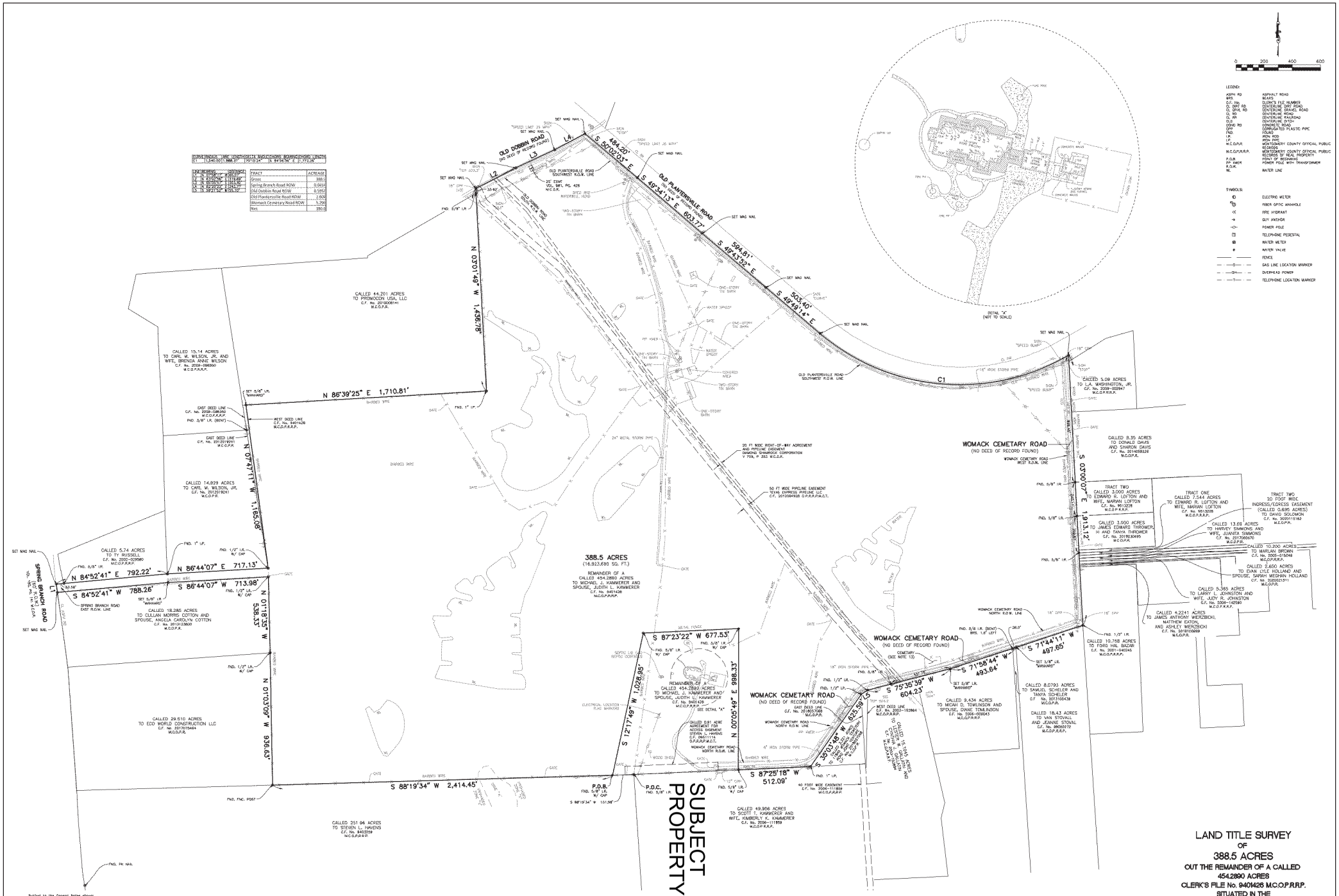

Subject to the General Notes shown:

