch  
Notary Public, State of Texas  
My commission expires: July 6, 2011

PREPARED IN THE OFFICE OF:  
JOE F. SANDLIN  
P. O. BOX 658  
707 WILLCOX  
ANAHUAC, TEXAS 77814  
Tel: (409) 287-3793  
Fax: (409) 287-3792

AFTER RECORDING RETURN TO:  
ONEOK Mont Belvieu Storage Company, L.L.C  
601 GAGE  
TOPEKA, KANSAS

Special Warranty Deed  
Philip R. Fitzgerald et al to  
ONEOK Mont Belvieu Storage Company LLC



203 101 1037 669  
34765 12

FILED FOR RECORD 111

Cherokee County

FILED APR 30, 2008 AT 03:15 PM

AS NEW Public Records

Heather H. Hawthorne COUNTY CLERK

CLERK NUMBER 00031985

RECORDS 61.00

RECEIPT NUMBER 00730017

BY RECORDS  
STATE OF TEXAS Cherokee County  
AS STAMPED HEREIN BY CLERK, APR 30, 2008

Heather H. Hawthorne COUNTY CLERK

Recorded: *Anna B. Huling*

**KOCH PROPERTY DESCRIPTION**

(Odell property)

(Less and except property conveyed by ONEOK to Placid\*)

Plus

**PROPERTY CONVEYED BY PLACID AS PART OF SWAP**

(\*Note - The deed covering the conveyance from ONEOK to Placid may not have been recorded)

October 1, 1997

METES AND BOUNDS DESCRIPTION  
OF AN 11.715 ACRE TRACT SITUATED IN THE  
HENRY GRIFFITH LEAGUE, ABSTRACT 12  
CHAMBERS COUNTY, TEXAS

A Metes and Bounds description of an 11.715 acre tract out of a call 30 acre tract as recorded in Volume 53, Page 258, Chambers County Deed Records (C.C.D.R.), said 11.715 acre tract being situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, and being more particularly described as follows:

All bearings are based on the Texas Coordinate System, South Central Zone.

BEGINNING at a 3/4" iron pipe found for the Southwest corner of the herein described 11.715 acre tract, said "POINT OF BEGINNING" being the point of intersection of the Westerly line of said 30 acre tract with the West ROW line of State Highway 146 (120' wide);

THENCE, along the Westerly line of said 30 acre tract, North 33°26'17" West, 1226.79 feet to a 1/2" iron rod (bent) found for corner, said corner being the Southwest corner of a call 5.859 acre tract conveyed to Koch Pipeline as recorded in Volume 93-213, Page 708, Official Public Records of Chambers County;

THENCE, along the South line of said 5.859 acre tract, North 56°19'06" East, 573.61 feet to a 1/2" iron rod found for corner in the Easterly line of said 30 acre tract, said corner being the Southeast corner of said 5.859 acre tract;

THENCE, along said East line, South 33°29'26" East, 551.42 feet to a 5/8" iron rod set for the Southeast corner of the herein described tract, said Southeast corner being the most Southerly corner of a call 9.149 acre tract conveyed to Placid Refining as recorded in Volume 423, Page 237, C.C.D.R., said corner being in the West ROW line of State Highway 146;

THENCE, along said West ROW line, South 06°49'36" West, 888.27 feet to the POINT OF BEGINNING and containing 11.715 acres of land.  
(Plat Attached.)

*Lucien C. Schaffer Jr.* 10-2-97  
Lucien C. Schaffer Jr. RPLS 4803





October 1, 1997

METES AND BOUNDS DESCRIPTION  
OF AN 6.149 ACRE TRACT SITUATED IN THE  
HENRY GRIFFITH LEAGUE, ABSTRACT 12  
CHAMBERS COUNTY, TEXAS

A Metes and Bounds description of an 6.149 acre tract out of a call 30 acre tract as recorded in Volume 53, Page 258, Chambers County Deed Records (C.C.D.R.), said 6.149 acre tract being situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, and being more particularly described as follows:

All bearings are based on the Texas Coordinate System, South Central Zone.

BEGINNING at a 3/4" iron rod found for the Northeast corner of the herein described 6.149 acre tract, said "POINT OF BEGINNING" being the point of intersection of the Easterly line of said 30 acre tract with the East ROW line of State Highway 146 (120' wide);

THENCE, along the Easterly line of said 30 acre tract, South 33°29'26" East, 539.32 feet (called 544.94 feet) to a 5/8" iron rod set for corner, said corner being the South corner of a call 3.743 acre tract conveyed to Placid Refining as recorded in Volume 423, Page 237, C.C.D.R., said corner being in the West ROW line of Old Dayton-Barber's Hill Road;

THENCE, along the West ROW line of Old Dayton-Barber's Hill Road, South 07°44'41" East, 492.90 feet to a 5/8" iron rod set for corner, said corner being the calculated Northeast corner of a call 3.804 acre tract conveyed to Robert N Herrington as recorded in Volume 90-117, Page 34, Official Public Records of Chambers County;

THENCE, along the North line of said 3.804 acre tract, North 83°12'21" West, at 4.20 feet pass a found 3/8" iron rod, and continuing for a total distance of 472.96 feet (called 468.01 feet) to a 5/8" iron rod found for the Northwest corner of said 3.804 acre tract, said corner being in the East ROW line of State Highway 146;

THENCE, along said East ROW line, North 06°49'36" East, 888.53 feet to the POINT OF BEGINNING and containing 6.149 acres of land.  
(Plat Attached.)

*Lucien C. Schaffer Jr.* 10-2-97  
Lucien C. Schaffer, Jr. RPLS 4803



SSC

*Less & Except this tract*  
STANGER SURVEYING CANTON LLC

581 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103

PH: 903-567-5680

FAX: 903-567-6861

HENRY GRIFFITH LEAGUE, ABSTRACT NO. 12  
CHAMBERS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION FOR 0.344 OF AN ACRE OF LAND

BEING 0.344 of an acre of land situated in the Henry Griffith League, Abstract No. 12, Chambers County, Texas, and being a part of that certain called 5.859 acre tract described in a Special Warranty Deed, dated July 1, 2005, from Koch Pipeline Company, L.P. to KPL NGL Pipeline, L.P., recorded in 05 790 671 of the Official Public Records of Chambers County, Texas. Said 0.344 of an acre of land being more particularly described as follows:

BEGINNING at a crimped 2 inch iron pipe (found) for corner at the North corner of the above referenced 5.859 acre tract, at the West corner of that certain called 9.149 acre tract (Tract No. 1) described in a Warranty Deed from Vantage Realty Company, Trustee, to Placid Refining Company, recorded in Volume 423, Page 237 of the Deed Records of Chambers County, Texas, in the Southeast line of that certain called 376.764 acre (Tract No. 4) described in said Warranty Deed to Placid Refining Company (Vol. 423, Pg. 237), and being located in the recognized Northwest line of the Henry Griffith League, Abstract No. 12;

THENCE: South 33 deg. 27 min. 08 sec. East, with the Northeast line of said 5.859 acre tract and with the Southwest line of said 9.149 acre tract, a distance of 214.80 feet to a point for corner in the existing edge of water (as of November 2, 2007) on the North side of the Coastal Industrial Water Authority Canal, from which a 1/2 inch iron rod (set) for reference bears North 33 deg. 27 min. 08 sec. West, a distance of 10.03 feet;

THENCE: in a Northwesterly direction, over and across said 5.859 acre tract, and with the existing edge of water (as of November 2, 2007) on the North side of said canal, as follows:

North 64 deg. 31 min. 50 sec. West, a distance of 8.61 feet to a point for corner;

North 66 deg. 26 min. 04 sec. West, a distance of 49.70 feet to a point for corner;

North 66 deg. 16 min. 52 sec. West, a distance of 54.86 feet to a point for corner;

North 65 deg. 43 min. 24 sec. West, a distance of 52.13 feet to a point for corner;



North 68 deg. 36 min. 41 sec. West, a distance of 50.77 feet to a point for corner;

North 73 deg. 39 min. 15 sec. West, a distance of 40.24 feet to a point for corner;

and

North 82 deg. 59 min. 38 sec. West, a distance of 4.10 feet to a point for corner in the Northwest line of said 5.859 acre tract, in the Southeast line of the above mentioned 376.764 acre tract, and being located in the recognized Northwest line of the Henry Griffith League, Abstract No. 12;

**THENCE:** North 56 deg. 17 min. 50 sec. East, with the Northwest line of said 5.859 acre tract, with the Southeast line of said 376.764 acre tract, and with the recognized Northwest line of the Henry Griffith League, a distance of 147.41 feet back to the **PLACE OF BEGINNING** and containing 0.344 of an acre of land.

I, Mark D. Bryant, Sr., Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the month of November, 2007.

A red plastic cap stamped "Stanger" was placed on the above described 1/2 inch iron rods (set). Bearings are based on the record bearing of "S 06°49'36" W" along the monumented East line of that certain called 11.715 acre tract described in 02 535 347 of the Official Public Records of Chambers County, Texas. Reference made to Plat of Survey prepared even date (C07214).

GIVEN UNDER MY HAND AND SEAL, this the 5th day of November, 2007.

*Mark D. Bryant, Sr.*

Mark D. Bryant, Sr.,  
Registered Professional Land Surveyor  
State of Texas No. 4360

Job No.: C07214

Survey Completed: 11-02-2007





*Property Acquired  
from Placid*

SSC

STANGER SURVEYING CANTON LLC

581 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103

PH: 903-567-5680

FAX: 903-567-6861

HENRY GRIFFITH LEAGUE, ABSTRACT NO. 12  
CHAMBERS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION FOR 1.740 ACRES OF LAND

BEING 1.740 acres of land situated in the Henry Griffith League, Abstract No. 12, Chambers County, Texas, and being a part of that certain called 9.149 acre tract (Tract No. 1) described in a Warranty Deed, dated September 19, 1978, from Vantage Realty Company, Trustee, to Placid Refining Company, recorded in Volume 423, Page 237 of the Deed Records of Chambers County, Texas. Said 1.740 acres of land being more particularly described as follows:

COMMENCING at a crimped 2 inch iron pipe (found) for corner at the West corner of the above referenced 9.149 acre tract, in the Southeast line of that certain called 376.764 acre (Tract No. 4) described in the above referenced Warranty Deed to Placid Refining Company (Vol. 423, Pg. 237), at the North corner of that certain called 5.859 acre tract described in a Special Warranty Deed from Koch Pipeline Company, L.P. to KPL NGL Pipeline, L.P., recorded in 05 790 671 of the Official Public Records of Chambers County, Texas, and being located in the recognized Northwest line of the Henry Griffith League, Abstract No. 12;

THENCE: South 33 deg. 27 min. 08 sec. East, with the Southwest line of said 9.149 acre tract and with the Northeast line of said 5.859 acre tract, a distance of 345.01 feet to a point for corner at the PLACE OF BEGINNING of the hereinafter described 1.740 acre tract and being located in the existing edge of water (as of November 2, 2007) on the South side of the Coastal Industrial Water Authority Canal, from which a 1/2 inch iron rod (set) for reference bears South 33 deg. 27 min. 08 sec. East, a distance of 11.16 feet;

THENCE: in a Southeasterly direction, over and across said 9.149 acre tract and with the existing edge of water (as of November 2, 2007) on the South side of said canal, as follows:

South 65 deg. 08 min. 50 sec. East, a distance of 5.67 feet to a point for corner;

South 63 deg. 59 min. 25 sec. East, a distance of 63.42 feet to a point for corner;

South 65 deg. 16 min. 20 sec. East, a distance of 76.08 feet to a point for corner;

South 65 deg. 49 min. 12 sec. East, a distance of 101.06 feet to a point for corner;

South 65 deg. 48 min. 04 sec. East, a distance of 69.08 feet to a point for corner;

South 69 deg. 25 min. 27 sec. East, a distance of 27.89 feet to a point for corner;

South 63 deg. 15 min. 15 sec. East, a distance of 20.33 feet to a point for corner;

and

South 64 deg. 42 min. 54 sec. East, a distance of 21.94 feet to a point for corner;

THENCE: South 24 deg. 17 min. 48 sec. West, at 1.55 feet entering the concrete wall on the Southwest end of a flood gate, continuing along the outside face of said wall, in all a total distance of 2.11 feet to a point for corner;

THENCE: South 65 deg. 42 min. 12 sec. East, along the outside face of the concrete wall on the South side of said flood gate, at 26.12 feet leaving said wall, continuing in all a total distance of 57.30 feet to a 1/2 inch iron rod (set) for corner in the East line of said 9.149 acre tract and being located in the West right-of-way line of State Highway No. 146 (a 120' right-of-way at this location);

THENCE: South 06 deg. 49 min. 36 sec. West, with the East line of said 9.149 acre tract and with the West right-of-way line of State Highway No. 146, a distance of 360.47 feet to a 5/8 inch iron rod (found) for corner at the most Southerly corner of said 9.149 acre tract and being located at the most Easterly Northeast corner of that certain called 11.715 acre tract described in a Special Warranty Deed from Koch Hydrocarbon Company to Koch Pipeline Company, L.P., recorded in 02 535 347 of the Official Public Records of Chambers County, Texas;

THENCE: North 33 deg. 27 min. 08 sec. West, with the Southwest line of said 9.149 acre tract, with the Northeast line of said 11.715 acre tract, and with the Northeast line of the above mentioned 5.859 acre tract, a distance of 651.37 feet back to the PLACE OF BEGINNING and containing 1.740 acres of land.

I, Mark D. Bryant, Sr., Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the month of November, 2007.

