

This is to Certify that I have this date 18 June 1968 made an actual and accurate survey of a tract of land in the M. J. Barksdale Survey, Abstract No. 11, in Rockwall County Texas and more particularly described as follows:

BEING 32.50 acres out of 55.20 acres in the M. J. Barksdale Survey, Abstract No. 11, conveyed to A. P. Roffino by deed dated 11 April 1959 and recorded in Volume No. 59, Page 383, of the Deed Records of Rockwall County Texas.

BEGINNING at the south corner of the A. P. Roffino tract;

THENCE N 45°39'23" W, 1,437.70' along fence in southwest boundary line of Roffino tract to corner in the south R/W of U. S. Highway No. 67;

THENCE with said highway R/W N 60°23'10" E, 1,452.05' to the northwest corner of a floodway easement;

THENCE S 21°58'16" E, 478.21';

THENCE S 7°35'29" E, 124.36';

THENCE S 4°21'10" E, 539.30';

THENCE S 10°52'00" W, 183.40' to corner in the southeast boundary line of Roffino tract;

THENCE with southeast boundary line of said tract S 45°42'10" W, 263.54';

THENCE S 44°14'01" W, 355.00' to place of beginning and containing 32.50 acres of land.

DATE 18 June 1968
SCALE 1" = 400'

D.H. Murray
D. H. MURRAY
2805 WHITEWOOD DRIVE
DALLAS, TEXAS 75233
REGISTERED PROFESSIONAL ENGINEER
REGISTERED PUBLIC SURVEYOR

FILED FOR RECORD 19th DAY OF July A.D. 1968 AT 2:45 P.M.
ROCKWALL COUNTY CLERK
C. H. MURRAY
CLERK OF THE COUNTY COURT, ROCKWALL COUNTY, TEXAS

THE STATE OF TEXAS }
COUNTY OF ROCKWALL } KNOW ALL MEN BY THESE PRESENTS: 297

That I, A. P. ROFFINO, not joined herein by my wife, as the property hereinafter described constitutes no part of my homestead, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to me in hand paid by the CITY OF DALLAS, TEXAS, a municipal corporation, the receipt of which is hereby acknowledged, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said CITY OF DALLAS, TEXAS, its successors and assigns, the free and uninterrupted use, liberty, privilege and easement for the purpose of flooding, placing or causing to be placed waters of the East Fork of the Trinity River as a result of the construction of the Forney Dam and Reservoir, as located and defined by the Board of Water Engineers of the State of Texas, in, on, over and along the following described tract of land situated in Rockwall County, Texas, to-wit:

BEING 1.55 acres out of 55.20 acres in the M. J. Barksdale Survey, Abstract No. 11, conveyed to A. P. Roffino by deed dated 11 April 1959 and recorded in Volume No. 59, Page 383 of the Deed Records of Rockwall County, Texas.

BEGINNING at Monument X-26-3 of Forrest and Cotton original survey;

THENCE N 7° 35' 29" W, 124.36' to Monument X-26-7;

THENCE N 64° 21' 45" E, 432.55' to Monument X-26-6;

THENCE S 46° 40' 15" E, 134.10' to Monument X-26-5;

THENCE S 50° 35' 55" W, 287.80' to Monument X-26-4;

THENCE S 81° 49' 40" W, 251.28' to place of beginning and containing 1.55 acres.

FIELD NOTES
D. H. Murray

together with the free ingress and egress to and for the said CITY OF DALLAS, TEXAS, its successors and assigns, by whatever means necessary to accomplish the full purposes and intent of this grant, forever, to have and to hold the said premises, together with all and singular the rights and privileges thereunto belonging, unto the said CITY OF DALLAS, TEXAS, its successors and assigns, forever; subject, however, to the following terms and conditions:

1. Grantor reserves for himself the right to deepen the channel of the branch in which this easement is located to a depth which shall not be below elevation 420, mean sea level, and which right shall extend by agreement with the City of Dallas to such adjacent areas owned by the City of Dallas as may be

298

necessary to excavate said branch to such depth; provided, however, that in the exercise of the excavation rights mentioned in this paragraph neither Grantor, nor his heirs, successors or assigns, shall fill or construct, or cause to be filled or constructed, any area or structure which shall alter in any manner the shoreline of the Forney Reservoir as shown on the date of this agreement in the certified maps and surveys prepared by Forrest and Cotton, Inc., Engineers, for the purpose of establishing and determining such shoreline.