I certify hereby to MICHAEL J. KAMMERER and SPOUSE JUDITH L. KAMMERER, REDBIRD DEVELOPMENT, LLC (and their respective successors and assigns), and STEWART TITLE OF MONTGOMERY COUNTY, INC., that (a) this survey substantially complies with the current Texas Society of Professional Surveyors Manual of Practice requirements for a Category 1A, Condition 3 TSPS Land Title Survey (the "Survey"); (b) this plat of survey and the property description set forth substantially comply with said Survey requirements and are prepared from an actual on-the-ground survey of the real property (the "Property") shown hereon; (c) such survey was conducted under the direct supervision of a Texas Registered Professional Land Surveyor; (d) such survey adequately identifies all monuments found on, and as part of the surveyed boundary, including the character of the monument and the material of the monument; (e) the size, location and type of improvements are as shown hereon; (f) the Property abutts more than one surveyed street or road; (g) the Property has ingress and egress to and from a public roadway as shown hereon; (h) there are no encroachments, conflicts or protrusions by improvements on the Property except as shown hereon; (i) the Property does not serve adjoining property for ingress and egress; (j) the Property is not part of a subdivision as shown in General Notes; (k) further research for easements or encumbrances was performed by Manhard, LLC; (l) the boundaries, improvements, and other details shown hereon substantially comply with said Survey requirements; (m) according to Map No. 48439C0260G and 48439C0280G of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Montgomery County, dated August 18, 2014, the subject tract is situated within: Unshaded Zone "X" defined as areas determined to be outside the 500-year flood plain, also Zone "X" defined as special flood hazard area inundated by the 100-year flood with no base elevations determined (see General Note 21).

Surveyed: December 15, 2020
Revised: January 21, 2021 (Updated general notes)
Revised: February 15, 2021 (Updated Surveyor's Certificate)
Revised: April 8, 2021 (Updated general notes)

JOEL K. NALLEY
Joel K. Nalley
Registered Professional Land Surveyor
No. 6525
jnalley@eastlandsolutions.com

LAND TITLE SURVEY
OF
388.5 ACRES
OUT THE REMAINDER OF A CALLED 454.2890 ACRES
CLERK'S FILE No. 8401426 M.C.O.P.R.R.P.
SITUATED IN THE
ZACHARIAH LANDRUM SURVEY, A-22
MONTGOMERY COUNTY, TEXAS
DECEMBER 2020

SHEET 1 OF 2

Manhard CONSULTING

2445 Technology Forest Blvd, Suite 800, The Woodlands, Tx 77381 | www.manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Water & Wastewater Engineers
Construction Managers • Environmental Scientists • Landscape Architects • Planners
Texas Board of Professional Land Surveyors Registration No. 10018808

JOB NUMBER
#15-NW00-00-100

GENERAL NOTES:

1. Reference Commitment for Title Insurance issued by Stewart Title, G.F. No. 2028756, having an effective date of March 22, 2021 and an issue date of April 8, 2021. No further research for easements or encumbrances was performed by Manhard.TX, LLC.

2. Item No. 10.c of Schedule B of said Commitment for Title Insurance mentions a 30 foot roadway easement along the Westerly property boundary line, as granted to Montgomery County in instrument executed by C. E. Stanley, dated March 3, 1937, recorded in Volume 192, Page 141 of the Deed Records of Montgomery County, Texas, said roadway being subject to the rights of third parties in and to the use of same. Said easement affects the subject tract and is shown hereon.

3. Item No. 10.d of Schedule B of said Commitment for Title Insurance mentions that portion of the subject property that lies within the boundaries of Spring Branch Road Montgomery – Dobbin Road as reflected in Deed to Michael J. Kammerer and spouse, Judith L. Kammerer, filed under Clerk's File No. 9401426 of the Deed Records of Montgomery County, Texas. Said easement affects the subject tract and is shown hereon.

4. Item No. 10.e of Schedule B of said Commitment for Title Insurance mentions a Right of Way Agreement and Easement dated May 6, 1970, granted to Diamond Shamrock Corporation as set forth in instrument recorded in Volume 709, page 353 of the Deed Records of Montgomery County, Texas. Said easement affects the subject tract and is shown hereon.

5. Item No. 10.f of Schedule B of said Commitment for Title Insurance mentions an easement granted to Gulf States Utilities Company as set forth in instrument recorded in Volume 981, page 426 of the Deed Records of Montgomery County, Texas. Said easement affects the subject tract and is shown hereon.

