

JOHN R. FREELAND

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May 1, 2007

Judge J. D. Salinas
Hidalgo County Courthouse
P.O. Box 58
Edinburg, Texas 78540

HAND DELIVERED

Dear Judge Salinas,

In line with suggestion made by your attorney, Steve Crain, I have corrected and am enclosing proposed correction Quitclaim Deed from Hidalgo County Trustee to the undersigned of all of the oil and gas royalty underlying three (3) tracts in the El Benedito Grant, Hidalgo County, Texas.

I trust that the content of the deed is now satisfactory, if so, would appreciate your submitting to the commissioner's court the above deed for their approval and execution.

I again want to thank you and your personnel for your cooperation and prompt disposition of the problem which will be solved by the execution and delivery of the attached Quitclaim Deed.

Very truly yours,



JOHN R. FREELAND

JRF/mg

Enclosure

cc: Steve Crain
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THE STATE OF TEXAS
COUNTY OF HIDALGO

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KNOW ALL MEN BY THESE PRESENTS:

That the County of Hidalgo, Texas, Trustee, acting by and through the Commissioner's Court of Hidalgo County, Texas, (Grantor) for and in consideration of the sum of ONE AND NO/100 DOLLAR and other good and valuable consideration to it in hand paid by John R. Freeland, (Grantee) of the County of Hidalgo, State of Texas, the receipt of which is hereby acknowledged, do, for the purpose of and complying with and conforming to motion and resolution heretofore adopted by the Commissioner's Court of Hidalgo County, Texas at a special meeting held on and or date of August 21, 1956, a certified copy of which is attached do by these presents BARGAIN, SELL, RELEASE AND FOREVER QUIT CLAIM unto the said JOHN R. FREELAND, his heirs and assigns, all its right, title and interest in and to all of the oil, royalty, gas royalty and royalty in casinghead, gas gasoline and royalty in other minerals in and under, and that may be produced and mined from the following described lands situated in the County of Hidalgo and State of Texas, to-wit:

- Tract No. 1 North eighty-two and twenty-eight hundredth (82.28) acres of Section One (1); of the G.O. Newman Subdivision of El Benadito Grant, Hidalgo County, Texas;
- Tract No. 2 North two hundred fifteen and twenty-six hundredths (215.36) acres of Section Two (2), of the G.O. Newman Subdivision of El Benedito Grant, Hidalgo County, Texas;

Tract No. 3 One hundred fifty-seven and eighty-one hundredths (157.81) acres of Section No. Three (3) of the G.O. Newman Subdivision of the El Benadito Grant, Hidalgo County, Texas, said One hundred fifty-seven and eighty-one hundredths (157.81) acres being all of the North Two hundred and eighty-six hundredths (200.86) acres of said Section No. Three (3) of the G.O. Newman Subdivision of the El Benadito Grant, EXCEPT Forty-three and five hundredths (43.05) acres are described as follows, to-wit:

Forty-three and five hundredths (43.05) acres, more or less, described by metes and bounds as follows:

BEGINNING at a mesquite post on the Southeast corner of the Santa Cruz Grant; said point being in the west line of Texas Company 811 acres lease and said point also being the Southeast corner of Share 13, Santa Cruz Grant;

Thence with west line of Texas Company 811 acre lease, South 0 degrees 33 minutes West 290.8 varas to a point on the North line of that certain 364.13 acre tract out of Section No. 3 of the G.O. Newman Subdivision now owned by Bentsen Bros. et al;

Thence with a North line of the above mentioned 364.13 acres tract North 80 degrees 28 minutes West 1266.6 varas to a corner of said 364.13 acre tract;

Thence with the most westerly east line of said 364.13 acre tract North 2 degrees 40 minutes East 96.1 varas to a corner in the South line of Santa Cruz Grant being the most westerly Northeast corner of said 364.13 acre tract;

Thence with the South line of Santa Cruz Grant South 89 degrees 43 minutes East 1249.8

varas to the place of beginning and containing 43.05 acres, more or less; which 43.05 acres of land is hereby expressly reserved to E.F. Gester, Trustee.

Said One hundred fifty-seven and eighty-one hundredths (157.81) acres of Section No. Three (3) of the G.O. Newman Subdivision of the El Benadito Grant, Hidalgo County, Texas, being those lands heretofore conveyed to Hidalgo County, Trustee, by E.F. Gester,

Trustee, on the 30th day of March 1948, which said deed of conveyance is recorded in Volume 637, pages 348-349 of Deed Records of Hidalgo County, Texas.