A red plastic cap stamped "Stanger" was placed on the above described 1/2 inch iron rods (set).

Bearings are based on the record bearing of "S 06°49'36" W" along the monumented East line of the above mentioned 11.715 acre tract recorded in 02 535 347 of the Official Public Records of Chambers County, Texas;

Reference made to Plat of Survey prepared even date (C07214).

GIVEN UNDER MY HAND AND SEAL, this the 5th day of November, 2007.

*Mark D. Bryant, Sr.*

Mark D. Bryant, Sr.,  
Registered Professional Land Surveyor  
State of Texas No. 4360

Job No.: C07214

Survey Completed: 11-02-2007





# C. C. P. WELCH SURVEY

ABSTRACT NO. 489  
CALL: 376,704 AC. (TRACT NO. 4)  
PLACED REFINING COMPANY  
VOL. 423, PG. 237

1/2" I.R.S. (REF.)  
(REF: 5.75)

PLACE OF BEGINNING (0.344 AC.)  
2" I.P.T. (CRIMED)

SURVEYED:  
0.344 ACRES

# HENRY GRIFFITH LEAGUE

ABSTRACT NO. 12  
CALL: 9,119 AC. (TRACT NO. 1)  
VANTAGE REALTY COMPANY, TRUSTEE, TO PLACED REFINING COMPANY  
05-19-1978 VOL. 423, PG. 237

CALL: 5,850 AC.  
KOCH PIPELINE COMPANY, L.P. TO KPL NGL PIPELINE, L.P.  
07-01-2003 05 790 671

## LINE TABLE (0.344 AC.)

LINE	BEARING	DISTANCE
L1	S 35°27'03" E	214.69'
L2	N 64°31'29" W	8.61'
L3	N 66°26'04" W	49.70'
L4	N 66°16'52" W	54.85'
L5	N 65°33'24" W	62.13'
L6	N 65°35'41" W	50.77'
L7	N 73°39'15" W	40.24'
L8	N 82°53'33" W	4.10'
L9	N 56°17'59" E	147.41'

## LINE TABLE (1.740 AC.)

L10	S 65°08'30" E	5.67'
L11	S 63°59'20" E	63.42'
L12	S 65°16'20" E	76.00'
L13	S 65°49'12" E	101.06'
L14	S 65°48'04" E	69.03'
L15	S 69°25'27" E	27.69'
L16	S 65°15'15" E	20.33'
L17	S 64°42'54" E	21.94'
L18	S 24°17'48" W	2.11'
L19	S 65°42'12" E	57.30'

## LEGEND

- DENOTES PATENT SURVEY LINE (APPROXIMATE LOCATION)
- x-x- DENOTES BARBED WIRE FENCE
- - - DENOTES POWER LINE
- PP DENOTES POWER POLE
- CA DENOTES CAY ANCHOR
- I.P.T. DENOTES IRON PIPE (FOUSED)
- I.R.F. DENOTES IRON ROD (FOUSED)
- I.R.S. DENOTES IRON ROD (REF) W/CAP STAMPED "STANGER"

## PLAT OF SURVEY SHOWING PART OF THE HENRY GRIFFITH LEAGUE, ABSTRACT NO. 12 CHAMBERS COUNTY, TEXAS SCALE: 1" = 100 FEET

THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

IN PROVIDING THIS BOUNDARY SURVEY, NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR DAMAGED OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAMINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

BEARINGS ARE BASED ON THE RECORD BEARING OF "S 66°49'36" W" ALONG THE MONUMENTED EAST LINE OF THE CALLED 11,715 ACRE TRACT SHOWN HEREON, PER 02 535 347, O.P.R.C.T.

SEE METES AND BOUNDS DESCRIPTIONS PREPARED EVEN DATE.

NOTE: SUBDIVISION OF REAL ESTATE IS REGULATED BY STATE LAW AND ADDITIONAL REGULATIONS MAY ALSO APPLY FROM LOCAL CITY AND COUNTY SUBDIVISION REGULATIONS. ANY INDIVIDUAL USING THIS SURVEY SHOULD CONSULT AN ATTORNEY TO DETERMINE TO WHAT EXTENT SUBDIVISION LAWS AND REGULATIONS APPLY TO HIS USE.

I, MARK D. BRYANT, SR., REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THIS PLAT TO REFLECT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION DURING THE MONTH OF NOVEMBER, 2007.

GIVEN UNDER MY HAND & SEAL, THIS THE 5TH DAY OF NOVEMBER, 2007.

*Mark D. Bryant, Sr.*  
MARK D. BRYANT, SR.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS NO. 4360

PLAT VOID IF NOT SIGNED IN RED.  
PREPARED FOR: ONEOK NGL PIPELINE, L.P.



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ALL RIGHTS RESERVED  
STANGER SURVEYING CANTON LLC  
CANTON, TEXAS  
(NON-TRANSFERABLE)

**STANGER**  
SURVEYING CANTON LLC  
581 S. Trade Days Blvd.  
Canton, Texas 75103  
(903) 567-5680

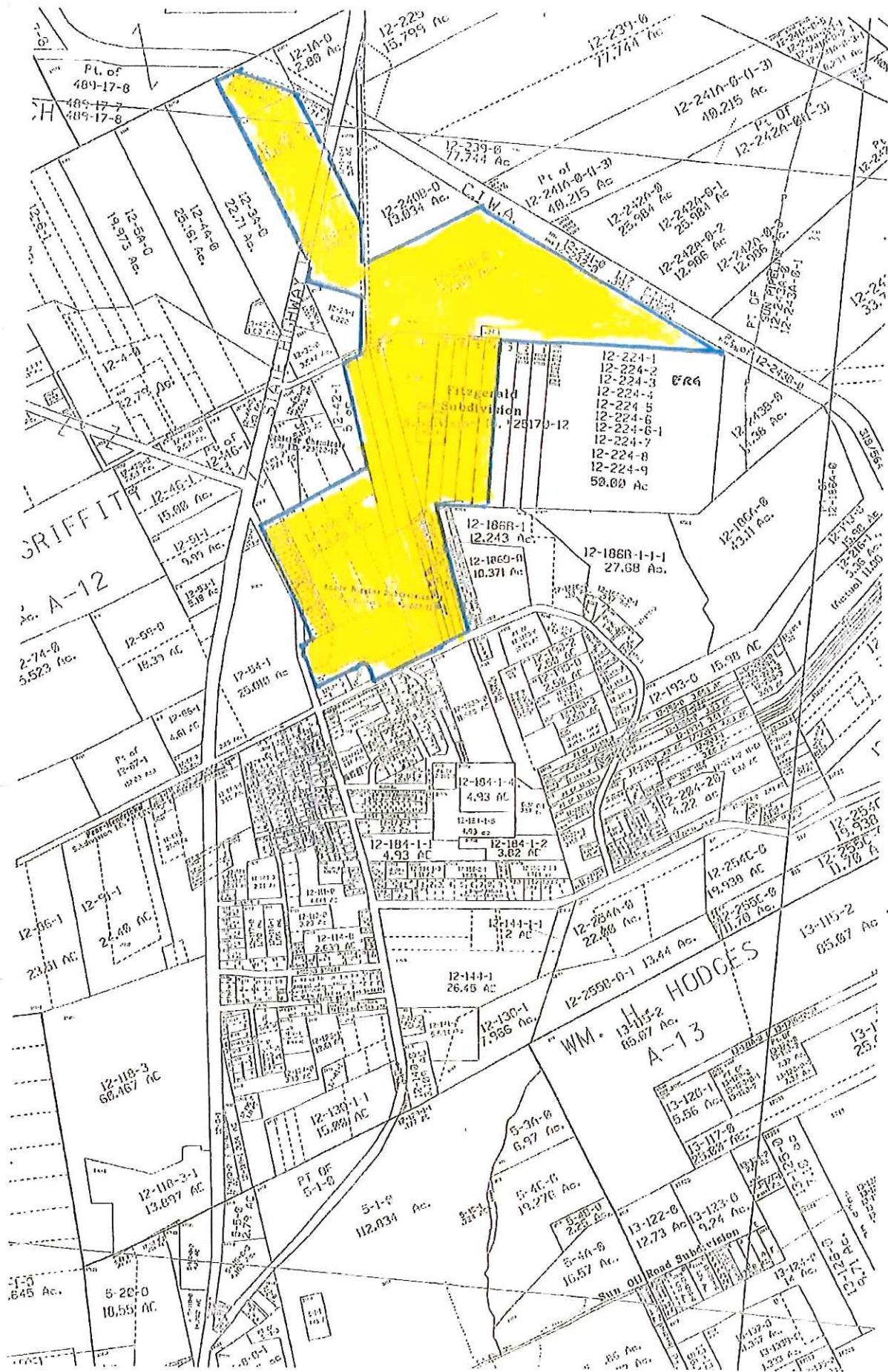
SURVEY COMPLETED: 11-02-2007  
FB/PG: VZ 177/46 JOB NO: C07214



**Attachment**

**K**

**Detailed Map Showing Location of Land**









**Attachment**

**L**

**Description of Existing Improvements**

**No Existing Improvements**

**Attachment**

**M**

**Request for Waiver of Job Creation Requirement**

**N/A**

## **Attachment**

**N**

### **Calculation of Wage Requirements**



**Calculations of wages information---Based on Most Recent Data Available**

**110% of County Average Weekly Wage for all Jobs**

Year	Period	Wages
2011	3Q	955
2011	4Q	1,023
2012	1Q	1,016
2012	2Q	992

Average= \$996.50 average weekly salary  
X 1.1 (110%)  
**\$1,096.15** 110% of County Average Weekly Wage for all Jobs

**110% of County Average Weekly Wage for manufacturing Jobs**

Year	Period	Wages
2011	3Q	1,502
2011	4Q	1,737
2012	1Q	1,492
2012	2Q	1,633

Average = \$1591 average weekly salary  
X 1.1 (110%)  
**\$1,750.01** 110% of County Average Weekly Wage for Manufacturing Jobs

**110 % of County Average Weekly Wage for Manufacturing Jobs in Region  
(Houston-Galveston)**

\$25.82 per hour  
X 40 hr per week  
\$ 1033 average weekly salary  
X 1.10 (110%)  
**\$1,136.08**  
X 52 weeks  
**\$59,076.16** 110% of County Average Weekly Wage for all Jobs in Region

**2011 Manufacturing Wages by Council of Government Region**  
**Wages for All Occupations**

COG	Wages	
	Hourly	Annual
<b>Texas</b>	<b>\$22.89</b>	<b>\$47,610</b>
<a href="#">1. Panhandle Regional Planning Commission</a>	\$19.32	\$40,196
<a href="#">2. South Plains Association of Governments</a>	\$16.45	\$34,210
<a href="#">3. NORTEX Regional Planning Commission</a>	\$18.14	\$37,733
<a href="#">4. North Central Texas Council of Governments</a>	\$24.03	\$49,986
<a href="#">5. Ark-Tex Council of Governments</a>	\$16.52	\$34,366
<a href="#">6. East Texas Council of Governments</a>	\$18.27	\$37,995
<a href="#">7. West Central Texas Council of Governments</a>	\$17.76	\$36,949
<a href="#">8. Rio Grande Council of Governments</a>	\$15.69	\$32,635
<a href="#">9. Permian Basin Regional Planning Commission</a>	\$21.32	\$44,349
<a href="#">10. Concho Valley Council of Governments</a>	\$15.92	\$33,123
<a href="#">11. Heart of Texas Council of Governments</a>	\$18.82	\$39,150
<a href="#">12. Capital Area Council of Governments</a>	\$26.46	\$55,047
<a href="#">13. Brazos Valley Council of Governments</a>	\$15.71	\$33,718
<a href="#">14. Deep East Texas Council of Governments</a>	\$15.48	\$32,207
<a href="#">15. South East Texas Regional Planning Commission</a>	\$28.23	\$58,724
<a href="#">16. Houston-Galveston Area Council</a>	\$25.82	\$53,711
<a href="#">17. Golden Crescent Regional Planning Commission</a>	\$20.38	\$42,391
<a href="#">18. Alamo Area Council of Governments</a>	\$18.00	\$37,439
<a href="#">19. South Texas Development Council</a>	\$13.85	\$28,806
<a href="#">20. Coastal Bend Council of Governments</a>	\$22.35	\$46,489
<a href="#">21. Lower Rio Grande Valley Development Council</a>	\$15.08	\$31,365
<a href="#">22. Texoma Council of Governments</a>	\$20.76	\$43,190
<a href="#">23. Central Texas Council of Governments</a>	\$16.17	\$33,642
<a href="#">24. Middle Rio Grande Development Council</a>	\$13.65	\$28,382

Source: Texas Occupational Employment and Wages

Data published: July 2012

Data published annually, next update will be summer 2013

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.

