

RAILROAD COMMISSION OF TEXAS
OFFICE OF GENERAL COUNSEL
HEARINGS SECTION

OIL & GAS DOCKET NO. 05-0253743

APPLICATION OF BP 388 GRAND PRAIRIE, LTD. FOR COMMISSION APPROVAL OF THE GREENWAY TRAILS SUBDIVISION AS A QUALIFIED SUBDIVISION PURSUANT TO STATEWIDE RULE 76 IN ELLIS COUNTY, TEXAS.

FINAL ORDER

The Commission finds that after statutory notice the captioned proceeding was heard by the examiners on October 20, 2008 and February 17, 2009. The proceeding having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, the Commission makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. At least ten days notice was given to the applicant and owners of possessory mineral interests and mineral lessors in the proposed qualified subdivision. Notice of Hearing was published in the Ft. Worth Star-Telegram, a newspaper of general circulation in Ellis County, for four consecutive weeks, on September 17, 2008, September 24, 2008, October 1, 2008 and October 8, 2008.
2. BP 388 Grand Prairie, Ltd. ("BP 388") is the owner of all the acreage in the Orr Tract and the HT Tract, as well as that portion of the proposed pad site located on the Nehemiah Tract in the proposed qualified subdivision and thus has authority to represent, and does represent, all surface owners of land contained in the proposed qualified subdivision.
3. The proposed qualified subdivision is located in Ellis County, Texas, a county having a population in excess of 400,000.
4. The proposed qualified subdivision is being subdivided in a manner authorized by law by the surface owner for residential use, pursuant to ordinances relating to zoning, platting, and subdivisions.
5. The proposed qualified subdivision contains 222.528 acres, including one operations site of 9.68 acres. The operations site has access to Davis Road. The operations site may be used by possessory mineral interest owners to explore for and produce minerals. The operations site is located partially within and partially outside of the proposed qualified subdivision and designated on the qualified subdivision plat which is attached as Exhibit 1. Field notes for the 222.528 acre qualified subdivision are set forth in Exhibit 2 to this Final Order. The plat

of the operations site (Variable Well Head Easement) and field notes for the operations site are attached as Exhibit 3 to this Final Order.

6. The proposed qualified subdivision plat contains provision for road and pipeline easements to allow use of the operations site within the proposed qualified subdivision. The 9.68 acre operations site has access to a public road. Field notes and plats for a 50 foot Gas Line and Access Easement are attached as Exhibit 4 to this Final Order. Field notes and a plat for a 30 foot Pipeline Easement are attached as Exhibit 5 to this Final Order.
7. The area within 2.5 miles of the boundaries of the proposed qualified subdivision has been developed for a single field, the Newark, East (Barnett Shale).
8. The proposed operations site and pipeline and road easements are adequate to ensure that any mineral resources under the proposed qualified subdivision may be fully and effectively exploited.
9. BP 388 has waived the issuance of an examiner's proposal for decision in this docket.
10. All parties have agreed on the record that this Final Order shall be effective on the date a Master Order relating to this Final Order is signed.

CONCLUSIONS OF LAW

1. Proper notice of hearing was timely issued to appropriate persons entitled to notice.
2. All things necessary to the Commission attaining jurisdiction have occurred.
3. The application of BP 388 Grand Prairie, Ltd. for Commission approval of its proposed qualified subdivision meets the requirements of Texas Natural Resources Code, Chapter 92, and Statewide Rule 76 [16 TEX. ADMIN. CODE §3.76].
4. Pursuant to §2001.144(a)(4) of the Texas Government Code, and the consent of the applicant, this Final Order is effective when a Master Order relating to this Final Order is signed on September 29, 2009.

IT IS THEREFORE ORDERED that the application of BP 388 Grand Prairie, Ltd. for approval of a qualified subdivision containing 222.528 acres of land in the J. Lawrence A-616 Survey, in Ellis County, Texas, more particularly described by the metes and bounds descriptions in field notes and plats attached hereto and incorporated herein for all purposes, is hereby **APPROVED**.

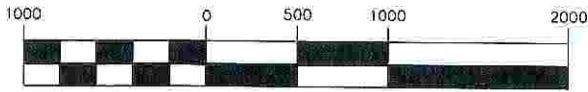
It is further **ORDERED** that this Final Order is effective on September 29, 2009 when the Master Order relating to this Final Order is signed.

All pending motions and requests for relief not previously granted or granted herein are denied.

Done this 29th day of September, 2009, in Austin, Texas.

