

1 TITLE DESCRIPTION

BEING ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND LYING IN THE R. DE LA PENA SURVEY, ABSTRACT NO. 3, IN ELLIS COUNTY, TEXAS, AND BEING A PART OF SECTION 17, SECTION 23 AND SECTION 24, WEST OF THE BASELINE, SOUTH OF RED OAK CREEK, OF THE DIVISION OF THE PENA SURVEY AS RECORDED IN CABINET A, SLIDE 121, PLAT RECORDS, ELLIS COUNTY, TEXAS, (PRECT), AND BEING A PART OF A CALLED 153 ACRE TRACT OF LAND DESCRIBED IN VOLUME 551, PAGE 441, DEED RECORDS, ELLIS COUNTY, TEXAS, (DRECT); AND ALSO BEING A PART OF A CALLED 138.09 ACRE TRACT OF LAND DESCRIBED IN VOLUME 346, PAGE 556, DRECT; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" STEEL ROD FOUND IN THE EAST LINE OF STACKS ROAD, (A COUNTY ROAD), FOR THE SOUTHWEST CORNER OF THIS TRACT AND SAME FOR THE CALLED 153 ACRE TRACT AND BEING IN THE NORTHEAST LINE OF A CALLED 40 ACRE TRACT OF LAND DESCRIBED IN VOLUME K, PAGE XXXX, DRECT;

THENCE ALONG THE EAST LINES OF STACKS ROAD AND THE WEST LINES OF THIS TRACT AND SAME FOR THE SAID 153 ACRE TRACT AS FOLLOWS:

NORTH 03°51'20" WEST, 551.89 FEET (BEARING BASIS FOR THIS DESCRIPTION FROM GPS OBSERVATION, TEXAS CO-ORDINATE SYSTEM, NORTH CENTRAL ZONE, WITH A BEGINNING CO-ORDINATE OF: NORTING = 6838423.687, EASTING = 2535003.714, AND A SCALE FACTOR OF: 0.999934142880) TO A 1/2" STEEL ROD FOUND FOR CORNER; AND NORTH 03°50'45" WEST, 821.55 FEET TO A 1/2" STEEL ROD SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 72°19'52" EAST, THROUGH THE SAID 153 ACRE TRACT AND ALONG THE NORTHWEST LINE OF THIS TRACT AT APPROXIMATELY 752.27 FEET PASS THE NORTHEAST LINE OF THE 153 ACRE TRACT AND THE SOUTHWEST LINE OF THE 138.09 ACRE TRACT; IN ALL, 792.38 FEET TO A 1/2" STEEL ROD SET IN THE SOUTHWEST LINE OF BUSINESS I-45 (A PUBLIC HIGHWAY) FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE SOUTH 17°44'11" EAST, THROUGH THE SAID 138.09 ACRE TRACT AND ALONG THE NORTHEAST LINES OF THIS TRACT AND SOUTHWEST LINES OF BUSINESS I-45 AND I-45 AT 62.18 FEET PASS THE SOUTHWEST LINE OF THE 138.09 ACRE TRACT AND THE NORTHEAST LINE OF THE 153 ACRE TRACT, CONTINUING THROUGH THE 153 ACRE TRACT, IN ALL, 708.38 FEET TO A 1/2" STEEL ROD FOUND FOR CORNER AND SOUTH 17°37'37" EAST, 680.83 FEET TO A 1/2" STEEL ROD SET FOR THE EAST CORNER OF THIS TRACT;

THENCE SOUTH 75°10'06" WEST, 1121.52 FEET LEAVING SAID I-45 AND CONTINUING THROUGH THE 153 ACRE TRACT AND ALONG THE SOUTHEAST LINE OF THIS TRACT TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 30.000 ACRES OF LAND, MORE OR LESS.

THE LAND SHOWN IN THIS SURVEY IS THE SAME AS THAT DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER 1002-419234-RTT WITH AN EFFECTIVE DATE OF JANUARY 09, 2026 AT 8:00 A.M.