6. Item No. 10.g of Schedule B of said Commitment for Title Insurance mentions an easement granted to Dobbin–Plantersville Water Supply Corporation in instrument executed by J. V. Blacklock, Independent Executor of the C. E. Stanley Estate, dated July 23, 1981, recorded in the Real Property Records of Montgomery County, Texas, under County Clerk's File No. 8308895. Said easement affects the subject tract but is not locatable.

7. Item No. 10.h of Schedule B of said Commitment for Title Insurance mentions an easement granted to Mid–South Electric Cooperative, Inc., in instrument executed by Michael J. Kammerer, dated June 22, 1999, recorded in the Real Property Records of Montgomery County, Texas, under County Clerk's File No. 99076969. Said easement affects the subject tract but is not locatable.

8. Item No. 10.i of Schedule B of said Commitment for Title Insurance mentions an easement granted to Mid–South Electric Cooperative, Inc., in instrument executed by Michael J. Kammerer, dated July 20, 2000, recorded in the Real Property Records of Montgomery County, Texas, under County Clerk's File No. 2000–068069. Said easement affects the subject tract but is not locatable.

9. Item No. 10.j of Schedule B of said Commitment for Title Insurance mentions an easement granted to Mid–South Electric Cooperative, Inc., in instrument executed by Michael J. Kammerer, dated May 24, 2001, recorded in the Real Property Records of Montgomery County, Texas, under County Clerk's File No. 2001–110343. Said easement affects the subject tract but is not locatable.

10. Item No. 10.k of Schedule B of said Commitment for Title Insurance has been intentionally deleted.

11. Item No. 10.l of Schedule B of said Commitment for Title Insurance mentions Easement granted to Texas Express Pipeline, LLC as set forth in instrument dated June 7, 2012, filed under Clerk's File No. 2012064928 of the Real Property Records of Montgomery County, Texas. Said easement affects the subject tract and is shown hereon.

12. Item No. 10.m of Schedule B of said Commitment for Title Insurance has been intentionally deleted.

13. Item No. 10.n of Schedule B of said Commitment for Title Insurance mentions an undivided 1/2 of all oil, gas, and other minerals of every character in and under the herein described property reserved by James V. Blacklock, individually and as Trustee of the Lillian V. Stanley Great Grandchildren's Trust, et al, in instrument recorded in the Real Property Records of Montgomery County, Texas, under County Clerk's File No. 9401426. Said item affects the subject tract.

14. Item No. 10.o of Schedule B of said Commitment for Title Insurance has been intentionally deleted.

15. Item No. 10.p of Schedule B of said Commitment for Title Insurance mentions Terms, conditions and stipulations of that certain Affidavit regarding on–site wastewater treatment permits as set forth in instrument filed under Clerk's File No. 99076371 and 2000–080222 of the Real Property Records of Montgomery County, Texas. Said easement affects the subject tract.

16. Item No. 10.q of Schedule B of said Commitment for Title Insurance mentions the tract is subject to any portion of the subject property that lies within Old Cemetery tract, subject to right of sepulcher, ingress and egress in connection with same as set forth in Deed recorded in Volume 94, Page 637 of the Deed Records and as set forth and referenced to in Deed to Michael J. Kammerer and spouse, Judith L. Kammerer, filed under Clerk's File No. 9401426 of the Deed Records of Montgomery County, Texas. Said easement affects the subject tract but is not locatable. Volume 94, Page 637 of said Deed Records refers only to "1/4 acre known as the old Cemetery tract"without a description of limits or location. The cemetery shown hereon where gravestones were observed, is an approximate 6,923 square feet enclosed by fences located on December 12, 2020.

17. Item No. 10.s of Schedule B of said Commitment for Title Insurance mentions any portion of subject property lying within the boundaries of Womack Cemetery Road, or any public or private roadway whether dedicated or not, and subject to the rights of third parties in and to the use of same.