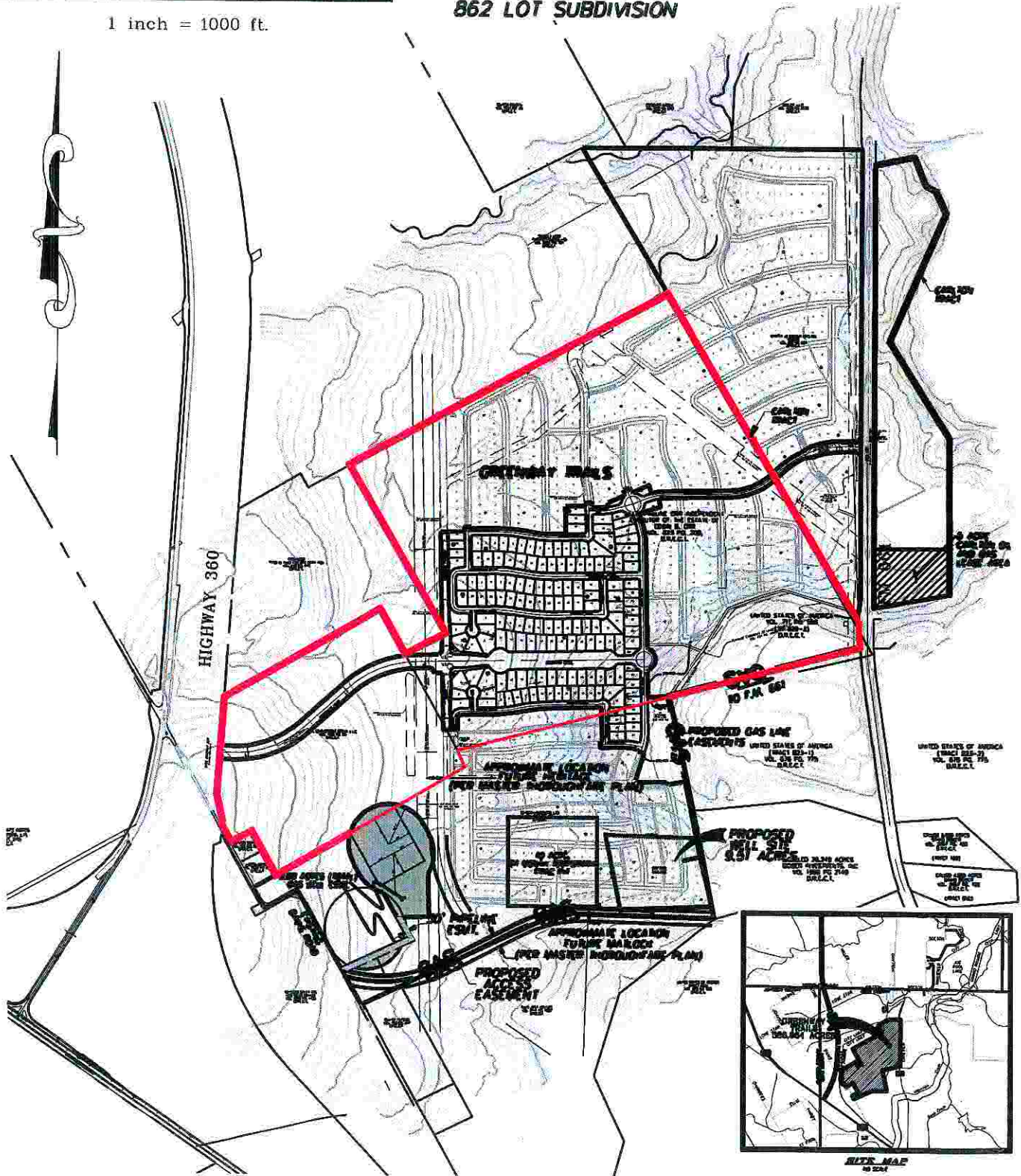
RAILROAD COMMISSION OF TEXAS

**(Order approved and signatures affixed by
OGC Unprotested Master Order dated
September 29, 2009)**



1 inch = 1000 ft.

**GREENWAY TRAILS
BP 388 GRAND PRAIRIE, LTD.
386.964 AC
862 LOT SUBDIVISION**



METES & BOUNDS DESCRIPTION

BEING a 222.528 acre tract of land located in the Joseph Lawrence Survey, Abstract No. 616, Seth M. Blair Survey, No. 135, in the City of Grand Prairie, Ellis County, Texas, being a portion of a called 173.827 acre tract of land as described in the Special Warranty Deed With Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 128, of said Deed Records, and being all of a called 49.872 acre tract of land as described in the Special Warranty Deed With Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 105, of said Deed Records, also being a portion of a called 80.458 acre tract of land as described in the Special Warranty Deed With Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 121, of said Deed Records, said 222.528 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1-inch pipe found for the northernmost northwest corner of said called 80.458 acre tract of land, same being the southwest corner of said called 173.827 acre tract of land;

THENCE South 24 degrees 24 minutes 33 seconds East, along the northeast line of said called 49.872 acre tract of land, a distance of 134.97 feet, to a 4-inch pine fence post for an interior boundary corner of said called 80.458 acre tract of land;

THENCE South 60 degrees 04 minutes 22 seconds West, along the northwest line of said called 80.458 acre tract of land, passing the centerline of a 150.00' T.E.S.CO. easement, filed for record in Volume 556, Page 1040, of said Deed Records, at a distance of 327.00 feet, and continuing in all a total distance of 988.85 feet, to a capped iron rod found stamped "Brookes Baker" (controlling monument);

THENCE South 60 degrees 00 minutes 00 seconds West, (Bearing Basis), a distance of 630.74 feet, to a 5/8 inch capped iron rod set stamped "Mycoskie McInnis", being the southernmost corner of said called 49.872 acre tract of land;

THENCE North 29 degrees 01 minutes 13 seconds West, a distance of 373.89 feet, to a 1/2 inch iron rod found at the base of a fence corner post for the northernmost corner of a called 0.710 acre tract of land as described in the Warranty Deed with Vendor's Lien to Clinton Smart, filed for record in Volume 781, Page 682, of said Deed Records, from which a 1/2 inch iron rod found for the easternmost corner of said called 0.710 acre tract of land bears South 25 degrees 44 minutes 43 seconds East, a distance of 167.17 feet;

THENCE South 60 degrees 55 minutes 17 seconds West, along the northwest line of said called 0.710 acre tract of land, a distance of 172.29 feet, to a 5/8 inch capped iron rod set stamped "Mycoskie McInnis" on the apparent northeast right-of-way line of Davis Road, an undetermined prescriptive right-of-way;

THENCE North 28 degrees 54 minutes 00 seconds West, along said northeast right-of-way line, a distance of 146.61 feet, to a found Texas Department of Transportation (hereafter referred to as TXDOT) concrete monument on the east right-of-way line of State Highway 360, a variable width right-of-way;

THENCE North 06 degrees 46 minutes 22 seconds East, departing said northeast right-of-way line, and along the east right-of-way line of said State Highway 360, a distance of 39.72 feet, to a found TXDOT (broken) concrete monument;

THENCE North 12 degrees 26 minutes 44 seconds West, continuing along said east right-of-way line, a distance of 192.12 feet, to a found TXDOT (broken) concrete monument;

THENCE North 04 degrees 04 minutes 28 seconds East, continuing along said east right-of-way line, a distance of 724.84 feet, to a found TXDOT concrete monument for the northwest corner of said called 49.872 acre tract of land, same being the southernmost corner of a remainder tract of land (called 60.00 acres in original deed prior to State Highway 360) as described in the Deed to Fred W. Auld, and wife Mary Ann, filed for record in Volume 476, Page 479, said Deed Records, from which a 1/2 inch iron rod found for the northwest corner of said Auld remainder tract bears North 04 degrees 04 minutes 28 seconds East, a distance of 1,399.71 feet;

THENCE North 60 degrees 05 minutes 28 seconds East, along the common line of said Auld remainder tract, and said called 49.872 acre tract of land, a distance of 1,330.33 feet, to a 5/8 inch capped iron rod set stamped "Mycoskie McInnis" for an interior corner of said Auld remainder tract, and being the northernmost corner of said called 49.872 acre tract of land;

THENCE South 28 degrees 56 minutes 09 seconds East, continuing along said common line, a distance of 384.88 feet, to a 5/8 inch iron rod found;

THENCE North 63 degrees 03 minutes 17 seconds East, along the common line of said Auld tract and said called 173.827 acre tract of land, a distance of 341.99 feet (deed call North 60 degrees 00 minutes 00 seconds East, 347.23'), to a 5/8 inch iron rod found for the easternmost corner of said Auld remainder tract, and being an interior corner of said called 173.827 acre tract of land;

