

STATE OF TEXAS
COUNTY OF BELL

X
X
X

KNOWN ALL MEN BY THESE PRESENTS:

AFFIDAVIT

BEFORE ME, the undersigned authority, on this day personally appeared TOMMY MARSHALL MOORE, well and personally known to me to be a credible person, who after being by me first duly sworn did upon his oath depose and state as follows:

My full name is TOMMY MARSHALL MOORE and I am 72 years old. I am a retired automobile salesman and I have lived at my present abode for thirty-one years.

I receive my mail at Route 5, Box 148, Temple, Texas.

I am the same T. M. MOORE that bought various tracts of land out of the Nancy Chance League Survey in Bell County, Texas from Fred H. Ferguson, Jr. and wife Grace, Reba C. Fisher and husband Robert, and Roy E. Ferguson and wife Ruth in 1946. This conveyance is recorded in the Bell County Deed Records in Volume 548, Page 237. This sale was negotiated by a real estate agent named Cloud.

The tract of land which is described in Exhibit "A" attached hereto and is made a part hereof was not described in the above referenced deed. However, it was the intention of Mr. Fred Ferguson's heirs to convey to me all the tracts of land in this area north of the railroad tracks that they owned.

This tract of land was once owned by A. F. Bentley and conveyed to F. H. Ferguson. No deed was recorded in Bell County evidencing this conveyance, but Mr. Ferguson held the property for many years and mined the gravel on the property.

Since I purchased the tract in 1946, I have never had any boundary dispute with my neighbors or squatters in connection with this tract. I have been living all this time not over one mile from the tract.

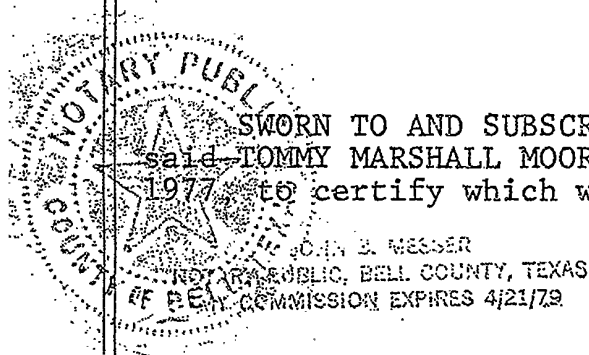
About seven years ago V. H. Cole and I split the costs of replacing the fence on the west side of this tract. About five years ago I realized that the taxes I had been paying had not included the taxes on this particular tract; at that time I began to pay the property taxes on this tract.

I have always claimed to be the sole owner of this tract. When I bought the property there was no one living on the land, no houses on the land, and to date no one has since lived on the land.

I have been married one time only and that to my beloved wife, MARY EVA MOORE. We still are married and live together.

WITNESS my hand this the 2nd day of September, 1977.

Tommy Marshall Moore
TOMMY MARSHALL MOORE



SWORN TO AND SUBSCRIBED before me, the undersigned, by the said TOMMY MARSHALL MOORE, on this the 2nd day of September, 1977, to certify which witness my hand and seal of office.

John B. Messer
Notary Public in and for
Bell County, Texas

STATE OF TEXAS X

COUNTY OF BELL X

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared TOMMY MARSHALL MOORE, 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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day of September, 1977.

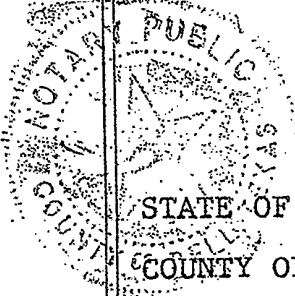
Harold [Signature]
Notary Public in and for
Bell County, Texas

I am well and fully familiar with all the statements herein made by my husband, TOMMY MARSHALL MOORE, and I, in all respects, swear that they are true and correct statements.

WITNESS my hand this the 2nd day of September, 1977.

Mary Eva Moore
MARY EVA MOORE

SWORN TO AND SUBSCRIBED before me, the undersigned, by the said MARY EVA MOORE, on this the 2nd day of September, 1977, to certify which witness my hand and seal of office.



