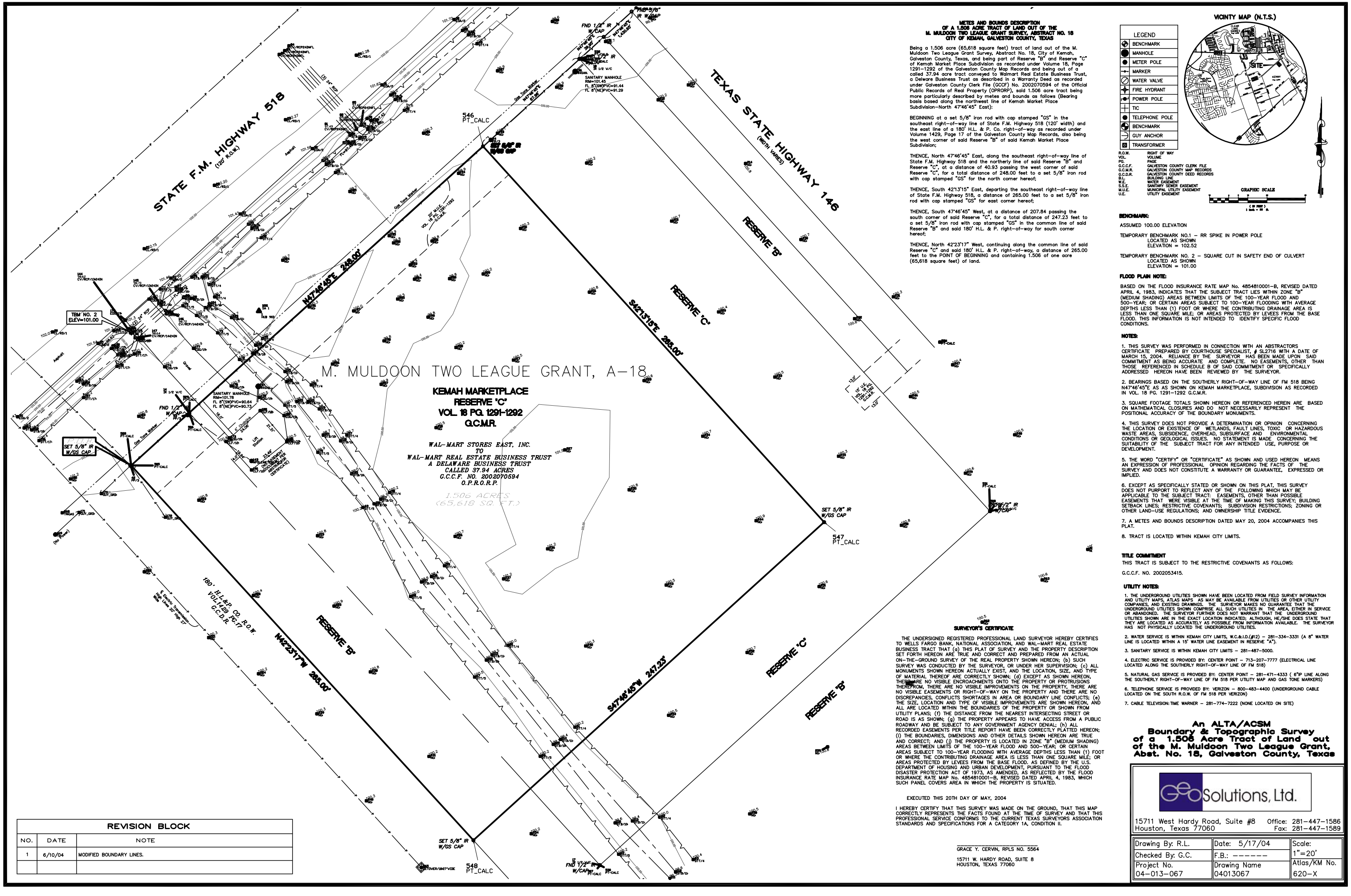

METES AND BOUNDS DESCRIPTION OF A 1.506 ACRE TRACT OF LAND OUT OF THE M. MULDOON TWO LEAGUE GRANT SURVEY, ABSTRACT NO. 18 CITY OF KEMAH, GALVESTON COUNTY, TEXAS

Being a 1.506 acre (65,618 square feet) tract of land out of the M. Muldoon Two League Grant Survey, Abstract No. 18, City of Kemah, Galveston County, Texas, and being part of Reserve "B" and Reserve "C" of Kemah Market Place Subdivision as recorded under Volume 18, Page 1291-1292 of the Galveston County Map Records and being out of a called 37.94 acre tract conveyed to Walmart Real Estate Business Trust, a Delaware Business Trust as described in a Warranty Deed as recorded under Galveston County Clerk File (GCCF) No. 2002070594 of the Official Public Records of Real Property (OPRORP), said 1.506 acre tract being more particularly described by metes and bounds as follows (Bearing basis based along the northwest line of Kemah Market Place Subdivision-North 47°46'45" East):