THENCE North 30 degrees 06 minutes 20 seconds West, continuing along the common line of said Auld tract and said called 173.827 acre tract of land, passing the centerline of said T.E.S.CO. easement at a distance of 316.11 feet, and continuing in all a total distance of 1,450.00 feet, (deed call North 30 degrees 00 minutes 00 seconds West, 1450.01'), to a 5/8 inch capped iron rod set stamped "Mycoskie McInnis" for the agreed upon northwest corner of the herein described tract of land, as described in the Boundary Line Agreement and Special Warranty Deed by and between Sunbelt Land Investments/360, Ltd. and BP 388 Grand Prairie, Ltd., filed for record in Volume 2295, Page 1348, of said Deed Records, from which a 1/2 inch iron rod found for an exterior corner of a called 98.41 acre tract of land as described in the Warranty Deed to Sunbelt Land Investments/360, Ltd, filed for record in Volume 2056, Page 154, said Deed Records, bears South 60 degrees 01 minutes 56 seconds West, a distance of 348.21 feet;

THENCE North 61 degrees 31 minutes 41 seconds East, along said Boundary Line Agreement, passing the centerline of said T.E.S.CO. Easement, at a distance of 624.47, and continuing in all a total distance of 2,687.62 feet (deed call North 61 degrees 30 minutes 00 seconds East, 2694.47'), to a 1/2 inch iron rod found for the southeast corner of said Sunbelt Land tract;

THENCE South 30 degrees 24 minutes 11 seconds East, along the northeast line of said called 173.827 acre tract of land, a distance of 2,829.02 feet, to a 1/2 inch iron rod found on the west right-of-way line of FM Highway 661, a variable width right-of-way;

THENCE Southerly, along said west right-of-way line, the following calls:

South 00 degrees 00 minutes 29 seconds West, a distance of 111.18 feet, to a found TXDOT concrete monument;

South 10 degrees 13 minutes 11 seconds East, a distance of 53.37 feet, to a 5/8 inch capped iron rod set stamped "Mycoskie McInnis";

South 00 degrees 00 minutes 20 seconds West, a distance of 23.28 feet, to a found TXDOT concrete monument for the southeast corner of said called 173.827 acre tract of land, same being the northeast corner of a remainder tract of land as described in the General Warranty Deed to the United States of America (Tract 823-1), filed for record in Volume 676, Page 775, of said Deed Records;

THENCE South 75 degrees 21 minutes 13 seconds West, departing said west right-of-way line, and along the southeast line of said called 173.827 acre tract of land, common to the northwest line of said United States of America tract, passing the northwest corner of said United States of America tract, being on the east line of said called 80.458 acre tract of land, at a distance of 1,464.09 feet, and continuing in all a distance of 3,085.43 feet to the **POINT OF BEGINNING** and containing 222.528 acres (9,693,321 square feet) of land, more or less.

VARIABLE WIDTH WELL HEAD EASEMENT

JOSEPH LAWRENCE SURVEY, ABSTRACT NO. 616,
CITY OF GRAND PRAIRIE, ELLIS COUNTY, TEXAS.

CALLED 49.872 ACRES
BP 388 GRAND PRAIRIE, LTD.
VOL. 2262 PG. 105
D.R.E.C.T.

4" PINE FENCE POST
BEARS N60°04'22"E ~ 988.85'
FROM P.O.B.

CALLED 80.458 ACRES
BP 388 GRAND PRAIRIE, LTD.
VOL. 2262 PG. 121
D.R.E.C.T.

P.O.C.
TRACTS I & II
5/8" C.I.R.F.
"BROOKES BAKER"
(C.M.)

P.O.B.
TRACT I

TRACT I
VARIABLE WIDTH
WELL HEAD EASEMENT
8.980 ACRES
391,172 SQUARE FEET

REMAINDER 12.0 (+/-) ACRES
NEHEMIAH PARTNERS, L.P.,
VOL. 1661 PG. 104
D.R.E.C.T.

TRACT II
VARIABLE WIDTH
WELL HEAD EASEMENT
0.700 ACRES
30,502 SQUARE FEET

LINE TABLE

L1	S29°32'28"E	0.76'
L2	S29°32'28"E	75.00'
L3	S89°06'44"W	184.79'
L4	N29°32'28"W	334.46'
L5	N29°32'28"W	75.00'
L6	S29°32'28"E	51.18'
L7	S65°02'36"W	41.22'

CURVE TABLE

ⓐ L = 703.86'	ⓑ L = 315.89'
R = 300.00'	R = 300.00'
D = 134°25'37"	D = 60°19'48"
CH = N83°14'43"E 553.17'	CH = S00°37'26"W 301.50'
ⓒ L = 108.48'	ⓓ L = 238.62'
R = 300.00'	R = 300.00'
D = 20°43'02"	D = 45°34'23"
CH = S05°18'23"E 107.89'	CH = N52°19'39"W 232.38'
ⓔ L = 238.62'	ⓕ L = 501.79'
R = 300.00'	R = 300.00'
D = 45°34'23"	D = 95°50'08"
CH = N06°45'17"W 232.38'	CH = S65°02'36"W 445.31'

150' T.E.S.CO. EASEMENT
VOL. 556, PG. 1038
D.R.E.C.T.

JOSEPH LAWRENCE SURVEY
ABSTRACT NO. 616
FUTURE
MATLOCK ROAD

CALLED 72.91 ACRES
ELLIS JOINT VENTURE
VOL. 2114 PG. 1507,
D.R.E.C.T.

LEGEND & ABBREVIATIONS

- VOL. = VOLUME
- PG. = PAGE
- C.I.R.F. = CAPPED IRON ROD FOUND
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCING
- D.R.E.C.T. = DEED RECORDS,
ELLIS COUNTY, TEXAS
- T.E.S.CO. = TEXAS ELECTRIC SERVICE COMPANY
- C.M. = CONTROLLING MONUMENT
- ESMT. = EASEMENT
- C.I.R.S. = CAPPED IRON ROD SET
STAMPED "MYCOSKIE MCINNIS"

SURVEYOR'S CERTIFICATION

I, Merle W. Miller, Registered Professional Land Surveyor,
hereby state that this exhibit was made from an actual
on the ground survey by me or under my direct supervision.

