

PETITION TO ADD LAND TO NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 4

THE STATE OF TEXAS
COUNTY OF NUECES

§
§
§

Doc# 2002005984

KNOW ALL MEN BY THESE PRESENTS:

THAT, the undersigned, FACEY ENTERPRISES N.V., LTD, 1770 Homer Rd, San Marino, CA, 91108 is the owner of 33.33 acres of land, more or less, situated on Mustang, Island, Nueces County, Texas, and more particularly described by metes and bounds on Exhibit A attached hereto and made a part hereof, said property being hereinafter referred to as "La Concha Subdivision Unit 1" Tract.

THAT, Facey Enterprises N.V., Ltd hereby certifies that there are no lien holders on the the property or certifies that holds a lien on the property. Lien holder is Seascape Resorts, LP, a Texas limited partnership also certifies that there are no registered voters residing on the property.

THAT Facey Enterprises N.V. Ltd as the owner of the "La Concha Subdivision Unit 1" Tract does hereby in accordance with Section 49.301 of the Water Code of the State of Texas and subject to the execution of a Utility Service Agreement file this petition with the Board of Directors of the Nueces County Water Control and Improvement District No. 4 requesting that the 33.33 acres of land described by metes and bounds on Exhibit A attached hereto be included in Nueces County Water Control and Improvement District No. 4;

THAT Petitioner acknowledges there are outstanding bonds approved by the voters of the District and agrees to (1) assume Petitioners share of the outstanding bonds and (2) authorizes the Board of Directors to levy a tax on the property for which Petitioner is requesting annexation in each year while any of the bonds payable in whole or in part from taxation are outstanding to pay Petitioner's share of the indebtedness.

THAT the District has capacity to serve with water and sewer the land sought to be added to said District and can be added to said District without injuring land already in the District.

THAT Facey Enterprises N.V. Ltd. requests that the Board of Directors set a time and date to hear and consider this petition and at the conclusion of said hearing, add the 33.33 acres of land described in Exhibit A attached hereto to the Nueces County Water Control and Improvement District No. 4.

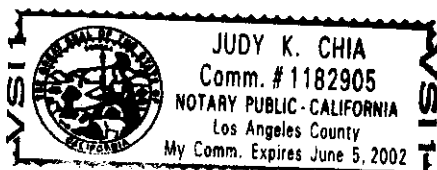
EXECUTED this the 20th day of NOV 2001.

By Wellington Chan
WELLINGTON CHAN, Vice pres. + Secy
Facey Enterprises N.V. Ltd

THE STATE OF ~~TEXAS~~ CALIFORNIA §
COUNTY OF ~~NUECES~~ LOS ANGELES §

BEFORE ME, the undersigned authority, appeared Wellington Chan known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of Facey Enterprises, N.V. Ltd. of "La Concha Subdivision Unit 1" tract.

GIVEN under my hand and seal of office the 20th day of NOV 2001.



[Signature]
Notary Public in and for the State of Texas

DATE OF FILING AND HEARING

On this 30th day of August, 20 01, the attached petition of Facey Enterprises N. V., LTD. to include land within the Nueces County Water Control & Improvement District No. 4 was filed with the District and a hearing to consider said petition has been set for the 4th day of October, 20 01, at 5:00 o'clock p.m. at the office of the District, Port Aransas, Texas.

Nueces County Water Control & Improvement District No. 4

By Chas J Brown
Secretary

ENGINEER'S CERTIFICATION

The undersigned, as engineer for the Nueces County Water Control & Improvement District No. 4, has examined the attached petition of Facey Enterprises N. V., LTD. to add certain lands therein described to the District and is of the opinion that the water supply and other improvements of the District are sufficient to supply the added land without injuring land already in the District.

SIGNED this 4th day of October, 20 01.

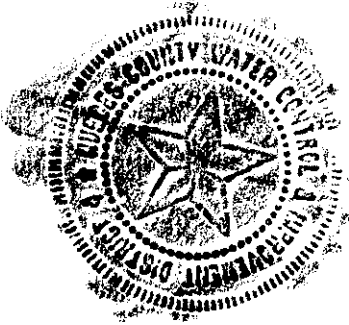
URBAN ENGINEERING

By [Signature]
James L. Urban, P.E.

