



WHEREAS EnMark Gas Corp. is the owner of a tract of land situated in the James Smith Survey, Abstract Number 200, Rockwall County, Texas, and being all of LOT 1, BLOCK A, TRIBBEY ADDITION, an addition to the City of Rockwall, recorded in Cabinet C, Slide 117, Plat Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at ar 1/2" iron rod found in the South Right of Way line of I H 30, said point also being the North West corner of said Tribbey Addition;

THENCE: North 46° 30' 55" East a distance of 0.68 feet along said ROW line to a 1/2" iron rod set for a corner;

THENCE: North 68° 43' 09" East, continuind along said ROW line, a distance of 324.93 feet to a 1/2" iron rod found for a corner;

THENCE: South 28° 30' 01" East, along the Easterly line of said Tribbey Addition, a distance of 773.00 feet to a 1/2" iron rod set for a corner;

THENCE: South 12° 23' 15" West a distance of 90.33 feet to a 1/2" iron rod found for a corner;

THENCE: North 45° 21' 11" West a distance of 144.92 feet to a 1/2" iron rod set for a corner;

THENCE: North 45° 07' 15" West a distance of 775.66 feet to the place of beginning and containing 3.6776 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS

STATE OF TEXAS  
COUNTY OF ROCKWALL

We the undersigned owners of the land shown on this plat, and designated herein as MILLER ADDITION, a Replat of Lot 1, Block A, Tribbey Addition, an addition to the City of Rockwall, Rockwall County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. We further certify that all other parties who have a mortgage or lien interest in the replat of said Tribbey Addition have been notified and signed this plat. We understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. We also understand the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips, and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
3. The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
6. No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or Until the developer and/or owner files a corporate surety bond with the City Secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall. It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54. We further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; We, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication of exactions made herein.

ENMARK GAS CORP.

BY: [Signature]

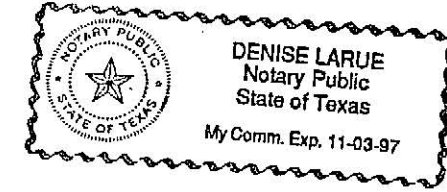
STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Rod Miller the \_\_\_\_\_ of EnMark Gas Corp., 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 purpose and consideration therein stated on behalf of said Corporation

Given upon my hand and seal of office this 13 day of May, 1997.

Notary Public in and for the State of Texas

[Signature]  
Signature of Party with Mortgage or Lien Interest



STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ 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 purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

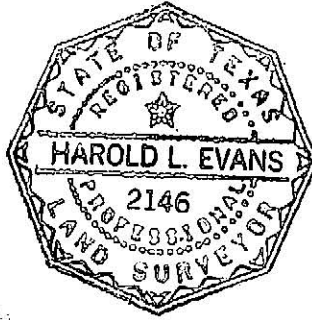
Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, Harold L. Evans, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

[Signature]  
HAROLD L. EVANS, P.E., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2146



STATE OF TEXAS  
COUNTY OF DALLAS

This instrument was acknowledged before me on the 18 day of March, 1997 by Harold L. Evans.

[Signature]  
Notary Public

RECOMMENDED FOR FINAL APPROVAL

[Signature]  
Planning and Zoning Commission

April 4, 1997 Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the 17 day of February, 1997.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within one hundred twenty (120) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this 1st day of May, 1997.

[Signature]  
Mayor, City of Rockwall

[Signature]  
City Secretary, City of Rockwall



D, 1-2

**MILLER ADDITION  
A REPLAT OF  
LOT 1, BLOCK A**

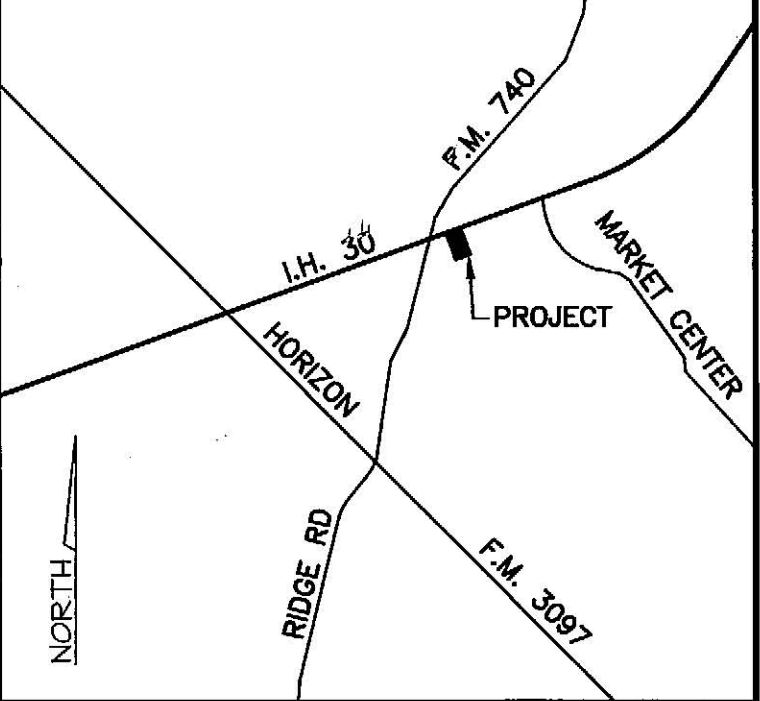
**HAROLD L. EVANS**  
CONSULTING ENGINEER  
P.O. BOX 28355  
2331 CUS THOMASSON ROAD, SUITE 102  
DALLAS, TEXAS 75228. (214) 328-8133