John B. Messer

Notary Public in and for
Bell County, Texas

JOHN B. MESSER

NOTARY PUBLIC, BELL COUNTY, TEXAS
MY COMMISSION EXPIRES 4/21/79

STATE OF TEXAS

X

COUNTY OF BELL

X

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared MARY EVA MOORE, 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.

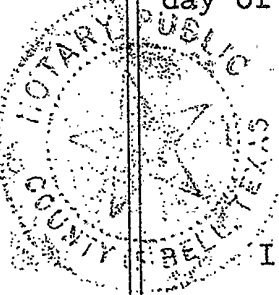
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day of September, 1977.

JOHN B. MESSER

NOTARY PUBLIC, BELL COUNTY, TEXAS
MY COMMISSION EXPIRES 4/21/79

John B. Messer

Notary Public in and for
Bell County, Texas



I, JOHN J. BROWN, have carefully read this

affidavit of TOMMY MARSHALL MOORE and I understand that the purpose of this affidavit is to clear any clouds upon the title of this piece of property. I know of no untruthfulness in said affidavit, and I have lived within one miles of this property for 33 years.

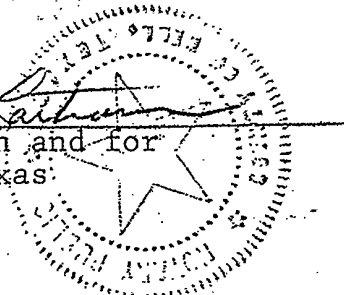
I have never known of anyone other than TOMMY MARSHALL MOORE claiming ownership of this tract and have never heard of any boundary disputes or squatters in connection with this land.

WITNESS my hand this the 6th day of September, 1977.

John J. Brown

SWORN TO AND SUBSCRIBED before me, the undersigned, by the said John J. Brown, on this the 6th day of September, 1977, to certify which witness my hand and seal of office.

Harold Latham
Notary Public in and for
Bell County, Texas



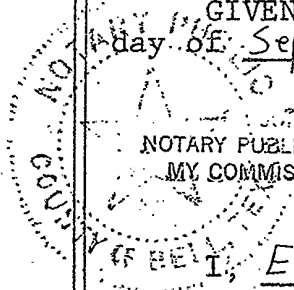
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STATE OF TEXAS X

COUNTY OF BELL X

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared John J. Brown, 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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 2nd day of September, 1977.



NOTARY PUBLIC, BELL COUNTY, TEXAS
MY COMMISSION EXPIRES 4/21/79

John B. Messer
Notary Public in and for
Bell County, Texas

I, ELENDER WATERS, have carefully read this affidavit of TOMMY MARSHALL MOORE and I understand that the purpose of this affidavit is to clear any clouds upon the title of this piece of property. I know of no untruthfulness in said affidavit, and I have lived within one miles of this property for 8 years.

I have never known of anyone other than TOMMY MARSHALL MOORE claiming ownership of this tract and have never heard of any boundary disputes or squatters in connection with this land.

WITNESS my hand this the 6th day of September, 1977.

✓ Elender Waters

SWORN TO AND SUBSCRIBED before me, the undersigned, by the said ELENDER WATERS, on this the 6th day of September, 1977, to certify which witness my hand and seal of office.

Shirley L. Lott
Notary Public in and for
Bell County, Texas

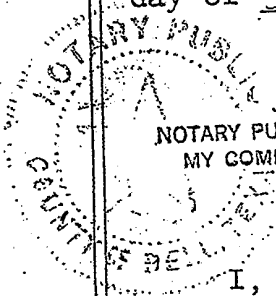
STATE OF TEXAS X

COUNTY OF BELL X

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Elender Waters, 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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 6th day of September, 1977.



JOHN B. MESSER
NOTARY PUBLIC, BELL COUNTY, TEXAS
MY COMMISSION EXPIRES 4/21/79

John B. Messer
Notary Public in and for
Bell County, Texas

I, Dexter T. Foyt, have carefully read this affidavit of TOMMY MARSHALL MOORE and I understand that the purpose of this affidavit is to clear any clouds upon the title of this piece of property. I know of no untruthfulness in said affidavit, and I have lived within one miles of this property for 10 years.