2 TITLE INFORMATION

THE TITLE DESCRIPTION AND SCHEDULE B ITEMS HEREON ARE FROM FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NUMBER 1002-419234-RTT, DATED JANUARY 09, 2026.

7 POSSIBLE ENCROACHMENTS

- A CHAIN LINK FENCE MEANDERS 1.4" TO 3.3" OUTSIDE PROPERTY AS SHOWN
- B BARBED WIRE FENCE 10.8" OUTSIDE PROPERTY AS SHOWN

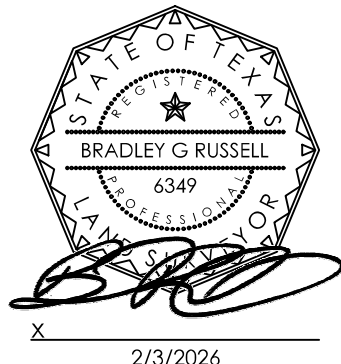
4 SURVEYOR CERTIFICATION

TO:
LAPTAIN LLC, A CALIFORNIA LIMITED LIABILITY COMPANY; BGES REAL ESTATE, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY AND ITS ASSIGNS; BRADLEY ARANT BOULT CUMMINGS, LLP; FIRST AMERICAN TITLE INSURANCE COMPANY; REBPUBLIC TITLE OF TEXAS, INC.; AND FA COMMERCIAL DUE DILIGENCE SERVICES CO.:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 6(B), 8, 11(B), 13, 14, 16, 19, AND 20(A) (GRAPHICALLY DEPICT IN RELATION TO THE SUBJECT TRACT OR PROPERTY ANY OFFSITE EASEMENTS OR SERVITUDES BENEFITING THE SURVEYED PROPERTY AND DISCLOSED IN RECORD DOCUMENTS PROVIDED TO THE SURVEYOR AS PART OF THE SCHEDULE "A"), OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON JANUARY 22, 2026.

DATE OF PLAT OR MAP: 2/3/2026

BRADLEY G. RUSSELL,
RPLS #6349, COA # 10193715
CON-ALTA-OFFICE@CRAFTONTULL.COM



1 AS-SURVEYED DESCRIPTIONS

PARCEL 1

18.00 ACRES OUT OF THE R. DE LA PENA SURVEY, ABSTRACT NUMBER 3, ELLIS COUNTY, TEXAS, BEING A PART OF THAT CERTAIN CALLED 30.000 ACRE TRACT DESCRIBED IN A DEED TO LAPTAIN LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED IN INSTRUMENT NUMBER 2405757, OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR FOUND IN THE EAST LINE OF STACKS STREET, (A COUNTY ROAD), AT THE SOUTHWEST CORNER OF SAID 30.000 ACRE TRACT;

THENCE N 03°52'50" W WITH THE EAST LINE OF STACKS STREET AND THE WEST LINE OF SAID 30.000 ACRE TRACT, A DISTANCE OF 551.84 FEET TO A 1/2 INCH REBAR WITH CAP (RPLS 4466) FOUND FOR AN ANGLE POINT;

THENCE N 03°51'40" W CONTINUING WITH SAID EAST LINE, A DISTANCE OF 346.47 FEET TO A 1/2 INCH REBAR WITH CAP (10193715) SET AT THE INTERSECTION OF THE EAST LINE OF STACKS STREET AND THE CITY OF PALMER, TEXAS, CITY LIMIT LINE AS DESCRIBED IN ZONING ORDINANCE #1170, AND BEING THE NORTHWEST CORNER OF THIS TRACT;

THENCE EAST WITH SAID CITY LIMIT LINE ACROSS AND THROUGH AND SEVERING SAID 30.000 ACRE TRACT, A DISTANCE OF 951.11 FEET TO A 1/2 INCH REBAR WITH CAP (10193715) SET IN THE WEST RIGHT-OF-WAY OF SOUTH DALLAS STREET AND THE EAST LINE OF SAID 30.000 ACRE TRACT, AND BEING THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 17°39'04" E WITH THE WEST RIGHT-OF-WAY OF SOUTH DALLAS STREET, A DISTANCE OF 638.96 FEET TO A 1/2 INCH REBAR WITH CAP (10193715) AT THE SOUTHEAST CORNER OF THIS TRACT AND SAID 30.000 ACRE TRACT;

THENCE S 75°08'39" W WITH THE SOUTH LINE OF SAID 30.000 ACRE TRACT, A DISTANCE OF 1121.66 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING: 18.00 ACRES, MORE OR LESS.

