

FIRST NATIONAL TITLE INSURANCE COMPANY
G.P. NO. 22-712562-VF, EFFECTIVE DECEMBER 14, 2022

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:

100. RIGHTS OF PARTIES IN POSSESSION, OWNERS TITLE POLICY ONLY)

100. VISIBLE AND APPARENT EASEMENTS OR RIGHTS OF WAY ON OR ADJACENT TO THE PROPERTY OR ANY INTEREST THEREIN, INCLUDING EASEMENTS OR RIGHTS OF WAY THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY.

100. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN ACCEPTED OR UNACCEPTED RECORDS OR NOT, WHETHER GRANTS OR RESERVATIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED.

100. EASEMENT AND/OR RIGHT-OF-WAY AS SET FORTH AND GRANTED TO CENTRAL POWER AND LIGHT CO. FROM EDWIN OTHOLD, ET UX, BY INSTRUMENT RECORDED IN VOLUME 595, PAGE 56 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, REFERENCE TO WHICH INSTRUMENT IS MADE FOR ALL PURPOSES. TITLE TO SAID INTEREST HAS NOT BEEN INVESTIGATED SUBSEQUENT TO THE DATE OF THE AFOREMENTIONED INSTRUMENT.

100. EASEMENT AND/OR RIGHT-OF-WAY AS SET FORTH AND GRANTED TO DENI PIPELINES CORP. FROM EDWIN OTHOLD, BY INSTRUMENT RECORDED IN VOLUME 604, PAGE 668 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, REFERENCE TO WHICH INSTRUMENT IS MADE FOR ALL PURPOSES. TITLE TO SAID INTEREST HAS NOT BEEN INVESTIGATED SUBSEQUENT TO THE DATE OF THE AFOREMENTIONED INSTRUMENT.

100. EASEMENT AND/OR RIGHT-OF-WAY AS SET FORTH AND GRANTED TO CENTRAL POWER AND LIGHT CO. FROM RAY OTHOLD, ET AL, BY INSTRUMENT DATED JANUARY 7, 1992 AND RECORDED IN VOLUME 119, PAGE 28 OF THE DEED RECORDS OF VICTORIA COUNTY, TEXAS, REFERENCE TO WHICH INSTRUMENT IS MADE FOR ALL PURPOSES. TITLE TO SAID INTEREST HAS NOT BEEN INVESTIGATED SUBSEQUENT TO THE DATE OF THE AFOREMENTIONED INSTRUMENT.

() - PLAT CALLS OR DEED CALLS

○ - 5/8" IRON ROD FOUND UNLESS OTHERWISE NOTED

● - 5/8" IRON ROD SET UNLESS OTHERWISE NOTED

□ - IR IN CONCRETE

THIS PLAT IS ACCOMPANIED BY A FIELDNOTE DESCRIPTION

NO SEARCH FOR EXISTING UTILITIES WAS CONDUCTED. GANEM & KELLY SURVEYING, INC. ASSUMES NO RESPONSIBILITY FOR LOCATING EXISTING UTILITIES.

BEARINGS ARE BASED ON GPS OBSERVATION MADE 83 TEXAS SOUTH CENTRAL ZONE.

COORDINATES AND DISTANCES SHOWN HEREON ARE GRID

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON ON 01/09/2023, AND IS CORRECT, AND THAT THERE ARE NO SHORTAGES IN AREA, VISIBLE DISCREPANCIES, CONFLICTS, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.



Gary J. Kelly
GARY J. KELLY
GANEM & KELLY SURVEYING, INC.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 4791

REVISIONS : 01-11-23 CERTIFICATION

SHOWING A 53.48-ACRES OF LAND SITUATED IN FARM LOT 1, BLOCK 2, RANGE 8 EAST ABOVE TOWN IN THE ORIGINAL FOUR LEAGUE GRANT TO THE TOWN OF VICTORIA, VICTORIA COUNTY, TEXAS.