BEGINNING at a set 5/8" iron rod with cap stamped "GS" in the southeast right-of-way line of State F.M. Highway 518 (120' width) and the east line of a 180' H.L. & P. Co. right-of-way as recorded under Volume 1429, Page 17 of the Galveston County Map Records, also being the west corner of said Reserve "B" of said Kemah Market Place Subdivision;

THENCE, North 47°46'45" East, along the southeast right-of-way line of State F.M. Highway 518 and the northerly line of said Reserve "B" and Reserve "C", at a distance of 40.93 passing the west corner of said Reserve "C", for a total distance of 248.00 feet to a set 5/8" iron rod with cap stamped "GS" for the north corner hereof;

THENCE, South 42°13'15" East, departing the southeast right-of-way line of State F.M. Highway 518, a distance of 265.00 feet to a set 5/8" iron rod with cap stamped "GS" for east corner hereof;

THENCE, South 47°46'45" West, at a distance of 207.84 passing the south corner of said Reserve "C", for a total distance of 247.23 feet to a set 5/8" iron rod with cap stamped "GS" in the common line of said Reserve "B" and said 180' H.L. & P. right-of-way for south corner hereof;

THENCE, North 42°23'17" West, continuing along the common line of said Reserve "C" and said 180' H.L. & P. right-of-way, a distance of 265.00 feet to the POINT OF BEGINNING and containing 1.506 of one acre (65,618 square feet) of land.

LEGEND
BENCHMARK
MANHOLE
METER POLE
MARKER
WATER VALVE
FIRE HYDRANT
POWER POLE
TIC
TELEPHONE POLE
BENCHMARK
GUY ANCHOR
TRANSFORMER

R.O.W.	RIGHT OF WAY
VOL.	VOLUME
PG.	PAGE
G.C.C.F.	GALVESTON COUNTY CLERK FILE
G.C.M.R.	GALVESTON COUNTY MAP RECORDS
G.C.D.R.	GALVESTON COUNTY DEED RECORDS
B.L.	BUILDING LINE
W.E.	WATER EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
M.U.E.	MUNICIPAL UTILITY EASEMENT
U.E.	UTILITY EASEMENT

VICINITY MAP (N.T.S.)

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

BENCHMARK:

ASSUMED 100.00 ELEVATION

TEMPORARY BENCHMARK NO.1 – RR SPIKE IN POWER POLE
LOCATED AS SHOWN
ELEVATION = 102.52

TEMPORARY BENCHMARK NO. 2 – SQUARE CUT IN SAFETY END OF CULVERT
LOCATED AS SHOWN
ELEVATION = 101.00

FLOOD PLAIN NOTE:

BASED ON THE FLOOD INSURANCE RATE MAP No. 4854810001-B, REVISED DATED APRIL 4, 1983, INDICATES THAT THE SUBJECT TRACT LIES WITHIN ZONE "B" (MEDIUM SHADING) AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. THIS INFORMATION IS NOT INTENDED TO IDENTIFY SPECIFIC FLOOD CONDITIONS.

NOTES:

1. THIS SURVEY WAS PERFORMED IN CONNECTION WITH AN ABSTRACTORS CERTIFICATE PREPARED BY COURTHOUSE SPECIALIST, # SL2716 WITH A DATE OF MARCH 15, 2004. RELIANCE BY THE SURVEYOR HAS BEEN MADE UPON SAID COMMITMENT AS BEING ACCURATE AND COMPLETE. NO EASEMENTS, OTHER THAN THOSE REFERENCED IN SCHEDULE B OF SAID COMMITMENT OR SPECIFICALLY ADDRESSED HEREON HAVE BEEN REVIEWED BY THE SURVEYOR.

2. BEARINGS BASED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF FM 518 BEING N47°46'45"E AS AS SHOWN ON KEMAH MARKETPLACE, SUBDIVISION AS RECORDED IN VOL. 18 PG. 1291-1292 G.C.M.R.

3. SQUARE FOOTAGE TOTALS SHOWN HEREON OR REFERENCED HEREIN ARE BASED ON MATHEMATICAL CLOSURES AND DO NOT NECESSARILY REPRESENT THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTS.

4. THIS SURVEY DOES NOT PROVIDE A DETERMINATION OR OPINION CONCERNING THE LOCATION OR EXISTENCE OF WETLANDS, FAULT LINES, TOXIC OR HAZARDOUS WASTE AREAS, SUBSIDENCE, OVERHEAD, SUBSURFACE AND ENVIRONMENTAL CONDITIONS OR GEOLOGICAL ISSUES. NO STATEMENT IS MADE CONCERNING THE SUITABILITY OF THE SUBJECT TRACT FOR ANY INTENDED USE, PURPOSE OR DEVELOPMENT.

5. THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

6. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT TRACT: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND-USE REGULATIONS; AND OWNERSHIP TITLE EVIDENCE.