## 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
2011	1st Qtr	Chambers County	Private	00	0	10	Total, All Industries	\$953
2011	2nd Qtr	Chambers County	Private	00	0	10	Total, All Industries	\$921
2011	3rd Qtr	Chambers County	Private	00	0	10	Total, All Industries	\$955
2011	4th Qtr	Chambers County	Private	00	0	10	Total, All Industries	\$1,023
2012	1st Qtr	Chambers County	Private	00	0	10	Total, All Industries	\$1,016
2012	2nd Qtr	Chambers County	Private	00	0	10	Total, All Industries	\$980
2012	2nd Qtr	Chambers County	Private	31	2	31-33	Manufacturing	\$1,633
2012	1st Qtr	Chambers County	Private	31	2	31-33	Manufacturing	\$1,492
2011	4th Qtr	Chambers County	Private	31	2	31-33	Manufacturing	\$1,737
2011	3rd Qtr	Chambers County	Private	31	2	31-33	Manufacturing	\$1,502
2011	2nd Qtr	Chambers County	Private	31	2	31-33	Manufacturing	\$1,537
2011	1st Qtr	Chambers County	Private	31	2	31-33	Manufacturing	\$1,473



## Attachment

0

### Description of Benefits

**Attachment #2**

**Description of Benefits**

**Oneok Hydrocarbon, LP offers the following benefits to its employees:**

**Medical Plan & Prescription Drug Coverage**

**Vision Coverage**

**Dental Coverage**

**Flexible Spending Accounts**

**Life Insurance Coverage**

**Disability Coverage**

**401(k) Profit Sharing Plan**

**Attachment**

**P**

**Economic Impact**

**N/A**



**Attachment**

**Q**

**Schedule A**

Schedule A (Rev. May 2010): Investment

Applicant Name  
 Oneok Hydrocarbon, LP  
 Barbers Hill ISD

Form 50-236

PROPERTY INVESTMENT AMOUNTS										Form 50-236	
(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)	Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment)	2013-2014	2013	-	-		-				
				\$ 325,000,000	-		-	\$ 325,000,000			
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period	1	2014-2015	\$ 155,000,000	\$	\$ 155,000,000	\$	\$ 155,000,000			
			2	2015-2016	\$		\$		\$		
			3	2016-2017							
			4	2017-2018							
			5	2018-2019							
			6	2019-2020							
	Value Limitation Period			2020-2021							
				2021-2022							
				2022-2023							
				2023-2024							
				2024-2025							
				2025-2026							
				2026-2027							
				2027-2028							
				2028-2029							
Credit Settle-Up Period	Continue to Maintain Viable Presence										
	Post-Settle-Up Period										
Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.											

12/22/12

DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

**Attachment**

**R**

**Schedule B**



**Schedule B (Rev. May 2010): Estimated Market And Taxable Value**  
**Oneok Hydrocarbon, LP**

Applicant Name  
 ISD Name

**Barbers Hill ISD**

**Form 50-296**

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions from Market Value	Estimated Taxable Value	
				Estimated Market Value of Land	Estimated Total Market Value of new buildings or other improvements	Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"		Final taxable value for ISD - after all reductions	Final taxable value for M&O-after all reductions
	pre-year 1	2013-2014	2013	-	-	-	-	-	-
Tax Credit Period (with 50% cap on credit)	Complete tax years of qualifying time period	1	2014-2015	2014	-	160,000,000	-	160,000,000	160,000,000
		2	2015-2016	2015	-	400,000,000	-	400,000,000	400,000,000
		3	2016-2017	2016	-	380,000,000	-	380,000,000	30,000,000
		4	2017-2018	2017	-	361,000,000	-	361,000,000	30,000,000
		5	2018-2019	2018	-	342,950,000	-	342,950,000	30,000,000
		6	2019-2020	2019	-	325,802,500	-	325,802,500	30,000,000
		7	2020-2021	2020	-	309,512,375	-	309,512,375	30,000,000
Credit Settle-Up Period	Value Limitation Period	8	2021-2022	2021	-	294,036,756	-	294,036,756	30,000,000
		9	2022-2023	2022	-	279,334,918	-	279,334,918	30,000,000
		10	2023-2024	2023	-	265,368,173	-	265,368,173	30,000,000
		11	2024-2025	2024	-	252,099,764	-	252,099,764	252,099,764
		12	2025-2026	2025	-	239,494,776	-	239,494,776	239,494,776
		13	2026-2027	2026	-	227,520,037	-	227,520,037	227,520,037
		14	2027-2028	2027	-	216,144,035	-	216,144,035	216,144,035
Post-Settle-Up Period		15	2028-2029	2028	-	205,336,833	-	205,336,833	205,336,833

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.

*Handwritten signature*

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

*10/22/12*

**Attachment**

**S**

**Schedule C**

# Schedule C- Application: Employment Information

Applicant Name  
ISD Name

Oneok Hydrocarbon, LP  
Barbers Hill ISD

Form 50-296

Form 50-296

				Construction		New Jobs		Qualifying Jobs	
				Column A: Number of Construction FTE's or man- hours (specify)	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	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY					
		pre- year 1	2013-2014	2013	50 FTE	\$ 55,000.00	\$ -	0	\$ -
		1	2014-2015	2014	400 FTE	\$ 55,000.00	\$ -	0	\$ -
		2	2015-2016	2015	400 FTE	\$ 55,000.00	\$ 59,076.00	10	\$ 59,076.00
		3	2016-2017	2016			\$ 59,076.00	10	\$ 59,076.00
		4	2017-2018	2017			\$ 59,076.00	10	\$ 59,076.00
		5	2018-2019	2018			\$ 59,076.00	10	\$ 59,076.00
		6	2019-2020	2019			\$ 59,076.00	10	\$ 59,076.00
		7	2020-2021	2020			\$ 59,076.00	10	\$ 59,076.00
		8	2021-2022	2021			\$ 59,076.00	10	\$ 59,076.00
		9	2022-2023	2022			\$ 59,076.00	10	\$ 59,076.00
		10	2023-2024	2023			\$ 59,076.00	10	\$ 59,076.00
		11	2024-2025	2024			\$ 59,076.00	10	\$ 59,076.00
		12	2025-2026	2025			\$ 59,076.00	10	\$ 59,076.00
		13	2026-2027	2026			\$ 59,076.00	10	\$ 59,076.00
		14	2027-2028	2027			\$ 59,076.00	10	\$ 59,076.00
		15	2028-2029	2028			\$ 59,076.00	10	\$ 59,076.00
Tax Credit Period (with 50% cap on credit)	Value Limitation Period	Complete tax years of qualifying time period							
Credit Settle-Up Period	Continue to Maintain Viable Presence								
Post- Settle-Up Period									
Post- Settle-Up Period									

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

10/22/12



Attachment

T

Schedule D

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

Applicant Name

Oneok Hydrocarbon, LP

ISD Name

Barbers Hill ISD

Form 50-296

Other Property Tax Abatements Sought

		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
Year	School Year (YYYY-YYYY)	Tax/Calendar Year YYYY							
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)		2013-2014	2013						
Complete tax years of qualifying time period		1	2014-2015	2014	\$ 400,000 \$	600,000 \$	275,856 \$	100	100
		2	2015-2016	2015	\$ 400,000 \$	600,000 \$	319,113 \$	100	100
		3	2016-2017	2016	\$ 400,000 \$	600,000 \$	362,370 \$	75	100
		4	2017-2018	2017	\$ 400,000 \$	600,000 \$	405,627 \$	60	100
		5	2018-2019	2018	\$ 400,000 \$	600,000 \$	448,884 \$	50	75
		6	2019-2020	2019	\$ 400,000 \$	600,000 \$	492,141 \$		60
Tax Credit Period (with 50% cap on credit)		7	2020-2021	2020	\$ 400,000 \$	600,000 \$	535,393 \$		50
		8	2021-2022	2021	\$ 400,000 \$	600,000 \$	578,655 \$		50
		9	2022-2023	2022	\$ 400,000 \$	600,000 \$	621,912 \$		50
		10	2023-2024	2023	\$ 400,000 \$	600,000 \$	665,169 \$		25
		11	2024-2025	2024	\$ 400,000 \$	600,000 \$	708,426 \$		
		12	2025-2026	2025	\$ 400,000 \$	600,000 \$	751,683 \$		
Credit Settle-Up Period		13	2026-2027	2026	\$ 400,000 \$	600,000 \$	794,940 \$		
		14	2027-2028	2027	\$ 400,000 \$	600,000 \$	838,197 \$		
Post-Settle-Up Period		15	2028-2029	2028	\$ 400,000 \$	600,000 \$	881,454 \$		

\*For planning, construction and operation of the facility.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE

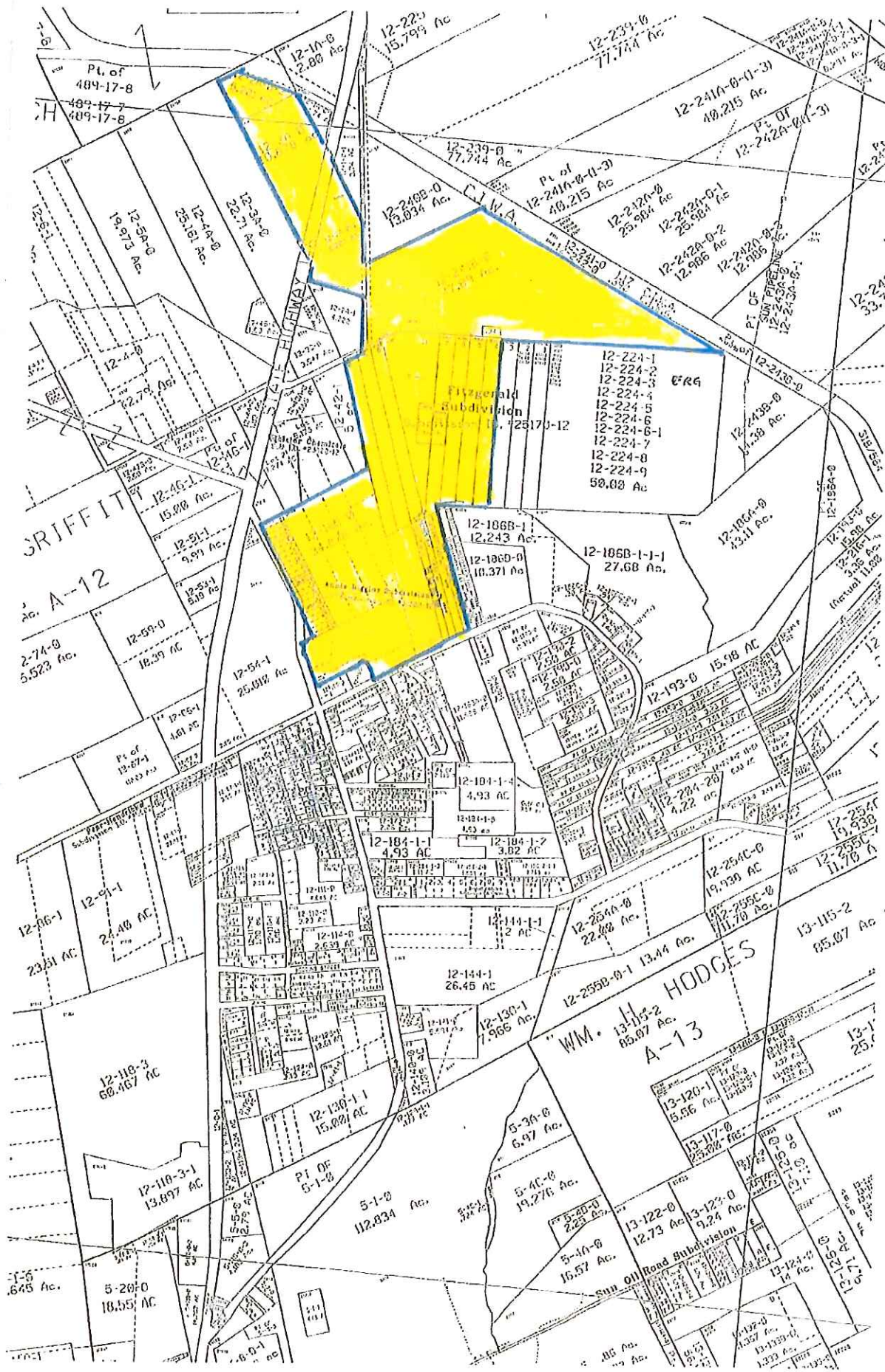
10/23/12

**Attachment**

**U**

**Map of Reinvestment Zone**





**Attachment**

**V**

**Order, Resolution or Ordinance Establishing Zone**



**ORDINANCE NO. 2011-009**

**AN ORDINANCE OF THE CITY OF MONT BELVIEU, TEXAS DESIGNATING A REINVESTMENT ZONE FOR PURPOSES OF TAX ABATEMENT FOR THE TAX ABATEMENT APPLICATION SUBMITTED BY ONEOK HYDROCARBON, L.P., A DELAWARE LIMITED PARTNERSHIP ITS ASSIGNS, AFFILIATES OR RELATED ENTITIES, WHICH INCLUDES BUT IS NOT LIMITED TO ONEOK NGL PIPELINE COMPANY, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY AND ONEOK MONT BELVIEU STORAGE COMPANY, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY ("ONEOK") ON JUNE 8, 2011**

**WHEREAS**, the City Council of the City of Mont Belvieu (the "City") desires to make available tax abatement relief in the area which is the subject of this Ordinance in order to encourage the development of primary employment and to attract major investment;

**WHEREAS**, the City has elected to become eligible to participate in tax abatement under the provisions of the property Development and Tax Abatement Act, Tex. Tax. Code Chapter 312, Subchapter B;

**WHEREAS**, the City adopted guidelines and criteria governing tax abatement agreements in Ordinance 2011-006 dated May 16, 2011;

**WHEREAS**, the City properly complied with the notice requirements pursuant to Section 312.201(d) of the Tex. Tax Code and conducted a public hearing held on Monday, June 20, 2011, regarding the designation of the area identified in the attached Exhibit "A" as a reinvestment zone for tax abatement purposes, the deeds and legal descriptions of which are a matter of public record in Chambers County and in the office of the City Secretary of the City of Mont Belvieu, Texas;

**WHEREAS**, the City Council finds that the improvements sought within the designated reinvestment zone are feasible and practical and would be a benefit to the land to be included in the zone and to the City after the expiration of a tax abatement agreement entered into under Section 312.204 of the Tex. Tax. Code; and

**NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF MONT BELVIEU, TEXAS:**

1. A reinvestment zone for the purposes of Chapter 312 of the Texas Tax Code is hereby established for the property identified in the attached Exhibit "A".



