

APPENDIX E

NCO ENVIRONMENTAL LIEN REPORT

October 24, 2007

Ms. Cari Browning  
Ms. Robin Breland  
Conestoga-Rovers & Assoc.  
4915 South Sherwood Forest Boulevard  
Baton Rouge, LA 70816-4642

Subject: TEXAS DEPARTMENT OF CRIMINAL JUSTICE TRACT  
75 ACRE TRACT  
HUNTSVILLE, TX

Dear Ms. Browning and Ms. Breland:

Public records at Burnet County, Texas on the subject real property identified above revealed the following information effective to October 16, 2007:

**ENVIRONMENTAL LIEN REPORT**

**Location:** Burnet County

**Land/Description:** Parcel of Land  
Parcel No: 82389

**Deed information**

**Grantee:** Burnet County  
**(Buyer)**

**Grantor:** Texas Board of Criminal Justice  
**(Seller)**

Date Recorded: September 26, 2007  
Document No.: 0712014

NOTE: Legal Description included as Exhibit "A".

**ENVIRONMENTAL LIENS**

No environmental liens were found recorded at Burnet County, Texas Public Records Office affecting the subject real property asset effective from September 26, 2007 to October 16, 2007.

**OTHER ACTIVITY AND USE LIMITATIONS (AUL's):**

Use Limitations were recorded within the Deed.

We hope this information assists in your decision making process. If we can be of additional assistance, please do not hesitate to contact us at your convenience.

Cordially,

NCO FINANCIAL SYSTEMS, INC.  
FINANCIAL INVESTIGATIVE SERVICES



Donald McKoin  
Title Analyst

DM/pma

cc: David Ruh  
NCO File #: 792872

**TERMS AND CONDITIONS**

USE OF THIS REPORT: THIS REPORT CONTAINS INFORMATION OBTAINED FROM PUBLIC LAND RECORDS AND NCO FINANCIAL SYSTEMS, INC. - FINANCIAL INVESTIGATIVE SERVICES MAKES NO REPRESENTATION CONCERNING THE ACCURACY OF SAID PUBLIC RECORD INFORMATION OR THE INFORMATION CONTAINED IN THIS REPORT. THIS REPORT IS NOT AN ABSTRACT OR OPINION OF TITLE, TITLE COMMITMENT OR GUARANTEE, OR TITLE INSURANCE POLICY. THIS REPORT IS PROVIDED TO YOU AS A NCO FINANCIAL SYSTEMS, INC. - FINANCIAL INVESTIGATIVE SERVICES CUSTOMER AND IS NOT INTENDED FOR BENEFIT OF ANY THIRD PARTY.

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FINANCIAL SYSTEMS, INC. - FINANCIAL INVESTIGATIVE SERVICES SHALL HAVE NO LIABILITY TO ANY THIRD PARTY UNDER ANY CIRCUMSTANCES. IN NO EVENT SHALL NCO FINANCIAL SYSTEMS, INC. - FINANCIAL INVESTIGATIVE SERVICES BE LIABLE FOR ANY SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES EVEN IF ADVISED THAT SUCH DAMAGES ARE POSSIBLE OR LIKELY.

**EXHIBIT A**

DEED FROM THE STATE OF TEXAS

0712014

STATE OF TEXAS  
COUNTY OF BURNET

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS:

That the TEXAS BOARD OF CRIMINAL JUSTICE, "GRANTOR" herein on behalf of the TEXAS DEPARTMENT OF CRIMINAL JUSTICE, by virtue of the authority of SB 1533 of the 80<sup>th</sup> Legislative Session 2007, for consideration to which the parties have mutually agreed, has GRANTED, CONVEYED and TRANSFERRED, and by these presents does GRANT, CONVEY and TRANSFER unto Burnet County, "GRANTEE", whose mailing address is 220 South Pierce, Burnet, Texas 78611, the following described land in Burnet County, Texas, to wit:

Being a 75.00-acre tract of land and a 70.00 foot wide Access Easement being 5.92 acres out of the 300.00 acre Texas Department of Criminal Justice Tract recorded in Cabinet 2, Slide 49-C of the Burnet County Plat Records also being out of the 300.00 acres conveyed to Texas Department of Criminal Justice in Volume 608, Page 19 of the Official Public Records of Burnet County, Texas; being more particularly described by metes and bounds in "Exhibit A".