SCALE	DATE	JOB No.
	1/23/97	9876

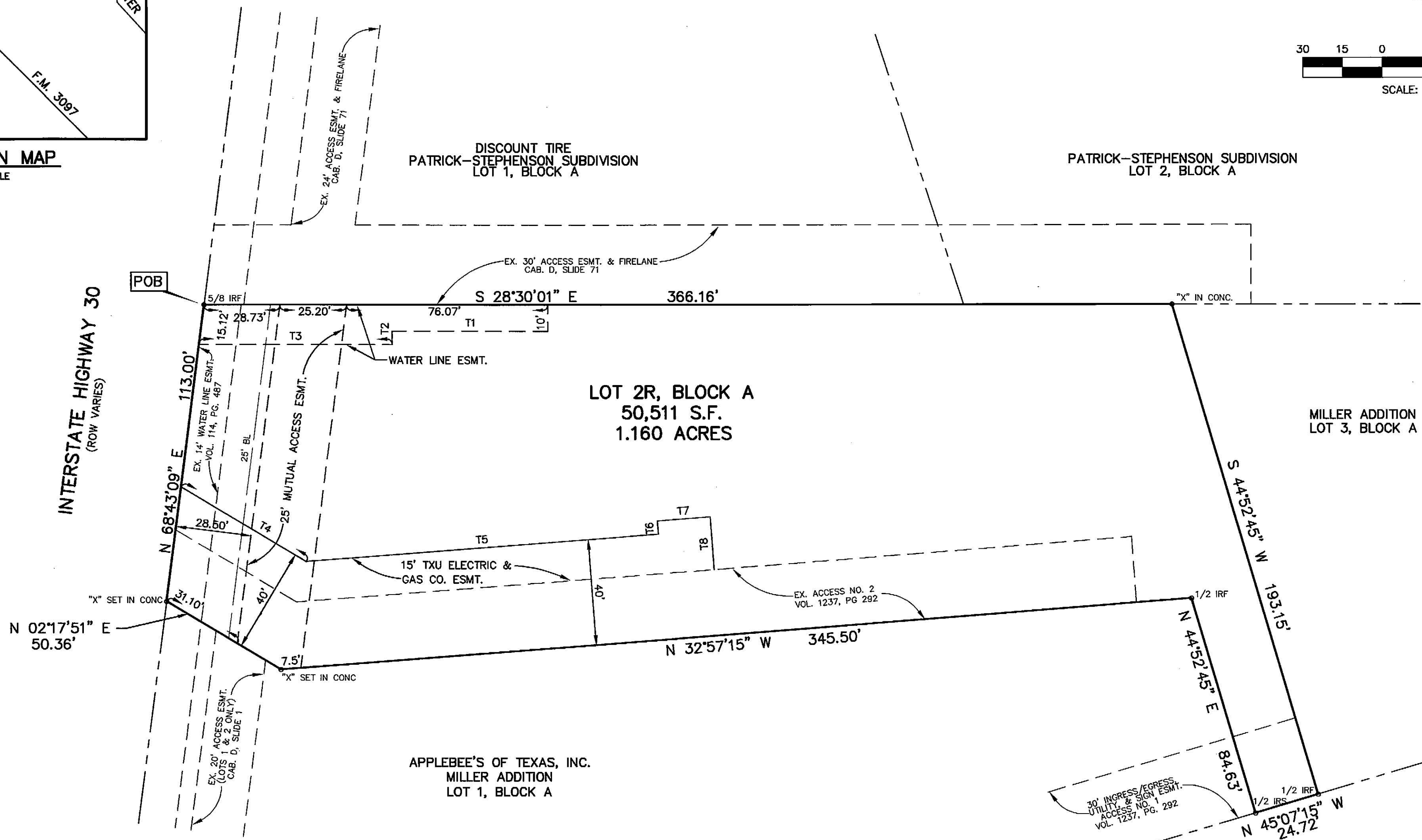
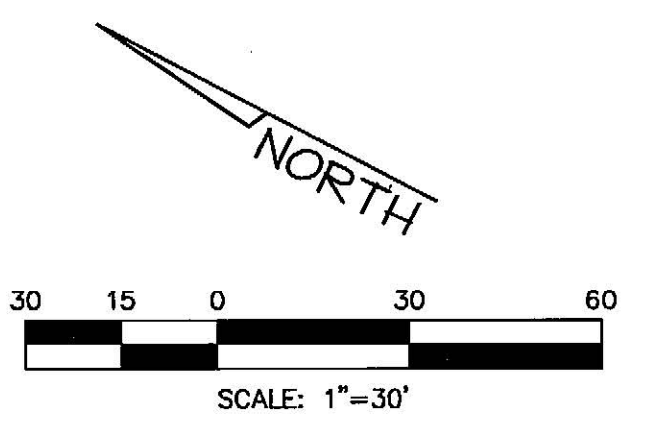
**TRIBBEY ADDITION**  
J. SMITH SURVEY, ABST. #200  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS  
ENMARK GAS CORP.  
16415 ADDISON ROAD, SUITE 610, DALLAS, TEXAS 75248 (972) 733-0011