7. A METES AND BOUNDS DESCRIPTION DATED MAY 20, 2004 ACCOMPANIES THIS PLAT.

8. TRACT IS LOCATED WITHIN KEMAH CITY LIMITS.

TITLE COMMITMENT

THIS TRACT IS SUBJECT TO THE RESTRICTIVE COVENANTS AS FOLLOWS:

G.C.C.F. NO. 2002053415.

UTILITY NOTES:

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND UTILITY MAPS, ATLAS MAPS AS MAY BE AVAILABLE FROM UTILITIES OR OTHER UTILITY COMPANIES, 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/SHE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

2. WATER SERVICE IS WITHIN KEMAH CITY LIMITS, W.C.&I.D.(#12) – 281-334-3331 (A 8" WATER LINE IS LOCATED WITHIN A 15' WATER LINE EASEMENT IN RESERVE "A").

3. SANITARY SERVICE IS WITHIN KEMAH CITY LIMITS – 281-487-5000.

4. ELECTRIC SERVICE IS PROVIDED BY: CENTER POINT – 713-207-7777 (ELECTRICAL LINE LOCATED ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF FM 518)

5. NATURAL GAS SERVICE IS PROVIDED BY: CENTER POINT – 281-471-4333 (6"?P LINE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF FM 518 PER UTILITY MAP AND GAS TONE MARKERS)

6. TELEPHONE SERVICE IS PROVIDED BY: VERIZON – 800-483-4400 (UNDERGROUND CABLE LOCATED ON THE SOUTH R.O.W. OF FM 518 PER VERIZON)

7. CABLE TELEVISION: TIME WARNER – 281-774-7222 (NONE LOCATED ON SITE)

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED REGISTERED PROFESSIONAL LAND SURVEYOR HEREBY CERTIFIES TO WELLS FARGO BANK, NATIONAL ASSOCIATION, AND WAL-MART REAL ESTATE BUSINESS TRACT THAT (a) THIS PLAT OF SURVEY AND THE PROPERTY DESCRIPTION SET FORTH HEREON ARE TRUE AND CORRECT AND PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY OF THE REAL PROPERTY SHOWN HEREON; (b) SUCH SURVEY WAS CONDUCTED BY THE SURVEYOR, OR UNDER HER SUPERVISION; (c) ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST, AND THE LOCATION, SIZE, AND TYPE OF MATERIAL THEREOF ARE CORRECTLY SHOWN; (d) EXCEPT AS SHOWN HEREON, THERE ARE NO VISIBLE ENCROACHMENTS ONTO THE PROPERTY OR PROTRUSIONS THEREFROM, THERE ARE NO VISIBLE IMPROVEMENTS ON THE PROPERTY, THERE ARE NO VISIBLE EASEMENTS OR RIGHT-OF-WAY ON THE PROPERTY AND THERE ARE NO DISCREPANCIES, CONFLICTS SHORTAGES IN AREA OR BOUNDARY LINE CONFLICTS; (e) THE SIZE, LOCATION AND TYPE OF VISIBLE IMPROVEMENTS ARE SHOWN HEREON, AND ALL ARE LOCATED WITHIN THE BOUNDARIES OF THE PROPERTY OR SHOWN FROM UTILITY PLANS; (f) THE DISTANCE FROM THE NEAREST INTERSECTING STREET OR ROAD IS AS SHOWN; (g) THE PROPERTY APPEARS TO HAVE ACCESS FROM A PUBLIC ROADWAY AND BE SUBJECT TO ANY GOVERNMENT AGENCY DENIAL; (h) ALL RECORDED EASEMENTS PER TITLE REPORT HAVE BEEN CORRECTLY PLATTED HEREON; (i) THE BOUNDARIES, DIMENSIONS AND OTHER DETAILS SHOWN HEREON ARE TRUE AND CORRECT; AND (j) THE PROPERTY IS LOCATED IN ZONE "B" (MEDIUM SHADING) AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD, AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PURSUANT TO THE FLOOD DISASTER PROTECTION ACT OF 1973, AS AMENDED, AS REFLECTED BY THE FLOOD INSURANCE RATE MAP No. 4854810001-B, REVISED DATED APRIL 4, 1983, WHICH SUCH PANEL COVERS AREA IN WHICH THE PROPERTY IS SITUATED.

EXECUTED THIS 20TH DAY OF MAY, 2004

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS MAP CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II.

GRACE Y. CERVIN, RPLS NO. 5564

15711 W. HARDY ROAD, SUITE 8
HOUSTON, TEXAS 77060

REVISION BLOCK		
NO.	DATE	NOTE
1	6/10/04	MODIFIED BOUNDARY LINES.

An ALTA/ACSM Boundary & Topographic Survey of a 1.506 Acre Tract of Land out of the M. Muldoon Two League Grant, Abst. No. 18, Galveston County, Texas

GeoSolutions, Ltd.
15711 West Hardy Road, Suite #8 Office: 281-447-1586
Houston, Texas 77060 Fax: 281-447-1589

Drawing By: R.L.	Date: 5/17/04	Scale: 1"=20'
Checked By: G.C.	F.B.: ------	
Project No. 04-013-067	Drawing Name 04013067	Atlas/KM No. 620-X