PARCEL 2

12.00 ACRES OUT OF THE R. DE LA PENA SURVEY, ABSTRACT NUMBER 3, ELLIS COUNTY, TEXAS, BEING THE NORTH 12.00 ACRES OF THAT CERTAIN CALLED 30.000 ACRE TRACT DESCRIBED IN A DEED TO LAPTAIN LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED IN INSTRUMENT NUMBER 2405757, OFFICIAL PUBLIC RECORDS OF ELLIS COUNTY, TEXAS, AS DESCRIBED IN THAT CERTAIN ZONING ORDINANCE #1170, CITY OF PALMER, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR FOUND IN THE EAST LINE OF STACKS STREET, (A COUNTY ROAD), AT THE NORTHWEST CORNER OF SAID 30.000 ACRE TRACT;

THENCE N 72°18'56" E WITH THE NORTH LINE OF SAID 30.000 ACRE TRACT, A DISTANCE OF 792.77 FEET TO A 1/2 INCH REBAR FOUND IN THE WEST RIGHT-OF-WAY LINE OF SOUTH DALLAS STREET, AT THE NORTHEAST CORNER OF THIS TRACT AND SAID 30.000 ACRE TRACT;

THENCE S 17°40'44" E WITH THE WEST RIGHT-OF-WAY LINE OF SOUTH DALLAS STREET, A DISTANCE OF 708.19 FEET TO A 1/2 INCH REBAR FOUND FOR AN ANGLE POINT IN SAID WEST RIGHT-OF-WAY LINE;

THENCE S 17°39'04" E CONTINUING WITH SAID WEST RIGHT-OF-WAY LINE TO A 1/2 INCH REBAR WITH CAP (10193715) SET AT THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE CITY OF PALMER, TEXAS, CITY LIMIT LINE AS DESCRIBED IN ZONING ORDINANCE #1170, AND BEING THE SOUTHEAST CORNER OF THIS TRACT;

THENCE WEST WITH THE CITY LIMIT LINE, ACROSS AND THROUGH AND SEVERING SAID 30.000 ACRE TRACT, A DISTANCE OF 951.11 FEET TO A 1/2 INCH REBAR WITH CAP (10193715) SET IN THE EAST LINE OF STACKS STREET, AND BEING THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 03°51'40" W WITH THE EAST LINE OF STACKS STREET AND THE WEST LINE OF SAID 30.000 ACRE TRACT, A DISTANCE OF 474.97 FEET, RETURNING TO THE POINT OF BEGINNING.

CONTAINING: 12.00 ACRES, MORE OR LESS.

5 FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48139C0220G, WHICH BEARS AN EFFECTIVE DATE OF OCTOBER 19, 2023.

THIS PROPERTY IS NOT IN SPECIAL FLOOD HAZARD ZONE.

6 CEMETERY

THERE IS NO VISIBLE EVIDENCE OF CEMETERIES ON THE SUBJECT PROPERTY AT THE TIME OF SURVEY.