Merle W. Miller
Merle W. Miller August 26, 2009
Registered Professional
Land Surveyor No. 5438
State of Texas



m|m|a

mycoskie+mcinnis+associates
civil engineering surveying landscape architecture planning

200 east abram
arlington, texas 76010
817-469-1671
fax: 817-274-8757
www.mmltexas.com

NOTES

- 1). THE BASIS OF BEARING FOR THIS EXHIBIT IS THE EAST BOUNDARY LINE OF A CALLED 84.362 ACRE TRACT OF LAND AS DESCRIBED IN THE SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO BP 388 GRAND PRAIRIE, LTD., FILED FOR RECORD IN VOLUME 2262, PAGE 99, DEED RECORDS, ELLIS COUNTY, TEXAS (BEING S00°05'07"W).
- 2). SEE LEGAL DESCRIPTION EXHIBIT "A" ~ SHEET 1 OF 2, DATED 08/26/09.

DATE: 08/26/09 SCALE: 1" = 200' DRAWN BY: M.M. CHECKED BY: M.W.M. JOB. NO.: 2158-0-1

SHEET 3 OF 3

P:\2158-0-1\700 Land Surveying\751 Gas Well Exhibits\Pipeline and Gas Well Easement.dwg

**METES & BOUNDS DESCRIPTION
VARIABLE WIDTH WELL HEAD EASEMENT**

TRACT I

BEING a 8.980 acre tract of land located in the Joseph Lawrence Survey, Abstract No. 616, in the City of Grand Prairie, Ellis County, Texas, being a portion of a called 49.872 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 105, Deed Records, Ellis County, Texas, and being a portion of a called 80.458 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 121, of said Deed Records, also being a portion of a 12.0 (+/-) acre remainder tract of land as described in the Special Warranty Deed with Vendor's Lien (called 92.531 acres) to Nehemiah Partners, L.P., filed for record in Volume 1661, Page 104, of said Deed Records, said 8.980 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING a 5/8 inch capped iron rod found stamped "Brookes Baker" (controlling monument) for the northwest corner of said called 80.458 acre tract of land, same being the northernmost corner of said remainder tract, and being on the southeast line of said called 49.872 acre tract of land, from which a 4-inch pine fence corner post found for the southeast corner of said called 49.872 acre tract of land bears North 60 degrees 04 minutes 22 seconds East, a distance of 988.85 feet;

THENCE South 29 degrees 32 minutes 28 seconds East, departing said southeast line, and along the northernmost southwest line of said called 80.458 acre tract of land, a distance of 0.76 feet, to the **POINT OF BEGINNING**, and being at the beginning of a non-tangent curve to the right having a radius of 300.00 feet;

THENCE along said non-tangent curve to the right, departing said southwest line, and in an easterly direction, through a central angle of 134 degrees 25 minutes 37 seconds, an arc length of 703.86 feet, and having a long chord which bears North 83 degrees 14 minutes 43 seconds East, a chord length of 553.17 feet, to a point for corner;

THENCE Southerly, over and across said called 80.458 acre tract of land, the following calls:

South 29 degrees 32 minutes 28 seconds East, a distance of 75.00 feet, to a point for corner, being the beginning of a curve to the right having a radius of 300.00 feet;

Along said curve to the right, and in a southerly direction, through a central angle of 60 degrees 19 minutes 48 seconds, an arc length of 315.89 feet, and having a long chord which bears South 00 degrees 37 minutes 26 seconds West, a chord length of 301.50 feet, to a point for corner, being on the centerline of a 150.00' Texas Electric Service Company (T.E.S.CO.) Easement, filed for record in Volume 556, Page 1038, of said Deed Records;

South 00 degrees 53 minutes 16 seconds East, along said T.E.S.CO. centerline, a distance of 317.10 feet, to a point for corner;

South 89 degrees 06 minutes 44 seconds West, departing said centerline, a distance of 184.79 feet, to a point for corner, being the beginning of a non-tangent curve to the right having a radius of 300.00 feet;

Along said non-tangent curve to right, and in a southerly direction, through a central angle of 20 degrees 43 minutes 02 seconds, an arc length of 108.48 feet, and having a long chord which bears South 05 degrees 18 minutes 23 seconds East, a chord length of 107.89 feet, to a point for corner, being on the northernmost southwest line of said called 80.458 acre tract of land;

THENCE North 29 degrees 32 minutes 28 seconds West, along said southwest line, a distance of 334.46 feet, to a point for corner, being the beginning of a non-tangent curve to the right having a radius of 300.00 feet;

THENCE along said non-tangent curve to the right, departing said southwest line, and over and across said remainder tract, through a central angle of 45 degrees 34 minutes 23 seconds, an arc length of 238.62 feet, and having a long chord which bears North 52 degrees 19 minutes 39 seconds West, a chord length of 232.38 feet, to a point for corner;

THENCE North 29 degrees 32 minutes 28 seconds West, along a line 90.00' from and parallel with the southwest line of said called 80.458 acre tract of land, a distance of 75.00 feet, to a point for corner, being the beginning of a curve to the right having a radius of 300.00 feet;

THENCE along said curve to the right, and in a northerly direction, through a central angle of 45 degrees 34 minutes 23 seconds, an arc length of 238.62 feet, and having a long chord which bears North 06 degrees 45 minutes 17 seconds West, a chord length of 232.38 feet, to the **POINT OF BEGINNING** and containing 8.980 acres (391,172 square feet) of land, more or less.

TRACT II

BEING a 0.700 acre tract of land located in the Joseph Lawrence Survey, Abstract No. 616, in the City of Grand Prairie, Ellis County, Texas, being a portion of a called 80.458 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 121, of said Deed Records, said 0.700 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING a 5/8 inch capped iron rod found stamped "Brookes Baker" (controlling monument) for the northwest corner of said called 80.458 acre tract of land, being the northernmost corner of a 12.0 (+/-) acre remainder tract of land as described in the Special Warranty Deed with Vendor's Lien (called 92.531 acres) to Nehemiah Partners, L.P., filed for record in Volume 1661, Page 104, of said Deed Records, and being on the southeast line of a called 49.872 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 105, of said Deed Records, from which a 4-inch pine fence corner post found for the southeast corner of said called 49.872 acre tract of land bears North 60 degrees 04 minutes 22 seconds East, a distance of 988.85 feet;

THENCE South 29 degrees 32 minutes 28 seconds East, departing said southeast line, and along the northernmost southwest line of said called 80.458 acre tract of land, a distance of 889.88 feet, to a point for corner, being the easternmost corner of said 12.0 (+/-) acre remainder tract;

THENCE South 65 degrees 02 minutes 36 seconds West, along the southeast line of said remainder tract, a distance of 41.22 feet, to the **POINT OF BEGINNING**, being the beginning of a non-tangent curve to the right having a radius of 300.00 feet;

THENCE along said non-tangent curve to the right, departing said southeast line, and over and across said called 80.458 acre tract of land, through a central angle of 95 degrees 50 minutes 08 seconds, an arc length of 501.79 feet, and having a long chord which bears South 65 degrees 02 minutes 36 seconds West, a chord length of 445.31 feet, to a point for corner, from which the southwest corner of said remainder tract bears South 65 degrees 02 minutes 36 seconds West, a distance of 64.60 feet;

THENCE North 65 degrees 02 minutes 36 seconds East, along the southeast line of said remainder tract, a distance of 445.31 feet, to the **POINT OF BEGINNING**, and containing 0.700 acres (30,502 square feet) of land, more or less.