- 2. Grantor, his heirs, administrators or assigns, will:
 - (a) maintain the banks of the branch to prevent erosion, and in the event he does not, it is agreed that this easement will progress with the erosion of the banks.
 - (b) abide by the rules and regulations of the lake as may be established by the City of Dallas.

3. The City of Dallas retains the right to refuse access to the lake proper for failure to comply with the rules, and regulations governing the use of the lake.

It is expressly understood and agreed that Grantor does hereby waive any and all damages in the future as a result of the exercise of this easement and all of the uses contained herein, which damages for any cause shall be waived forever.

EXECUTED this the 15th day of July, A. D. 1968.

A. P. Roffino
A. P. ROFFINO

THE STATE OF TEXAS }
COUNTY OF DALLAS }

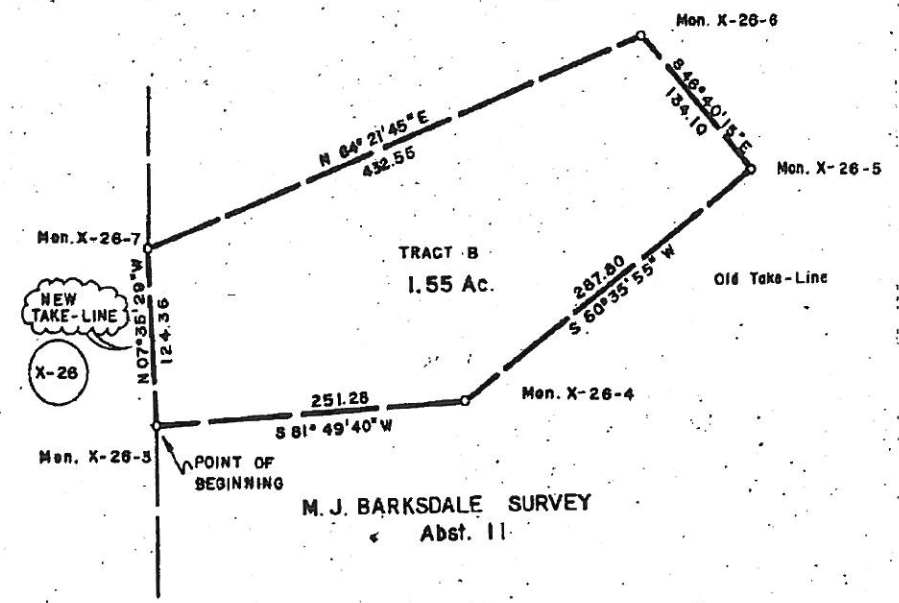
BEFORE ME, the undersigned, a Notary Public in and for said County and State on this day personally appeared A. P. ROFFINO, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 15th day of July, A. D. 1968.

[Signature]
NOTARY PUBLIC in and for Dallas County, Texas

Submitted to City Attorney

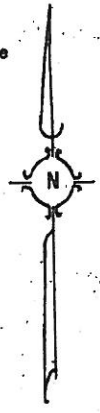
299



This is to Certify that I have this date 18 June 1968 made an actual and accurate Survey of a tract of land for floodway purposes in the M. J. Barksdale Survey, Abstract No. 11, in Rockwall County Texas and more particularly described as follows:

BEING 1.55 acres out of 55.20 acres in the M. J. Barksdale Survey, Abstract No. 11, conveyed to A. P. Roffino by deed dated 11 April 1959 and recorded in Volume No. 59, Page 383, of the Deed Records of Rockwall County Texas.

- BEGINNING at Monument X-26-3 of Forrest and Cotton original survey;
- TRENCHE N 7°35'29" W, 124.36' to Monument X-26-7;
- TRENCHE N 64°21'45" E, 432.55' to Monument X-26-6;
- TRENCHE S 46°40'15" E, 134.10' to Monument X-26-5;
- TRENCHE S 50°35'55" W, 287.80' to Monument X-26-4;
- TRENCHE S 81°49'40" W, 251.28' to place of beginning and containing 1.55 acres.