18. Item No. 10.t of Schedule B of said Commitment for Title Insurance has been intentionally deleted.

19. Item No. 10.u of Schedule B of said Commitment for Title Insurance has been intentionally deleted.

20. Item No. 10.v of Schedule B of said Commitment for Title Insurance mentions the subject property lies within the Dobbin–Plantersville water and sewer utility service area as evidenced by by document filed under Clerk's File No. 2007–008577 of the Real Property Records of Montgomery County, Texas. Said easement affects the subject tract and is shown hereon.

21. Development of the subject tract may require submittal, approval, and/or recording of a plat or replat. Rules and regulations are established by the governmental agency, which has jurisdiction. These rules and regulations may include dedication of setback lines, easements, additional right–of–way, and other matters.

22. Bearings shown hereon are based on the Texas Coordinate System, Central Zone, NAD 83.

23. This survey does not provide any determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.

24. According to Map No. 48339C0200G and 48339C0350G of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Montgomery County, dated August 18, 2014, the subject tract is situated within: Unshaded Zone "X"; defined as areas determined to be outside the 500–year flood plain. Also, Zone "A"; defined as special flood hazard area inundated by the 100–year flood with no base elevations determined.

This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man–made or natural causes. This flood statement shall not create liability on the part of the surveyor.

The location of the flood zone lines shown hereon were determined by scaling from said FIRM map. The actual location as determined by elevation contours may differ. Manhard Consulting, Ltd. assumes no liability as to the accuracy of the location of the flood zone limits.

25. Fences shown hereon are graphic only, with dimensional ties shown at specific locations where they were physically measured. The fence line may meander between said measured locations. The dimensions showing the distance between the fence and the property line also indicates which side of the property line the fence is on.

26. The surveyor has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.

27. This survey has been prepared for the sole purpose of the transaction described in the above referenced Title Commitment and the parties listed thereon. This survey is not to be used for any subsequent transactions.

28. Visible improvements/utilities were located with this survey; no subsurface probing, excavation or exploration was performed for this survey.

29. A metes & bounds description of this tract is available in the offices of Manhard Consulting, Ltd. in The Woodlands, Texas.

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

A METES & BOUNDS description of a certain 388.5 acre (16,923,690 square feet) tract of land situated in the Zachariah Landrum Survey, Abstract No. 22, in Montgomery County, Texas, being a portion of the remainder of a called 454.2890 acre tract conveyed to Michael J. Kammerer and spouse, Judith L. Kammerer, by deed recorded in Clerk's File No. 9401426, Montgomery County Official Public Records of Real Property; said 388.5 acre (16,923,690 square feet) tract of land being more particularly described as follows with all bearings being based on the Texas Coordinate System, Central Zone, NAD 83, 2001 Adjustment:

COMMENCING at a 5/8–inch iron rod found on a south line of the remainder of said called 454.2890 acre tract, being the northwest corner of a called 49.956 acre tract conveyed to Scott T. Kammerer and wife, Kimberly K. Kammerer, by deed recorded in Clerk's File No. 2006–111859, Montgomery County Official Public Records of Real Property, also being the northeast corner of a called 251.96 acre tract conveyed to Steven L. Havens by deed recorded in Clerk's File No. 9403259, Montgomery County Official Public Records of Real Property;

THENCE, South 88°19'34" West, along said south line of the remainder of said called 454.2890 acre tract and the north line of said called 251.96 acre tract, a distance of 151.98 feet to a 5/8–inch iron rod (with cap) found, being the POINT OF BEGINNING of the herein described tract;

THENCE, South 88°19'34" West, continuing along said south line of the remainder of said called 454.2890 acre tract and the north line of said called 251.96 acre tract, 2,414.45 feet to a fence post found, being the southeast corner of a called 29.510 acre tract conveyed to Eco World Construction LLC by deed recorded in Clerk's File No. 2017075464, Montgomery County Official Public Records;

THENCE, North 01°03'09" West, along the east line of said called 29.510 acre tract, 936.63 feet to a 1/2–inch iron rod (with cap) found, being the northeast corner of said called 29.510 acre tract, also being the southeast corner of a called 18.285 acre tract conveyed to Cullan Morris Cotton and spouse, Angela Carolyn Cotton, by deed recorded in Clerk's File No. 2013123600, Montgomery County Official Public Records;

THENCE, North 01°18'35" West, along the east line of said called 18.285 acre tract, 538.33 feet to a 1/2–inch iron rod (with cap) found;