13 LAND AREA

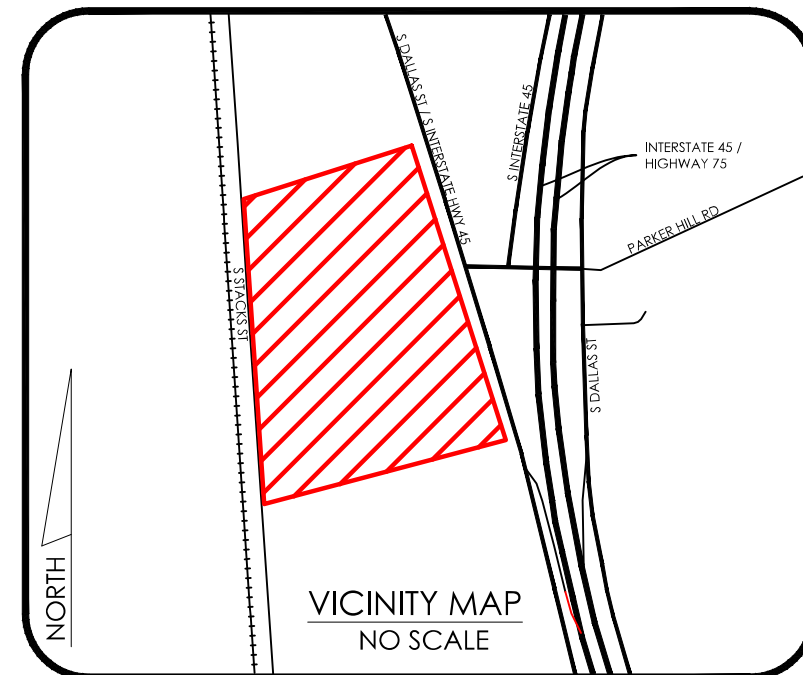
PARCEL 1 = ±522,714 SQ FT OR ±18.00 ACRES
PARCEL 2 = ±784,269 SQ FT OR ±12.00 ACRES
TOTAL = ±1,306,984 SQ FT OR ±30.00 ACRES

3 SCHEDULE 'B' ITEMS

NOTES CORRESPONDING TO SCHEDULE "B":

- ① EASEMENT GRANTED BY L. HOUSTON MCCLAIN TO TEXAS POWER & LIGHT CO., FILED 05/28/1942, RECORDED IN **VOLUME 357, PAGE 225**, REAL PROPERTY RECORDS, ELLIS COUNTY, TEXAS, **DOES NOT AFFECT**
- ① EASEMENT GRANTED BY Y. BARRON TO TEXAS POWER & LIGHT CO., FILED 01/11/1949, RECORDED IN **VOLUME 398, PAGE 506**, REAL PROPERTY RECORDS, ELLIS COUNTY, TEXAS, AND AS SHOWN ON THE SURVEY PREPARED BY BRADLEY G. RUSSELL, RPLS NO. 6349 OF CDS COMMERCIAL DUE DILIGENCE SERVICES CO., PROJECT NO. 25-09-0356, DATED 12/02/2025, LAST REVISED --/--/2025 (THE "SURVEY"), **DOES AFFECT, AS SHOWN**.
- ⑨ EASEMENT GRANTED BY L.H. HUGHEY ET AL TO TEXAS POWER & LIGHT CO., FILED 09/20/1950, RECORDED IN **VOLUME 412, PAGE 182**, REAL PROPERTY RECORDS, ELLIS COUNTY, TEXAS, **MAY AFFECT, CAN NOT BE PLACED WITH RECORD DOCUMENT**.
- ① EASEMENT GRANTED BY BESSIE BARRON ET AL TO TEXAS POWER & LIGHT CO., FILED 04/22/1952, RECORDED IN **VOLUME 423, PAGE 120**, REAL PROPERTY RECORDS, ELLIS COUNTY, TEXAS, **DOES AFFECT, AS SHOWN**.
- ① EASEMENT GRANTED BY BESSIE BARRON ET AL TO ELLIS-PRAIRIE SOIL CONSERVATION DISTRICT, FILED 12/21/1964, RECORDED IN **VOLUME 502, PAGE 63**, REAL PROPERTY RECORDS, ELLIS COUNTY, TEXAS, **MAY AFFECT, AFFECTS A PRECURSOR PARCEL, BUT NO VISIBLE EVIDENCE OF EASEMENT IMPROVEMENTS EXIST ON THIS TRACT**.
- ① CONSEQUENCES, IF ANY, AS TO THE FOLLOWING MATTERS DISCLOSED ON THE SURVEY:
- LOCATION OF FENCE ALONG SOUTHERN BOUNDARY LINES;
 - WATER LINE OUTSIDE OF EASEMENT;
 - WATER VALVES;
 - FIRE HYDRANT;
 - DOWN GUY AND ASSOCIATED LINES.

