PLAINTIFF'S EXHIBIT

SUN-212

724478

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WARRANTY DEED

(With Reservation of Minerals)

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

THAT T. S. SCIBIENSKI, NETTIE RUTH HOSKINS AND C. IVAN WILSON, AS TRUSTEES OF THE ROBERT DRISCOLL AND JULIA DRISCOLL AND ROBERT DRISCOLL, JR. FOUNDATION, SAINT MARY'S HALL, INC. a/k/a SAINT MARY'S HALL; MARY LOUISE ADAMS; ROBERT E. MILES; MAXINE McCLENDON NICHOLS; MILTON M. MOORE; ELEANOR MOORE SHERBAN; ESTHER B. SPEER; and HOWARD J. SPEER, JR.; Grantors, for and in consideration of Ten Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have **GRANTED, SOLD and CONVEYED**, and by these presents do **GRANT, SELL and CONVEY**, subject to the exceptions and reservations set forth below, unto KOCH REFINING COMPANY, a Delaware corporation, Grantee, whose address is P. O. Box 2256, Wichita, Kansas 67201, all that certain tract, piece or parcel of land lying and being situated in the County of Nueces, State of Texas, and more particularly described as follows, to-wit:

> 18.442 acres, more or less, described on Exhibit "A" hereto attached and made a part hereof.

This conveyance is SUBJECT TO: (1) all applicable building and zoning ordinances; (2) all restrictive covenants filed of record with the County Clerk of Nueces County, Texas, to the extent such are in force and effect and affect said land; and (3) all easements readily apparent from an inspection of the surface or which are filed of record with the County Clerk of Nueces County, Texas, to the extent such are in force and effect and affect said land. Any future payments due for any such easements, to the extent such apply to said land, shall belong entirely to Grantee, its successors and assigns. Any future payments for an easement which affects said land herein conveyed and other lands shall be prorated according to the length of the easement (where the easement is linear in nature) or according to the area of the easement (where the easement is non-linear in nature).

There is also RESERVED unto the Grantors, their heirs, representatives, successors and assigns all oil, gas and other minerals of any kind or nature in, under and that may be produced from said land; PROVIDED, the Grantors for themselves, their heirs, representatives, successors

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and assigns WAIVE the right to use of the surface of said land for exploration or production of such oil, gas and other minerals. The Grantors do reserve for themselves, their heirs, representatives, successors and assigns the right to explore for and produce minerals from said land by directional drilling or other methods which do not interfere with use of the surface by Grantee, its successors and assigns.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the above-named Grantee, its successors and assigns, forever; and the Grantors hereby bind themselves and their respective heirs, representatives, and successors to warrant and forever defend all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This Deed may be executed in several counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument. It shall not be necessary for all Grantors to execute the same counterpart hereof.

DATED the 27th day of July, 1990.

T. S. Scibienski, as Trustee of the Robert Driscoll and Julia Driscoll and Robert Driscoll, Jr. Foundation

Nettie Ruth Hoskins, as Trustee of the Robert Driscoll and Julia Driscoll and Robert Driscoll, Jr. Foundation

C. Ivan Wilson, as Trustee of the Robert Driscoll and Julia Driscoll and Robert Driscoll, Jr. Foundation

SAINT MARY'S HALL, INC.

By:_____
Name:_____
Its:_____

Mary Louise Adams

Robert E. Miles

Maxine McClendon Nichols

Milton M. Moore

Eleanor Moore Sherban

Esther B. Speer

Howard J. Speer, Jr.

STATE OF TEXAS §
§
COUNTY OF NUECES §

This instrument was acknowledged before me on the 27th day of July, 1990, by T. S. SCIBIENSKI, as Trustee of the Robert Driscoll and Julia Driscoll and Robert Driscoll, Jr. Foundation.



Notary Public, State of Texas
Betty L. DeBrosse
(typed or printed name)
My Commission Expires: 4/16/93

STATE OF TEXAS §
§
COUNTY OF NUECES §

This instrument was acknowledged before me on the 27th day of July, 1990, by NETTIE RUTH HOSKINS, as Trustee of the Robert Driscoll and Julia Driscoll and Robert Driscoll, Jr. Foundation.



Notary Public, State of Texas
Betty L. DeBrosse
(typed or printed name)
My Commission Expires: 4/16/93

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STATE OF TEXAS §
§
COUNTY OF NUECES §

This instrument was acknowledged before me on the _____ day of _____, 1990, by C. IVAN WILSON, as Trustee of the Robert Driscoll and Julia Driscoll and Robert Driscoll, Jr. Foundation.

_____
Notary Public, State of Texas

_____
(typed or printed name)
My Commission Expires:_____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 1990, by _____, the _____ of SAINT MARY'S HALL, INC. a/k/a SAINT MARY'S HALL, a Texas corporation, on behalf of said corporation.

_____
Notary Public, State of Texas

_____
(typed or printed name)
My Commission Expires:_____

STATE OF OHIO §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 1990, by MARY LOUISE ADAMS.

_____
Notary Public, State of Ohio

_____
(typed or printed name)
My Commission Expires:_____

ROLL 365 PAGE 1595

STATE OF CALIFORNIA §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 1990, by ROBERT E. MILES.

_____
Notary Public
State of California

_____
(typed or printed name)
My Commission Expires:_____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 1990, by MAXINE McCLENDON NICHOLS.

_____
Notary Public, State of Texas

_____
(typed or printed name)
My Commission Expires:_____

STATE OF TEXAS §
§
COUNTY OF Hidalgo §

This instrument was acknowledged before me on the 13 day of August, 1990, by MILTON M. MOORE.