Miller Addition





**LOCATION MAP**  
NO SCALE



INTERSTATE HIGHWAY 30  
(ROW VARIES)

N 02°17'51" E  
50.36'

POB

N 68°43'09" E  
113.00'

DISCOUNT TIRE  
PATRICK-STEPHENSON SUBDIVISION  
LOT 1, BLOCK A

PATRICK-STEPHENSON SUBDIVISION  
LOT 2, BLOCK A

**LOT 2R, BLOCK A**  
50,511 S.F.  
1.160 ACRES

MILLER ADDITION  
LOT 3, BLOCK A

APPLEBEE'S OF TEXAS, INC.  
MILLER ADDITION  
LOT 1, BLOCK A

NOTE: Bearing Basis is the North Line of the Miller Addition as recorded in Cab. D, Slide 1&2, PRRCT.

TANGENT	BEARING	LENGTH
T1	N 28°30'01" W	58.89'
T2	S 61°29'59" W	5.00'
T3	N 28°30'01" W	73.01'
T4	S 02°17'51" W	55.11'
T5	S 32°57'15" E	133.64'
T6	N 57°02'45" E	5.00'
T7	S 32°57'15" E	20.00'
T8	S 57°02'45" W	20.00'

FILED FOR RECORD  
ROCKWALL COUNTY, TEXAS

01 AUG 14 PM 4:01

LAULETTE BURKS  
CO. CLERK  
BY: *[Signature]* DEPUTY

ENGINEER: MARC O. BENTLEY, P.E.  
BENTLEY ENGINEERING, INC.  
702 GATEWOOD DR.  
GARLAND, TEXAS 75043  
(972) 240-4821

REPLAT  
**MILLER ADDITION  
LOT 2R, BLOCK A**  
1.160 ACRES / 1 LOT ZONED C-COMMERCIAL  
BEING A REPLAT OF LOT 2, BLOCK A, MILLER ADDITION  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

**SOULMAN'S BAR-B-QUE** OWNER  
P.O. BOX 1147 214-202-5729  
ROYSE CITY, TEXAS 75189

**LANE'S SOUTHWEST SURVEYING** SURVEYOR  
2717 MOTLEY DRIVE, SUITE B 972-681-4442  
MESQUITE, TEXAS 75150

APRIL 2001

30 E87  
SHEET 1 OF 2

STATE OF TEXAS  
COUNTY OF ROCKWALL

WHEREAS, SOULMAN'S BAR-B-QUE, INC. is the owner of a tract situated in the J. Smith Survey, Abstract 200, City of Rockwall, Rockwall County, Texas and being all of Lot 2, Block A, Miller Addition, an addition to the City of Rockwall as recorded in Cabinet D, Slides 1&2, Plat Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found at the northwest corner of Lot 1, Block A of the Patrick-Stephenson Addition as recorded in Cabinet D, Slide 71, Plat Records of Rockwall County, Texas, said point also being the south right-of-way line of Interstate Highway 30 (variable R.O.W.);

THENCE South 28deg 30min 01sec East along said the west line of said Lot 1, Block A, Patrick-Stephenson Addition, a distance of 366.16 feet to an "X" found in concrete for corner, said point also being the northeast corner of Lot 3, Block A of the said Miller Addition;

THENCE South 44deg 52min 45sec East along the north line of said Lot 3, Block A, a distance of 193.15 feet to a 1/2 iron rod found for corner;

THENCE North 45deg 07min 15sec West, a distance of 24.75 feet to a 1/2 iron rod set for corner, said point being the most southerly corner of Lot 1, Block A of said Miller Addition;

THENCE the following calls along the common lot line with Lot 1, Block A:

North 44deg 52min 45sec East, a distance of 84.63 feet to a 1/2 inch iron rod found for corner;

North 32deg 57min 15sec West, a distance of 345.50 feet to an "X" set in concrete for corner;

North 02deg 17min 51sec East, a distance of 50.36 feet to an "X" set in concrete for corner, said point also being in the south line of said Interstate highway 30;

THENCE North 68deg 43min 09sec East along said south line of Interstate Highway 30, a distance of 113.00 feet the PLACE OF BEGINNING and containing 50,511 square feet or 1.160 acres of land more or less.