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights, improvements, and appurtenances thereto in anywise belonging unto the GRANTEE, its successors and assigns forever; however, this conveyance is made subject to all covenants, conditions, reservations, rights-of-way, and easements, if any that are valid, existing, and of record, or visible and apparent upon the property described above.

This conveyance is made and accepted on the condition that (a) Burnet County shall use the property only for a purpose that benefits the public interest of the state; and (b) ownership of the property will automatically revert to the Texas Board of Criminal Justice on behalf of the Texas Department of Criminal Justice if Burnet County uses the property for any purpose other than the purpose specified in (a).

GRANTEE HAS FULLY INSPECTED THE ABOVE DESCRIBED PREMISES AND GRANTEE EXPRESSLY ACCEPTS THE PROPERTY AS IS. THIS DEED IS MADE AND ACCEPTED WITHOUT ANY WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION THE WARRANTIES IN §5.023, TEXAS PROPERTY CODE, AS NOW WRITTEN OR HEREINAFTER AMENDED.

Witness my hand and seal of office this 19<sup>th</sup> day of September, 2007.

TEXAS BOARD OF CRIMINAL JUSTICE

By: Christina Melton Crain  
Christina Melton Crain  
Chairman  
Texas Board of Criminal Justice

APPROVED AS TO LEGAL CONTENT:

By: Michael McManus  
Michael McManus  
Deputy General Counsel  
Texas Department of Criminal Justice

APPROVED AS TO SIZE AND LOCATION:

By: Michael Corley  
Michael Corley  
Program Specialist III  
TDCJ Agribusiness, Land and Minerals

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

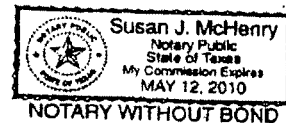
Before me, the undersigned authority, on this day personally appeared CHRISTINA MELTON CRAIN, Chairman of the Texas Board of Criminal Justice, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given my hand and seal of office, this 19<sup>th</sup> day of September, 2007.

Susan J. McHenry  
Notary Public, State of Texas

After Recording Return to:

Cherrel Langley  
Administrative Assistant III  
Land and Minerals Operations  
Agribusiness, Land and Minerals  
2405 Ave. I Suite E  
Huntsville, Texas 77340  
(936) 437-3461

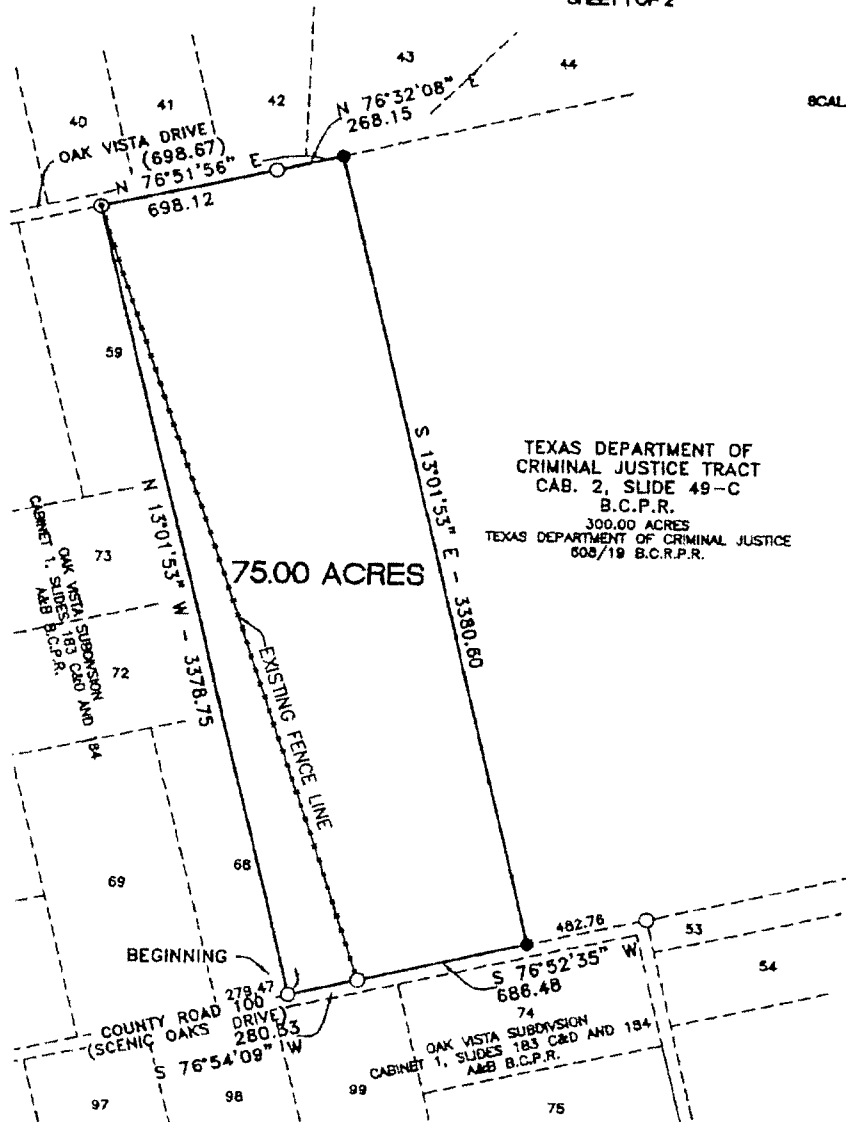
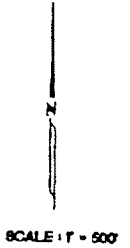


