

## OWNER'S POLICY OF TITLE INSURANCE

### SCHEDULE A

Name and Address of Title Insurance Company: Fidelity National Title Insurance Company  
Attention: Claims  
PO Box 45023  
Jacksonville, FL 32232-5023

G.F. No. 1044001586B

Policy No. O-1044001586B

Address for Reference only: **Mississippi and Teal Streets, Houston, TX**

Amount of Insurance: **\$2,668,825.00**

Premium: **\$16,838.75**

Date of Policy: **October 9, 2017**

1. Name of Insured: **Port of Houston Authority of Harris County, Texas**
2. The estate or interest in the land that is insured by this policy is:  
  
**Fee Simple**
3. Title is insured as vested in:  
**The Port of Houston Authority of Harris County, Texas**
4. The land referred to in this policy is described as follows:

**Being a tract of land containing 10.402 acres (453,137 square feet), located in the John Brown Survey, Abstract Number (No.) 8 in Harris County, Texas; said 10.402 acres being all of Mississippi Park, a subdivision plat of record in Volume 230, Page 11, in the Harris County Map Records (H.C.M.R.) said subdivision recorded in the name of Milo L. Strickland and Janyth E Strickland (Tract 1 called 7.366 acres in Harris County Clerk's File Number (H.C.C.F. No.) E963801 and a portion of Unrestricted Reserve "A" of Turning Basin Industrial District Section Six, a subdivision plat of record in Film Code Number (F.C. No.) 357143 in the H.C.M.R., said subdivision recorded in the name of Milo Strickland in H.C.C.F. No. N090998; said 10.402 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Texas Coordinate System of 1983 (NAD83), South Central Zone, per GPS observations):**

**BEGINNING at a 5/8-inch iron rod found at the northwest corner of said Unrestricted Reserve "A", Mississippi Park and being on the southerly Right-Of-Way (R.O.W.) line of Mississippi Street (100 feet wide right-of way (R.O.W.)) for a beginning of a curve to the right;**

**Thence, with the southerly R.O.W. of said Mississippi Street and the north lines of said Mississippi Park the following two (2) courses:**

- 1. 309.95 feet along the arc of said curve to the right, having a radius of 2033.48 feet, a**

central angle of 08 degrees 44 minutes 00 seconds and a chord that bears South 88 degrees 45 minutes 46 seconds East, a distance of 309.65 feet to a 5/8-inch iron rod with a Miller Survey Group (MSG) cap set at the point of tangency;

2. South 84 degrees 23 minutes 46 seconds East, a distance of 62.22 feet to a 5/8-inch iron rod with MSG cap set on the westerly R.O.W. line of Interstate 610 (East Loop Freeway) (width varies) for the northeast corner of the herein described tract;

Thence, with the westerly R.O.W. line of said Interstate 610 and the east lines of said Mississippi Park the following two (2) courses:

1. South 03 degrees 05 minutes 01 seconds East, a distance of 849.71 feet to a 5/8-inch iron rod found for the easterly southeast corner of Mississippi Park, from which a 1/2-inch iron found bears South 68 degrees 28 minutes East, a distance of 3.6 feet;
2. South 35 degrees 55 minutes 15 seconds West, a distance of 201.47 feet to a 5/8-inch iron rod with MSG cap set at the southerly southeast corner of said Mississippi Park and being the east corner of said Unrestricted Reserve "A", Turning Basin Industrial District Section Six, for the southerly southeast corner of the herein described tract

Thence, with the lines common to said Mississippi Park and said Turning Basin Industrial District Section Six the following two (2) courses:

1. South 87 degrees 18 minutes 14 seconds West, a distance of 48.19 feet to a cut "X" set for a southerly corner of the herein described tract;
2. North 03 degrees 05 minutes 01 seconds West, a distance of 90.14 feet to a 5/8-inch iron rod with EIC cap found at the northeast corner of a called 2.3321 acre tract recorded in the name of Global New Millennium Partners, LTD. in H.C.C.F. No. 20070378830 for an angle point;

Thence, with the north line of said 2.3321 acre tract, South 86 degrees 41 minutes 47 seconds West, a distance of 403.20 feet to a 5/8-inch iron rod with MSG cap set on the east R.O.W. line of Teal Street (width varies) same being the west lines of said Turning Basin Industrial District Section Six;

Thence, with the lines common to said Teal Street and said Turning Basin Industrial District Section Six, the following six (6) courses:

1. North 03 degrees 06 minutes 11 seconds West, a distance of 228.55 feet to a 5/8-inch iron rod with a MSG cap set at the beginning of a curve to the right;
2. 102.40 feet along the arc of said curve to the right, having a radius of 270.00 feet, a central angle of 21 degrees 43 minutes 48 seconds and a chord that bears North 07 degrees 45 minutes 43 seconds East, a distance of 101.79 feet to a 5/8-inch iron rod with a MSG cap set at a point of tangency;
3. North 18 degrees 37 minutes 39 seconds East, a distance of 55.22 feet to a 5/8-inch iron rod with a MSG cap set at the beginning of a curve to the left;
4. 39.91 feet along the arc of said curve to the left, having a radius of 330.00 feet, a central angle of 06 degrees 55 minutes 47 seconds and a chord that bears North 15 degrees 09 minutes 46 seconds East, a distance of 39.89 feet to a 5/8-inch iron rod with a MSG cap set at the point of reverse curvature;

