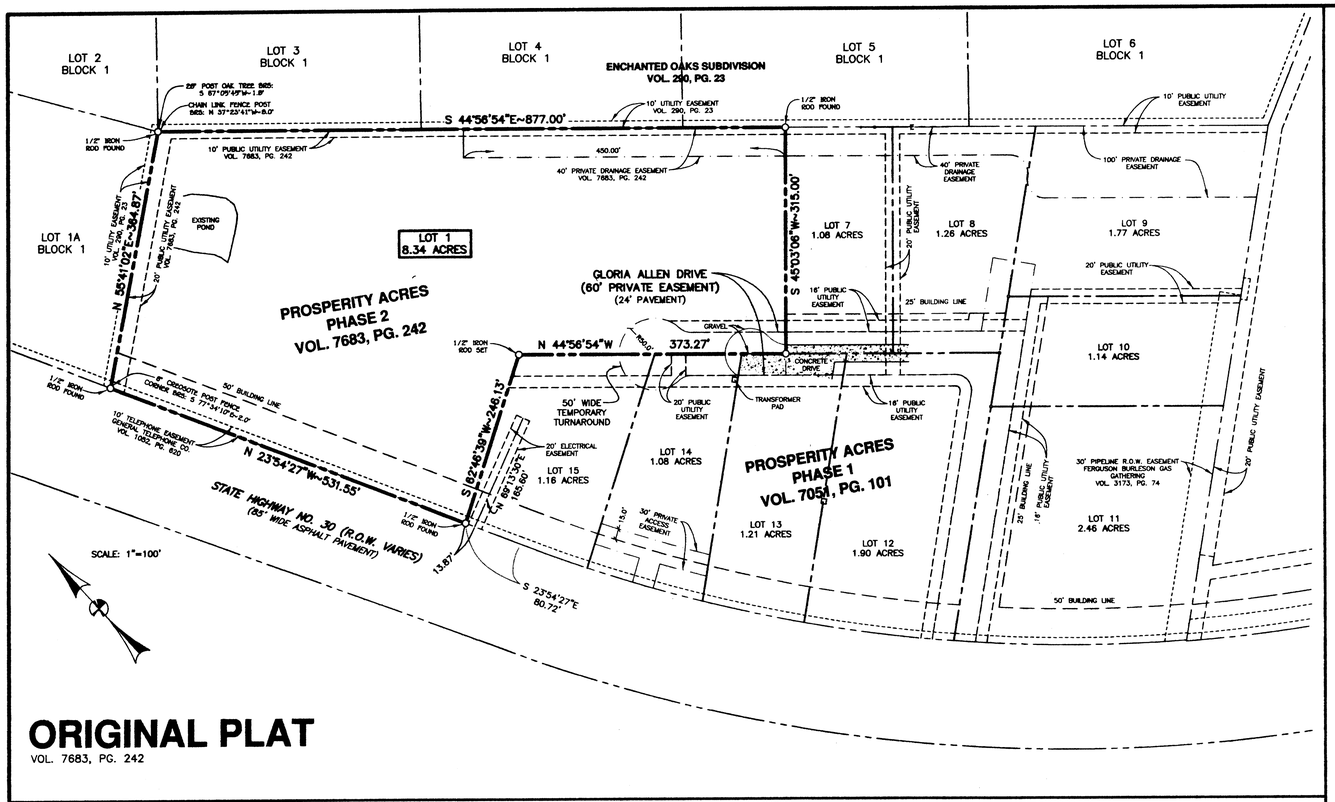
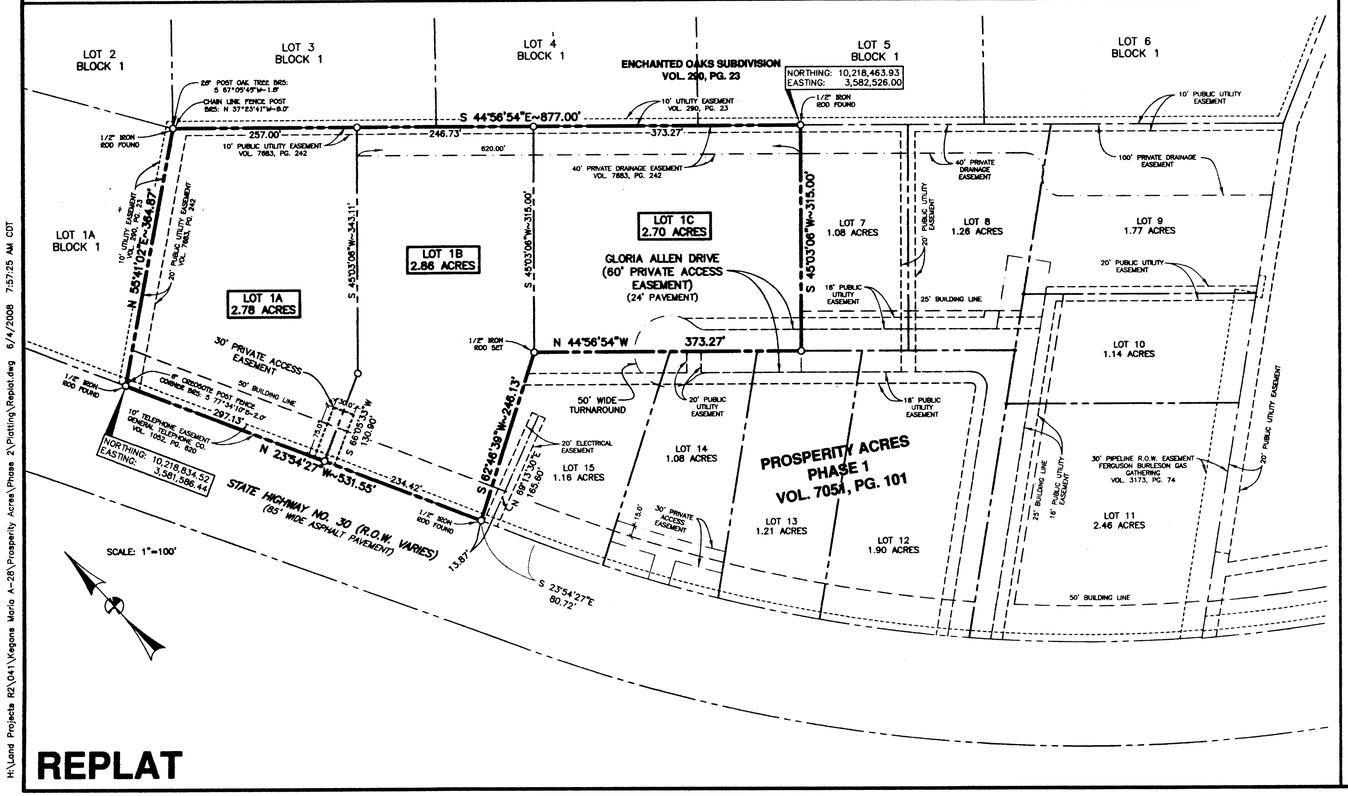


ORIGINAL PLAT

VOL. 7683, PG. 242



REPLAT

H:\Land Projects R2\041\Kegans Maria A-28\Prosperity Acres\Phase 2\Platting\Replat.dwg 6/4/2008 7:57:25 AM CDT

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS
COUNTY OF BRAZOS

I, Howard W. Scoggins, Owner and Developer of Lot 1 (8.34 Acres) – Prosperity Acres Phase Two – Vol. 7683, Pg. 242 and shown on this plat, being part of the tract of land as conveyed to me in the Official Records of Brazos County, Texas in Volume 7694, Page 248, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places shown hereon for the purpose identified.

BY: _____
Howard W. Scoggins, Owner

STATE OF TEXAS
COUNTY OF BRAZOS

Before me, the undersigned authority, on this day personally appeared Howard W. Scoggins, 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 considerations therein stated.

Given under my hand and seal this _____ day of _____, 2008.

_____
Notary Public, Brazos County, Texas

APPROVAL OF THE PLANNING AND ZONING COMMISSION

I, _____, Chair of the Planning and Zoning Commission of the City of Bryan, State of Texas, hereby certify that the attached plat was duly filed for approval with the Planning & Zoning Commission of the City of Bryan on the _____ day of _____, 2008 and same was duly approved on the _____ day of _____, 2008 by said Commission.

_____
Chair, Planning & Zoning Commission
City of Bryan, Texas

CERTIFICATION BY THE COUNTY CLERK

STATE OF TEXAS
COUNTY OF BRAZOS

I, Karen McQueen, County Clerk in and for said county, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the _____ day of _____, 2008, in the Official Records of Brazos County, Texas, in Volume _____, Page _____.

_____
Karen McQueen, County Clerk,
Brazos County, Texas

APPROVAL BY BRAZOS COUNTY COMMISSIONER'S COURT

I, _____, County Judge of Brazos County, Texas, do hereby certify that this plat was duly approved by the Brazos County, Commissioners' Court on the _____ day of _____, 2008.

_____
County Judge, Brazos County, Texas

APPROVAL OF THE CITY PLANNER

I, the undersigned, City Planner and/or designated Secretary of the Planning and Zoning Commission of the City of Bryan, hereby certify that this plat is in compliance with the appropriate codes and ordinances of the City of Bryan and was approved on the _____ day of _____, 2008.

_____
City Planner, City of Bryan, Texas.

APPROVAL OF THE CITY ENGINEER

I, the undersigned, City Engineer of the City of Bryan, hereby certify that this plat is in compliance with the appropriate codes and ordinances of the City of Bryan and was approved on the _____ day of _____, 2008.

_____
City Engineer, Bryan, Texas

CERTIFICATION OF THE SURVEYOR

I, S. M. Kling, Registered Professional Land Surveyor No. 2003, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground, and that the metes and bounds describing said subdivision will describe a closed geometric form.