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, J. L. LANE, R.P.L.S., do hereby certify that this plat was prepared from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

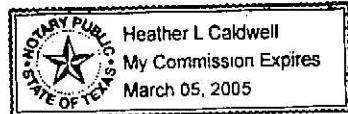


*J. L. Lane*  
J. L. LANE,  
Registered Professional Land Surveyor No. 2509

STATE OF TEXAS  
COUNTY OF ROCKWALL

This instrument was acknowledged before me on the 26th day of June, 2001.

By: J. L. Lane.



*Heather L. Caldwell*  
Notary Public in and for the State of Texas  
My Commission Expires: 3-5-2005

RECOMMENDED FOR FINAL APPROVAL

*J. Cary Randolph*  
Planning and Zoning Commission

July 27, 2001  
Date

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the 18th day of June, 2001.

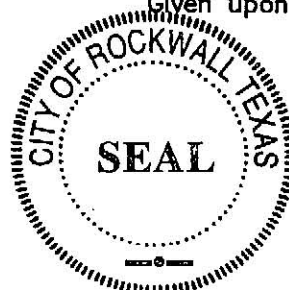
This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred twenty (120) days from said date of approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this 27 day of July, 2001.

*K. Jones*  
Mayor, City of Rockwall

*Berinda Page*  
City Secretary, City of Rockwall



STATE OF TEXAS  
COUNTY OF ROCKWALL

I (we) the undersigned owner(s) of the land shown on this plat, and designated herein as LOT 2R, BLOCK A, MILLER ADDITION subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I (we) further certify that all other parties who have a mortgage or lien interest in LOT 2R, BLOCK A, MILLER ADDITION subdivision have been notified and signed this plat.

I (we) understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I (we) also understand the following:

- No buildings shall be constructed of placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for the purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drainage improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or

Until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I (we) further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I (we), my (our) successors and assigns hereby waive any claim, damage, or cause of action that I (we) may have as a result of the dedication of exactions made herein.

Party with Mortgage or Lien Interest

By: NONE  
Title: NONE

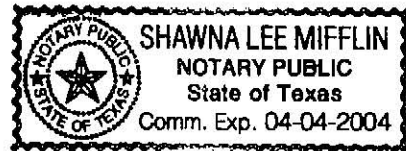
SOULMAN'S BAR-B-QUE, INC.

By: *Don Hallett*  
Title: President

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEFORE ME, the undersigned authority, on this day personally appeared DON HALLETT, 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 purpose and consideration therein stated.

Given upon my hand and seal of office this 29th day of June, 2001.



*Shawna Lee Mifflin*  
Notary Public in and for the State of Texas  
My Commission Expires: 4-4-04

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, 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 purpose and consideration therein stated.

Given upon my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Notary Public in and for the State of Texas  
My Commission Expires: \_\_\_\_\_

REPLAT

**MILLER ADDITION  
LOT 2R, BLOCK A**

1.160 ACRES / 1 LOT ZONED C-COMMERCIAL  
BEING A REPLAT OF LOT 2, BLOCK A, MILLER ADDITION  
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

**SOULMAN'S BAR-B-QUE** OWNER  
P.O. BOX 1147 214-202-5729  
ROYSE CITY, TEXAS 75189

**LANE'S SOUTHWEST SURVEYING** SURVEYOR  
2717 MOTLEY DRIVE, SUITE B 972-681-4442  
MESQUITE, TEXAS 75150

ENGINEER: MARC O. BENTLEY, P.E.  
BENTLEY ENGINEERING, INC.  
702 GATEWOOD DR.  
GARLAND, TEXAS 75043  
(972) 240-4821

APRIL 2001 **30** E88  
SHEET 2 OF 2

Miller Add-Soulman

NOTE: It shall be the policy of the City of Rockwall to withhold issuing building permits until all streets, water, sewer and storm drainage systems have been accepted by the City. The approval of a plat by the City does not constitute any representation, assurance or guarantee that any building within such plat shall be approved, authorized or permit therefore issued, nor shall such approval constitute any representation, assurance or guarantee by the City of the adequacy and availability for water for personal use and fire protection within such plat, as required under Ordinance 83-54.