**PASSED** and **APPROVED** on this, the 20<sup>th</sup> day June, 2011.

\_\_\_\_\_  
Nick Dixon, Mayor

ATTEST:

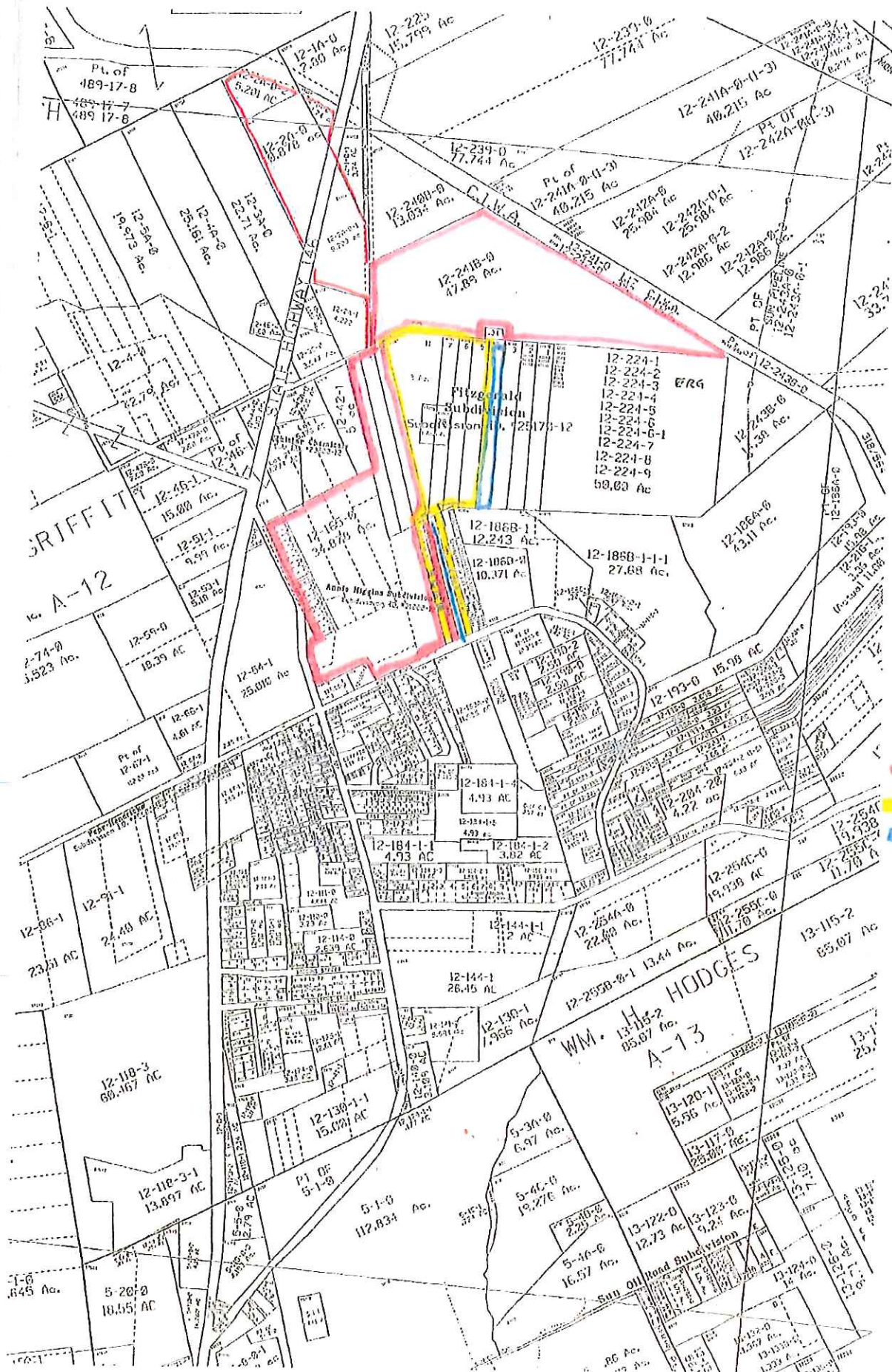
\_\_\_\_\_  
City Secretary

**Attachment**

**W**

**Legal Description of Reinvestment Zone**

One of  
Mont Belvieu



Value  
Dye  
Fitzgerald  
Rock



VALERO ACQUISITION 2006

{937521;}

**ONEOK MONT BELVIEU PROPERTY**

**ACQUIRED FROM VALERO**

(Attached to and made a part of Special Warranty Deed by and between Valero Refining-Texas, L.P., as Grantor, and ONEOK Mont Belvieu Storage Company, L.L.C., as Grantee.)

**PARCEL A: TRACT OF 55.30 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 55.30 acre tract of land situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 55.30 acre tract being out of that certain 57.07 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records (C.C.O.P.R.), said 55.30 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

**BEGINNING** at an old 2" iron pipe in concrete, accepted as the Southerly corner of the Annie Higgins Subdivision No. 1 as recorded in Volume 27, Page 43, Chambers County Deed Records (C.C.D.R.);

THENCE, along the Westerly line of said Annie Higgins Subdivision, North 32°49'21" West, 238.04 feet to a 5/8" iron rod with plastic cap set in the curved Easterly ROW line of State Highway Loop No. 207 (width varies);

THENCE, 207.29 feet Northwesterly along a non-tangent curve to the left having a radius of 607.96 feet, a delta of 19°32'08" and a chord bearing North 23°03'16" West, 206.29 feet to a found 1" iron pipe;

THENCE, along said Easterly ROW line, North 32°49'21" West, 690.13 feet to a 1/2" iron rod found for the most Westerly Northwest corner of the herein described tract;

THENCE, North 57°23'00" East, 194.43 feet to a found 5/8" iron rod;

THENCE, North 57°12'26" East, 190.41 feet to a found 3/4" iron pipe;

THENCE, North 57°03'23" East, 499.46 feet to a found 1" iron pipe in concrete;

THENCE, North 57°08'27" East, at 154.94 feet pass a found 1/2" iron rod in concrete, and continuing for a total distance of 165.00 feet to a found 1" iron pipe;

THENCE, North 22°04'28" West, at 936.76 feet pass a 4"x4" concrete monument found for reference in the Southerly ROW line of Fitzgerald Road (60' wide), and continuing for a total distance of 967.41 feet to a 1-1/2" iron pipe found in the center of Fitzgerald Road, said iron pipe being the most Northerly Northwest corner of the herein described tract;

THENCE, along the centerline of said Fitzgerald Road, North 57°05'33" East, 368.29 feet to a 1/2" iron rod with cap set in asphalt for a corner of a Charles Dyer tract as recorded in Volume 455, Page 150, Chambers County Deed Records (C.C.D.R.), said corner being South 57°05'33" West, 27.0 feet from a 3" iron pipe found at the Northeast corner of said 57.07 acre tract;

THENCE, along the Westerly line of said Dyer tract, South 25°21'57" East, 30.26 feet to a found 1/2" iron rod in concrete;

THENCE, along the Southerly line of said Dyer tract and the Southerly ROW line of Fitzgerald Road, North 57°05'33" East, 25.00 feet to a 4"x4" concrete monument found for corner;

THENCE, South 21°38'58" East, 1507.82 feet to 4"x4" concrete monument found for corner of a second Charles Dyer tract as recorded in said Volume 455, Page 150;

THENCE, along the Northerly line of said second Dyer tract, South 41°20'40" West, 145.08 feet to a found 4" x 4" concrete monument;

THENCE, along the Westerly line of said second Dyer tract, South 22°06'11" East, 25.31 feet to a 4" x 4" concrete monument found in the South line of Home Tract 8 of the Fitzgerald partition as recorded in Volume 309, Page 667, C.C.D.R.;

THENCE, along the Southerly line of Home Tract 8, South 56°44'00" West, 3.22 feet to a 4"x4" concrete monument found at the Northwesterly corner of Oil Tract 6;

THENCE, along the Westerly line of Oil Tract 6, South 21°32'23" East, 1099.58 feet to a 1" iron pipe found in the Northerly ROW line of Winfree Road;

THENCE, along the Northerly ROW line of Winfree Road, South 57°27'17" West, at 233.83 feet pass a found 1-1/4" iron pipe in concrete, and continuing for a total distance of 260.00 feet to a found 1-1/4" iron pipe in concrete;

THENCE, along the Southerly line of a 10 foot wide easement to Chambers County for road right of way as recorded in Volume 176, Page 82, C.C.D.R., South 57°22'43" West, 438.40 feet to a found 1" iron pipe;

THENCE, North 32°37'50" West, 172.00 feet to found 1/2" iron rod;

THENCE, South 57°21'54" West, 379.21 feet to a found 1/2" iron rod;

THENCE, North 24°44'21" West, 28.48 feet to a found 1/2" iron rod;



THENCE, South 57°21'54" West, 100.50 feet to a 1/2" iron rod found in the Northeasterly ROW line of State Highway Loop 207;

THENCE, along said Northeasterly ROW line, North 24°44'21" West, 46.26 feet to a 1/2" iron rod found at an angle point in said ROW line;

THENCE, along said Northeasterly ROW line, North 23°15'15" West, 192.92 feet to a 1" iron pipe found at the beginning of a non-tangent curve to the right;

THENCE, 133.33 feet along said curve to the right having a radius of 681.20 feet, a delta of 11°12'52", and a chord bearing North 19°07'55" West, 133.11 feet to a found 1" iron pipe;

THENCE, North 57°35'12" East, 104.19 feet to the POINT OF BEGINNING and containing 55.30 acres of land.

**PARCEL A, TRACT 2: TRACT OF 1.6215 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 1.6215 acre tract of land situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 1.6215 acre tract being out of that certain 57.07 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records (C.C.O.P.R.), said 1.6215 acre tract being Oil Tract 5 of the Fitzgerald partition as recorded in Volume 309, Page 667, Chambers County Deed Records, said 1.6215 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

BEGINNING at a 2" iron pipe found at the Southeast corner of said Oil Tract 5, said "POINT OF BEGINNING" being in the Northerly ROW line of Winfree Road (width varies);

THENCE, along the Southerly line of said Oil Tract 5, South 59°50'34" West, 64.97 feet to a 5/8" iron rod found at the Southwest corner of said Oil Tract 5;

THENCE, along the Westerly line of said Oil Tract 5, North 21°33'01" West, 1100.47 feet to a 5/8" iron rod found in the Southerly line of Home Tract 8 of said Fitzgerald partition;

THENCE, along the Southerly line of said Oil Tract 5, said Southerly line being the Southerly line of a Charles Dyer tract as recorded in Volume 455, Page 150, C.C.D R., North 56°47'17" East, 65.27 feet to a 5/8" iron rod with plastic cap set for corner;

THENCE, along the Easterly line of said Oil Tract 5, South 21°34'00" East, 1103.94 feet to the POINT OF BEGINNING and containing 1.6215 acres of land.

**PARCEL B: TRACT OF 47.37 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 47.37 acre tract of land situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 47.37 acre tract being that same 47.37 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records (C.C.O.P.R.), said 47.37 acre tract being part of Prairie Tract 1 and part of Prairie Tract 2 described in the partition of the F.M. Fitzgerald lands as recorded in Volume 309, Page 667, C.C.D.R., said 47.37 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

**BEGINNING** at a 3" iron pipe found in the most Southerly corner of Prairie Tract 1 and the herein described tract, said 3" iron pipe being at the intersection of the centerline of Fitzgerald Road (60' wide) with the Easterly ROW line of Old Dayton-Barbers Hill Road (width varies-abandoned);

THENCE, along said Easterly ROW line of Old Dayton-Barbers Hill Road as abandoned in Volume 02-576, Page 172, C.C.O.P.R., North 07°30'31" West, at 33.21 feet pass a found 1" iron pipe, and continuing for a total distance of 755.27 feet to a 1" iron pipe found for corner;

THENCE, along the Northerly line of Prairie Tract 2, same being the Southerly line of a call 12.152 acre tract as recorded in Volume 393, Page 366, C.C.D.R., North 57°20'13" East, 1005.92 feet to a 1" iron pipe found in the Southwesterly line of the Coastal Water Authority (CWA) canal (no deed description found), from which iron pipe a found 4"x4" concrete monument bears North 65°20'17" West, 0.94 feet;

THENCE, along the Southwesterly line of said CWA canal, as fenced and marked with concrete monuments, as follows:

South 65°20'17" East, 297.01 feet to a found 4"x4" concrete monument;  
South 65°19'45" East, 401.27 feet to a found 4"x4" concrete monument;  
South 64°47'04" East, 415.56 feet to a found 4"x4" concrete monument;  
South 64°47'54" East, 400.43 feet to a found 4"x4" concrete monument;  
South 64°46'48" East, 397.01 feet to a found 4"x4" concrete monument;  
South 64°46'07" East, 402.56 feet to a found 4"x4" concrete monument;  
South 64°27'36" East, 47.66 feet to a found fence corner post for corner;

THENCE, South 42°21'52" West, 86.44 feet to a turnbuckle found in the most Southerly line of said Prairie Tract 1, said turnbuckle being in the North line of a call 50.44 acre tract as recorded in Volume 97-330, Page 563, C.C.O.P.R.;

THENCE, along the Northerly line of said 50.44 acre tract and the Northerly line of the Home Tracts of said Fitzgerald partition, same being the Southerly line of said Prairie Tract 1, South



87°02'28" West, at 1323.87 feet pass an old 1-1/2" iron pipe found at the Northeast corner of Home Tract 1 of said partition, and continuing for a total distance of 1749.23 feet to an old 1-1/2" iron pipe found at the Northeast corner of Home Tract 4;

THENCE, South 87°10'29" West, 21.09 feet to a 1/2" iron rod found at the Southeast corner of a Mobil Oil Company Pump Station 0.34 acre lease tract as recorded in Volume 177, Page 633, C.C.D.R.;

THENCE, North 02°58'38" West, 100.59 feet to a 1/2" iron rod found at the Northeast corner of said 0.34 acre tract;

THENCE, South 87°10'29" West, 150.00 feet to a 1/2" iron rod found at the Northwest corner of said 0.34 acre tract;

THENCE, South 02°58'38" East, 100.59 feet to a 6' chain link fence corner found at the Southwest corner of said 0.34 acre lease tract and being in the Southerly line of Prairie Tract 1;

THENCE, South 87°10'29" West, 773.03 feet to a found 5/8" iron rod;

THENCE, South 56°54'26" West, 166.15 feet to the POINT OF BEGINNING and containing 47.37 acres of land.