ORDER OF ANNEXATION

On this 4th day of October, 20 01, at a duly called meeting at which a quorum was present, the attached petition of Facey Enterprises N. V., LTD to add and include within the District land owned by them was heard and considered by the Board of Directors of the Nueces County Water Control and Improvement district No. 4. After discussion and upon certification by the District's engineer, it was decided that it would be to the advantage of the District to add the land described in the petition of Facey Enterprises N. V., LTD to the District and that the District's water supply and other improvements are sufficient to supply the added land without injuring land already in the District. Thus, by motion duly made, seconded and passed, the attached petition of Facey Enterprises N. V., LTD. to add the land therein described to the Nueces County Water Control & Improvement District No. 4 was granted and it is ordered that the District Manager record said petition along with this record in the office of the County Clerk of Nueces County, Texas.

IN WITNESS WHEREOF, the Nueces County Water Control and Improvement District No. 4 has caused this annexation ordered to be signed by C. Bruce Furlow President of the Board of Directors of said District, and by its Secretary, this the 4th day of October, 2001.



Nueces County Water Control & Improvement District No. 4

By C. Bruce Furlow
C. Bruce Furlow, President

ATTEST:

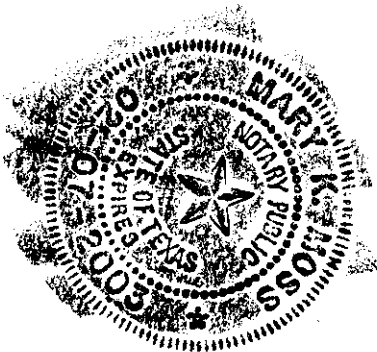
By Chas J. Brown
Charles J. Brown, Secretary

THE STATE OF TEXAS §

COUNTY OF NUECES §

BEFORE ME, the undersigned authority, on this day personally appeared C. Bruce Furlow and Charles J. Brown known to me to be the president and secretary of the Nueces County Water Control & Improvement District No. 4, whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN under my hand and seal of office this 4th day of October, 2001.



Mary K. Moore
Notary Public, in and for the State of Texas



Job No. 18394.A100
December 10, 2001

"EXHIBIT A"

(361)854-3101

P.O. BOX 6355 • CORPUS CHRISTI, TEXAS 78466-6355

FAX (361)854-6001

Exhibit A

STATE OF TEXAS
COUNTY OF NUECES

Fieldnotes for a 28.074 acre tract out of a 43.50 acre tract described in deed recorded in Volume 1889, Page 137, Deed Records of Nueces County, Texas and also being out of the J.W. Waterbury Survey No. 596, Land Scrip 167, Abstract 408, Mustang Island, Nueces County, Texas; said 28.074 acre tract being more fully described as follows:

Beginning at a 5/8 inch iron rod found on the southeast boundary of State Highway 361 (formerly Park Road 53), a 120 foot wide public roadway, for the north corner of this tract;

Thence South 58°22'00" East, with the northeast boundary of this tract, at 40.01 feet pass the west corner of Lot 2, Block 1, La Concha Subdivision, a map of which is recorded in Volume 50, Pages 20 and 21, Map Records of Nueces County, Texas and continuing South 58°22'00" East, with the common boundary of this tract and of said Lot 2, in all a total distance of 1668.73 feet (no monumentation found or set) to a point on the mean high tide line (elevation=1.64 feet, N.G.V.D.) of the Gulf of Mexico, as surveyed on January 14, 1982, for the east corner of this tract;

Thence, South 30°37'55" West, with the above mentioned mean high tide line, same being the southeast boundary of this tract, 672.10 feet (no monumentation found or set) for the south corner of this tract;

Thence, with the southwesterly boundary of this tract, as follows:

North 58°22'00" West 549.22 feet to a 5/8 inch iron rod set for a corner of this tract;

North 44°26'42" West 133.00 to a 5/8 inch iron rod set for a corner of this tract;

North 58°22'00" West 248.69 feet to a 5/8 inch iron rod set for an interior corner of this tract;

South 31°38'00" West 42.66 feet to a 5/8 inch iron rod set for a corner of this tract and for the point of curvature of a circular curve to the right which has a central angle of 16°41'57", a radius of 50.00 feet, a tangent distance of 7.34 feet and an arc length of 14.57 feet;

Thence, with said circular curve to the right, continuing with the southwesterly boundary of this tract, an arc length of 14.57 feet to a 5/8 inch iron rod set for the point of tangency;