See attached Exhibit "B" dated August 26, 2009


Merle W. Miller Date: August 26, 2009
Registered Professional
Land Surveyor No. 5438
State of Texas



**LEGAL DESCRIPTION FOR A
50' GAS LINE & ACCESS EASEMENT**

BEING a 2.467 acre tract of land located in the Joseph Lawrence Survey, Abstract No. 616, in the City of Grand Prairie, Ellis County, Texas, being a portion of a called 80.458 acre tract of land as described in the Special Warranty Deed with Vendor's lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 121, Deed Records, Ellis County, Texas, said 2.467 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a Corps of Engineers (C.O.E.) concrete monument found (controlling monument) for the southeast corner of said called 80.458 acre tract of land, and being the westernmost southwest corner of a called 26.249 acre tract of land as described in the Warranty Deed to Bower Investments, Inc., filed for record in Volume 1999, Page 2149, of said Deed Records, also being the northeast corner of a called 72.91 acre tract of land as described in the Warranty Deed to Ellis Joint Venture, filed for record in Volume 2114, Page 1507, of said Deed Records;

THENCE North 88 degrees 07 minutes 41 seconds West, along the northern line of said called 72.91 acre tract of land, common to the southern line of said called 80.458 acre tract of land, a distance of 690.75 feet, to the **POINT OF BEGINNING**;

THENCE North 88 degrees 07 minutes 41 seconds West, continuing along said common line, a distance of 459.71 feet, to a 5/8 inch capped iron rod set stamped "Mycoskie McInnis";

THENCE South 65 degrees 16 minutes 18 seconds West, continuing along said common line, a distance of 581.78 feet, to a C.O.E. concrete monument found;

THENCE South 65 degrees 16 minutes 18 seconds West, over and across said called 80.458 acre tract of land, a distance of 345.27 feet, to a point for corner at the beginning of a curve to the right having a radius of 1050.00 feet;

THENCE along said curve to the right, in a westerly direction, and through a central angle of 42 degrees 51 minutes 01 seconds, an arc length of 785.27 feet, and having a long chord which bears South 86 degrees 41 minutes 48 seconds West, a chord length of 767.10 feet, to a point for corner on the northeast right-of-way line of Davis Drive, an undetermined prescriptive right-of-way, and being on the southern southwest line of said called 80.458 acre tract of land;

THENCE North 29 degrees 32 minutes 28 seconds West, along said southern southwest line, a distance of 12.69 feet, to a 5/8 inch capped iron rod set stamped "Mycoskie McInnis", for the westernmost southwest corner of said called 80.458 acre tract of land;

THENCE North 65 degrees 02 minutes 36 seconds East, along the southern northwest line of said called 80.458 acre tract of land, passing a 5/8 inch capped iron rod found stamped "Brookes Baker" at a distance of 24.93 feet, and continuing in all a total distance of 61.62 feet, to a point for corner at the beginning of a non-tangent curve to the left having a radius of 1000.00 feet;

THENCE easterly, over and across said called 80.458 acre tract of land, the following calls:

Along said curve to the left, in an easterly direction, and through a central angle of 40 degrees 48 minutes 31 seconds, an arc length of 712.24 feet, and having a long chord which bears North 85 degrees 40 minutes 33 seconds East, a chord length of 697.28 feet, to a point for corner;

North 65 degrees 16 minutes 18 seconds East, a distance of 938.87 feet, to a point for corner;

South 88 degrees 07 minutes 41 seconds East, a distance of 460.00 feet, to a point for corner;

South 11 degrees 07 minutes 15 seconds East, a distance of 51.31 feet, to the **POINT OF BEGINNING** and containing 2.467 acres (107,472 square feet) of land.

See attached Exhibit "B" dated May 20, 2008



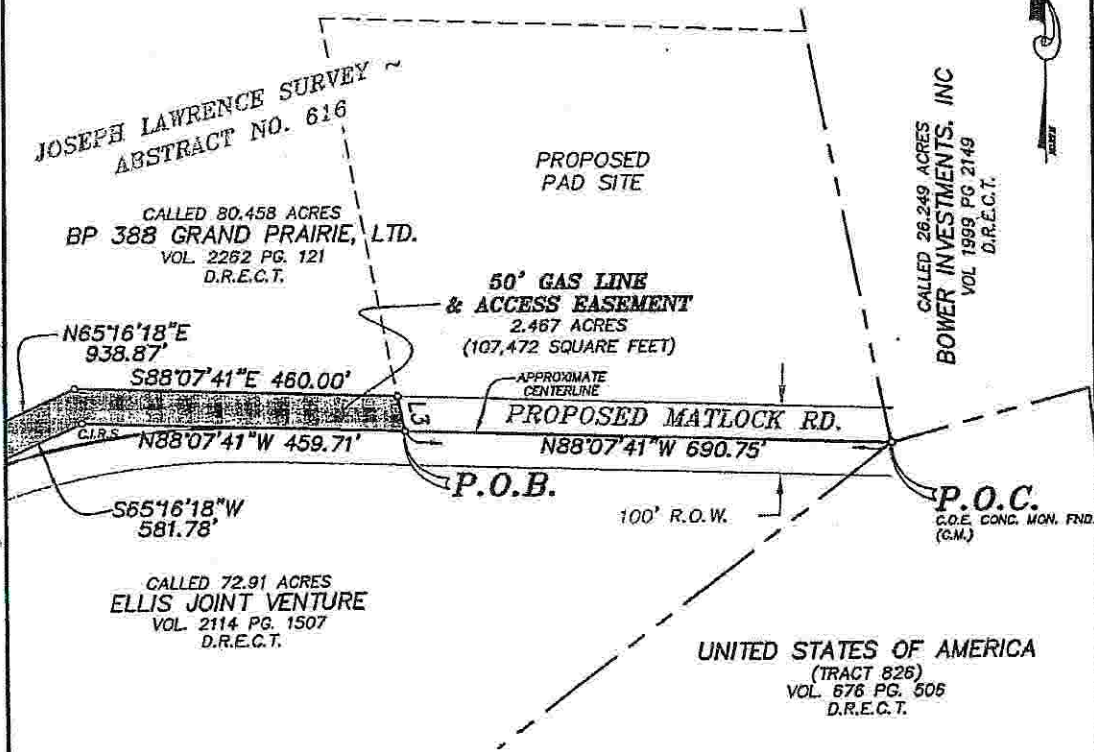
Merle W. Miller
Registered Professional
Land Surveyor No. 5438
State of Texas

Date: May 20, 2008



50' GAS LINE & ACCESS EASEMENT

JOSEPH LAWRENCE SURVEY, ABSTRACT NO. 616,
CITY OF GRAND PRAIRIE, ELLIS COUNTY, TEXAS.