**PARCEL C: TRACT OF 0.6433 ACRES**  
**SITUATED IN THE HENRY GRIFFITH LEAGUE, A-12**  
**CHAMBERS COUNTY, TEXAS**

Metes and bounds description of a 0.6433 acre tract situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, said 0.6433 acre tract being that same 0.6433 acre tract conveyed to Valero Refining-Texas, L.P. as recorded in Volume 04-669, Page 586, Chambers County Official Public Records, said 0.6433 tract being the Easterly portion of Old Dayton-Barbers Hill Road adjoining a call 47.375 acre tract and containing a call 0.497 acre tract both as recorded in Volume 01-526, Page 745, Chambers County Official Public Records (C.C.O.P.R.), said 0.6433 acre tract being that same called 0.664 acre tract out of said Old Dayton-Barbers Hill Road as abandoned and recorded in Volume 02-576, Page 172, C.C.O.P.R. and as shown on plat recorded in Volume 'A', Page 228, Chambers County Map Records, said 0.6433 acre tract being more particularly described by metes and bounds as follows:

All bearings are based on deed bearings and the Texas Coordinate System, South Central Zone.

**COMMENCING** at a 3" iron pipe found in the most Southerly corner of said 47.375 acre tract, said 47.375 acre tract being that same 47.37 acre tract as recorded in said Volume 04-669, Page 586, C.C.O.P.R., said 3" iron pipe being at the intersection of the centerline of Fitzgerald Road (60' wide) with the Easterly ROW line of said Old Dayton-Barbers Hill Road, said Easterly ROW line being the West line of said 47.37 acre tract;



THENCE, along the West line of said 47.37 acre tract, North 07°30'31" West, 33.21 feet to a 1" iron pipe found for the POINT OF BEGINNING and Southeast corner of the herein described 0.6433 acre tract, said "POINT OF BEGINNING" being at the intersection of said West line with the projection of the Northwesternly ROW line of Fitzgerald Road, said "POINT OF BEGINNING" being the Southeast corner of said 0.664 acre tract;

THENCE, South 57°05'33" West, 44.58 feet with the projected Northwesternly line of Fitzgerald Road to a 5/8" iron rod with plastic cap set for corner;

THENCE, North 07°16'35" West, 723.65 feet (call=723.92') to a 5/8" iron rod with plastic cap set for the Northwest corner of the herein described 0.6433 acre tract;

THENCE, North 57°20'13" East, 41.25 feet to a 1" iron pipe found at the most Westerly Northwest corner of said 47.37 acre tract;

THENCE, along said Easterly ROW line of Old Dayton-Barbers Hill Road, same being the West line of said 47.37 acre tract, South 07°30'31" East, 722.06 feet (call=722.61') to the POINT OF BEGINNING and containing 0.6433 acres of land.

**DYER PROPERTY ACQUISITION**

{937521;}

GENERAL WARRANTY DEED

STATE OF TEXAS )  
 ) ss.  
COUNTY OF CHAMBERS )

OFFICIAL PUBLIC RECORDS  
CHAMBERS COUNTY, TEXAS  
Heather H. Hawthorne, County Clerk

That B-J DYER FAMILY LIMITED PARTNERSHIP, a Texas limited partnership, CHARLES D. DYER and MARY BETH DYER, husband and wife, BRYANT DYER and RHONDA R. DYER, husband and wife, ANDY VIRUETTE, JR. and JULIE DYER VIRUETTE, husband and wife (collectively, "Grantors"), for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) paid to Grantors and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged have GRANTED, SOLD and CONVEYED and do hereby GRANT, SELL and CONVEY unto ONEOK MONT BELVIEU STORAGE COMPANY, L.L.C., a Delaware limited liability company ("Grantee"), all right title and interest of every kind and character, including any life estate, homestead, reversionary or easement rights (except as hereinafter provided) in and to that certain land located in the City of Mont Belvieu, Chambers County, Texas, being more particularly described on Exhibit "A", attached hereto and made a part hereof, together with all improvements located on such land (such land and improvements being collectively referred to as the "Property") LESS AND EXCEPT any interest in and to oil, gas and other minerals or royalties therein and thereunder, and all rights, interests and estates of whatsoever nature incident thereto or arising therefrom, PROVIDED THAT Grantors shall retain no right to use the surface for production, development, ingress or egress or the right to use the surface in any way in connection therewith, and SUBJECT TO the easements, rights of way, gas storage agreements and gas storage easements, restrictive covenants of record, special assessments not yet due, and those items listed on Exhibit "B" attached hereto and made a part hereof;

*Dr. Dyer* *DO NOT INCLUDING ANY ROLL-BACK TAXES*

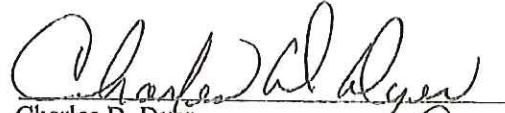
TO HAVE AND TO HOLD the Property unto the Grantee, Grantee's successors and assigns forever, subject to the reservation in favor of Grantors as provided above, and Grantors, their successors and assigns, hereby covenant, promise and agree to and with Grantee that (i) at the delivery of these presents that Grantors are lawfully seized in their own right of an absolute and indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, and that the same are free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages, liens and encumbrances of whatsoever nature, except and subject to those matters described above, and (ii) Grantors do hereby bind themselves, their heirs, successors and assigns to warrant and forever defend, all and singular, the Property unto the said Grantee, its successors and assigns, against all persons whomsoever claiming or to claim the same or any part thereof.




**EXECUTED** as of the 15 th day of April, 2008, but effective for all purposes as of 4 : 45  
P.m. central time on April 15, 2008.

**B-J DYER FAMILY LIMITED PARTNERSHIP**  
a Texas limited partnership,

By:  
(Signatories below execute this conveyance as both  
members of the Partnership and as individual interest  
holders)

  
Charles D. Dyer

  
Mary Beth Dyer aka Mary Elizabeth Dyer

  
Bryant Dyer

  
Rhonda R. Dyer

  
Andy Viruette, Jr.

  
Julie Dyer Viruette fka Julie Dyer Eades

ACKNOWLEDGEMENT

STATE OF TEXAS                    )  
  ) ss.  
COUNTY OF Chambers            )

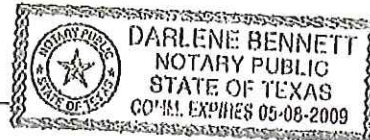
This instrument was acknowledged before me on the 15 th day of April, 2008, by **CHARLES D. DYER** and **MARY BETH DYER**, husband and wife, **BRYANT DYER** and **RHONDA R. DYER**, husband and wife, and **ANDY VIRUETTE, JR.** and **JULIE DYER VIRUETTE**, husband and wife, in their individual capacities and as partners in **B-J DYER FAMILY LIMITED PARTNERSHIP**, a Texas limited partnership.



Notary Public

Notary Commission No. \_\_\_\_\_

My Commission Expires:



[SEAL]

EXHIBIT "A"

FIELD NOTES of a 27.92 acre tract of land situated in the Henry Griffith League, Abstract No. 12, Chambers County, Texas, being all of the following tracts of land:

A) residue of 10 acres called Tract 1, 4.75 acres called Tract 2, 1.61 acres called Tract 3, & 3.75 acres called Tract 4 conveyed to B-J Dyer Family Limited Partnership by Charles D. Dyer, et ux, by deed dated December 28, 2006, and recorded in Volume 923 at Page 706 of the Official Public Records of Chambers County, Texas.

B) 1 acre conveyed to Bryant Dyer, et ux, by Mary Beth Dyer, et vir, by deed recorded in Volume 453 at Page 234 of the Official Public Records of Chambers County, Texas.

C) residue of 4.75 acres conveyed to Charles D. Dyer by Virginia Lillich, et al, by deed recorded in Volume 345 at Page 498 of the Deed Records of Chambers County, Texas.

D) 4.7864 acres, 1.61 acres, a tract of land called Tract "A", & a tract of land called Tract "B" conveyed to Bryant Dyer, et al, by Hal K. Jarrell, Trustee, by deed dated December 16, 1997, and recorded in Volume 352 at Page 319 of the Official Public Records of Chambers County, Texas.

This 27.92 acre tract of land is more particularly described by metes and bounds as follows, to-wit:

NOTE: BEARINGS ARE BASED ON DEED BEARINGS AND FOUND MONUMENTS IN THE NORTH AND SOUTH LINES OF SAID 4.7864 ACRES.

BEGINNING at a 1 ½ inch iron pipe found leaning for the Southeast corner of this tract of land, the Southeast corner of said 4.7864 acres, the Southwest corner of 4.75 acres called Tract 4D conveyed to Kinnie Lee Fitzgerald by W. L. Fitzgerald, Jr., by deed dated September 25, 1933, and recorded in Volume 36 at Page 623 of the Deed Records of Chambers County, Texas, and in the North line of 15.43 acres conveyed to B. G. Lawrence by P. O. Wood, et ux, by deed dated February, 1967, and recorded in volume 282 at Page 291 of the Deed Records of Chambers County, Texas.

THENCE South 85°48'45" West with a South line of this tract of land, the South line of said 4.7864 acres, and the North line of said 15.43 acres a distance of 141.39 feet to a 2 inch iron pipe found for an angle corner of this tract of land, the Southwest corner of said 4.7864 acres, the Southeast corner of said 4.75 acres called Tract 2, and an angle corner of said 15.43 acres.

THENCE South 68°53'39" West with a South line of this tract of land, a South line of said 4.75 acres called Tract 2, and the North line of said 15.43 acres a distance of 55.99 feet to a 2 inch iron pipe found for a Southwest corner of this tract of land, a Southwest corner of said 4.75 acres called Tract 2, the Northwest corner of said 15.43 acres, and in the East line of 1.61 acres awarded to Mary O. Scott by deed dated March 30, 1918, and recorded in Volume 309 at Page 667 of the Deed Records of Chambers County, Texas.

THENCE North 24°30'18" West with a West line of this tract of land, a West line of said 4.75 acres called Tract 2, and the East line of said 1.61 acres a distance of 28.67 feet to a 2 inch iron pipe found leaning for an interior corner of this tract of land, an interior corner of said 4.75 acres called Tract 2, and the Northeast corner of said 1.61 acres.

THENCE South 56°50'05" West with a South line of this tract of land, the South lines of said 4.75 acres called Tract 2, the South line of said 3.75 acres called Tract 4, the North line of said 1.61 acres, and the North line of 1.61 acres awarded to Mrs. S. E. Morgan by deed dated March 30, 1918, and recorded in Volume 309 at Page 667 of the Deed Records of Chambers County, Texas, at a distance of 97.66 feet found a 1 ½ inch iron pipe on line, in all a total distance of



126.71 feet to a 2 inch iron pipe found in concrete for an interior corner of this tract of land, the Northwest corner of said Morgan 1.61 acres, and the Northeast corner of said Bryant Dyer 1.61 acres.

THENCE South 21°37'52" East with an East line of this tract of land, the East line of said Bryant Dyer 1.61 acres, and the West line of said Morgan 1.61 acres a distance of 1102.57 feet to a ½ inch iron rod set for the Southeast corner of this tract of land, the Southeast corner of said Bryant Dyer 1.61 acres, and the Southwest corner of said Morgan 1.61 acres in the North right of way line of Winfree Road, 60 foot wide right of way.

THENCE South 57°23'05" West with a South line of this tract of land, the South line of said Bryant Dyer 1.61 acres, and the North right of way line of Winfree Road a distance of 85.11 feet to a ½ inch iron rod set for the Southwest corner of this tract of land, the Southwest corner of said Bryant Dyer 1.61 acres, and the Southeast corner of 1.61 acres awarded to Kinzey Lee Fitzgerald, et al, by deed dated March 30, 1918, and recorded in Volume 309 at Page 667 of the Deed Records of Chambers County, Texas.

THENCE North 21°37'52" West with a West line of this tract of land, the West line of said Bryant Dyer 1.61 acres, and the East line of said Fitzgerald 1.61 acres a distance of 1101.93 feet to a ½ inch iron rod set for an interior corner of this tract of land, the Northwest corner of said Bryant Dyer 1.61 acres, the Northeast corner of said Fitzgerald 1.61 acres, and in the South line of said 3.75 acres called Tract 4.

