

WARRANTY DEED

Date: **SEPTEMBER 5, 2001**

Grantor: **DALE WARREN MINNIS, and wife, JOANN MINNIS**

Grantor's Mailing Address: **12248 F.M. 1485, Conroe, Montgomery County, Texas 77306**

Grantee: **VICK CEMETERY ASSOCIATION**

Grantee's Mailing Address: **622 Eastlake, Houston, Texas 77034.**

Consideration: **Ten and no/100ths Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged.**

Property (including any improvements):

BEING a 0.410 acre tract of land, being out of and a part of a 27.263 acre tract described in Film Code No. 413-01-1348, Real Property Records, Montgomery County, Texas, and being situated in the DUNCAN McINTYRE SURVEY, A-386, Montgomery County, Texas, and being more particularly described by metes and bounds on EXHIBIT "A" attached hereto and made a part hereof for all purposes,

TOGETHER WITH a 0.208 acre tract, being a 25 foot roadway easement situated to the West of the 0.410 acre tract described above, with said easement being more particularly described by metes and bounds on EXHIBIT "B" attached hereto and made a part hereof for all purposes, to be used in common with Grantor, his heirs, successors and assigns,

and TOGETHER WITH a 0.195 acre tract, being a 25 foot roadway easement situated to the East of the 0.410 acre tract described above, with said easement being more particularly described by metes and bounds on EXHIBIT "C" attached hereto and made a part hereof for all purposes to be used in common with Grantor, his heirs, successors and assigns,.

Reservations from and Exceptions to Conveyance and Warranty:

- 1. Restrictions, covenants, conditions, rights-of-way, easements and oil, gas and other mineral reservations, conveyances of leases, if any, affecting the above-described property, that are valid, existing and properly recorded.**
- 2. Taxes for 2001 shall be paid by Grantor.**
- 3. Taxes for 2002 and subsequent years, the payment of which Grantee assumes.**
- 4. The access to the above-described easements shall be controlled by a gate, chain and lock (at the entrance of the respective easement), with both Grantor and Grantee having their own lock. The gate shall remain locked at all times, except for those times when the easement(s) is/are being used by either Grantor or Grantee, their heirs, successors and assigns.**

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

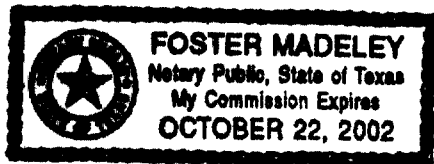

DALE WARREN MINNIS

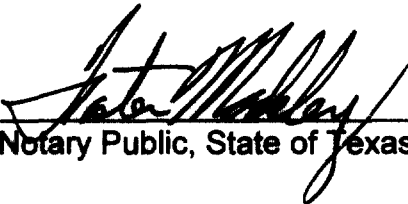

JOANN MINNIS

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

Acknowledgment

This instrument was acknowledged before me on the 6th of SEPTEMBER, 2001, by DALE WARREN MINNIS and JOANN MINNIS.




Notary Public, State of Texas

AFTER RECORDING,
PLEASE RETURN TO:

FOSTER MADELEY
Attorney at Law
300 W. Davis
Conroe, Texas 77301

EXHIBIT "A"

JOE A. McDANIEL
12010 Highway 105 E.
Conroe, Texas 77306
(936) 539-6656 Fax (936) 441-6656
August 9, 2001

0.410 Acre Tract

Being 0.410 acres of land, being out of and a part of a 27.263 acre tract described in film code No. 413-01-1348, Real Property Records, Montgomery County, Texas and being situated in the Duncan McIntyre Survey A-386, Montgomery County, Texas: more fully described as follows;

COMMENCING: at an iron rod in the South Line of a Road being the Northeast Corner of the above said 27.263 acre tract;

THENCE: N 89° 10' 35" W 452.28 feet following the South line of above said Road to a rail road spike set for the Northwest Corner of a 0.195 acre Road easement and the Northeast Corner of Vick Cemetery;

THENCE: S 03° 36' 31" E at 25.00 feet passing a 5/8" iron rod set as a reference point and continuing in all a total distance of 240.50 feet following a chain link fence to a 5/8" iron rod being the Southeast Corner of Vick Cemetery and the Northeast Corner of the herein described tract and being the PLACE OF BEGINNING;

THENCE: S 03° 36' 31" E 100.97 feet to a 5/8" iron rod set being the Southeast Corner of the herein described tract;

THENCE: S 85° 12' 13" W 156.43 feet to a 5/8" iron rod set for the Southwest Corner of the herein described tract;

THENCE: N 15° 31' 32" W 114.04 feet to a 5/8" iron rod found being the Southwest Corner of above said Vick Cemetery and the Northwest Corner of the herein described tract;

THENCE: N 88° 44' 15" E 180.10 feet following a chain link fence to the PLACE OF BEGINNING containing 0.410 acres of land.