JOSEPH LAWRENCE SURVEY
ABSTRACT NO. 616

CALLED 80.458 ACRES
BP 388 GRAND PRAIRIE, LTD.
VOL. 2262 PG. 121
D.R.E.C.T.

CALLED 26.249 ACRES
BOWER INVESTMENTS, INC
VOL. 1999 PG. 2149
D.R.E.C.T.

50' GAS LINE
& ACCESS EASEMENT
2.467 ACRES
(107,472 SQUARE FEET)

N85°16'18"E
938.87'
S88°07'41"E 460.00'

C.I.R.S. N88°07'41"W 459.71'

S65°16'18"W
581.78'

CALLED 72.91 ACRES
ELLIS JOINT VENTURE
VOL. 2114 PG. 1507
D.R.E.C.T.

APPROXIMATE
CENTERLINE
PROPOSED MATLOCK RD.
N88°07'41"W 690.75'

P.O.B.

100' R.O.W.

P.O.C.
G.O.E. CONC. MON. FND.
(G.M.)

UNITED STATES OF AMERICA
(TRACT 826)
VOL. 676 PG. 606
D.R.E.C.T.

*** LINE TABLE ***

L1	N29°32'28"W	12.69'
L2	N65°02'36"E	61.62'
L3	S11°07'15"E	51.31'

LEGEND & ABBREVIATIONS

VOL.	=	VOLUME
PG.	=	PAGE
ESMT.	=	EASEMENT
C.I.R.S.	=	5/8" CAPPED IRON ROD SET STAMPED "MYCOSKIE MCINNIS"
I.R.F.	=	IRON ROD FOUND
P.O.B.	=	POINT OF BEGINNING
D.R.E.C.T.	=	DEED RECORDS, ELLIS COUNTY, TEXAS
R.O.W.	=	RIGHT-OF-WAY
CONC. MON.	=	CONCRETE MONUMENT
EX.	=	EXISTING
P.O.C.	=	POINT OF COMMENCING

SURVEYOR'S CERTIFICATION

I, Merle W. Miller, Registered Professional Land Surveyor, hereby state that this exhibit was made from an actual on the ground survey by me or under my direct supervision.

Merle W. Miller

Merle W. Miller Date: May 20, 2008
Registered Professional
Land Surveyor No. 5438
State of Texas



mlmja

NOTES

1). THE BASIS OF BEARING FOR THIS SURVEY IS THE NORTHWEST BOUNDARY LINE OF THE PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO NEHEMIAH PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP, FILED FOR RECORD IN VOLUME 1661, PAGE 104, DEED RECORDS, ELLIS COUNTY, TEXAS (BEING N60°00'00"E).

2). SEE LEGAL DESCRIPTION SHEET 1 OF 3, DATED 05/20/08.

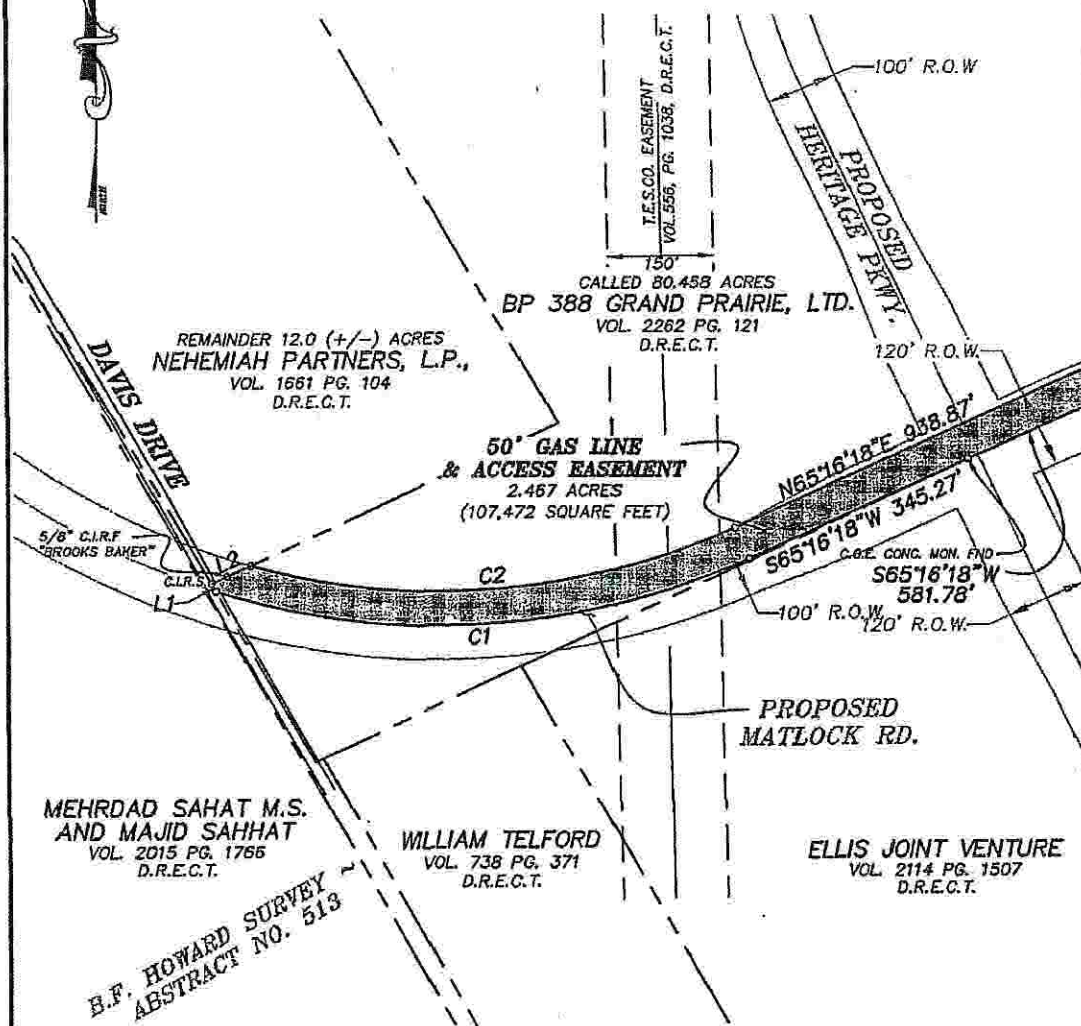
mycoskie+mcinnis+associates
civil engineering surveying landscape architecture planning