16 VICINITY MAP



10 BASIS OF BEARINGS

BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (2011), NORTH CENTRAL ZONE AS DETERMINED BY GPS OBSERVATION. ALL DISTANCES ARE US SURVEY FEET.

Key to CDS ALTA Survey

- 1 TITLE DESCRIPTION
- 2 TITLE INFORMATION
- 3 SCHEDULE "B" ITEMS
- 4 SURVEYOR CERTIFICATION
- 5 FLOOD INFORMATION
- 6 CEMETERY
- 7 POSSIBLE ENCROACHMENTS
- 8 ZONING INFORMATION
- 9 LEGEND
- 10 BASIS OF BEARING
- 11 SURVEYOR'S NOTES
- 12 PARKING INFORMATION
- 13 LAND AREA
- 14 BUILDING AREA
- 15 BUILDING HEIGHT
- 16 VICINITY MAP
- 17 NORTH ARROW / SCALE
- 18 CLIENT INFORMATION BOX
- 19 SURVEY DRAWING
- 20 PROJECT ADDRESS

8 ZONING INFORMATION

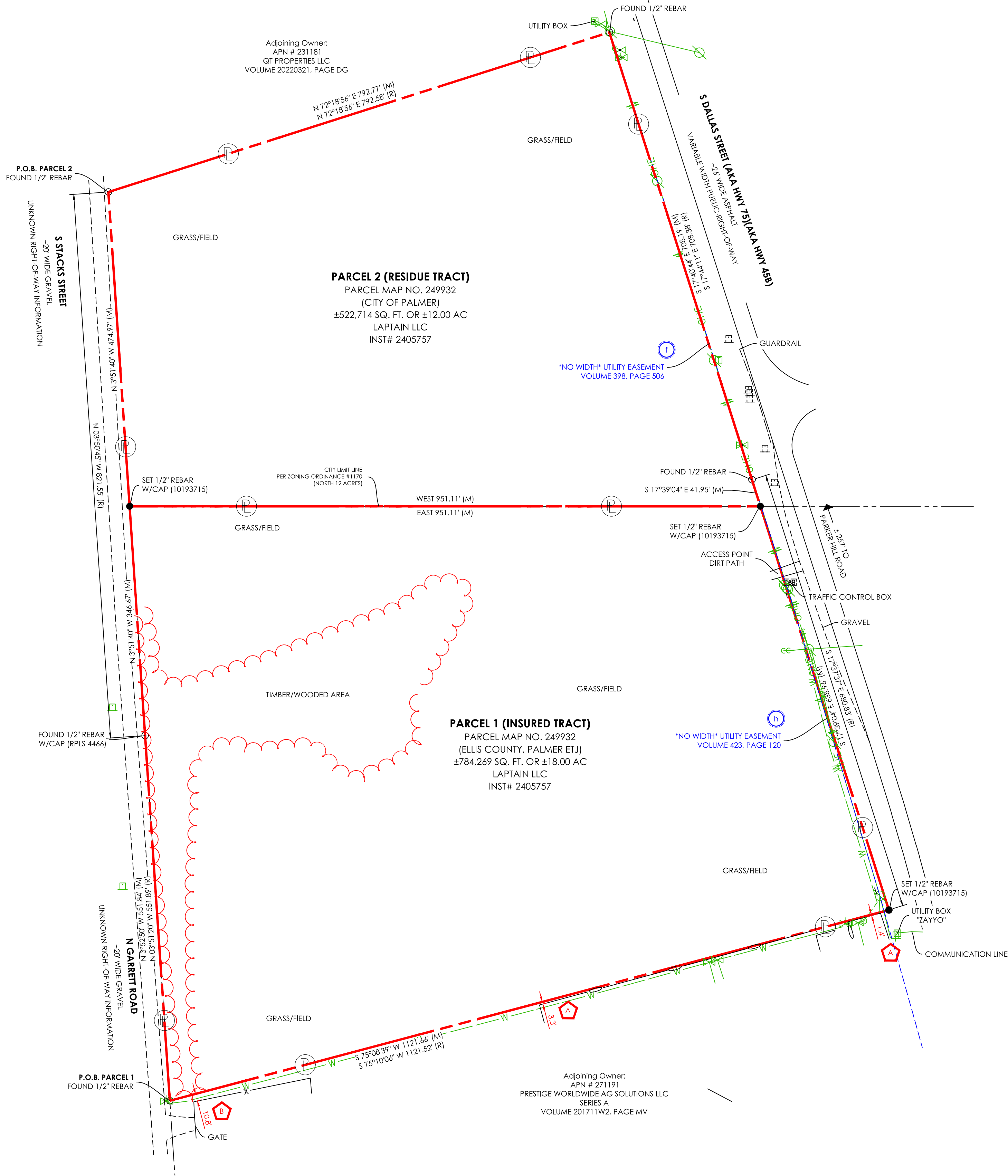
NOTE:
Zoning not provided

Approved CDS Surveyor

Surveyors Name: **BRADLEY G. RUSSELL**
Address: **1000 LEDGELAWN DR**
CONWAY, AR 72034
Telephone Number: **501-328-3316**
email: **con-alta-office@CRAFTONTULL.COM**

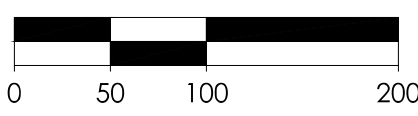
Sheet 1 of 2

19 SURVEY DRAWING



17 NORTH ARROW / SCALE

SCALE: 1" = 100'

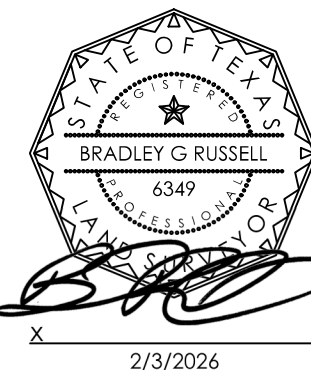


9 LEGEND

	PROPERTY LINE		FOUND MONUMENT (AS NOTED)
	POINT OF BEGINNING		SET MONUMENT (AS NOTED)
	POINT OF COMMENCEMENT		POWER POLE
	MEASURED CALL		DOWN GUY
