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NOTICE OF WITHDRAWAL OF LAND FROM DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EDELWEISS ESTATES AND ROCK PRAIRIE ESTATES

STATE OF TEXAS §
COUNTY OF BRAZOS §

M. J. Salinas
Deputy

WHEREAS, BEGONIA CORPORATION, INC., a Texas corporation, (Developer) executed that certain DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF EDELWEISS ESTATES AND ROCK PRAIRIE ESTATES (Declaration) on June 17, 1993 against that tract or parcel of land consisting of 292.15 acres in Brazos County, Texas, particularly described on Exhibit "A" attached thereto, said Declaration being filed for record on June 18, 1993 in Volume 1827, page 315, Official Records of Brazos County, Texas; and

WHEREAS, Article 2.03 of the Declaration provides that Developer may withdraw lands from the property affected by the Declaration under certain terms and conditions:

THEREFORE, pursuant to the right granted in the above referenced Article 2.03, Developer hereby withdraws the hereinafter described property from that affected by the Declaration and the provisions of the Declaration shall no longer apply to the withdrawn land, which withdrawn land is described particularly as follows:

TRACT ONE:

Being all that certain tract or parcel of land lying and being situated in the ROBERT STEVENSON SURVEY, Abstract No. 54, in College Station, Brazos County, Texas, and being a portion of the 51.787 acre tract conveyed by Lieven J. Van Riet, Trustee to Begonia Corporation by Deed recorded in Volume 2247, page 336 of the Official Records of Brazos County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING: at the most southerly corner of the said 51.787 acre tract, said corner also being in the northeast right-of-way line of F.M. 2154 (based on a 100-foot width) from whence a 1/2 inch iron rod found for reference bears N 41° 57' 50" E at a distance of 0.34 feet;

THENCE: 249.54 feet in a counter-clockwise direction along the arc of a curve in said F.M. 2154 line having a central angle of 4° 54' 19", a radius of 2914.80 feet, a tangent of 124.85 feet, and a long chord bearing N 44° 36' 48" W at a distance of 249.47 feet to a concrete highway monument found for corner;

THENCE: N 47° 03' 58" W for a distance of 125.51 feet continuing along said F.M. 2154 line to a 1/2 inch iron rod set for the Point of Curvature of a curve to the right;

THENCE: 38.85 feet into the interior of said 51.787 acre tract

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and along the arc of said curve having a central angle of $89^{\circ} 01' 48''$, a radius of 25.00 feet, a tangent of 24.58 feet and a long chord bearing $N 02^{\circ} 33' 04'' W$ at a distance of 35.05 feet to a 1/2 inch iron rod set for the Point of Tangency;

THENCE: $N 41^{\circ} 57' 50'' E$ for a distance of 1429.10 feet to a 1/2 inch iron rod set for the Point of Curvature of a curve to the left;

THENCE: 77.27 feet along the arc of said curve having a central angle of $08^{\circ} 21' 10''$, a radius of 530.00 feet, a tangent of 38.70 feet and a long chord bearing $N 37^{\circ} 47' 15'' E$ at a distance of 77.20 feet to a 1/2 inch iron rod found marking the most westerly corner of the City of College Station 10.899 acre tract described in Volume 1843, page 95 of the Official Records of Brazos County, Texas;

THENCE: $S 48^{\circ} 02' 10'' E$ for a distance of 404.71 feet along said City tract to a 1/2 inch iron rod found for corner, said iron rod being in the southeast line of the beforementioned 51.787 acre tract and the northwest line of the Jack Kindt 2.24 acre tract described in Volume 841, page 426 of the Official Records of Brazos County, Texas;

THENCE: $S 41^{\circ} 57' 50'' W$ for a distance of 1548.10 feet to the POINT OF BEGINNING and containing 14.0753 acres (613,118 square feet) of land, more or less.

TRACT THO:

Being all that certain tract or parcel of land lying and being situated in the ROBERT STEVENSON SURVEY, Abstract No. 54, in College Station, Brazos County, Texas, and being a portion of the 51.787 acre tract conveyed by Lieven J. Van Riet, Trustee to Begonia Corporation by Deed recorded in Volume 2247, page 336 of the Official Records of Brazos County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING: at the most southerly corner of the said 51.787 acre tract, said corner also being in the northeast right-of-way line of F.M. 2154 (based on a 100 foot width) from whence a 1/2 inch iron rod found for reference bears $N 41^{\circ} 57' 50'' E$ at a distance of 0.34 feet;

THENCE: 249.54 feet in a counter-clockwise direction along the arc of a curve in said F.M. 2154 line having a central angle of $4^{\circ} 54' 19''$, a radius of 2914.80 feet, a tangent of 124.85 feet, and a long chord bearing $N 44^{\circ} 36' 48'' W$ at a distance of 249.47 feet to a found concrete highway monument;

THENCE: $N 47^{\circ} 03' 58'' W$ for a distance of 125.51 feet continuing along said F.M. 2154 line to a 1/2 inch iron rod set for the POINT OF BEGINNING;

THENCE: $N 47^{\circ} 03' 58'' W$ continuing along said F.M. 2154 line for a distance of 110.02 feet for corner;

THENCE: 39.69 feet in a counter-clockwise direction along the arc of a curve in the lower northwest line of the said 51.787 acre tract, said curve having a central angle of $90^{\circ} 58' 12''$, a radius of 25.00 feet, a tangent of 25.43 feet and a long chord bearing $N 87^{\circ} 26' 56'' E$ at a distance of 35.65 feet to the Point of Tangency;

THENCE: $N 41^{\circ} 57' 50'' E$ for a distance of 1427.24 feet to the Point of Curvature of a curve to the left;

THENCE: 68.52 feet along the arc of said curve having a central angle of $08^{\circ} 21' 10''$, a radius of 470.00 feet, a tangent of 34.32 feet and a long chord bearing $N 37^{\circ} 47' 15''$

E at a distance of 68.46 feet for corner;

THENCE: S 56° 23' 20" E for a distance of 60.00 feet for corner;

THENCE: 77.27 feet in a clockwise direction along the arc of a curve having a central angle of 08° 21' 10", a radius of 530.00 feet, a tangent of 38.70 feet, and a long chord bearing S 37° 47' 15" W at a distance of 77.20 feet to the Point of Tangency;

THENCE: S 41° 57' 50" W for a distance of 1429.10 feet to the Point of Curvature of a curve to the left;

THENCE: 38.85 feet along the arc of said curve having a central angle of 89° 01' 48", a radius of 25.00 feet, a tangent of 24.58 feet and a long chord bearing S 02° 33' 04" E at a distance of 35.05 feet to the POINT OF BEGINNING and containing 2.1082 acres of land, more or less.

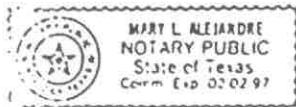
Executed this 19th day of February, 1996.

BEGONIA CORPORATION, INC.

BY: James O. Crowell
JAMES O. CROWELL, PRESIDENT

THE STATE OF TEXAS §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 19th day of February, 1996, by JAMES O. CROWELL, PRESIDENT of BEGONIA CORPORATION, INC., a corporation, on behalf of said corporation.



Mary L. Alejandre
Notary Public, State of Texas

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