200 east abram
arlington, texas 78010
817-469-1671
fax: 817-274-8757
www.mmatexas.com

P. 2188-0-1, 500 Land Surveyors V2188-1-1, Easy Line Formulas

50' GAS LINE & ACCESS EASEMENT

JOSEPH LAWRENCE SURVEY, ABSTRACT NO. 616,
CITY OF GRAND PRAIRIE, ELLIS COUNTY, TEXAS.



*** CURVE DATA ***

(C1)
D = 42°51'01"
R = 1050.00'
L = 785.27'
CH = S86°41'48"W
767.10'

(C2)
D = 40°48'31"
R = 1000.00'
L = 712.24'
CH = N85°40'33"E
697.28'

*** LINE TABLE ***

L1 N29°32'28"W 12.69'
L2 N65°02'36"E 61.62'
L3 S11°07'15"E 51.31'

LEGEND & ABBREVIATIONS

VOL. = VOLUME
PG. = PAGE
ESMT. = EASEMENT
C.I.R.S. = 5/8" CAPPED IRON ROD SET
STAMPED "MYCOSKIE MCINNIS"
I.R.F. = IRON ROD FOUND
P.O.B. = POINT OF BEGINNING
D.R.E.C.T. = DEED RECORDS,
ELLIS COUNTY, TEXAS
R.O.W. = RIGHT-OF-WAY
CONC. MON. = CONCRETE MONUMENT
EX. = EXISTING

NOTES

- 1). THE BASIS OF BEARING FOR THIS SURVEY IS THE NORTHWEST BOUNDARY LINE OF THE PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO NEHEMIAH PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP, FILED FOR RECORD IN VOLUME 1861, PAGE 104, DEED RECORDS, ELLIS COUNTY, TEXAS (BEING N60°00'00"E).
- 2). SEE LEGAL DESCRIPTION SHEET 1 OF 3, DATED 05/20/08.

P:\2188-0-1\500 Land Surveys\2188-1-1 Gas Line Final.dwg

DATE: 05/20/08 SCALE: 1" = 200' DRAWN BY: J.P.J. CHECKED BY: M.W.M. JOB. NO.: 2188-0-1



mycoskie+mcinnis+associates
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SHEET 3 OF 3

METES & BOUNDS DESCRIPTION
30' WIDE PIPELINE EASEMENT
TRACTS I & II

TRACT I

BEING a 0.114 acre tract of land located in the Joseph Lawrence Survey, Abstract No. 616, in the City of Grand Prairie, Ellis County, Texas, being a portion of a called 80.458 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 121, Deed Records, Ellis County, Texas, said 0.114 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING a 5/8 inch capped iron rod found stamped "Brookes Baker" (controlling monument) for the northwest corner of said called 80.458 acre tract of land, same being the northernmost corner of a 12.0 (+/-) acre remainder tract of land as described in the Special Warranty Deed with Vendor's Lien (called 92.531 acres) to Nehemiah Partners, L.P., filed for record in Volume 1661, Page 104, of said Deed Records, and being on the southeast line of a called 49.872 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 105, of said Deed Records, from which a 4-inch pine fence corner post found for the southeast corner of said called 49.872 acre tract of land bears North 60 degrees 04 minutes 22 seconds East, a distance of 988.85 feet;

THENCE South 29 degrees 32 minutes 28 seconds East, departing said southeast line, and along the northernmost southwest line of said called 80.458 acre tract of land, a distance of 838.70 feet, to the **POINT OF BEGINNING**, and being at the beginning of a non-tangent curve to the left having a radius of 300.00 feet;

THENCE Southeasterly, over and across said called 80.458 acre tract of land, the following calls:

Along said non-tangent curve to the left, departing said southwest line, and in a northerly direction, through a central angle of 11 degrees 59 minutes 32 seconds, an arc length of 62.79 feet, and having a long chord which bears North 00 degrees 56 minutes 37 seconds West, a chord length of 62.68 feet, to a point for corner;

South 29 degrees 32 minutes 28 seconds East, a distance of 138.71 feet, to a point for corner;

South 65 degrees 02 minutes 36 seconds West, a distance of 105.03 feet, to a point for corner, being the beginning of a non-tangent curve to the left having a radius of 300.00 feet;

Along said curve to the left, and in a northerly direction, through a central angle of 08 degrees 17 minutes 22 seconds, an arc length of 43.40 feet, and having a long chord which bears North 21 degrees 16 minutes 13 seconds East, a chord length of 43.36 feet, to a point for corner, being on the southeast line of said remainder tract;

THENCE North 65 degrees 02 minutes 36 seconds East, along said southeast line, a distance of 41.22 feet, to a point for corner, being the easternmost corner of said remainder tract, same being an interior boundary corner of said called 80.458 acre tract of land;

THENCE North 29 degrees 32 minutes 28 seconds West, along the northernmost southwest line of said called 80.458 acre tract of land, a distance of 51.18 feet, to the **POINT OF BEGINNING** and containing 0.114 acres (4,951 square feet) of land, more or less.