Willis - Sherman Associates, Inc.



LAND SURVEYORS AND PLANNERS  
310 MAIN • MARBLE FALLS, TEXAS • 79654  
800 882-3568 FAX (800) 882-8268

SURVEY PLAT OF  
75.00 ACRES OUT OF THE  
TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE TRACT  
CAB. 2, SLIDE 49-C  
BURNET COUNTY PLAT RECORDS  
BURNET COUNTY, TEXAS  
SHEET 1 OF 2



TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE TRACT  
CAB. 2, SLIDE 49-C  
B.C.P.R.  
300.00 ACRES  
TEXAS DEPARTMENT OF CRIMINAL JUSTICE  
608/19 B.C.P.R.

○ FIN. 1/2" STEEL STAKE  
○ FIN. CEDAR FENCE POST FRINGE  
○ FIN. 1/2" STEEL STAKE  
○ INT. 1/2" STEEL STAKE WITH  
PLASTIC CAP STAMPED S.P.L.S. 1877

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(830) 693-3566 FAX (830) 693-5362

FIELD NOTES TO ACCOMPANY  
PLAT OF 75.00 ACRES  
OUT OF THE TEXAS DEPARTMENT  
OF CRIMINAL JUSTICE TRACT  
CAB. 2, SLIDE 49-C  
BURNET COUNTY PLAT RECORDS  
BURNET COUNTY, TEXAS

SHEET 2 OF 2

STATE OF TEXAS:  
COUNTY OF BURNET:

Field notes of a 75.00 acre tract of land out of the 300.00 acre Texas Department of Criminal Justice Tract recorded in Cabinet 2, Slide 49-C of the Burnet County Plat Records also being out of the 300.00 acres conveyed to Texas Department of Criminal Justice in Volume 608, Page 19 of the Official Public Records of Burnet County, Texas. The basis of bearing for this survey is the recorded plat of said Texas Department of Criminal Justice Tract.

Beginning at a 1/2" steel stake found in the North right-of-way line of County Road 100 (Scenic Oaks Drive as shown on the plat of Oak Vista Subdivision recorded in Cabinet 1, Slides 183 C & D and 184 A & B of the Burnet County Plat Records, Burnet County, Texas) and the South line of that certain Tract No. 68 of said Oak Vista Subdivision for the Southwest corner of said Texas Department of Criminal Justice Tract and the Southwest corner hereof;

Thence leaving the North right-of-way line of said County Road and the South line of said Tract No. 68 with the West line of said 300.00 acre tract, the West line of said Texas Department of Criminal Justice Tract and the West line hereof North 13°01'53" West, at a distance of 3378.75 to a Cedar Fence Post Found in the South right-of-way line of Oak Vista Drive and the North line of Tract No. 59 of said Oak Vista Subdivision for the Northwest corner of said Texas Department of Criminal Justice Tract and the Northwest corner hereof;

Thence with the South right-of-way line of said Oak Vista Drive, the North line of said 300.00 acre tract, the North line of said Texas Department of Criminal Justice Tract, and the North line hereof with (2) calls as follows: North 76°51'56" East, a distance of 698.12 feet (698.67) feet to a 1/2" steel stake found for an angle point hereof;

Thence North 76°32'08" East, a distance of 268.15 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 for the Northeast corner of this 75.00 acre tract;