	RECORD CALL		TELEPHONE BOX/PEDESTAL
	MORE OR LESS		UNDERGROUND UTILITY MARKER
	NOT TO SCALE		WATER METER
	CENTERLINE		WATER VALVE
	BUILDING SETBACK LINE		FIRE HYDRANT
	EASEMENT LINE		SIGN
	CHAIN LINK FENCE		
	BARB WIRE FENCE		
	OVERHEAD ELECTRIC		
	UNDERGROUND ELECTRIC		
	WATER LINE		
	TREE/WOOD LINE		

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Approved CDS Surveyor

Surveyors Name: BRADLEY G. RUSSELL
Address: 1000 LEDGELAWN DR
CONWAY, AR 72034
Telephone Number: 501-328-3316
email: con-alta-office@CRAFTONTULL.COM

Sheet 2 of 2

18 ALTA/NSPS Land Title Survey

This survey prepared in accordance with the "2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys" (Effective February 23, 2021)

This Work Coordinated By:
FA Commercial Due Diligence Services Co.

CDS
COMMERCIAL
DUE DILIGENCE SERVICES
3550 W. Robinson Street, Third Floor
Norman, Oklahoma 73072
Office: 405-253-2444
website: www.firstamcdis.com
Toll Free: 888.322.7371

Drwn By:	TM	Date:	
Surveyor		Revision:	
Ref.No:	FASV0537	Date:	
Aprvd By:	BR	Revision:	
Field Date:	1/22/2026	Date:	
Scale:	1"=100'	Revision:	

Prepared For:

Client Ref. No:

20 PROJECT ADDRESS

HIGHWAY 75
PALMER, TEXAS

Project Name:
HIGHWAY 75 - PALMER TX
CDS Project Number:
25-09-0356