THENCE, along the north line of said called 18.285 acre tract, the following two (2) courses and distances:

1. South 86°44'07" West, 713.98 feet to a 5/8–inch iron rod (with cap stamped Manhard) set;
2. South 84°52'41" West, 788.26 feet to a mag nail in asphalt set in the approximate centerline of Spring Branch Road;

THENCE, North 07°58'17" West, along said approximate centerline of Spring Branch Road, 60.07 feet to a mag nail in asphalt set for a northwest corner of the remainder of said called 454.2890 acre tract;

THENCE, North 84°52'41" East, along a north line of the remainder of said called 454.2890 acre tract, at a distance of 53.58 feet passing a 5/8–inch iron rod found for the southwest corner of a called 5.74 acre tract conveyed to Ty Russell by deed recorded in Clerk's File No. 2002–029580, Montgomery County Official Public Records of Real Property, in all a distance of 792.22 feet to a 1–inch iron pipe found, being the southeast corner of said called 5.74 acre tract, also being the southwest corner of a called 14.929 acre tract conveyed to Carl M. Wilson, Jr. by deed recorded in Clerk's File No. 2012019241, Montgomery County Official Public Records;

THENCE, North 86°44'07" East, continuing along said north line of the remainder of said called 454.2890 acre tract and along the south line of said called 14.929 acre tract, 717.13 feet to a 1/2–inch iron rod (with cap) found, being the southeast corner of said called 14.929 acre tract;

THENCE, North 07°47'11" West, along a west line of the remainder of said called 454.2890 acre tract, 1,165.08 feet to a 5/8–inch iron rod (with cap stamped Manhard) set, being the southwest corner of a called 44.201 acre tract conveyed to Promocan USA LLC by deed recorded in Clerk's File No. 2019008141, Montgomery County Official Public Records;

THENCE, North 86°39'25" East, along a north line of the remainder of said called 454.2890 acre tract and the south line of said called 44.201 acre tract, 1,710.81 feet to a 1–inch iron pipe found, being the southeast corner of said called 44.201 acre tract;

THENCE, North 03°01'49" West, along a west line of the remainder of said called 454.2890 acre tract and the east line of said called 44.201 acre tract, at a distance of 1,403.16 feet passing a 5/8–inch iron rod found for the northeast corner of said called 44.201 acre tract, in all a distance of 1,436.78 feet to a mag nail in asphalt set in the approximate centerline of Old Dobbin Road;

THENCE, along the approximate centerline of said Old Dobbin Road, the following three (3) courses and distances:

1. North 63°02'56" East, 319.69 feet to a mag nail in asphalt set;
2. North 65°05'57" East, 303.42 feet to a mag nail in asphalt set;
3. North 62°20'23" East, 242.77 feet to a mag nail in asphalt set in the approximate centerline of Old Plantersville Road;

THENCE, along said approximate centerline of Old Plantersville Road, the following five (5) courses and distances:

1. South 50°02'03" East, 484.20 feet to a mag nail in asphalt set;
2. South 49°34'13" East, 603.77 feet to a mag nail in asphalt set;
3. South 49°43'52" East, 594.81 feet to a mag nail in asphalt set;
4. South 49°49'14" East, 503.40 feet to a mag nail in asphalt set, being the beginning of a curve to the left;
5. Along said curve to the left in an easterly direction, with a radius of 1,540.00 feet, a central angle of 70°15'24", an arc length of 1,888.37 feet, and a chord bearing of South 84°56'56" East, 1,772.26 feet to a mag nail in asphalt set;

THENCE, South 03°00'07" East, along the east right–of–way line of Womack Cemetery Road, at a distance of 898.45 feet passing a 5/8–inch iron rod found, being the southwest corner of a called 9.35 acre tract conveyed to Donald Davis and Sharon Davis, by deed recorded in Clerk's File No. 2014059226, Montgomery County Official Public Records, also being the northwest corner of a called 3.000 acre tract (Tract Two) conveyed to Edward R. Lofton and wife, Marian Lofton, by deed recorded in Clerk's File No. 9513228, Montgomery County Official Public Records of Real Property, at a distance of 1,138.56 feet passing a 5/8–inch iron rod found, being the southwest corner of said called 3.000 acre tract (Tract Two), also being the northwest corner of a called 3.000 acre tract conveyed to James Edward Thrower, III and Tonya Thrower, a married couple, by deed recorded in Clerk's File No. 2018030495, Montgomery County Official Public Records, at a distance of 1,398.43 feet passing a 5/8–inch iron rod found, being the southwest corner of a called 7.544 acre tract (Tract One) conveyed to Edward R. Lofton and wife, Marian Lofton, by deed recorded in Clerk's File No. 9513228, Montgomery County Official Public Records of Real Property, also being the northwest corner of a 20 foot wide (called 0.695 acre) ingress/egress easement (Tract Two) conveyed to David Solomon by deed recorded in Clerk's File No. 2020115162, Montgomery County Official Public Records, in all a distance of 1,913.12 feet to a 1/2–inch iron rod found, being on the west line of a called 10.758 acre tract conveyed to Ford Hal Bazar by deed recorded in Clerk's File No. 2001–040245, Montgomery County Official Public Records of Real Property, also being the northeast corner of a called 18.43 acre tract conveyed to Van Stovall and Jeanne Stovall by deed recorded in Clerk's File No. 99050272, Montgomery County Official Public Records of Real Property, also being on the south right–of–way line of Womack Cemetery Road;

THENCE, along said south right–of–way line of Womack Cemetery Road, the following six (6) courses and distances:

1. South 71°44'11" West, 497.65 feet to a 5/8–inch iron rod (with cap stamped Manhard) set, being the northwest corner of said called 18.43 acre tract, also being the northeast corner of a called 8.0793 acre tract conveyed to Samuel Scheler and Tanya Scheler, husband and wife, by deed recorded in Clerk's File No. 2013100439, Montgomery County Official Public Records;
2. South 71°58'44" West, along the north line of said called 8.0793 acre tract and the north line of a called 9.434 acre tract conveyed to Micah D. Tomlinson and spouse, Diane Tomlinson, by deed recorded in Clerk's File No. 2006–009043, Montgomery County Official Public Records of Real Property, 493.64 feet to a 5/8–inch iron rod (with cap stamped Manhard) set on the north line of said called 9.434 acre tract;
3. South 75°35'39" West, along the north line of said called 9.434 acre tract and the north line of a called 15.1045 acre tract conveyed to Lester W. Gallatin and Cynthia J. Gallatin, husband and wife, by deed recorded in Clerk's File No. 2003–152894, Montgomery County Official Public Records of Real Property, at a distance of 431.76 feet passing a 5/8–inch iron rod found, in all a distance of 604.23 feet to a 1/2–inch iron rod found, being the northwest corner of said called 15.1045 acre tract;
4. South 59°21'52" West, 55.10 feet to a 1/2–inch iron pipe found, being the north corner of a called 2.221 acre tract conveyed to 11845 Womack Cemetery Road Joint Venture by deed recorded in Clerk's File No. 2018057068, Montgomery County Official Public Records;
5. South 35°03'48" West, 625.59 feet to a 1–inch iron pipe found, being the southwest corner of said called 2.221 acre tract, being on the north line of said called 49.956 acre tract;
6. South 87°25'18" West, along the north line of said called 49.956 acre tract, a distance of 512.09 feet to a 5/8–inch iron rod (with cap) found;

THENCE, over and across the remainder of said called 454.2890 acre tract, the following three (3) courses and distances:

1. North 00°05'49" East, 998.33 feet to a 5/8–inch iron rod (with cap) found;
2. South 87°23'22" West, 677.53 feet to a 5/8–inch iron rod (with cap) found;
3. North 12°17'49" West, 1,028.95 feet to the POINT OF BEGINNING, CONTAINING 388.5 acres (16,923,690 square feet) of land in Montgomery County, Texas, filed in the offices of Manhard Consulting, Ltd. in The Woodlands, Texas.

LAND TITLE SURVEY
OF
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OUT THE REMAINDER OF A CALLED
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SHEET 2 OF 2

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Texas Board of Professional Land Surveyors Registration No. 10018708 JOB NUMBER 015-067-22-TX