THENCE South 56°50'05" West with a South line of this tract of land, the South line of said 3.75 acres called Tract 4, the South line of said Tract "B", and the North line of said Fitzgerald 1.61 acres, at a distance of 60.92 feet found a 2 inch iron pipe on line, in all a total distance of 65.42 feet to a 1 inch iron pipe found for an angle corner of this tract of land, the Northwest corner of said Fitzgerald 1.61 acres, and a Northeast corner of part of 57.07 acres called Parcel "A" conveyed to Valero Refining Texas, L.P., by EOTT Energy Liquids, L.P., by deed recorded in Volume 669 at Page 586 of the Official Public Records of Chambers County, Texas. From this corner a capped iron rod found bears South 22°04'15" West a distance of 0.25 feet.

THENCE South 56°36'48" West with a South line of this tract of land, the South line of said Tract "B", and the North line of said part of 57.07 acres a distance of 65.24 feet to a 1 inch iron pipe found for an interior corner of this tract of land, a Northwest corner of said part of 57.07 acres, and the Northeast corner of said 1.61 acres called Tract 3.

THENCE South 21°37'52" East with an East line of this tract of land, the East line of said 1.61 acres called Tract 3, and the West line of said part of 57.07 acres a distance of 1100.39 feet to a ½ inch iron rod set for the Southeast corner of this tract of land, the Southeast corner of said 1.61 acres called Tract 3, and a Southwest corner of said part of 57.07 acres in the North line of said Winfree Road.

THENCE South 57°23'01" West with a South line of this tract of land, the South line of said 1.61 acres called Tract 3, and the North right of way line of Winfree Road, at a distance of 38.91 feet found a concrete monument on line, in all a total distance of 65.11 feet to a 5/8 inch iron rod inside a 1 inch iron pipe found for a Southwest corner of this tract of land, the Southwest corner of said 1.61 acres called Tract 3, and a Southeast corner of said part of 57.07 acres.

THENCE North 21°37'52" West with the West line of this tract of land, the West line of said 1.61 acres called Tract 3, and an East line of said part of 57.07 acres a distance of 1099.50 feet to a concrete monument found broken for a Northwest corner of this tract of land, the Northwest corner of said 1.61 acres called Tract 3, and an interior corner of said part of 57.07 acres.

THENCE North 56°36'48" East with a North line of this tract of land, the North line of said 1.61 acres called Tract 3, and a South line of said part of 57.07 acres, a distance of 2.95 feet to a



concrete monument found broken for a Southwest corner of this tract of land, the Southwest corner of said Tract "B", and a Southeast corner of said part of 57.07 acres.

THENCE North 21°45'25" West with a West line of this tract of land, the West line of said Tract "B", and an East line of said part of 57.07 acres a distance of 25.39 feet to a concrete monument found for an interior corner of this tract of land, the Northwest corner of said Tract "B", and an interior corner of said part of 57.07 acres.

THENCE North 41°14'12" East with a North line of this tract of land, the North line of said Tract "B", and a South line of said part of 57.07 acres a distance of 145.20 feet to a concrete monument found for an interior corner of this tract of land, the Northeast corner of said Tract "B", a Southeast corner of said part of 57.07 acres, and in the West line of said residue of 10 acres.

THENCE North 21°45'25" West with a West line of this tract of land, the West line of said residue of 10 acres, and an East line of said part of 57.07 acres a distance of 1507.93 feet found a concrete monument broken for an interior corner of this tract of land, the Southeast corner of said Tract "A", and a Northeast corner of said part of 57.07 acres at the South line of Fitzgerald Road, 60 foot wide right of way.

THENCE South 56°54'44" West with a South line of this tract of land, the South line of said Tract "A", the South right of way line of Fitzgerald Road, a North line of said part of 57.07 acres a distance of 25.00 feet to a ½ inch iron rod set for a Southwest corner of this tract of land, the Southwest corner of said Tract "A", and an interior corner of said part of 57.07 acres.

THENCE North 31°09'25" West with a West line of this tract of land, the West line of said Tract "A", and an East line of said part of 57.07 acres a distance of 30.01 feet to a ½ inch iron rod set for a Northwest corner of this tract of land, the Northwest corner of said Tract "A", and a Northeast corner of said part of 57.07 acres.

THENCE North 56°54'44" East with a North line of this tract of land, the North line of said Tract "A", the North line of said residue of 10 acres, and the South line of 47.37 acres called Parcel "B" conveyed to Valero Refining Texas, L.P., by EOTT Energy Liquids, L.P., by deed recorded in Volume 669 at Page 586 of the Official Public Records of Chambers County, Texas, at a distance of 28.90 feet found an aluminum disc on line, at a distance of 30.00 feet found a 3 inch iron pipe for the Northeast corner of said Tract "A", the Northwest corner of said residue of 10 acres, and the Southeast corner of said 47.37 acres, in all a total distance of 196.37 feet to a 5/8 inch iron rod found for an angle corner of this tract of land, an angle corner of said residue of 10 acres, and an angle corner of said 47.37 acres.

THENCE North 87°04'28" East with a North line of this tract of land, a North lines of said residue of 10 acres, 3.75 acres called Tract 4, 4.75 acres called Tract 2, 4.7864 acres, the South line of said 47.37 acres, and the South line of a 0.34 of an acre tract of land conveyed in Lease Agreement from Mary O. Scott, et vlr, to Magnolia Pipe Line Company by instrument dated April 20, 1956, and recorded in Volume 177 at Page 633 of the Deed Records of Chambers County, Texas, at a distance of 386.82 feet found a 1 ½ inch iron pipe in concrete for the Northeast corner of said residue of 10 acres, and the Northwest corner of said 3.75 acres called Tract 4, in all a total distance of 801.61 feet to a ½ inch iron rod set for the Northeast corner of this tract of land, the Northeast corner of said 4.7864 acres, and the Northwest corner of said Fitzgerald 4.75 acres.

THENCE South 02°36'15" East with an East line of this tract of land, the East line of said 4.7864 acres, and the West line of said Fitzgerald 4.75 acres a distance of 1470.80 feet to the PLACE OF BEGINNING, containing within said boundaries 27.92 acres of land, more or less.

END OF EXHIBIT "A"

EXHIBIT "B"

1. Pipeline right of way dated July 12, 1965, recorded in Volume 265, Page 509 of the Deed Records of Chambers County, Texas, from Louise E. Eckman, et al to Sinclair Pipe Line Company. (Home Tract 7)
2. Pipeline right of way dated August 10, 1965, recorded in Volume 266, Page 267 of the Deed Records of Chambers County, Texas, from Lawson H. Davis, et al to Sinclair Pipe Line Company. (Home Tract 6)
3. Pipeline right of way dated September 24, 1965, recorded in Volume 268, Page 248 of the Deed Records of Chambers County, Texas, from Elda Fitzgerald to Sinclair Pipe Line Company. (Home Tract 11)
4. Pipeline right of way dated September 24, 1965, recorded in Volume 268, Page 359 of the Deed Records of Chambers County, Texas, from Mildred Somers, et al to Sinclair Pipe Line Company. (Home Tract 8)
5. Easement dated November 17, 1965, recorded in Volume 270, Page 259 of the Deed Records of Chambers County, Texas, from Willard Alvester Leavens to Houston Lighting and Power Company. (Home Tract 5)
6. Easement dated February 4, 1976, recorded in Volume 380, Page 721 of the Deed Records of Chambers County, Texas, from Charles D. Dyer to Houston Lighting and Power Company. (Home Tract 7)
7. Easement dated February 4, 1976, recorded in Volume 380, Page 725 of the Deed Records of Chambers County, Texas, from Mary Beth Dyer to Houston Lighting and Power Company. (Home Tract 11)
8. Terms, conditions and stipulations contained in that certain Agreement dated December 17, 1979 regarding the placement and width of underground storage wells, as described in Memorandum recorded in Volume 446, Page 312 of the Deed Records of Chambers County, Texas, by and between Tenneco Oil Company and Charles Dyer and Mary Beth Dyer. (Home Tracts 6, 7 and 11 and Oil Tracts 3 and 6)
9. Pipeline right of way dated December 17, 1979, recorded in Volume 455, Page 156 of the Deed Records of Chambers County, Texas, from Tenneco Oil Company to Charles Dyer. (Home Tract 8)
10. Pipeline right of way dated March 23, 1981, recorded in Volume 476, Page 27 of the Deed Records of Chambers County, Texas, from Charles D. Dyer, et ux to Matador Pipeline, Inc. (Home Tracts 8 and 11 and Oil Tract 3)
11. Pipeline right of way dated March 18, 1992, recorded in Volume 170, Page 896 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to Koch Pipelines, Inc., as amended by instrument dated April 15, 1993, recorded in Volume 205, Page 122 of the Official Public Records of Chambers County, Texas. (Home Tracts 7, 8 and 11 and Oil Tract 3)
12. Pipeline right of way dated March 19, 1992, recorded in Volume 170, Page 889 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer et ux to Koch Pipelines, Inc. (Home Tract 7)



13. Pipeline easement rights conveyed in Gift Deed dated December 5, 1996, recorded in Volume 325, Page 245 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to Bryant Dyer and Julie Dyer Eades and reconveyed to Charles D. Dyer and Mary E. Dyer by Gift Deed dated June 15, 1999, recorded in Volume 453, Page 228 of the Official Public Records of Chambers County, Texas.
14. Royalty interests in and to all oil, gas and other minerals conveyed in Deed dated June 19, 1958, recorded in Volume 202, Page 218 of the Deed Records of Chambers County, Texas, from Elda Fitzgerald to Mildred Somers, et al.
15. All oil, gas and other minerals from an undivided interest in subject property reserved by conveyance of the Surface Estate Only in Deed dated May 28, 1973, recorded in Volume 348, Page 283 of the Deed Records of Chambers County, Texas, from Joe M. Davis, et al to Charles D. Dyer. (Oil Tract 6 and Home Tract 6)
16. All oil royalties from an undivided interest in subject property reserved in Deed dated June 20, 1975, recorded in Volume 369, Page 778 of the Deed Records of Chambers County, Texas, from Clyde V. Hornback, et al to Charles D. Dyer. (Oil Tract 6 and Home Tract 6)
17. All oil, gas and other minerals, together with the right of ingress and egress for the purpose of exploring for and developing same, reserved in Deed dated September 25, 1975, recorded in Volume 374, Page 477 of the Deed Records of Chambers County, Texas, from Elda Fitzgerald to Mary Beth Dyer. (Home Tract 11)
18. All oil, gas and other minerals, including salt, together with the right of ingress and egress for the purpose of exploring for and developing same, conveyed in Gift Deed dated December 5, 1996, recorded in Volume 325, Page 245 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to Bryant Dyer and Julie Dyer Eades, and reconveyed to Charles D. Dyer and Mary E. Dyer by Gift Deed dated June 15, 1999, recorded in Volume 453, Page 228 of the Official Public Records of Chambers County, Texas.
19. All oil, gas and other minerals in, under and that may be produced from subject property reserved in Deed dated December 28, 2006, recorded in Volume 923, Page 706 of the Official Public Records of Chambers County, Texas, from Charles D. Dyer, et ux to B-J Dyer Family Limited Partnership. (Home Tracts 6, 7 and 11 and Oil Tract 6)
20. Subject to the terms, conditions and stipulations contained in any valid and existing oil, gas and/or minerals lease affecting subject property, any ratifications or renewals thereof, any oil or gas units designated under the terms thereof, and/or the rights of all parties thereto and thereunder, including but not limited to those certain oil, gas and mineral leases recorded in Volume 16, Page 177, Volume 21, Page 291, Volume 30, Page 625, Volume 553, Pages 7, 11, 15, 19 and 23 and Volume 561, Pages 293, 297, 301, 305 and 309, all of the Deed Records of Chambers County, Texas, and in Volume 89, Page 290 of the Official Public Records of Chambers County, Texas.

END OF EXHIBIT "B"

## FITZGERALD PROPERTY ACQUISITION

{937521;}

OFFICIAL PUBLIC RECORDS  
CHAMBERS COUNTY, TEXAS  
Kewthor H. Hawthorne, County Clerk

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.

**SPECIAL WARRANTY DEED**

Date: April 29, 2008

Grantor: PHILIP R. FITZGERALD; FRANK H. FITZGERALD; BRYAN LEE FITZGERALD; and BARBARA FITZGERALD O'TOOLE

Grantor's Mailing Address:

PHILIP R. FITZGERALD  
P. O. BOX 109457  
HOUSTON, TEXAS 77224

FRANK H. FITZGERALD  
12602 LAUREN LANE  
MONTGOMERY, TEXAS 77356

BRYAN LEE FITZGERALD  
5610 RUMMELL ROAD  
LITTLE ROCK ARKANSAS 77356

BARBARA FITZGERALD O'TOOLE  
2904 MID LANE  
HOUSTON, TEXAS 77017

Grantee: ONEOK Mont Belvieu Storage Company, L.L.C., a Delaware limited liability company

Grantee's Mailing Address:

ONEOK Mont Belvieu Storage Company, L.L.C.  
501 GAGE  
TOPEKA, KANSAS

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Special Warranty Deed  
Philip R. Fitzgerald et al to  
ONEOK Mont Belvieu Storage Company LLC

Page 1 of 3

2008 36341



**Property (including any improvements):**

Those two (2) certain tracts or parcels of land situated in the HENRY GRIFFITH LEAGUE, Abstract No. 12, Chambers County, Texas, and being Lot 4C commonly known as OIL TRACT NO. 4 and Lot 4D, commonly known as HOME TRACT NO. 4 as set aside to Kinzie Lee Fitzgerald and W. L. Fitzgerald, Jr. as heirs of Myrtle R. Fitzgerald in Report of Commissioners entered in Cause No. 167 in the District Court of Chambers County, Texas, styled "T. S. Fitzgerald vs. F. M. Fitzgerald, et al". Said tracts or parcels of land being more particularly described by notes and bounds as follows, to-wit:

**OIL TRACT NO. 4:** BEGINNING at the South corner of Oil Tract No. 3;

THENCE North 18° 36' West along the line between Tracts 3 and 4, 396 varas to the South line of Home Tract No. 7;

THENCE South 60° 20' West along the South line of said Home Tract No. 7, 23.44 varas;

THENCE South 18° 36' East 396 varas to the South line of said Fitzgerald lands;

THENCE North 60° 20' East 23.44 varas to the PLACE OF BEGINNING, containing 1.61 acres of land, more or less.