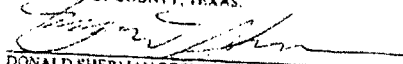
Thence along the East line of this 75.00 acre tract South 13°01'53" East, a distance of 3380.60 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 in the North right-of-way line of said County Road 100 for the Southeast corner hereof, from which a 1/2" steel stake found bears North 76°52'35" East, a distance of 482.76 feet;

Thence with the North right-of-way line of said County Road 100 and the South line of said Texas Department of Criminal Justice Tract and the South line hereof with (2) calls as follows: South 76°52'35" West, a distance of 686.48 feet to a 1/2" steel stake found for an angle point hereof;

Thence South 76°54'09" West, a distance of 280.33 feet to the Place of Beginning.

I HEREBY CERTIFY THAT THE FIELD NOTES HEREON REPRESENTS THE RESULTS OF AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE AS DESCRIBED HEREON.

THIS SURVEY WAS MADE FOR THE BENEFIT OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND BURNET COUNTY, TEXAS.

  
DONALD SHERMAN REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1877  
JOB NO. 12257 FIELD BOOK NO. N/A OFFICE: C. GARAY FIELD: J. MARTINKA

DATE 4/2/07



Willis-Sherman Associates, Inc.

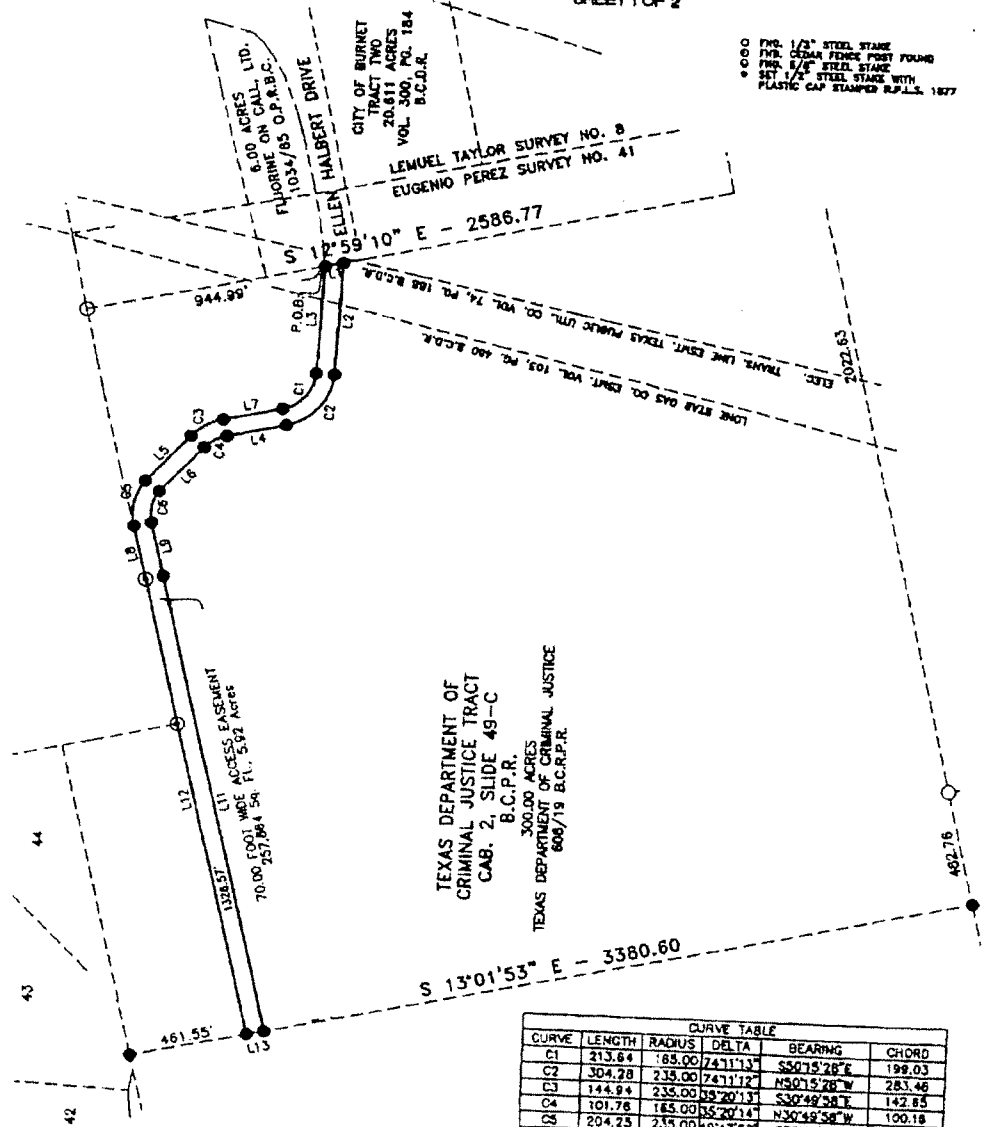


LAND SURVEYORS AND PLANNERS  
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(800) 800-0888 FAX (800) 800-0888

SURVEY PLAT OF  
A 70 FOOT WIDE ACCESS EASEMENT  
OUT OF THE  
TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE TRACT  
CAB. 2, SLIDE 49-C  
BURNET COUNTY PLAT RECORDS  
BURNET COUNTY, TEXAS  
SHEET 1 OF 2

SCALE 1" = 500'

○ 1/2" STEEL STAKE  
○ 1/2" CEDAR FENCE POST FOUND  
○ 1/2" STEEL STAKE  
○ SET 1/2" STEEL STAKE WITH  
PLASTIC CAP STAMPED S.P.L.L. 1877



TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE TRACT  
CAB. 2, SLIDE 49-C  
B.C.P.R.  
300.00 ACRES  
608/19 B.C.R.P.R.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	213.84	185.00	74°11'13"	S50°15'28"E	199.03