Thence, South 48°19'57" West, continuing with the southwesterly boundary of this tract, 41.86 feet to a 5/8 inch iron rod set for the point of curvature of a circular curve to the left which has a central angle of 106°41'57", a radius of 10.00 feet, a tangent distance of 13.44 feet and an arc length of 18.62 feet;

Thence, with said circular curve to the left, continuing with the southwesterly boundary of this tract, an arc length of 18.62 feet to a 5/8 inch iron rod set for the end of this curve and for a corner of this tract;

Thence North 58°22'00" West, continuing with the southwesterly boundary of this tract, 25.44 feet to a 5/8 inch iron rod set for the point of curvature of a circular curve to the right which has a central angle of 90°00'00", a radius of 10.00 feet, a tangent distance of 10.00 feet and an arc length of 15.71 feet;

Thence, with said circular curve to the right, continuing with the southwesterly boundary of this tract, an arc length of 15.71 feet to a 5/8 inch iron rod set for the point of tangency;

Thence, North 31°38'00" East, continuing with the southwesterly boundary of this tract, 110.00 feet to a 5/8 inch iron rod set for an interior corner of this tract;

2725 SWANTNER DR. • CORPUS CHRISTI, TEXAS 78404

mail@urbaneng.com

Job No. 18394.A100
Decemeber 10, 2001
28.074 acres (La Concha Unit 2)

Thence, North 58°22'00" West, continuing with the southwesterly boundary of this tract, 60.00 feet to a 5/8 inch iron rod set for the beginning of a circular curve to the left whose radius point bears North 58°22'00" West 10.00 feet and which has a central angle of 90°00'00", a radius of 10.00 feet, a tangent distance of 10.00 feet and an arc length of 15.71 feet;

Thence, with said circular curve to the left, continuing with the southwesterly boundary of this tract, an arc length of 15.71 feet to a 5/8 inch iron rod set for the point of tangency;

Thence, North 58°22'00" West, continuing with the southwesterly boundary of this tract, 100.00 feet to a 5/8 inch iron rod set for an interior corner of this tract;

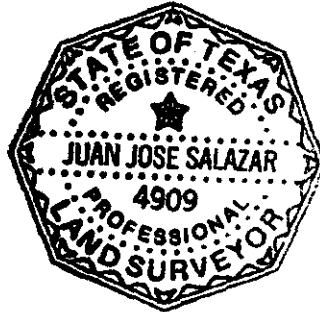
Thence, South 31°38'00" West, continuing with the southwesterly boundary of this tract, 499.25 feet to a 5/8 inch iron rod set on the easterly boundary of a 50 foot wide United Gas Pipeline Easement (Volume 5, Page 303, Lis Pendis Records of Nueces County, Texas) for a corner of this tract;

Thence, North 18°40'13" West, with the easterly boundary of the above mentioned pipeline easement, same being the southwesterly boundary of this tract, 638.27 feet to a 5/8 inch iron rod found on the aforementioned southeast boundary of State Highway 361 for the west corner of this tract;

Thence, North 30°19'00" East, with the southeast boundary of said State Highway 361, same being the northwest boundary of this tract, 711.77 feet to the Point of Beginning and containing 28.074 acres of land.

Bearings based on the Texas Coordinate System – South Zone

Unless this Field Notes Description, including preamble, seal and signature, appears in its entirety, in its original form, surveyor assumes no responsibility or liability for its accuracy.



URBAN ENGINEERING

Juan J. Salazar

JUAN J. SALAZAR, R.P.L.S.
License No. 4909

Doc# 2002005984
Pages 5
02/08/2002 09:19:38 AM
Filed & Recorded in
Official Records of
NUECES COUNTY
ERNEST M. BRIONES
COUNTY CLERK
Fees \$17.00

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of Race, Color, Religion, Sex, Handicap, Familial Status or National Origin, is Invalid and unenforceable under FEDERAL LAW, 3/12/89

*11/16 Nueces County Water Control
P.O. Box 128
Port Aransas, TX 78373*

STATE OF TEXAS
COUNTY OF NUECES

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped herein by me, and was duly RECORDED, in the Official Public Records of Nueces County, Texas



Ernest M. Briones
COUNTY CLERK
NUECES COUNTY, TEXAS