**HOME TRACT NO. 4:** BEGINNING at the Westerly corner of Home Tract No. 3;

THENCE North 00° 40' East along the line between Tracts 3 and 4, 527.6 varas to the South line of Prairie Tract No. 1;

THENCE West 61 varas;

THENCE South 00° 40' West 528.4 varas;

THENCE North 89° 05' East 61 varas to the PLACE OF BEGINNING, containing 4.76 acres of land, more or less.

**Reservations from Conveyance:**

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Grantor waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor.

Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property, or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that those operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2000, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor grants and conveys the Property to Grantee as separate property.

When the context requires, singular nouns and pronouns include the plural.

  
PHILIP R. FITZGERALD

FRANK H. FITZGERALD  
  
FRANK H. FITZGERALD

BARBARA FITZGERALD O'TOOLE

Nothing herein, however, restricts or prohibits the pooling or utilization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2008, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor grants and conveys the Property to Grantee as separate property.

When the context requires, singular nouns and pronouns include the plural.

\_\_\_\_\_  
PHILIP R. FITZGERALD

\_\_\_\_\_  
FRANK H. FITZGERALD

\_\_\_\_\_  
BRYAN LEE FITZGERALD

*Barbara Fitzgerald O'Toole*  
\_\_\_\_\_  
BARBARA FITZGERALD O'TOOLE



Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

**Exceptions to Conveyance and Warranty:**

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2000, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor grants and conveys the Property to Grantee as separate property

When the context requires, singular nouns and pronouns include the plural

PHILIP R. FITZGERALD

*Frank H. Fitzgerald*  
FRANK H. FITZGERALD

BRYAN LEE FITZGERALD

MARGARET FITZGERALD OTOOLE

STATE OF TEXAS )  
COUNTY OF Chambers )

This instrument was acknowledged before me on April 29  
2008, by PHILIP R. FITZGERALD.



STATE OF TEXAS )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_  
2008, by FRANK H. FITZGERALD.

Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

STATE OF ARKANSAS )  
COUNTY OF Pulaski )

This instrument was acknowledged before me on April 28  
2008, by BRYAN LEE FITZGERALD.



Notary Public, State of Arkansas  
My commission expires: 04-20-2010

STATE OF TEXAS )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_  
2008, by PHILIP R. FITZGERALD.

Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

STATE OF TEXAS )  
COUNTY OF Harris )

This instrument was acknowledged before me on 18 Apr. 2  
2008, by FRANK H. FITZGERALD.



Margaret Galtwater  
Notary Public, State of Texas  
My commission expires: 8/12/08

STATE OF ARKANSAS )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_  
2008, by BRYAN LEE FITZGERALD.

Notary Public, State of ARKANSAS  
My commission expires: \_\_\_\_\_



TEXAS  
STATE OF ARKANSAS )  
COUNTY OF Sevier )

This instrument was acknowledged before me on April 28, 2008  
2008, by BARBARA FITZGERALD O'TOOLE.



Tommy Welch  
Notary Public, State of Texas  
My commission expires: July 6, 2011

PREPARED IN THE OFFICE OF:  
JOE F. SANDLIN  
P. O. BOX 656  
707 WILLCOX  
ANAHUAC, TEXAS 77814  
Tel: (409) 267-3793  
Fax: (409) 287-3792

AFTER RECORDING RETURN TO:  
ONEOK Mont Belvieu Storage Company, L.L.C.  
601 GAGE  
TOPEKA, KANSAS

Special Warranty Deed  
Philip R. Fitzgerald et al to  
ONEOK Mont Belvieu Storage Company L.L.C

205 VOL FG  
31985 1/2 1037 469

FILED FOR RECORD IN

Cherokee County

(IN) APR 30, 2003 AT 03:19A

AS (IN) Public Records

Heather H. Hathorne, COUNTY CLERK

CLERK NUMBER 00034985

RECEIPT \$4.00

RECEIPT NUMBER 00730017

BY RECORDS  
STATE OF TEXAS Cherokee County  
AS STATED HEREON BY ME, APR 30, 2003

Heather H. Hathorne, COUNTY CLERK

Recorded

*Anna B. Hulsey*

**KOCH PROPERTY DESCRIPTION**

(Odell property)

(Less and except property conveyed by ONEOK to Placid\*)

Plus

**PROPERTY CONVEYED BY PLACID AS PART OF SWAP**

(\*Note - The deed covering the conveyance from ONEOK to Placid may not have been recorded)



October 1, 1997

METES AND BOUNDS DESCRIPTION  
OF AN 11.715 ACRE TRACT SITUATED IN THE  
HENRY GRIFFITH LEAGUE, ABSTRACT 12  
CHAMBERS COUNTY, TEXAS

A Metes and Bounds description of an 11.715 acre tract out of a call 30 acre tract as recorded in Volume 53, Page 258, Chambers County Deed Records (C.C.D.R.), said 11.715 acre tract being situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, and being more particularly described as follows:

All bearings are based on the Texas Coordinate System, South Central Zone.

BEGINNING at a 3/4" iron pipe found for the Southwest corner of the herein described 11.715 acre tract, said "POINT OF BEGINNING" being the point of intersection of the Westerly line of said 30 acre tract with the West ROW line of State Highway 146 (120' wide);

THENCE, along the Westerly line of said 30 acre tract, North 33°26'17" West, 1226.79 feet to a 1/2" iron rod (bent) found for corner, said corner being the Southwest corner of a call 5.859 acre tract conveyed to Koch Pipeline as recorded in Volume 93-213, Page 708, Official Public Records of Chambers County;

THENCE, along the South line of said 5.859 acre tract, North 56°19'06" East, 573.61 feet to a 1/2" iron rod found for corner in the Easterly line of said 30 acre tract, said corner being the Southeast corner of said 5.859 acre tract;

THENCE, along said East line, South 33°29'26" East, 551.42 feet to a 5/8" iron rod set for the Southeast corner of the herein described tract, said Southeast corner being the most Southerly corner of a call 9.149 acre tract conveyed to Placid Refining as recorded in Volume 423, Page 237, C.C.D.R., said corner being in the West ROW line of State Highway 146;

THENCE, along said West ROW line, South 06°49'36" West, 888.27 feet to the POINT OF BEGINNING and containing 11.715 acres of land.  
(Plat Attached.)

*Lucien C. Schaffer Jr.* 10-2-97  
Lucien C. Schaffer Jr. RPLS 4803



October 1, 1997

METES AND BOUNDS DESCRIPTION  
OF AN 6.149 ACRE TRACT SITUATED IN THE  
HENRY GRIFFITH LEAGUE, ABSTRACT 12  
CHAMBERS COUNTY, TEXAS

A Metes and Bounds description of an 6.149 acre tract out of a call 30 acre tract as recorded in Volume 53, Page 258, Chambers County Deed Records (C.C.D.R.), said 6.149 acre tract being situated in the Henry Griffith League, Abstract 12, Chambers County, Texas, and being more particularly described as follows:

All bearings are based on the Texas Coordinate System, South Central Zone.

BEGINNING at a 3/4" iron rod found for the Northeast corner of the herein described 6.149 acre tract, said "POINT OF BEGINNING" being the point of intersection of the Easterly line of said 30 acre tract with the East ROW line of State Highway 146 (120' wide);

THENCE, along the Easterly line of said 30 acre tract, South 33°29'26" East, 539.32 feet (called 544.94 feet) to a 5/8" iron rod set for corner, said corner being the South corner of a call 3.743 acre tract conveyed to Placid Refining as recorded in Volume 423, Page 237, C.C.D.R., said corner being in the West ROW line of Old Dayton-Barber's Hill Road;

THENCE, along the West ROW line of Old Dayton-Barber's Hill Road, South 07°44'41" East, 492.90 feet to a 5/8" iron rod set for corner, said corner being the calculated Northeast corner of a call 3.804 acre tract conveyed to Robert N Herrington as recorded in Volume 90-117, Page 34, Official Public Records of Chambers County;

THENCE, along the North line of said 3.804 acre tract, North 83°12'21" West, at 4.20 feet pass a found 3/8" iron rod, and continuing for a total distance of 472.96 feet (called 468.01 feet) to a 5/8" iron rod found for the Northwest corner of said 3.804 acre tract, said corner being in the East ROW line of State Highway 146;

THENCE, along said East ROW line, North 06°49'36" East, 888.53 feet to the POINT OF BEGINNING and containing 6.149 acres of land.  
(Plat Attached.)

*Lucien C. Schaffer Jr.* 10-2-97  
Lucien C. Schaffer, Jr. RPLS 4803





SSC

*Less & Except this tract*  
STANGER SURVEYING CANTON LLC

581 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103

PH: 903-567-5680

FAX: 903-567-6861

HENRY GRIFFITH LEAGUE, ABSTRACT NO. 12  
CHAMBERS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION FOR 0.344 OF AN ACRE OF LAND

BEING 0.344 of an acre of land situated in the Henry Griffith League, Abstract No. 12, Chambers County, Texas, and being a part of that certain called 5.859 acre tract described in a Special Warranty Deed, dated July 1, 2005, from Koch Pipeline Company, L.P. to KPL NGL Pipeline, L.P., recorded in 05 790 671 of the Official Public Records of Chambers County, Texas. Said 0.344 of an acre of land being more particularly described as follows:

BEGINNING at a crimped 2 inch iron pipe (found) for corner at the North corner of the above referenced 5.859 acre tract, at the West corner of that certain called 9.149 acre tract (Tract No. 1) described in a Warranty Deed from Vantage Realty Company, Trustee, to Placid Refining Company, recorded in Volume 423, Page 237 of the Deed Records of Chambers County, Texas, in the Southeast line of that certain called 376.764 acre (Tract No. 4) described in said Warranty Deed to Placid Refining Company (Vol. 423, Pg. 237), and being located in the recognized Northwest line of the Henry Griffith League, Abstract No. 12;

THENCE: South 33 deg. 27 min. 08 sec. East, with the Northeast line of said 5.859 acre tract and with the Southwest line of said 9.149 acre tract, a distance of 214.80 feet to a point for corner in the existing edge of water (as of November 2, 2007) on the North side of the Coastal Industrial Water Authority Canal, from which a 1/2 inch iron rod (set) for reference bears North 33 deg. 27 min. 08 sec. West, a distance of 10.03 feet;

THENCE: in a Northwesterly direction, over and across said 5.859 acre tract, and with the existing edge of water (as of November 2, 2007) on the North side of said canal, as follows:

North 64 deg. 31 min. 50 sec. West, a distance of 8.61 feet to a point for corner;

North 66 deg. 26 min. 04 sec. West, a distance of 49.70 feet to a point for corner;

North 66 deg. 16 min. 52 sec. West, a distance of 54.86 feet to a point for corner;

North 65 deg. 43 min. 24 sec. West, a distance of 52.13 feet to a point for corner;



North 68 deg. 36 min. 41 sec. West, a distance of 50.77 feet to a point for corner;

North 73 deg. 39 min. 15 sec. West, a distance of 40.24 feet to a point for corner;

and

North 82 deg. 59 min. 38 sec. West, a distance of 4.10 feet to a point for corner in the Northwest line of said 5.859 acre tract, in the Southeast line of the above mentioned 376.764 acre tract, and being located in the recognized Northwest line of the Henry Griffith League, Abstract No. 12;

THENCE; North 56 deg. 17 min. 50 sec. East, with the Northwest line of said 5.859 acre tract, with the Southeast line of said 376.764 acre tract, and with the recognized Northwest line of the Henry Griffith League, a distance of 147.41 feet back to the **PLACE OF BEGINNING** and containing 0.344 of an acre of land.

I, Mark D. Bryant, Sr., Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the month of November, 2007.

A red plastic cap stamped "Stanger" was placed on the above described 1/2 inch iron rods (set). Bearings are based on the record bearing of "S 06°49'36" W" along the monumented East line of that certain called 11.715 acre tract described in 02 535 347 of the Official Public Records of Chambers County, Texas. Reference made to Plat of Survey prepared even date (C07214).

GIVEN UNDER MY HAND AND SEAL, this the 5th day of November, 2007.