Otelia D Marines
Notary Public, State of Texas
OTILIA S. MARINES
(typed or printed name)
My Commission Expires: 5/2/92

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 1990, by ELEANOR MOORE SHERBAN.

_____
Notary Public, State of Texas

_____
(typed or printed name)
My Commission Expires:_____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 1990, by ESTHER B. SPEER.

_____
Notary Public, State of Texas

_____
(typed or printed name)
My Commission Expires:_____

STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 1990, by HOWARD J. SPEER, JR.

_____
Notary Public, State of Texas

_____
(typed or printed name)
My Commission Expires:_____

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EXHIBIT A

MUNROE & BASS, INC.
CONSULTING ENGINEERS
P.O. BOX 6397
CORPUS CHRISTI, TEXAS 78466-6397
July 12, 1990

FIELD NOTE DESCRIPTION

Being a tract of land situated in Nueces County, Texas a portion of Surveys 582 and 583, patented to W.S. McGregor, Abstracts 1000 and 1001, respectively, and also being a portion of a 1783.33 acre tract known as the Original W.S. McGregor 1783.33 acre tract, and being more particularly described by metes and bounds as follows:

BEGINNING at a one inch iron pipe found in the east right-of-way of Suntide Road, the southwest corner of a 10.0 acre tract described in the deed to Suntide Refining Company from May Speer Whitaker, et al recorded in Volume 1431 at Page 740, Deed Records of Nueces County, Texas for the northwest corner of this tract;

THENCE S 54° 39' 22" E along the south line of said 10.0 acre tract a distance of 1076.46 feet to a point for the northeast corner of this tract, said point being a corner of a 0.1434 acre tract described in the deed to Gulf States Oil & Refining Company from the Driscoll Foundation, et al recorded in Volume 1743 at Page 900 of the Deed Records of Nueces County, Texas, said point also lies in the west margin of a fifty foot (50') wide pipeline easement granted to Champlin Petroleum Company by the Driscoll Foundation, et al recorded in Volume 1734 at page 498 of the Deed Records of Nueces County, Texas, whence the southeast corner of the 10.0 acre tract and an interior corner of the 0.1434 acre tract bears S 54° 39' 22" E at 0.16 feet;

THENCE S 0° 59' 48" E along the west line of the 0.1434 acre tract and the fifty foot (50') wide pipeline easement, at 50.0 feet pass the southwest corner of the 0.1434 acre tract and in all a distance of 1289.06 feet to a one inch (1") iron pipe set for an intermediate corner of this tract;

THENCE continuing along the west margin of the fifty foot (50') wide pipeline easement a distance of 8.81 feet to a one inch (1") iron pipe set on the easterly extension of the north line of a 10.67 acre tract described in the deed to Humble Pipe Line Company recorded in Volume 212 at Page 421 of the Deed Records of Nueces County, Texas for the southeast corner of this tract;

THENCE S 89° 13' 33" W along the said easterly extension of

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the north line of said 10.67 acre tract at 3.21 feet pass a five-eighths inch (5/8") iron rod found for the northeast corner of the 10.77 acre tract and in all a distance of 202.11 feet to a one inch (1") iron pipe set in an existing barbed wire fence for the most southerly southwest corner of this tract, said point being the southeast corner of a 7.23 acre tract leased to Humble Pipe Line Company described in the instrument recorded in Volume 263 at Page 264 of the Deed Records of Nueces County, Texas;

THENCE N 0° 46' 27" W along the existing barbed wire fence and the east line of said 7.23 acre lease tract a distance of 825.00 feet to a one inch (1") iron pipe set for the northeast corner of the 7.23 acre lease tract and an interior corner of this tract;

THENCE S 89° 03' 53" W along the north line of the 7.23 acre lease tract a distance of 500.00 feet to a one inch (1") iron pipe set for the most northerly northwest corner of the 7.23 acre tract and a corner of this tract, said point lying in the westerly east line of a 4.97 acre tract leased to Humble Pipe Line Company described in the instrument recorded in Volume 231 at Page 60 of the Deed Records of Nueces County, Texas;

THENCE N 0° 46' 27" W along said westerly east line of the 4.97 acre tract a distance of 295.00 feet to a one inch (1") iron pipe set for the northerly northeast corner of the 4.97 acre tract and an interior corner of this tract;

THENCE S 89° 13' 33" W along the north line of said 4.97 acre tract a distance of 175.37 feet to a one inch (1") iron pipe set for the northerly southwest corner of this tract, said point lying in the east right-of-way line of Suntide Road and being on a curve to the left;

THENCE along the east right-of-way of Suntide Road on said curve to the left whose radius is 11489.16 feet in a northerly direction, a distance of 181.12 feet to a one inch (1") iron pipe found for the point of tangency of said curve and an intermediate corner of this tract;

THENCE continuing along the east right-of-way line of Suntide Road N 0° 39' 56" W a distance of 632.47 feet to the POINT OF BEGINNING forming a tract embracing 18.442 acres.

[2737M&B.DOC]
Revised 7/18/90

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EXHIBIT A
PAGE 2 OF 2

K.P.-6

STEWART TITLE COMPANY
First City Centre 724478
110 Pavilion
Corpus Christi, Tx. 78478

Aug 16 11 04 AM '90

STATE OF TEXAS
COUNTY OF NUECES

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

AUG 16 1990

Marion Uehlinger
COUNTY CLERK
NUECES COUNTY, TEXAS

CHARGE - STEWART TITLE