

186954

WILL 649 PAGE 311

DEED

PLAINTIFF'S EXHIBIT

SUN-187

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

That I, J. PATRICK McGLOIN, TRUSTEE, of the County of Nueces, State of Texas, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to me in hand paid by the Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the assumption and agreement by Grantee to pay that certain promissory note dated October 1, 1971, in the principal sum of One Hundred Two Thousand Dollars (\$102,000.00), payable to the order of Conrad M. Blucher and wife, Zula E. Blucher, bearing interest at the rate of six percent (6%) per annum, and being payable in five (5) annual installments as therein provided, the payment of which note is secured by vendor's lien retained in a deed of even date therewith to the hereinafter described property from Conrad M. Blucher and wife, Zula E. Blucher, to J. P. McGloin, Trustee, and which note is additionally secured by a deed of trust of even date therewith to the same property to James C. Schmidt, Trustee, have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto SUNTIDE REFINING COMPANY, a Delaware corporation, all of the six (6) tracts of land in Nueces County, Texas, depicted on Exhibit "A" attached hereto and made a part hereof for all purposes, which said six (6) tracts are more particularly described as follows, to-wit:

FIRST TRACT:

9.89 acres of land in the 16.6-acre Van Branch tract in B. S. & F. Survey No. 421, A-572, more particularly described by metes and bounds as follows:

BEGINNING at the Northeast corner of a 3.48-acre tract of land owned by John J. Morales, for the Northwest corner of this tract;

THENCE South 89° 37' 50" East, with the North boundary of said Van Branch tract, 822.56 feet to a 5/8" iron pipe at the Northeast corner of said Van Branch tract for the Northeast corner of this tract;

DEED RECORDS
Vol 1746 PAGE 679

THENCE with the East boundary of said Van Branch tract South $0^{\circ} 02' 40''$ West, 29.52 feet and South $13^{\circ} 04' 40''$ West, 393.10 feet to the Northeast corner of a 3.28-acre tract owned by O. L. Carson for the Southeast corner of this tract;

THENCE with the Northerly boundary of said O. L. Carson tract North $83^{\circ} 38'$ West, 236.7 feet; South $23^{\circ} 54' 50''$ West, 135.92 feet and North $84^{\circ} 40'$ West, 167.3 feet to the Northwest corner of said O. L. Carson tract for an inside corner of this tract;

THENCE South $0^{\circ} 24'$ East, with the West boundary of said Carson tract 48.30 feet to the Northeast corner of a 4.21-acre tract owned by C. M. Blucher for a corner of this tract;

THENCE South $89^{\circ} 47' 30''$ West, with the North boundary of said Blucher 4.21-acre tract 658.12 feet to the Southeast corner of the 3.48-acre tract owned by John J. Morales for the Southwest corner of this tract;

THENCE with the Southeasterly and East boundary of said John J. Morales tract North $52^{\circ} 14'$ East, 482.12 feet and North 255.6 feet to the PLACE OF BEGINNING, containing 9.89 acres of land, more or less.

SECOND TRACT:

4.21 acres of land in B. S. & F. Survey No. 421, A-572, more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 60^D nail set at the intersection of the centerline of Hearn's Ferry Road with the North boundary projected in a westerly direction of a tract of land owned by Southern Minerals Corporation for the Southwest corner of this tract;

THENCE North $31^{\circ} 10'$ West, with the centerline of Hearn's Ferry Road, 292.34 feet to the Southwest corner of a 3.48-acre tract of land owned by John J. Morales for the Northwest corner of this tract;

THENCE North $89^{\circ} 47' 30''$ East, at 34.98 feet cross the Northeastern boundary of Hearn's Ferry Road in all a distance of 806.50 feet to a fence post in the West boundary of a 3.28-acre tract owned by O. L. Carson for the Northeast corner of this tract;

THENCE South $0^{\circ} 24' 00''$ East, with the West boundary of said O. L. Carson tract 250.70 feet to an auto axle at the Southwest corner of said O. L. Carson tract on the North boundary of the aforementioned Southern Minerals Corporation tract for the Southeast corner of this tract;

THENCE South 89° 47' 30" West, with the North boundary of said Southern Minerals Corporation tract, 656.96 feet to the PLACE OF BEGINNING, containing 4.21 acres, more or less, of which 0.20 acres lies within the 1/2 width (30') of Hearn's Ferry Road.