C2	304.78	235.00	74°11'12"	N50°15'28"W	283.46
C3	144.94	235.00	65°20'13"	S30°49'58"E	142.85
C4	101.76	165.00	65°20'14"	N30°49'58"W	100.18
C5	204.75	235.00	69°47'52"	S78°37'15"E	197.88
C6	140.34	165.00	69°47'51"	N78°02'06"W	136.33

LINE TABLE		
LINE	BEARING	LENGTH
L1	S12°59'10"E	72.89
L2	N87°21'03"W	470.72
L3	S87°21'03"E	451.12
L4	N13°09'52"W	235.10
L5	S48°30'04"E	281.08
L6	N48°30'04"W	257.86
L7	S13°09'52"E	235.10
L8	N76°33'56"E	226.84
L9	S78°37'15"W	226.79
L11	S78°29'48"W	1747.12
L12	N76°28'46"E	1816.58
L13	N13°01'53"W	70.00

1/4 ACRES PROJECT 2007/2007 74 ACRES OUT OF 308 ACRES PRISON SITE/2007/2007 25 ACRES OUT OF 308 ACRES PRISON SITE/2007/2007 4 2/3 ACRES PRISON

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(830) 693-3566 FAX (830) 693-3562

FIELD NOTES TO ACCOMPANY  
PLAT OF 70 FOOT WIDE  
ACCESS EASEMENT  
OUT OF THE TEXAS DEPARTMENT  
OF CRIMINAL JUSTICE TRACT  
CAB. 2, SLIDE 49-C  
BURNET COUNTY PLAT RECORDS  
BURNET COUNTY, TEXAS

STATE OF TEXAS:  
COUNTY OF BURNET:

SHEET 2 OF 2

70' WIDE ACCESS EASEMENT

Field notes of a 70.00 foot wide Access Easement being 5.92 acres out of the 300.00 acre Texas Department of Criminal Justice Tract recorded in Cabinet 2, Slide 49-C of the Burnet County Plat Records also being out of the 300.00 acres conveyed to Texas Department of Criminal Justice in Volume 608, Page 19 of the Official Public Records of Burnet County, Texas. The basis of bearing for this survey is the recorded plat of said Texas Department of Criminal Justice Tract.

Beginning at a 1/2" steel stake found lying on the East line of said 300.00 acre Texas Department of Criminal Justice Tract and at the Southwest corner of a 6.00 acre tract conveyed to Fluorine on Call, LTD. recorded in Volume 1034, Page 85 of the Official Public Records of Burnet County, Texas having a tie of N 12°59'10" W, 944.99 feet to a 1/2" steel stake found at the Northeast corner of said 300.00 acre tract.