5. 33.49 feet along the arc of said curve to the right, having a radius of 25.00 feet, a central angle of 76 degrees 44 minutes 34 seconds and a chord that bears North 50 degrees 04 minutes 09 seconds East, a distance of 31.04 feet to a 5/8-inch iron rod with a MSG cap set at a point of tangency;
6. North 88 degrees 26 minutes 46 seconds East, a distance of 35.28 feet to a 5/8-inch iron with MSG cap set at the north corner of said Turning Basin Industrial District Section Six and being on the west line of said Mississippi Park for an angle point;

Thence, with the west line of said Mississippi Park, North 03 degrees 07 minutes 46 seconds West, a distance of 61.39 feet to a 1/2-inch iron rod found for the beginning of a non-tangent curve to the left;

Thence, with the lines common to said Mississippi Park and the Clintonview Subdivision Section One, a subdivision plat of record in Vol. 37, Page 65, of the H.C.M.R., the following two (2) courses:

1. 304.55 feet along the arc of said curve to the left, having a radius of 465.00 feet, a central angle of 37 degrees 31 minutes 32 seconds and a chord that bears North 15 degrees 38 minutes 02 seconds East, a distance of 299.14 feet to a 5/8-inch iron rod with a MSG cap set at a point of tangency;
2. North 03 degrees 07 minutes 46 seconds West, a distance of 170.00 feet to the POINT OF BEGINNING and containing 10.402 acres (453,137 square feet) of land.

**Note:** *The Company is prohibited from insuring the area or quantity of the Land. Any statement in the legal description contained in Schedule A as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes and does not override Item 2 of Schedule B hereof.*

## **SCHEDULE B**

### **EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of the terms and conditions of the leases and easements if any, shown in Schedule A, and the following matters:

1. The following restrictive covenants of record itemized below (the Company must either insert specific recording data or delete this exception):

**Item 1, Schedule B is hereby deleted.**

2. Shortages in area.
3. Homestead or community property or survivorship rights, if any, of any spouse of any insured.
4. Any titles or rights asserted by anyone, including but not limited to, persons, the public, corporations, governments or other entities,
  - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
  - b. to lands beyond the line of harbor or bulkhead lines as established or changed by any government, or
  - c. to filled-in lands, or artificial islands, or
  - d. to statutory water rights, including riparian rights, or
  - e. to the area extending from the line of low mean low tide to the line of vegetation, or the right of access to that area or easement along and across that area.
5. Standby fees, taxes and assessments by any taxing authority for the year 2017, and subsequent years and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, *Texas Tax Code*, or because of improvements not assessed for a previous tax year.
6. The following matters and all terms of the documents creating or offering evidence of the matters (The Company must insert matters or delete this exception.):

- a. The following, all according to plat recorded in Film Code No. 357143, of the Map Records of HARRIS County, Texas:

**Building set back line 10 feet in width along the West and northern most North property line.**

**A sanitary sewer easement 20 feet wide, in the Easterly portion of subject property.**

**A water line easement 10 feet wide along the Southeasterly property line.**

**Building set back line 25 feet in width along the Southeasterly property line(s).**

**I**

**An easement for electric distribution facilities 10 feet wide, together with unobstructed aerial easements 10 feet wide, beginning at a plane 16 feet above the ground level and extending upwards, located on both sides of and adjoining said 10 foot wide easement, as granted to Houston Lighting and Power Company by instruments recorded under Harris County Clerk's File No(s). N154076 and N154077, the location of said easement more particularly shown on Sketch No. 91-130 attached thereto.**

**Fire hydrant easement containing 302.8 square feet, located in the westerly portion of subject property as granted to The City of Houston by instrument recorded under Harris County Clerk's File No(s). N987598, being more particularly described by metes and bounds attached thereto.**

- b. Subject to the rights, if any, of the public and or utility companies in and to the use of Turning Basin Drive, Wallace Street, and the alleyways lying within subject property, as shown on the plat of Brunsville, as recorded in Volume 67, Page 229 of the Deed Records of Harris County, Texas.**
- c. The following, all according to plat recorded in Volume 230, Page 11, of the Map Records of HARRIS County, Texas:**

**Utility easement, Ten (10) feet in width and a 15 foot aerial easement adjoining thereto traversing subject property in a north and south direction.**

**Sanitary sewer easement, Twenty (20) feet in width traversing subject property in a north and south direction.**

**Ten (10) foot building line along the north, east, south and part of the most southerly west property line(s).**

**Five feet by 392 feet strip dedicated for the widening of Turning Basin Drive.**

- d. Encroachment of adjoining property concrete improvement as reflected on survey dated July 26, 2017, prepared by Anthony R. Peacock, RPLS No. 5047.**
- e. Fences do not follow property lines as reflected on survey dated July 26, 2017, prepared by Anthony R. Peacock, RPLS No. 5047.**