I have never known of anyone other than TOMMY MARSHALL MOORE claiming ownership of this tract and have never heard of any boundary disputes or squatters in connection with this land.

WITNESS my hand this the 8 day of Sept, 1977.

Dexter T. Foyt

SWORN TO AND SUBSCRIBED before me, the undersigned, by the said Dexter T. Foyt, on this the 8 day of September, 1977, to certify which witness my hand and seal of office.

OJ. [Signature]
Notary Public in and for
Bell County, Texas

STATE OF TEXAS X

COUNTY OF BELL X

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Dexter T. Foyt, 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 purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 8th day of September, 1977.

JOHN B. MESSER
NOTARY PUBLIC, BELL COUNTY, TEXAS
MY COMMISSION EXPIRES 4/21/79

John B. Messer
Notary Public in and for
Bell County, Texas

LAW OFFICES OF
MESSER & POTTS
118 South East Street
P. O. Box 690
BELTON, TEXAS 76513

FIELD NOTES for Tommy Moore for a tract of land being out of the Nancy Chance Survey, in Bell County, Texas, and being that certain 3.316 acre tract once owned by A.F. Bentley as referred to in a deed from Mrs. May Ella Dunlap, et al, to V.H. Cole as recorded in Vol. 586, Page 324, Deed Records of Bell County, Texas.

BEGINNING at an iron rod found in the north margin of the Old Belton-Temple Road and in the east line of that certain tract described in a deed from Mrs. May Ella Dunlap, et al, to V.H. Cole as recorded in Vol. 586, Page 324, Deed Records of Bell County, Texas, for the southwest corner of this.

THENCE N. 61° 31' 56" E., 148.47 feet with the north margin of said Old Belton-Temple Road to an iron pipe in the west line of that certain tract as described in a deed to Midway Methodist Church as recorded in Vol. 306, Page 17, Deed Records of Bell County, Texas.

THENCE N. 18° 31' 01" E., 1379.81 feet along and with the west line of the aforementioned Church property and that certain tract of land described in a deed to Barton Smith as recorded in Vol. 809, Page 589, Deed Records of Bell County, Texas, to an iron pipe for the northeast corner of this.

THENCE S. 73° 14' 46" W., 109.35 feet with the south line of Pepper Creek to an iron pipe for the northwest corner of this.

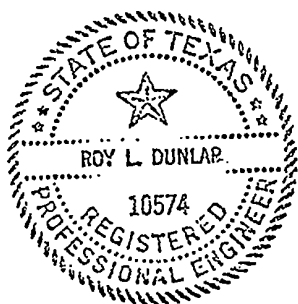
THENCE S. 19° 00' 00" W., 1425.27 feet along and with the aforementioned V.H. Cole tract to the place of beginning containing 3.06 acres.

STATE OF TEXAS 0

COUNTY OF BELL 0

KNOW ALL MEN BY THESE PRESENTS, that I, Roy L. Dunlap, Registered Professional Engineer, do hereby certify that I did cause to be surveyed on the ground the above described tract of land and to the best of my knowledge and belief the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 19th day of November, A. D., 1976.



A handwritten signature in dark ink, appearing to read "Roy L. Dunlap", written over a horizontal line.

Registered Professional Engineer
EXHIBIT "A"
PAGE ONE OF TWO

PEPPER CREEK

S 73° 14' 46" W
109.35

I.P. 80' I.P.

BARTON SMITH
809/589

Scale:
1"=200'

V.H. COLE
586/324

S 19° 00' 00" W 1425.27

3.06
AC.

N 18° 31' 01" E 1379.81

CHURCH 306/17

OLD BELTON-TEMPLE RD.

NANCY CHANCE
LEAGUE SURVEY
BELL CO., TEXAS

I.R.Fd.

N 61° 31' 56" E 1438.91 I.P.

2.74 AC.

2.4 AC.

8.25 AC.

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FILED FOR RECORD THE 8 DAY OF SEPTEMBER 1977, AT 3:10 P.M.

MRS RUBY MCKEE, COUNTY CLERK

BELL COUNTY, TEXAS
BY J. Wilson DEPUTY