FILE NO. : M38646C

EXHIBIT "B"

JOE A. McDANIEL
 12010 Highway 105 E.
 Conroe, Texas 77306
 (936) 539-6656 Fax (936) 441-6656
 August 9, 2001

0.208 Acre Tract
 25.00 Foot Wide Road Easement

Being 0.208 acres of land, being a 25.00 foot wide strip of land to be used for ingress and egress to Vick Cemetery, being out of and a part of a 27.263 acre tract described in film code No. 413-01-1348, Real Property Records, Montgomery County, Texas and being situated in the Duncan McIntyre Survey A-386, Montgomery County, Texas: more fully described as follows;

COMMENCING: at an iron rod in the South Line of a Road being the Northeast Corner of the above said 27.263 acre tract;

THENCE: N 89° 10' 35" W 627.55 feet following the South line of above said Road to a rail road spike set for the Northeast Corner of the herein described Road easement and the PLACE OF BEGINNING;

THENCE: N 89° 10' 35" W 25.04 feet following the South Line of above said Road to a rail road spike set for the Northwest Corner of the herein described easement;

THENCE: S 02° 24' 00" E at 25.00 feet passing a 5/8" iron rod set as a reference point and continuing in all a total distance of 251.01 feet to a 5/8" iron rod set being an angle point;

THENCE: S 15° 31' 32" E 112.18 feet to a 5/8" iron rod set for the Southwest Corner of the herein described easement;

THENCE: N 85° 12' 13" E 25.44 feet to a 5/8" iron rod set for the Southeast Corner of the herein described easement;

THENCE: N 15° 31' 32" W 114.04 feet to a 5/8" iron rod found being an angle point;

THENCE: N 02° 24' 00" W at 221.73 feet following a chain link fence and passing a 5/8" iron rod set as a reference point and continuing in all a total distance of 246.73 feet to the PLACE OF BEGINNING, containing 0.208 acres of land.

FILE NO. : M38646B

EXHIBIT "C"

JOE A. McDANIEL
 12010 Highway 105 E.
 Conroe, Texas 77306
 (936) 539-6656 Fax (936) 441-6656
 August 9, 2001

0.195 Acre Tract
 25.00 Foot Wide Road Easement

Being 0.195 acres of land, being a 25.00 foot wide strip of land to be used for ingress and egress to Vick Cemetery, being out of and a part of a 27.263 acre tract described in film code No. 413-01-1348, Real Property Records, Montgomery County, Texas and being situated in the Duncan McIntyre Survey A-386, Montgomery County, Texas: more fully described as follows;

COMMENCING: at an iron rod in the South Line of a Road being the Northeast Corner of the above said 27.263 acre tract;

THENCE: N 89° 10' 35" W 427.21 feet following the South line of above said Road to a rail road spike set for the Northeast Corner of the herein described Road easement and the PLACE OF BEGINNING;

THENCE: N 89° 10' 35" W 25.07 feet following the South Line of above said Road to a rail road spike set for the Northwest Corner of the herein described easement;

THENCE: S 03° 36' 31" E at 25.00 feet passing a 5/8" iron rod set as a reference point and continuing in all a total distance of 341.47 feet to a 5/8" iron rod set for the Southwest Corner of the herein described tract;

THENCE: N 85° 12' 13" E 25.01 feet to a 5/8" iron rod set for the Southeast Corner of the herein described tract;

THENCE: N 03° 36' 31" W at 314.02 feet passing a 5/8" iron rod set as a reference point and continuing in all a total distance of 339.02 feet to the PLACE OF BEGINNING, containing 0.195 acres of land.

FILE NO. : M38646A

STATE OF TEXAS
 COUNTY OF MONTGOMERY
 I hereto certify this instrument was filed in
 File Number S-38646A on this date and at the time
 shown here above and was duly RECORDED in
 the Official Public Records of Real Property at
 Montgomery County, Texas

SEP - 6 2001



Mark Tubbell

County Clerk
 Montgomery County, Texas

FILED FOR RECORD

2001 SEP - 6 PM 3: 14

Mark Tubbell
 COUNTY CLERK
 MONTGOMERY COUNTY, TEXAS