TRACT II

BEING a 0.043 acre tract of land located in the Joseph Lawrence Survey, Abstract No. 616, in the City of Grand Prairie, Ellis County, Texas, being a portion of a called 80.458 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 121, Deed Records, Ellis County, Texas, said 0.043 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING a 5/8 inch capped iron rod found stamped "Brookes Baker" (controlling monument) for the northwest corner of said called 80.458 acre tract of land, same being the northernmost corner of a 12.0 (+/-) acre remainder tract of land as described in the Special Warranty Deed with Vendor's Lien (called 92.531 acres) to Nehemiah Partners, L.P., filed for record in Volume 1661, Page 104, of said Deed Records, and being on the southeast line of a called 49.872 acre tract of land as described in the Special Warranty Deed with Vendor's Lien to BP 388 Grand Prairie, Ltd., filed for record in Volume 2262, Page 105, of said Deed Records, from which a 4-inch pine fence corner post found for the southeast corner of said called 49.872 acre tract of land bears North 60 degrees 04 minutes 22 seconds East, a distance of 988.85 feet;

THENCE South 29 degrees 32 minutes 28 seconds East, departing said southeast line, and along the northernmost southwest line of said called 80.458 acre tract of land, a distance of 889.88 feet, to a point for corner, being the easternmost corner of said 12.0 (+/-) acre remainder tract;

THENCE South 65 degrees 02 minutes 36 seconds West, along the southeast line of said remainder tract, a distance of 486.53 feet, to the **POINT OF BEGINNING**, being the beginning of a non-tangent curve to the left having a radius of 300.00 feet;

THENCE Southeasterly, departing said southeast line, and over and across said called 80.458 acre tract of land, the following calls:

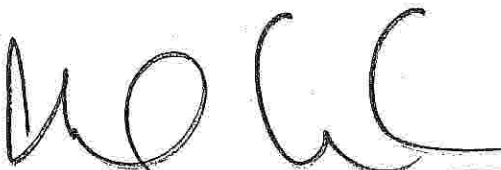
Along said non-tangent curve to the left, and in a southeasterly direction, through a central angle of 08 degrees 17 minutes 22 seconds, an arc length of 43.40 feet, and having a long chord which bears South 71 degrees 11 minutes 01 seconds East, a chord length of 43.36 feet, to a point for corner;

South 65 degrees 02 minutes 36 seconds West, a distance of 61.01 feet, to a point for corner, being the beginning of a non-tangent curve to the right having a radius of 300.00 feet;

Along said non-tangent curve to the right, and in a westerly direction, through a central angle of 02 degrees 38 minutes 18 seconds, an arc length of 45.40 feet, and having a long chord which bears North 73 degrees 35 minutes 47 seconds West, a chord length of 45.40 feet, to a point for corner on the southeast line of said remainder tract, from which a 5/8 inch capped iron rod set stamped "Mycoskie McInnis" for the southernmost corner of said called 12.0 (+/-) acre remainder tract bears South 65 degrees 02 minutes 36 seconds West, a distance of 0.83 feet;

North 65 degrees 02 minutes 36 seconds East, along said southeast line, a distance of 63.77 feet, to the **POINT OF BEGINNING** and containing 0.043 acres (1,857 square feet) of land, more or less.

See attached Exhibit "B" dated August 28, 2009


Merle W. Miller Date: August 28, 2009
Registered Professional
Land Surveyor No. 5438
State of Texas



30' WIDE PIPELINE EASEMENT

JOSEPH LAWRENCE SURVEY, ABSTRACT NO. 616,
CITY OF GRAND PRAIRIE, ELLIS COUNTY, TEXAS.

CALLED 49.872 ACRES
BP 388 GRAND PRAIRIE, LTD.
VOL. 2262 PG. 105
D.R.E.C.T.

4" PINE FENCE POST

P.O.C.
TRACTS I & II
5/8" C.I.R.F.
"BROOKES BAKER"
(C.M.)

CALLLED 80.458 ACRES
BP 388 GRAND PRAIRIE, LTD.
VOL. 2262 PG. 121
D.R.E.C.T.

LINE TABLE

L1	S29°32'28"E	138.71'
L2	S65°02'36"W	105.03'
L3	N65°02'36"E	41.22'
L4	N29°32'28"W	51.18'
L5	S65°02'36"W	61.01'
L6	N65°02'36"E	63.77'

CURVE TABLE

Ⓒ1	L = 62.79'	Ⓒ2	L = 43.40'
	R = 300.00"		R = 300.00"
	D = 11°59'32"		D = 08°17'22"
	CH = N00°56'37"W		CH = N21°16'13"E
	62.68'		43.36'
Ⓒ3	L = 43.40'	Ⓒ4	L = 45.40'
	R = 300.00"		R = 300.00"
	D = 08°17'22"		D = 02°38'18"
	CH = S71°11'01"E		CH = N73°35'47"W
	43.36'		45.40'

REMAINDER 12.0 (+/-) ACRES
NEHEMIAH PARTNERS, L.P.,
VOL. 1661 PG. 104
D.R.E.C.T.

150' T.E.S.CO. EASEMENT
VOL.556, PG. 1038
D.R.E.C.T.

TRACT I
30' PIPELINE EASEMENT
0.114 ACRES
4,951 SQUARE FEET

TRACT II
30' PIPELINE EASEMENT
0.043 ACRES
1,857 SQUARE FEET

JOSEPH LAWRENCE SURVEY
ABSTRACT NO. 616
FUTURE
MATLOCK ROAD

CALLLED 72.91 ACRES
ELLIS JOINT VENTURE
VOL. 2114 PG. 1507,
D.R.E.C.T.

LEGEND & ABBREVIATIONS

VOL.	=	VOLUME
PG.	=	PAGE
C.I.R.F.	=	CAPPED IRON ROD FOUND
P.O.B.	=	POINT OF BEGINNING
P.O.C.	=	POINT OF COMMENCING
D.R.E.C.T.	=	DEED RECORDS, ELLIS COUNTY, TEXAS
T.E.S.CO.	=	TEXAS ELECTRIC SERVICE COMPANY
C.M.	=	CONTROLLING MONUMENT
ESMT.	=	EASEMENT
C.I.R.S.	=	CAPPED IRON ROD SET STAMPED "MYCOSKIE MCINNIS"

SURVEYOR'S CERTIFICATION

I, Merle W. Miller, Registered Professional Land Surveyor,
hereby state that this exhibit was made from an actual
on the ground survey by me or under my direct supervision.

[Signature]
Merle W. Miller August 28, 2009
Registered Professional
Land Surveyor No. 5438
State of Texas



m m a

mycoskie+mcinnis+associates
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SHEET 3 OF 3

NOTES

- 1). THE BASIS OF BEARING FOR THIS EXHIBIT IS THE EAST BOUNDARY LINE OF A CALLED 84.362 ACRE TRACT OF LAND AS DESCRIBED IN THE SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO BP 388 GRAND PRAIRIE, LTD., FILED FOR RECORD IN VOLUME 2262, PAGE 99, DEED RECORDS, ELLIS COUNTY, TEXAS (BEING S00°05'07"W).
- 2). SEE LEGAL DESCRIPTION EXHIBIT "A" ~ SHEETS 1 & 2, DATED 08/28/09.

DATE: 08/28/09 SCALE: 1" = 200' DRAWN BY: M.M. CHECKED BY: M.W.M. JOB. NO.: 2188-0-1

P:\2188-0-1\200 Land Surveying\751 Gas Well Exhibits\Pipeline and Gas Well Easement.dwg