*Mark D. Bryant, Sr.*

Mark D. Bryant, Sr.,  
Registered Professional Land Surveyor  
State of Texas No. 4360

Job No.: C07214

Survey Completed: 11-02-2007



*Property Acquired  
from Placid*

SSC

STANGER SURVEYING CANTON LLC

581 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103

PH: 903-567-5680

FAX: 903-567-6861

HENRY GRIFFITH LEAGUE, ABSTRACT NO. 12  
CHAMBERS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION FOR 1.740 ACRES OF LAND

BEING 1.740 acres of land situated in the Henry Griffith League, Abstract No. 12, Chambers County, Texas, and being a part of that certain called 9.149 acre tract (Tract No. 1) described in a Warranty Deed, dated September 19, 1978, from Vantage Realty Company, Trustee, to Placid Refining Company, recorded in Volume 423, Page 237 of the Deed Records of Chambers County, Texas. Said 1.740 acres of land being more particularly described as follows:

COMMENCING at a crimped 2 inch iron pipe (found) for corner at the West corner of the above referenced 9.149 acre tract, in the Southeast line of that certain called 376.764 acre (Tract No. 4) described in the above referenced Warranty Deed to Placid Refining Company (Vol. 423, Pg. 237), at the North corner of that certain called 5.859 acre tract described in a Special Warranty Deed from Koch Pipeline Company, L.P. to KPL NGL Pipeline, L.P., recorded in 05 790 671 of the Official Public Records of Chambers County, Texas, and being located in the recognized Northwest line of the Henry Griffith League, Abstract No. 12;

THENCE: South 33 deg. 27 min. 08 sec. East, with the Southwest line of said 9.149 acre tract and with the Northeast line of said 5.859 acre tract, a distance of 345.01 feet to a point for corner at the PLACE OF BEGINNING of the hereinafter described 1.740 acre tract and being located in the existing edge of water (as of November 2, 2007) on the South side of the Coastal Industrial Water Authority Canal, from which a 1/2 inch iron rod (set) for reference bears South 33 deg. 27 min. 08 sec. East, a distance of 11.16 feet;

THENCE: in a Southeasterly direction, over and across said 9.149 acre tract and with the existing edge of water (as of November 2, 2007) on the South side of said canal, as follows:

South 65 deg. 08 min. 50 sec. East, a distance of 5.67 feet to a point for corner;

South 63 deg. 59 min. 25 sec. East, a distance of 63.42 feet to a point for corner;

South 65 deg. 16 min. 20 sec. East, a distance of 76.08 feet to a point for corner;

South 65 deg. 49 min. 12 sec. East, a distance of 101.06 feet to a point for corner;

South 65 deg. 48 min. 04 sec. East, a distance of 69.08 feet to a point for corner;

South 69 deg. 25 min. 27 sec. East, a distance of 27.89 feet to a point for corner;

South 63 deg. 15 min. 15 sec. East, a distance of 20.33 feet to a point for corner;

and

South 64 deg. 42 min. 54 sec. East, a distance of 21.94 feet to a point for corner;

THENCE: South 24 deg. 17 min. 48 sec. West, at 1.55 feet entering the concrete wall on the Southwest end of a flood gate, continuing along the outside face of said wall, in all a total distance of 2.11 feet to a point for corner;

THENCE: South 65 deg. 42 min. 12 sec. East, along the outside face of the concrete wall on the South side of said flood gate, at 26.12 feet leaving said wall, continuing in all a total distance of 57.30 feet to a 1/2 inch iron rod (set) for corner in the East line of said 9.149 acre tract and being located in the West right-of-way line of State Highway No. 146 (a 120' right-of-way at this location);

THENCE: South 06 deg. 49 min. 36 sec. West, with the East line of said 9.149 acre tract and with the West right-of-way line of State Highway No. 146, a distance of 360.47 feet to a 5/8 inch iron rod (found) for corner at the most Southerly corner of said 9.149 acre tract and being located at the most Easterly Northeast corner of that certain called 11.715 acre tract described in a Special Warranty Deed from Koch Hydrocarbon Company to Koch Pipeline Company, L.P., recorded in 02 535 347 of the Official Public Records of Chambers County, Texas;

THENCE: North 33 deg. 27 min. 08 sec. West, with the Southwest line of said 9.149 acre tract, with the Northeast line of said 11.715 acre tract, and with the Northeast line of the above mentioned 5.859 acre tract, a distance of 651.37 feet back to the PLACE OF BEGINNING and containing 1.740 acres of land.

I, Mark D. Bryant, Sr., Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the month of November, 2007.

A red plastic cap stamped "Stanger" was placed on the above described 1/2 inch iron rods (set).

Bearings are based on the record bearing of "S 06°49'36" W" along the monumented East line of the above mentioned 11.715 acre tract recorded in 02 535 347 of the Official Public Records of Chambers County, Texas;

Reference made to Plat of Survey prepared even date (C07214).

GIVEN UNDER MY HAND AND SEAL, this the 5th day of November, 2007.

*Mark D. Bryant, Sr.*

Mark D. Bryant, Sr.,  
Registered Professional Land Surveyor  
State of Texas No. 4360

Job No.: C07214

Survey Completed: 11-02-2007





# C. C. P. WELCH SURVEY

ABSTRACT NO. 489  
 CML: 36,764 AC. (TRACT NO. 4)  
 PLACED RECORDING COMPANY  
 VOL. 423, PG. 237

1/2" I.R.S. (REF.)  
 (REF. 5.73)

PLACE OF BEGINNING (0.344 AC.)  
 2" I.R.F. (CORRECTED)

**SURVEYED:  
 0.344 ACRES**

# HENRY GRIFFITH LEAGUE

ABSTRACT NO. 12

CML: 9,149 AC. (TRACT NO. 1)  
 VARIAGE REALTY COMPANY, TRUSTEE, TO PLACED REFINING COMPANY  
 09-19-1976 VOL. 423, PG. 237

1/2" I.R.S. (REF.)  
 (REF. 100Y)

CML: 5,850 AC.  
 KOCH PIPELINE COMPANY, L.P. TO KPL NGL PIPELINE, L.P.  
 07-01-2003 OS 700 671

## LINE TABLE (0.344 AC.)

LINE	BEARING	DISTANCE
L1	S 33°27'03" E	214.60'
L2	N 69°31'50" W	8.64'
L3	N 66°26'01" W	49.70'
L4	N 66°16'52" W	54.85'
L5	N 65°43'24" W	52.13'
L6	N 68°36'41" W	50.77'
L7	N 73°39'15" W	40.24'
L8	N 82°59'33" W	4.10'
L9	N 56°17'50" E	147.41'

## LINE TABLE (1.740 AC.)

L10	S 65°08'56" E	5.67'
L11	S 63°59'25" E	63.42'
L12	S 63°16'20" E	76.08'
L13	S 65°49'13" E	101.05'
L14	S 65°48'01" E	69.08'
L15	S 69°25'22" E	27.65'
L16	S 63°15'15" E	20.33'
L17	S 64°42'54" E	21.94'
L18	S 24°17'48" W	7.14'
L19	S 65°42'12" E	57.30'

## LEGEND

- DENOTES PATCH SURVEY LINE (APPROXIMATE LOCATION)
- DENOTES BARBED WIRE FENCE
- DENOTES POWER LINE
- DENOTES POWER POLE
- DENOTES CITY ANCHOR
- DENOTES IRON PIPE (FOUND)
- DENOTES IRON ROD (FOUND)
- DENOTES IRON ROD (SET) W/COMP STAMPED "STANGER"

## PLAT OF SURVEY SHOWING PART OF THE HENRY GRIFFITH LEAGUE, ABSTRACT NO. 12 CHAMBERS COUNTY, TEXAS SCALE: 1" = 100 FEET

THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

IN PROVIDING THIS BOUNDARY SURVEY, NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

BEARINGS ARE BASED ON THE RECORD BEARING OF "S 65°49'36" W" ALONG THE MONUMENTED EAST LINE OF THE CALLED 11.715 ACRE TRACT SHOWN HEREON, PER 02 535 347, O.P.R.C.C.T.

SEE METES AND BOUNDS DESCRIPTIONS PREPARED EVEN DATE.

NOTE: SUBDIVISION OF REAL ESTATE IS REGULATED BY STATE LAW AND ADDITIONAL REGULATIONS MAY ALSO APPLY FROM LOCAL CITY AND COUNTY SUBDIVISION REGULATIONS. ANY INDIVIDUAL USING THIS SURVEY SHOULD CONSULT AN ATTORNEY TO DETERMINE TO WHAT EXTENT SUBDIVISION LAWS AND REGULATIONS APPLY TO ITS USE.

I, MARK D. BRYANT, SR., REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THIS PLAT TO REFLECT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION DURING THE MONTH OF NOVEMBER, 2007.

GIVEN UNDER MY HAND & SEAL, THIS 5TH DAY OF NOVEMBER, 2007.

*Mark D. Bryant, Sr.*  
 MARK D. BRYANT, SR.  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF TEXAS NO. 4360

PLAT VOID IF NOT SIGNED IN RED.

PREPARED FOR: ONCOR NGL PIPELINE, L.P.



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 ALL RIGHTS RESERVED  
 STANGER SURVEYING CANTON LLC  
 CANTON, TEXAS  
 (NON-TRANSFERABLE)

**STANGER**  
 SURVEYING CANTON LLC  
 581 S. Trade Days Blvd.  
 Canton, Texas 75103  
 (903) 567-5680

SURVEY COMPLETED: 11-02-2007

FB/PG: V2 177/46 JOB NO: C07214

**Attachment**

**X**

**Guidelines and Criteria for Reinvestment Zone**

**ORDINANCE NO. 2011-006**

**AN ORDINANCE PROVIDING FOR ELIGIBILITY TO PARTICIPATE IN TAX ABATEMENT, MAKING CERTAIN FINDINGS OF FACT, AND ADOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENT AGREEMENTS FOR THE CITY OF MONT BELVIEU IN ACCORDANCE WITH CHAPTER 312 OF THE TEXAS TAX CODE.**

**WHEREAS**, pursuant to Chapter 312 of the Texas Tax Code, the City must elect to become eligible to participate in tax abatement;

**WHEREAS**, pursuant to Chapter 312 of the Texas Tax Code, certain tax abatement guidelines and criteria are necessary prior to the creation of a reinvestment zone or prior to entering into a tax abatement agreement;

**WHEREAS**, the prior tax abatement guidelines and criteria established by the City of Mont Belvieu expired on February 23, 2011;

**WHEREAS**, the City Council of the City of Mont Belvieu finds and determines that the guidelines and criteria as hereinafter set out are in the best interest of the City of Mont Belvieu to encourage certain types of development to the exclusion of others;

**WHEREAS**, the City Council of the City of Mont Belvieu reaffirms its absolute discretion to approve and/or reject any applicant for tax abatement, whether or not an application meets the criteria and/or guidelines as herein stated; and

**WHEREAS**, the City Council of the City of Mont Belvieu finds and determines that it should consider application for tax abatement and enter into tax abatement agreements which provide for tax abatements under criteria established by other taxing entities without city participation;

**NOW, THEREFORE,  
BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF MONT BELVIEU, TEXAS:**

That pursuant to the provisions of Section 312.002(a) of the Texas Tax Code, the City of Mont Belvieu does hereby elect to become eligible to participate in tax abatement and hereby adopts the following tax abatement guidelines and criteria pursuant to 312.002(d):

**Section 1.**

The property subject to the abatement must be located within the city limits of the City of Mont Belvieu, Texas. Eligible business shall include any business duly authorized to operate in the State of Texas.



## **Section 2.**

Eligible activities for which a tax abatement may be granted shall include the lesser of either the additional assessed value over the base year value or actual investment resulting from construction or acquisition of fixed assets.

## **Section 3.**

The standard abatement formula that may be permitted in any abatement agreement shall be:

- 1.) Abatement shall not exceed five (5) years, beginning on January 1<sup>st</sup> after the signing of the tax abatement agreement.
- 2.) Years one (1), two (2), and three (3) will be one hundred percent (100%) abatement.
- 3.) Year four (4) will be at seventy five percent (75%) abatement.
- 4.) Year five (5) will be at fifty percent (50%) abatement.
- 5.) Year six (6) the abatement expires and all taxes are paid.

## **Section 4.**

The City Council reserves the right to offer different terms in furtherance of the public interest. Conditions which justify non-standard terms and percentages of abatement include projects over \$10,000,000 million dollars of value, over twenty (20) new proposed jobs created or public infrastructure contributions.


## **Section 5.**

The City may consider an application for abatement when entering into a tax abatement agreement which provides for no abatement to be granted by the City, but which provides for an abatement to be granted by other taxing entities to the extent of the limitations provided under their guidelines and criteria.

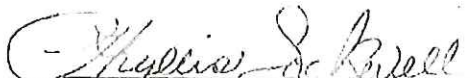
## **Section 6.**

In the event that one or more of the provisions contained in this Ordinance shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Ordinance shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein, but shall not affect the remaining provisions of this Ordinance, which shall remain in full force and effect.

PASS AND APPROVED on this the 16th day of May, 2011.

  
\_\_\_\_\_  
Nick Dixon, Mayor

ATTEST:

  
\_\_\_\_\_  
Phyllis Sockwell, City Secretary

**Attachment**

**Y**

**Certificate of Account Status**





## TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

SUSAN COMBS • COMPTROLLER • AUSTIN, TEXAS 78774

October 12, 2012

### CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS  
COUNTY OF TRAVIS

I, Susan Combs, Comptroller of Public Accounts of the State of Texas, DO  
HEREBY CERTIFY that according to the records of this office

**ONEOK HYDROCARBON, L.P.**

is, as of this date, in good standing with this office having no franchise tax reports or payments due at this time. This certificate is valid through the date that the next franchise tax report will be due November 15, 2012.

This certificate does not make a representation as to the status of the entity's registration, if any, with the Texas Secretary of State.

This certificate is valid for the purpose of conversion when the converted entity is subject to franchise tax as required by law. This certificate is not valid for any other filing with the Texas Secretary of State.

GIVEN UNDER MY HAND AND  
SEAL OF OFFICE in the City of  
Austin, this 12th day of  
October 2012 A.D.

Susan Combs  
Texas Comptroller

Taxpayer number: 14812520568  
File number: 0800042388