O. H. Murray
O. H. MURRAY
2804 WHITEWOOD DRIVE
DALLAS, TEXAS 75233



DATE 18 June 1968
SCALE 1" = 100'

FILED FOR RECORD 19th DAY OF July, A. D. 1968 AT 2:45 P.M.
[Signature]
CLERK OF THE COUNTY COURT, ROCKWALL COUNTY, TEXAS

THE STATE OF TEXAS }
COUNTY OF DALLAS }

KNOW ALL MEN BY THESE PRESENTS:

That I, A. P. ROFFINO, not joined herein by my wife, as the property hereinafter described constitutes no part of my homestead, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to me in hand paid by the CITY OF DALLAS, TEXAS, a municipal corporation, the receipt of which is hereby acknowledged, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said CITY OF DALLAS, TEXAS, its successors and assigns, the free and uninterrupted use, liberty, privilege and easement for the purpose of flooding, placing or causing to be placed waters of the East Fork of the Trinity River as a result of the construction of the Forney Dam and Reservoir, as located and defined by the Board of Water Engineers of the State of Texas, in, on, over and along the following described tract of land situated in Rockwall County, Texas, to-wit:

FIELD NOTES
BY
A. P. ROFFINO

BEING 0.898 acres out of 55.20 acres in the M. J. Barksdale Survey, Abstract No. 11, conveyed to A. P. Roffino by deed dated 11 April 1959 and recorded in Volume No. 59, Page 383, of the Deed Records of Rockwall County, Texas.

BEGINNING at a point in the south R/W of U. S. Highway No. 67 said point being S 60° 23' 10" W of and 165.25' from Monument X-26-8 of the original Forrest and Cotton Survey of said tract;

THENCE N 60° 23' 10" E with the south R/W of U. S. Highway No. 67 a distance of 165.25' to Monument No. X-26-8 and the northeast corner of original survey;

THENCE S 3° 51' 18" E with the original survey line a distance of 526.28' to Monument X-26-7 of original survey;

THENCE N 21° 58' 16" W a distance of 478.21' to the point of beginning and containing 0.898 acres.

together with the free ingress and egress to and for the said CITY OF DALLAS, TEXAS, its successors and assigns, by whatever means necessary to accomplish the full purposes and intent of this grant, forever.

TO HAVE AND TO HOLD the said premises, together with all and singular the rights and privileges thereinto belonging, unto the said CITY OF DALLAS, TEXAS, its successors and assigns, forever.

EXECUTED this the 12th day of July, A. D. 1968.

A. P. ROFFINO

THE STATE OF TEXAS }
COUNTY OF DALLAS }

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared A. P. ROFFINO, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of July, A. D. 1968.



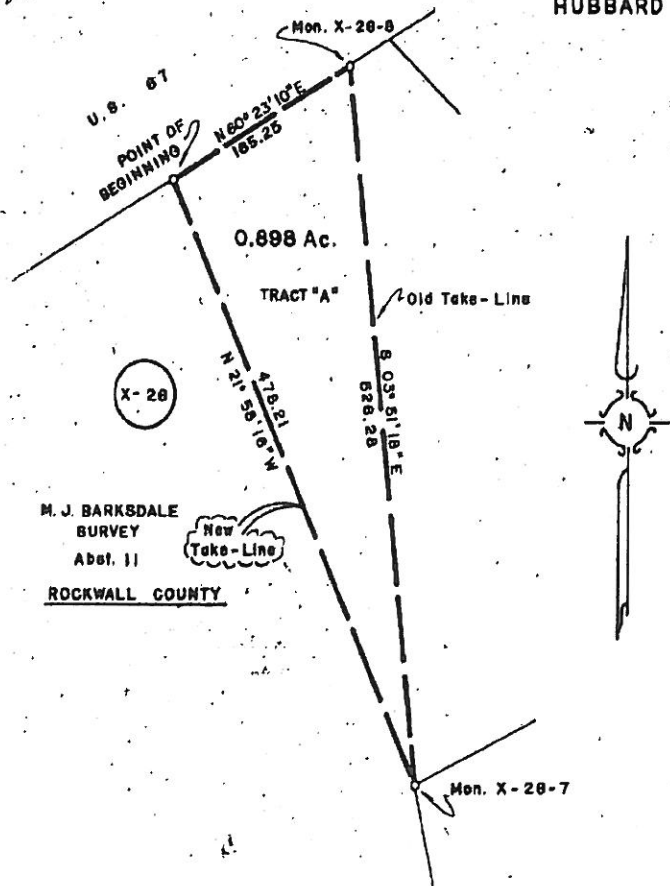
[Signature]
NOTARY PUBLIC in and for Dallas County, Texas.