CLAY ALAN OTHOLD

DRAWN BY : GKS SCALE: 1" = 300'
CHECKED BY: G.J.K. DATE: 01/08/2023
APPROVED BY: G.J.K. JOB NO. 22-289

GANEM & KELLY SURVEYING, INC.
308 E. GOODWIN AVE.
VICTORIA, TEXAS 77901
(361) 578-9336
FIRM NO. 1088301

DWG. NO. 22-299

REVISION: 1

- ① S 45°33'31" W 219.02' (S 46°33'46" W 219.38')
- ② S 38°56'50" W 189.58' (S 39°48'27" W 190.00')
- ③ S 33°37'38" W 123.76' (S 34°21'28" W)
- ④ N 44°51'30" W 120.50'
- ⑤ S 33°31'26" W 367.20'
- ⑥ S 44°52'20" E 120.73'



53.48-ACRES

GIFT DEED
CHERYL LYNETTE SPIEGELHAUER G/K/G
CHERYL L. CLARK AND
COLETTE GAY SPIEGELHAUER G/K/G
COLETTE G. KAISER
TO
CLAY ALAN OTHOLD
JULY 23, 2021
INSTR. NO. 202105478 G.R.
TRACT 11: 54.562-ACRES

CURVE DATA A
Δ = 00°48'22" (0°47'09")
R = 989.91'
L = 13.93'
CHRD = S 40°15'12" W 13.93'
(S 40°12' W 13.58')

CURVE DATA B
Δ = 00°38'05" (0°37'12")
R = 1467.41' (1467.41')
L = 16.26' (15.88')
CHRD = S 38°03'15" W 16.26'
(S 39°30'12" W 15.88')



**53.48-ACRE TRACT
FIELDNOTE DESCRIPTION**

THE STATE OF TEXAS §

COUNTY OF VICTORIA §

BEING a 53.48-acre tract of land out of Farm Lot 1, Block 2, Range 8, East Above Town, in the Original Four League Grant to the Town of Victoria, Victoria County, Texas and being the remaining portion of that called 54.502-acre tract of land, Tract II, that is described in Gift Deed dated July 23, 2021 from Cheryl Lynette Spiegelhauer a/k/a Cheryl L. Clark and Colette Gay Spiegelhauer a/k/a Colette G. Kaiser to Clay Alan Othold recorded in Instrument 202109478 of the Official Records of Victoria County, Texas and this 53.48-acre tract of land is more particularly described by metes and bounds as follows:

BEGINNING at an existing 5/8-inch iron rod in the north right-of-way line of Hanselman Road at the southwest corner of the remaining portion of the above-mentioned 54.502-acre tract of land, Tract II, for the southwest corner of the herein described 53.48-acre tract of land;

THENCE North $10^{\circ} 51' 58''$ East for a distance of 1933.01 feet, (deed call = $N 11^{\circ} 45' 28'' E - 1932.64'$), to an existing 5/8-inch iron rod at the northwest corner of the remaining portion of said 54.502-acre tract of land, Tract II, for the northwest corner of the herein described 53.48-acre tract of land;

THENCE North $72^{\circ} 11' 44'' E$ for a distance of 620.01 feet, (deed call = $N 72^{\circ} 57' 48'' E - 620.41'$), to a 1/2-inch iron rod in concrete at the north corner of the remaining portion of said 54.502-acre tract of land for the north corner of the herein described 53.48-acre tract of land;

THENCE South $44^{\circ} 55' 54'' E$ for a distance of 1183.99 feet, (deed call = $S 44^{\circ} 04' 30'' E - 1184.16'$), to an existing 5/8-inch iron rod at the most northerly east corner of the remaining portion of said 54.502-acre, Tract II, for the most northerly east corner of the herein described 53.48-acre tract of land;

THENCE South $45^{\circ} 33' 31'' W$ for a distance of 219.02 feet, (deed call = $S 46^{\circ} 33' 46'' W - 219.38'$), to an existing 5/8-inch iron rod at an interior corner of the remaining portion said 54.502-acre tract of land, Tract II, for an interior corner of the herein described 53.48-acre tract of land;

THENCE South $45^{\circ} 02' 22'' E$ for a distance of 420.76 feet, (deed call = $S 44^{\circ} 04' 30'' E - 421.11'$), to an existing 5/8-inch iron rod in the curved northwest right-of-way line of U.S. Highway No. 59 at the most easterly corner of the remaining portion of said 54.502-acre tract of land, Tract II, for the most easterly corner of the herein described 53.48-acre tract of land;

THENCE in a southwesterly direction with the curved northwest right-of-way line of U.S. Highway No. 59, , said curve having a central angle of $00^{\circ} 48' 22''$, (deed call = $00^{\circ} 47' 09''$), a radius of 989.91 feet, and a long chord distance of 13.93 feet which bears South $40^{\circ} 15' 12'' W$, (deed call = $S 40^{\circ} 12' W - 13.58'$), for an arc distance of 13.93 feet, (deed call = $13.58'$), to an existing 5/8-inch iron rod at the P.T. of said curve;

THENCE South $38^{\circ} 56' 50'' W$, with the northwest right-of-way line of U.S. Highway No. 59, for a distance of 189.58 feet, (deed call = $S 39^{\circ} 48' 27'' W - 190.00'$), to an existing 5/8-inch iron rod at the P.C. of a curve to the left, said curve having a central angle of $00^{\circ} 38' 05''$, (deed call = $00^{\circ} 37' 12''$), a radius of 1467.41 feet, (deed call = $1467.41'$), and a long chord distance of 16.26 feet which bears South $38^{\circ} 03' 15'' W$, (deed call = $S 39^{\circ} 30' 12'' W - 15.88'$);

THENCE with the curved northwest right-of-way line of U.S. Highway No. 59 for an arc distance of 16.26 feet, (deed call = $15.88'$), to an existing iron rod in concrete at the most northerly southeast corner of the remaining portion of said 54.502-acre tract of land, Tract II, for the most northerly southeast corner of the herein described 53.49-acre tract of land;

THENCE North $44^{\circ} 49' 03'' W$ for a distance of 399.81 feet, (deed call = $N 43^{\circ} 59' 10'' W - 400.00'$), to an existing 5/8-inch iron rod in concrete at an interior corner of the remaining portion of said 54.502-acre tract of land, Tract II, for an interior corner of the herein described 53.48-acre tract of land;

THENCE South $33^{\circ} 37' 38'' W$, (deed call = $S 34^{\circ} 21' 28'' W$), for a distance of 123.76 feet to a set 60d nail set in concrete at a corner of the remaining portion of said 54.502-acre tract of land, Tract II, for a corner of the herein described 53.48-acre tract of land;

THENCE North $44^{\circ} 51' 30'' W$ for a distance of 120.50 feet to an existing 5/8-inch iron rod at an interior corner of the remaining portion of said 54.502-acre tract of land, Tract II, for an interior corner of the herein described 53.48-acre tract of land;

THENCE South $33^{\circ} 31' 26'' W$ for a distance of 367.20 feet to an existing 5/8-inch iron rod at another interior corner of the remaining portion of said 54.502-acre tract of land, Tract II, for an interior corner of the herein described 53.48-acre tract;

THENCE South $44^{\circ} 52' 20'' E$ for a distance of 120.73 feet to an existing iron rod in concrete at a corner of the remaining portion of said 54.502-acre tract of land for a corner of the herein described 53.48-acre tract of land;

PAGE 2
53.48-ACRE TRACT
FIELDNOTE DESCRIPTION

THENCE South 33° 32' 11" West, (deed call = S 34° 21' 28" W), for a distance of 446.53 feet to an existing iron rod in concrete in the north right-of-way line of U.S. Highway No. 59 at the most southerly southeast corner of the remaining portion of said 54.502-acre tract of land, Tract II, for the most southerly southeast corner of the herein described 53.48-acre tract of land;

THENCE with the north right-of-way line of U.S. Highway No. 59 and the south line of the remaining portion of said 54.502-acre tract of land, Tract II, as follows:

South 81° 29' 23" W for a distance of 309.36 feet, (deed call = S 82° 24' 48" W – 309.90'), to an existing 5/8-inch iron rod at an angle point and

South 78° 09' 27" West for a distance of 130.72 feet, (deed call = S 78° 58' 31" W – 130.72'), to a set 5/8-inch iron rod at the intersection of the north right-of-way line of U.S. Highway No. 59 with the north right-of-way line of Hanselman Road at an angle point in the south line of said remaining portion of said 54.502-acre tract of land, Tract II, for an angle point in the herein described 53.48-acre tract of land;

THENCE South 84° 07' 33" West, with the north right-of-way line of Hanselman Road and the south line of said 54.50-acre tract of land, for a distance of 563.50 feet, (deed call = S 85° 01' 06" W – 563.51'), to the **POINT OF BEGINNING**, containing 53.48-acres of land.

Bearings are based on grid bearings of the Texas Coordinate System, NAD 83, South Central Zone from GPS observations using a Trimble Global Positioning System.

Reference is hereby made to that plat of even date accompanying this legal description.

The foregoing legal description is based on an actual survey made on the ground under my supervision in January 2023.


Ganem & Kelly Surveying, Inc.
Firm No. 10080301
Gary J. Kelly
Registered Professional Land Surveyor
Texas No. 4791