Thence along the East line of said 300.00 acre Texas Department of Criminal Justice Tract and the west line of a 29.227 acre remnant of 170.290 acres conveyed to the City of Burnet in Volume 565, Page 126 of the Official Public Records of Burnet County, Texas also being the West end of Ellen Halbert Drive an unrecorded City of Burnet street (L1) S 12°59'10" E, 72.69 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 lying on the East line of said 300.00 acre Texas Department of Criminal Justice Tract and west line of said 29.237 acres.

Thence leaving the East line of said 300.00 acre Texas Department of Criminal Justice Tract and along the Southerly line of this 70.00 foot wide Access Easement with 1/2" steel stakes set with plastic cap stamped R.P.L.S. 1877 with the next eight (8) calls as follows: (L2) N 87°21'03" W, 470.72 feet to a curve (C2) to the right having a radius of 235.00 feet, a delta angle of 74°11'12", and a chord bearing and distance of N 50°15'28" W, 283.46 feet.

Thence along said curve and arc distance of 304.28 feet to a point of tangency.

Thence (L4) N 13°09'52" W, 235.10 feet to a curve (C4) to the left having a radius of 165.00 feet, a delta angle of 35°20'14", and a chord bearing and distance of N 30°49'58" W, 100.16 feet.

Thence along said curve and arc distance of 101.76 feet to a point of tangency.

Thence (L6) N 48°30'05" W, 257.66 feet to a curve (C6) to the left having a radius of 165.00 feet, a delta angle of 48°48'13", and a chord bearing and distance of N 79°02'05" W, 136.33 feet. Thence along said curve an arc distance of 140.54 feet to a point of tangency.

Thence (L9) S 76°33'50" W, 226.79 feet; (L11) S 76°28'46" W, 1947.12 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 lying on the East line of the above described 75.00 acre tract.

Thence along the East line of said 75.00 acre tract, (L13) N 13°01'53" W, 70.00 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 lying on the East line of said 75.00 acre tract and having a tie of N 13°01'53" W, 461.55' to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 being the Northeast corner of said 75.00 acre tract.

Thence leaving the East line of said 75.00 acre tract and along the Northerly line of this 70.00 foot wide Access Easement (L12) N 76°28'46" E passing a cedar fence post found at an L corner of said 300.00 acres at 1328.57 feet in all 1946.58 feet to a 60 D nail in a cedar fence post found being an angle point on the north line of said 300.00 acre tract.

Thence along said north line (L8) N 76°33'50" E, 226.84 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 and a curve (C5) to the right, having a radius of 235.00 feet, a delta angle of 49°47'52", and a chord bearing and distance of S 78°32'15" E, 197.88 feet.

Thence along said curve an arc distance of 204.25 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877.

Thence (L5) S 48°30'05" E, 261.08 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 and a curve (C3) to the right having a radius of 235.00 feet, a delta angle of 35°20'13", and a chord bearing and distance of S 30°49'58" E, 142.65 feet.


Thence along said curve an arc distance of 144.94 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877.

Thence (L7) S 13°09'52" E, 235.10 feet to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877 and a curve (C1) to the left having a radius of 165.00 feet, a delta angle of 74°11'13", and a chord bearing and distance of S 50°15'28" E, 199.03 feet.

Thence along said curve an arc distance of 213.64 to a 1/2" steel stake set with plastic cap stamped R.P.L.S. 1877.

Thence (L3) S 87°21'03" E, 451.12 feet for the Point of Beginning.

I HEREBY CERTIFY THAT THE FIELD NOTES HEREON REPRESENTS THE RESULTS OF AN ON THE GROUND SURVEY MADE UNDER MY DIRECTION AND SUPERVISION AND THAT ALL CORNERS ARE AS DESCRIBED HEREON. THIS SURVEY WAS MADE FOR THE BENEFIT OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND BURNET COUNTY, TEXAS.

  
DONALD SHERMAN REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1877  
JOB NO. 12257 FIELD BOOK NO. N/A OFFICE: C. GARAY FIELD: J. MARTINKA

STATE OF TEXAS  
COUNTY OF BURNET



I hereby certify that this instrument was FILED on this date  
and at the time stamped hereon by me and was duly  
RECORDED in the OFFICIAL PUBLIC RECORDS OF  
BURNET COUNTY TEXAS.

Janet Parker  
County Clerk  
Burnet County, Texas

By

  
DEPUTY

0712014

FILED

2007 SEP 26 PM 2:58

MARK J. JENSEN  
COUNTY CLERK  
BURNET COUNTY, TEXAS