Submitted to City Attorney

CITY OF DALLAS
TEXAS

A. P. ROFFINO
DRAINAGE ESMT.
HUBBARD LAKE

302



M. J. BARKSDALE
SURVEY
Abstr. 11
ROCKWALL COUNTY

This is to Certify that I have this date 18 June 1968 made an actual and accurate survey of a tract of land for floodway easement purposes in the M. J. Barksdale Survey, Abstract No. 11, in Rockwall County Texas and more particularly described as follows:

BEING 0.898 acres out of 55.20 acres in the M. J. Barksdale Survey, Abstract No. 11, conveyed to A. P. Roffino by deed dated 11 April 1959 and recorded in Volume No. 59, Page 383, of the Deed Records of Rockwall County Texas.

BEGINNING at a point in the south R/W of U. S. Highway No. 67 said point being S 60°23'10" W of and 165.25' from Monument X-26-8 of the original Forest and Cotton Survey of said tract;

THENCE N 60°23'10" E with the south R/W of U. S. Highway No. 67 a distance of 165.25' to Monument No. X-26-8 and the northeast corner of original survey;

THENCE S 3°51'18" E with the original survey line a distance of 526.28' to Monument X-26-7 of original survey;

THENCE N 21°58'16" W a distance of 478.21' to the point of beginning and containing 0.898 acres.

MICROFILMED

D. H. Murray



D. H. MURRAY
2806 WILHELM DRIVE
DALLAS, TEXAS 75233



DATE 18 June 1968
SCALE 1" = 100'

FILED FOR RECORD 19th DAY OF July A.D. 1968 AT 2:45 P. M.

RECORDED 23rd DAY OF July A.D. 1968 AT 3:00 P. M.
Elmer A. Raper, CLERK OF THE COUNTY COURT, ROCKWALL COUNTY, TEXAS

THE STATE OF TEXAS |
COUNTY OF ROCKWALL |

303

Whereas the undersigned, Point Royal, Inc., hereinafter called Debtor, has this date borrowed the sum of \$32,172.77 from The First State Bank, Rockwall, Texas, hereinafter called Bank, said indebtedness being evidenced by a promissory note described as follows:

Being a deed of trust note executed by Debtor and others, payable to Bank, of even date herewith, in the principal sum of \$32,172.77 with interest from date at the rate of 8 per cent annum, both principal and interest payable at the office of The First State Bank, Rockwall, Texas; the principal and interest of this note is payable in monthly installments of \$900.00 each, the first installment being due and payable on or before the 10th day of August, 1968 and one installment to become due and payable on or before the 10th day of each succeeding month thereafter until the whole principal sum and all interest is paid.

The interest on this note is payable monthly and is included in the above stated installments of \$900.00 each as aforesaid, each installment as paid to be credited first to the payment of interest accrued on unpaid principal and the balance to reduction of principal and all past due interest and principal shall bear interest from maturity at the rate of 10 per cent per annum, which said note is secured by a Deed of Trust, of even date herewith, executed by Debtor to N. Frank Smith, Trustee, on the hereinafter described lots situated in Point Royal Estates, First Addition, Rockwall County, Texas, and as additional security for the payment of above said note, Debtor, in consideration of said loan to it made by Bank, and in consideration of the sum of \$1.00, to Debtor in hand paid by Bank, the receipt whereof is hereby acknowledged, does hereby transfer, sell and assign to the said Bank all sums of every character whatsoever that may now or hereafter become due and owing to said Debtor by virtue of the following described Contracts for Deeds for lots belonging to Debtor situated in Point Royal Estates, First Addition, Rockwall County, Texas, to-wit: