



#### NOTES CORRESPONDING TO SCHEDULE B ITEMS

(10a) Property subject Restrictive Covenants as recorded in Volume 3720. Page 687, Volume 3720, Page 695, Volume 7613, Page 4, as amended and/or supplemented in Volume 7657, Page 99, Volume 7681, Page 576, Volume 7613, Page 134, County Clerk's File No(s). 200611377, 200611378, 200611379, 200611380, 200611381, 200636304, 200630632, 200640926, 200657714, 200722973, 200722216, 200730859, 200730860, 201124897, and Restrictive Covenants filed under County Clerk's File No. 201055996 and Cabinet E, Slide 92-B, all of the Smith County Records, Smith County, Texas.

- (10f) Easements and building setbacks as shown on the plat of subdivision recorded in Cabinet E, Slide 92-B, Plat Records, Smith Count, Texas affecting the subject property are shown hereon.
- (10g) Mineral reservations and conveyances as follows: (Title to said interest not checked subsequent to the date thereof.)
  - (1) Reservations of 1/2 interest in oil, gas and other minerals in Deed dated February 4, 1972, from Ben Goodwin to Martin Sammons, Trustee, recorded in Volume 1431, Page 16, Land Records, Smith County, Texas. (49.214 acres)
  - (2) Reservation of all oil, gas and other minerals in Deed dated December 30, 1983, from Martin Sammons, Trustee to Southwest Omni Development Company, recorded in Volume 2207, Page 535, Land Records, Smith County, Texas. (49.214 acres)
  - (3) Reservation of all oil, gas and other minerals in Deed dated August 3, 1977, from I. Greenberg and Z. Greenberg to Jarvoo, Inc., Trustee, recorded in Volume 1636, Page 614, Land Records, Smith County, Texas (49.214 acres)
- (4) Conveyance of minerals in Deed dated December 1, 1994 from Jarvco, Inc. to Jarvis Family Trust recorded in Volume 3604, Page 38, Land Records, Smith County, Texas (49 214 acres)
- (5) Reservation of 1/4 of the landowner's usual 1/8 of all the oil, gas, and other minerals dated June 5, 1959, from Jessie Porter Johnson to I. Greenberg and Z. Greenberg, recorded in Volume 947, Page 283, Land Records, Smith County, Texas (49.214 acres)
- (6) Reservation of undivided 1/4 of the entire mineral rights, title and interest dated November 3, 1942 from Sadie Hill and husband, Ernest Hill to Charlie Wallace recorded in Volume 451, Page 449, Land Records, Smith County, Texas (49.214 acres)
- (7) Mineral reservations as stated in Warranty Deed dated November 10, 1976, from David C. Poe and wife, Bertha Banks Pot to the Veteran's Land Board recorded in Volume 1596, Page 831 and Page 839, Land Records, Smith County, Texas (17.707 acres)
- (8) Mineral reservation as stated in Warranty Deed dated January 11, 1940, from I.P. Goldstein to David Pore and wife, Bertha Pore recorded in Volume 400, Page 516, Land Records, Smith County, Texas. (17.707 acres)
- (9) Reservation of all of the oil, gas and other minerals in Warranty Deed dated June 25, 1986, from Briarwood Golf Club, Inc., a Texas Corporation to Odom Golf Enterprises, Inc., a Texas Corporation, recorded in Volume 2563, Page 427, Land Records, Smith County, Texas. (surface rights waived as set out therein) (146.1722 acres)
- (10) Mineral Deed from Briarwood Golf Club, Inc. to Mineral Interests, Ltd. dated September 26, 2002 and recorded in Volume 6665, Page 200, Land Records, Smith County, Texas, conveying an undivided fifty percent (50%) interest in the oil, gas and associated hydrocarbons. (146.1722 acres)
- (11) Reservation of all subsurface oil, gas and minerals of every kind and character in Deed dated 08/11/2006 from Cascade Properties, Ltd. to Mansions Custom Homes III, LP filed under cc#2006- R00040929 recorded in the Land Records, Smith County, Texas, and corrected under cc#2007-R00030858 recorded in the Land Records, Smith County, Texas. (AFFECTS LOTS 16-20, NCB 1802-E)
- (12) Reservation of all subsurface oil, gas and minerals of every kind and character contained in deed dated 06/22/2007, from Cascade Properties, Ltd. to Cascades of Tyler Homes Joint Venture, L.L.P. filed under cc#2007-R00030863, recorded in the Land Records, Smith County, Texas.
- Waiver of Surface Rights, dated March 23, 2005, filed of record on April 6, 2005, in Volume 7759, Page 395, Land and Official Public Records, Smith County, Texas. (49.214 and 146.1722 acres)
- Waiver of Surface Rights by and between Cascade Properties, Ltd. and Trises Properties, L.L.C. dated July 14, 2006 under cc#2006-R00040921, recorded in the Land and Official Public Records, Smith County, Texas. (49.214 acres)
- Waiver of Surface Rights by and between Cascade Properties, Ltd. and J. Greenberg Limited Partnership dated July 21, 2006 and filed under cc#2006-R00040922, recorded in the Land and Official Public Records, Smith County, Texas. (49.214 acres)
- (101) Oncor Electric Delivery Company Easement recorded in County Clerks File No. 2007-R00046268, Deed Records, Smith County, Texas does affect the subject property and is shown hereon. (10' wide electric easement)
- (100) Property subject to terms, conditions and provisions contained in Special Warranty Deed as recorded in County Clerk's File No. 2007-R00030863, Deed Records, Smith County, Texas.
- (10
  m q) Property subject to terms, conditions, provisions and repurchase rights contained in deed recorded in County Clerk's File No. 2006-R00040929, Deed Records, Smith County, Texas, and corrected under County Clerk's File No. 2007-R00030858, Deed Records, Smith County, Texas.

#### LEGAL DESCRIPTION

BEING all that certain Lot, Tract or Parcel of land situated in Smith County, Texas, being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, N.C.B. 1802-A; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, N.C.B. 1802-B; Lots 1, 2, 3, 4, 5, 6, N.C.B. 1802-D and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, N.C.B. 1802-E, Second Amending Plat Cascades VI, according to the Plat thereof recorded in Cabinet E, Slide 92-B, Plat Records, Smith County, Texas.

#### SURVEYOR'S CERTIFICATION

The undersigned hereby certifies to: Land on the Run, LLC; Doss Property Company, Ltd.; Cascades of Tyler Homes Joint Venture, L.L.P.; a Texas limited liability partnership; First American Title Insurance Company and Republic Title of Texas, Inc. that:

(a) This survey is true and correct, was made on the ground under my supervision as per the field notes shown hereon and correctly shows the boundary lines and dimensions and area of the land indicated hereon and each individual parcel thereof indicated hereon.

(b) This survey correctly shows the location and dimensions of all buildings, structures and other improvements and visible items on the subject property;

(c) The survey correctly shows the location and dimensions of all alleys, streets, roads, rights-of-way, easements, building set-back lines and other matters of record of which the undersigned has been advised affecting the subject property according to the legal description and such easements and other matters (with instrument, book and page number indicated);

(d) Except as shown, there are no (i) improvements, visible easements, rights-of-way, party walls, visible uses or conflicts, (ii) visible encroachments on adjoining premises, streets or alleys by any of said buildings, structures or other improvements, (iii) visible encroachments on the subject property by buildings, structures or other improvements situated on adjoining premises, or (iv) encroachments on any easement, building set-back line or other restricted area by any buildings, structures or other improvements situated on the subject property;

(e) The distance from the nearest intersection, street or road is as shown hereon:

(f) The subject property has direct and free access to a dedicated public street or road as shown hereon;

(g) By graphic plotting only, the property described hereon lies in Zone "A", areas subject to inundation by the 1% annual chance flood (100-year flood) and Zone "X", areas determined to be outside the 0.2% annual chance flood (500-year flood), as indicated on documents issued by the Federal Emergency Management Agency, entitled "Flood Insurance Rate Map, for Smith County, Texas and Incorporated Areas", Community Panel Numbers 48423C0355C & 48423C0365C. Map Revised Date, 09/26/2008. (See "Flood Statement" on Survey)

(h) This survey meets requirements for the current Texas Society of Professional Surveyors Standards and Specifications for Category IA, Condition II surveys for land title. I relied upon First American Title Insurance Company Commitment GF No. 1003-38297-RTT, effective date February 8, 2013, issue date March 27, 2013 for the research of encumbrances affecting the property shown hereon.

RELEASED 7/18/2013 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Douglas S. Loomis Registered Professional Land Surveyor No. 5199

#### MONUMENTATION NOTE

All lot corners shown hereon are 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199" or "X"s set in concrete, unless otherwise noted.

## **EASEMENTS NOTE**

All easements shown hereon are per the plat recorded in Cabinet E, Slide 92-B, Plat Records, Smith County, Texas, unless otherwise noted.

# **UTILITY STATEMENT**

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

# **BUILDING SETBACKS**

Front: 10 feet Rear: 20 feet, except for Lot 3, N.C.B. 1802-E, 19 feet Side: 10 feet (3 feet for accessory structures)

## **FLOOD STATEMENT**

By graphic plotting only, the property described hereon lies in Zone "A", areas subject to inundation by the 1% annual chance flood (100-year flood) and Zone "X", areas determined to be outside the 0.2% annual chance flood (500-year flood), as indicated on documents issued by the Federal Emergency Management Agency, entitled "Flood Insurance Rate Map, for Smith County, Texas and Incorporated Areas", Community Panel Numbers 48423C0355C & 48423C0365C, Map Revised Date, 09/26/2008. This flood statement does not imply that the property and /or structures thereon will be free from flooding or flood damage. On rare occasions, greater 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.

LAND TITLE SURVEY

**CASCADES VI** LOTS 1-16, N.C.B.-1802-A LOTS 1-39, N.C.B. 1802-B LOTS 1-6, N.C.B. 1802-D LOTS 1-26, N.C.B. 1802-E

(CABINET E, SLIDE 92-B, M.R.S.C.T.) TOBIAS COULTER SURVEY, ABSTRACT NO. 199 McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 727 McKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 728 SMITH COUNTY, TEXAS

REVISED CERTIFICATION, SCHEDULE B ITEMS
REVISED CERTIFICATION, REVISED SCHEDULE B ITEMS, ADDED FLOOD ZONE INFORMATION
REVISED CERTIFICATION & SCHEDULE B ITEMS TO REFLECT NEW TITLE COMMITMENT

Date of Survey: 01/17/2013 Job Number: 0614812 Drawn By: W.J.J. G.F. No.: 1003-38297-RTT File: Title Survey-87-Lots.Dwg SHEET 2 OF 2

PREPARED FOR:

WESTERN RIM

PROPERTY SERVICES, LP

2505 North State Highway 360

Suite 800

Grand Prairie, Texas 75050

(972) 471-8772