Being the identical lands described in Royalty Deeds from John R. Freeland to Hidalgo County dated November 21, 1952, Recorded in Volume 135, Pages 114-116, Official Records of Hidalgo County, Texas.

This deed is made as a correction deed in substitution of a deed from Grantor to Grantee dated August 28, 1956 recorded in Volume 245. Page 715-716, Official Records of Hidalgo County, Texas, wherein the legal description of Tract No. 3 above was omitted or inadequately described. The correct description of Tract No. 3, is as herein stated. Other than the above stated correction, this deed is intended to restate in all respects the corrected deed, and the effective date of this correction relates back to the effective date of the corrected deed.

TO HAVE AND TO HOLD the above described property and rights, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the said John R. Freeland, his heirs, administrators, executors and assigns, forever, so that neither the said County of Hidalgo, Texas, its executors and assigns, nor any person or persons claiming under it shall, at any time hereafter, have, claim or demand any rights or title to the afore described premises or appurtenances, or any part thereof.

Witness our hands at Edinburg, Texas, this ____ day of _____, 2007.

COUNTY OF HIDALGO, TEXAS, TRUSTEE

By:

County Judge

Commissioner, Precinct No. 1

Commissioner, Precinct No. 2

Commissioner, Precinct No. 3

Commissioner, Precinct No. 4

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

This instrument was acknowledged before me on ____ day of _____, 2007 by _____.

Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF HIDALGO §

This instrument was acknowledged before me on ____ day of _____, 2007 by _____.

Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF HIDALGO §

This instrument was acknowledged before me on ____ day of _____, 2007 by _____.

Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF HIDALGO §

This instrument was acknowledged before me on ____ day of _____, 2007 by
_____.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

This instrument was acknowledged before me on ____ day of _____, 2007 by
_____.

Notary Public, State of Texas

ON MOTION made by Commissioner Green, seconded by Commissioner Carter, and passed unanimously, the Court voted to approve the Budget for 1956 as drawn up and the Court to decide as to the distribution of the \$280,000 for the Precincts.

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MOTION AND RESOLUTION

WHEREAS, it is generally known and recognized that certain discrepancies exist as to survey in connection with the El Benadito Grant, the San Jose Grant and the Santa Cruz Grant in land in Hidalgo County, Texas, in that said grants overlap portions of one another; and

WHEREAS, tax foreclosure action was instituted by the State of Texas and County of Hidalgo and the Edinburg Consolidated Independent School District in cause No. E-2242, State of Texas vs. The Dallas Joint Stock Land Bank of Dallas upon certain lands described as being out of the El Benadito Grant which, at the point where the lands concerned are situated, overlaps into the San Jose Grant; and,

WHEREAS, it is recognized that assessments are made upon the same lands, in certain instances, as in the foregoing case, out of the several afore named grants; and,

WHEREAS, Hidalgo County, as Trustee, previously gave a quit claim deed to John H. Freeland to certain lands involved in the foregoing conflict of survey, and the said John H. Freeland reconveyed a non-participating 1/32 interest in and to all oil, gas and other minerals produced and recovered from said land so previously conveyed to the said John H. Freeland; and

WHEREAS, litigation is presently pending in Court of Competent Jurisdiction adjudicating the priority of the afore named grants; and,

WHEREAS, it has been represented to the Commissioners' Court of Hidalgo County, Texas, that an adjudication agreeable to all parties is about to be consummated establishing and determining once and for all which grant of the afore named three the lands under consideration are a part thereof; and,

WHEREAS, it is deemed expedient and necessary for the sake of correcting the tax rolls and tax records of Hidalgo County, Texas, that the County of Hidalgo sanction and encourage such amicable adjudication, and that the royalty interest previously conveyed to Hidalgo County by John H. Freeland should be in all things released and quit claimed back to the said John H. Freeland in order that adjudication of the aforementioned grants, surveys and titles be permanently established and effected.

NOW, THEREFORE, be it resolved that the mineral interest heretofore conveyed to Hidalgo County, as Trustee, by royalty deed dated 21st day of November, 1952, and filed for record in the deed records of the County Clerk's Office of Hidalgo County, Texas, in Volume 135, page 114-115 of the Oil and Gas records, be released and quit claimed unto the said John H. Freeland, conditioned that final adjudication be had in now pending litigation establishing the lines of the aforementioned grants where same conflict and overlap upon one another.

WHEREUPON Commissioner Carter moved the adoption of said resolution, which motion was duly seconded by Commissioner Curtis and unanimously adopted by all members present voting "Aye."

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DATE

6/14/56
Attest, I certify
EDDY TREMINO

County Clerk, Hidalgo County, Texas
City