THIRD TRACT:

12.57 acres of land in B. S. & F. Survey No. 421, A-572, more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1 inch iron pipe in the West right-of-way line of a 60 foot county road called Tecolote Road, for the Northeast corner of a tract of land owned by the Southern Minerals Corporation, and an interior corner of this tract;

THENCE with the North boundary of said Southern Minerals Corporation Tract, N 62° 47' 30" W, 419.35 feet and N 69° 35' 30" W, 209.50 feet to a 1 inch iron pipe at the Southeast corner of a 3.28-acre tract owned by O. L. Carson for the Southwest corner of this tract;

THENCE N 13° 04' 40" E, with the Eastern boundary of the former 16.6-acre Van Branch tract, 787.10 feet to the Southwest corner of an 8.01-acre tract owned by C. M. Blucher for the Northwest corner of this tract;

THENCE S 77° 27' 00" E, with the South boundary of said 8.01-acre tract, at 546.22 feet cross the West right-of-way line of Tecolote Road in all a distance of 606.35 feet to the West boundary of a 26.58-acre tract owned by O. L. Carson for an interior corner of said Carson tract and the Northeast corner of this tract;

THENCE S 8° 51' 10" W, with the West boundary of said O. L. Carson tract and the east right-of-way line of Tecolote Road, 939.87 feet to a 3/4 inch iron rod at the Southwest corner of said Carson tract for the Southeast corner of this tract;

THENCE S 59° 39' 30" W, crossing Tecolote Road, 138.58 feet to a 5/8 inch iron rod at an angle point in the East boundary of said Southern Minerals Corporation tract and an angle point in the West right-of-way line of Tecolote Road for a corner of this tract;

THENCE with the West right-of-way line of Tecolote Road and the East boundary of said Southern Minerals Corporation tract, N 36° 14' 50" E 103.02' and N 8° 51' 10" E, 16.02 feet to the PLACE OF BEGINNING, containing 12.57 acres of land, more or less, of which 1.36 acres lies within the 60 foot right-of-way of Tecolote Road, and 0.578 acres lies within a 40 foot private road adjacent to the South boundary of this tract.

FOURTH TRACT:

5.17 acres of land in B. S. & F. Survey No. 421, A-572, more particularly described by metes and bounds as follows, to-wit:

BEGINNING at the most Northerly Northwest corner of a 26.58-acre tract of land owned by O. L. Carson, for the Northeast corner of this tract;

THENCE S 12° 42' 55" W, with a western boundary of said O. L. Carson tract, 480.27 feet to an inside corner of said Carson tract for the Southeast corner of this tract;

THENCE N 74° 13' 35" W, at 445.17 feet cross the East right-of-way line of Tecolote Road in all a distance of 481.94 feet to the most Westerly Northwest corner of said O. L. Carson tract for the Southwest corner of this tract;

THENCE N 10° 12' 50" E, within the right-of-way of Tecolote Road, 437.49 feet to the Northeast corner of an 8.01-acre tract owned by C.M. Blucher for the Northwest corner of this tract, which corner is on the South right-of-way line of a 60 foot county road running in an Easterly and Westerly direction;

THENCE S 79° 20' 20" E, with the South right-of-way line of last above mentioned 60 foot county road at 26.13' pass its intersection with the East right-of-way line of Tecolote Road in all a distance 142.69 feet to the Southwest corner of a 19.78-acre tract of land owned by C. M. Blucher, for an angle point in the North boundary of this tract;

THENCE S 79° 16' E, with the South boundary of said C. M. Blucher 19.78-acre tract, 357.96 feet to the PLACE OF BEGINNING, containing 5.17 acres of land, more or less, of which 0.32 acres lies within the right-of-way of Tecolote Road.

FIFTH TRACT:

8.01 acres of land in B. S. & F. Survey No. 421, A-572, more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a concrete monument at the Southwest corner of the original Amando Cardona tract, at the Western termination of a 60 foot county road, for the Northwest corner of this tract;

THENCE S 79° 20' 20" E, with the South boundary of said 60 foot county road which is also the South boundary of the original Amando Cardona tract, at 632.53' pass its intersection with the West boundary of another 60 foot county road known as Tecolote Road in all a distance of 666.43 feet to the Northwest corner of a 5.17-acre tract owned by C. M. Blucher for the Northeast corner of this tract;

THENCE within the right-of-way of Tecolote Road S 10° 12' 50" W, 575.96 feet to a point in the North boundary of a 12.57-acre tract owned by C.M. Blucher, for the Southeast corner of this tract;

THENCE N 77° 27' W, with the North boundary of said 12.57-acre tract, at 20.77' cross the West right-of-way line of Tecolote Road in all a distance of 566.96 feet to its Northwest corner for the Southwest corner of this tract;

THENCE N 0° 02' 40" E, 566.99 feet to the PLACE OF BEGINNING, containing 8.01 acres of land, more or less, of which 0.36 acres lies within the right-of-way of Tecolote Road.

SIXTH TRACT:

19.78 acres of land in B. S. & F. Survey No. 421, A-572, more particularly described by metes and bounds as follows, to-wit:

BEGINNING at the Southeast corner of the original Amando Cardona 20.22-acre tract, at the Eastern termination of the South boundary of a 60 foot county road, for the Southwest corner of this tract;

THENCE North 0° 18' 40" West, with the Eastern boundary of said Cardona tract, 1187.79 feet to its Northeast corner for the Northwest corner of this tract;

THENCE South 89° 55' 30" East, 699.24 feet to the Eastern boundary of said Survey No. 421, for the Northeast corner of this tract;

THENCE South 0° 01' West, with the East boundary of said Survey No. 421, 1256.21 feet to a concrete monument at the Northeast corner of a 26.58-acre tract owned by O. L. Carson for the Southeast corner of this tract;

THENCE South 89° 59' 30" West, with the North boundary of said Carson tract, 326.36 feet to a concrete monument for an angle point in said North boundary and an angle point in the South boundary of this tract;

THENCE North 79° 16' West, at 14.64 feet pass the Northeast corner of a 5.17-acre tract owned by C. M. Blucher, in all a distance of 372.60 feet for the Southwest corner and PLACE OF BEGINNING of this tract, containing 19.78 acres of land, more or less.

This conveyance is made and accepted subject to the following matters to the extent same affect the above described land and to the extent same are in effect at this time:

(a) Any and all restrictions, covenants and conditions and easements, if any, relating to the hereinabove described property shown of record in Nueces County, Texas.

(b) All zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, relating to the hereinabove described property.

(c) Mineral reservation contained in a certain deed from the Estate of William Singer, Deceased, to Conrad Blucher, dated March 29, 1948, recorded in Volume 392, Page 393, of the

Deed Records of Nueces County, Texas, and claimants thereunder.

(d) Materials Lease from Conrad M. Blucher and wife, Zula E. Blucher, to F. W. Heldenfels, Jr., et al, dated November 20, 1969, recorded in Volume 1357, at Page 203, of the Deed Records of Nueces County, Texas.

(e) Mineral reservation contained in deed from Ward McCampbell, et al, to Conrad M. Blucher, dated April 28, 1951, recorded in Volume 515, at Page 27, of the Deed Records of Nueces County, Texas, and claimants thereunder.

(f) Royalty Deed from Henry Branch to Lois Smith, dated September 23, 1931, recorded in Volume 11, at Page 487, of the Oil and Gas Lease Records of Nueces County, Texas, and claimants thereunder.

(g) Oil, Gas and Mineral Lease dated May 29, 1969, from Conrad Blucher, et ux, to Burns Trust No. 2, recorded in Volume 278, at Page 238, of the Oil and Gas Lease Records of Nueces County, Texas.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever; and I do hereby bind myself and my 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, except as above stated, and except, further, as to current ad valorem taxes, the payment of which is assumed by Grantee.

But it is expressly agreed that the vendor's lien, as well as the superior title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face.

tenor, effect and reading thereof, when this Deed shall become absolute.

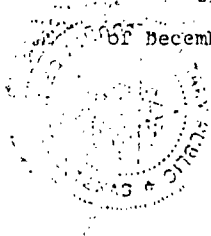
EXECUTED this 29th day of December, 1971, effective as of October 1, 1971.

J. Patrick McGloin
J. Patrick McGloin, Trustee

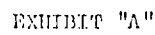
THE STATE OF TEXAS §
COUNTY OF NUECES §

BEFORE ME, the undersigned authority, on this day personally appeared J. PATRICK MCGLOIN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 29th day of December, 1971.



Dallas D. McCann
Notary Public, Nueces County, Texas
DALLAS D. MCCANN



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✓
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VER-2

ROLL 649 PAGE 319

FILED FOR RECORD

JUL 11 12 45 PM '80

Marion H. Hallinger

COUNTY CLERK, NUECES COUNTY, TEX.

1901
John Company

STATE OF TEXAS
COUNTY OF NUECES

I hereby certify that the 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

JUL 11 1980



Marion H. Hallinger

COUNTY CLERK,
NUECES COUNTY, TEXAS

DEED RECORDS
VOL 1746 PAGE 687