STATE OF TEXAS REGISTERED S.M. KLING 2003 PROFESSIONAL LAND SURVEYOR

S. M. Kling, R.P.L.S. No. 2003

NOTES:

1. BASIS OF BEARINGS IS THE RE-ESTABLISHED SOUTHWEST LINE OF ENCHANTED OAKS SUBDIVISION ACCORDING TO THE PLAT RECORDED IN VOL. 290, PG. 23 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. RECORD BEARING = S 44°56'54"E.

2. CURRENT TITLE APPEARS VESTED IN HOWARD W. SCOGGINS BY VIRTUE OF INSTRUMENT RECORDED IN VOL. 7694, PG. 248 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS.

3. THE SUBJECT TRACT DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR BRAZOS COUNTY, TEXAS AND INCORPORATED AREAS. COMMUNITY NO. 481195, PANEL NO. 0161C, MAP NO. 48041C0161C. EFFECTIVE DATE: JULY 2, 1992.

4. THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE ISSUED BY UNIVERSITY TITLE COMPANY, GF #00052727, EFFECTIVE DATE: JUNE 19, 2006, TO WIT THE FOLLOWING COMMENTS RELATED TO SCHEDULE "B" OF SAID COMMITMENT:

GENERAL TELEPHONE COMPANY OF THE SOUTHWEST, VOL. 1052, PG. 620;

FERGUSON BURLESON GAS GATHERING, VOL. 3173, PG. 74;

BOTH EASEMENTS ARE SHOWN HEREON.

5. WICKSON CREEK SPECIAL UTILITY DISTRICT (589-3030) WILL PROVIDE WATER SERVICE TO THIS DEVELOPMENT.

6. DISTANCES ALONG CURVE ARE ARC DISTANCES.

7. NOTES FROM THE BRAZOS COUNTY HEALTH DEPARTMENT:

a.) NO ON SITE SEWAGE FACILITY (OSSF) AUTHORIZATION TO CONSTRUCT FOR AN INDIVIDUAL LOT WILL BE ISSUED WITHOUT FIRST HAVING A SITE EVALUATION REPORT ON FILE FOR THAT INDIVIDUAL LOT. THE SITE EVALUATION MUST BE DONE BY A STATE LICENSED SITE EVALUATOR.

b.) ALL LOTS SERVED BY AN OSSF MUST COMPLY WITH COUNTY AND STATE REGULATIONS. NO OSSF MAY BE INSTALLED ON ANY LOT WITHOUT THE ISSUANCE OF AN "AUTHORIZATION TO CONSTRUCT" ISSUED BY THE BRAZOS COUNTY HEALTH DEPARTMENT UNDER THE PROVISIONS OF THE PRIVATE SEWAGE FACILITY REGULATIONS ADOPTED BY THE COMMISSIONERS COURT OF BRAZOS COUNTY, PURSUANT TO THE PROVISIONS OF SECTION 21.084 OF THE TEXAS WATER CODE. NO OSSF DRAIN FIELD IS TO ENCROACH ON THE 100-FOOT SANITARY ZONE OF PRIVATE WATER WELLS OR 150 FEET OF PUBLIC WATER WELLS. A SANITARY ZONE MUST BE CLEARLY DELINEATED AROUND ALL EXISTING PUBLIC OR PRIVATE WELLS ON THE SUBDIVISION PLAT OR WITHIN 150 FEET OF THE SUBDIVISION BOUNDARY.

8. UNLESS OTHERWISE SPECIFIED, 1/2" IRON RODS ARE SET AT EVERY CORNER.

MHD FAMILY PARTNERSHIP, L.P., BY FILING THIS PLAT OF RECORD, AND ALL FUTURE OWNERS OF PROPERTY WITHIN THIS SUBDIVISION BY PURCHASING SUCH PROPERTY, ACKNOWLEDGE AND AGREE THAT THEY SHALL BE FOREVER BARRED FROM PETITIONING BRAZOS COUNTY TO REPAIR OR ACCEPT MAINTENANCE OF THE ROADS SHOWN ON THIS SUBDIVISION UNTIL MHD FAMILY PARTNERSHIP, L.P. AND/OR THE PROSPERITY ACRES PROPERTYOWNERS ASSOCIATION HAS IMPROVED THE ROADWAYS TO THE STANDARDS REQUIRED BY BRAZOS COUNTY. MHD FAMILY PARTNERSHIP, L.P. AND ALL FUTURE OWNERS OF PROPERTY WITHIN THIS SUBDIVISION SHALL LOOK SOLELY TO THE PROSPERITY ACRES PROPERTYOWNERS ASSOCIATION FOR FUTURE MAINTENANCE AND REPAIR OF THE ROADS AND STREETS SHOWN ON THIS SUBDIVISION.

MHD Family Partners, L.P.
8.34 Acres
Maria Kegans Survey, A-28
Brazos County, Texas

Field notes of an 8.34 acre tract or parcel of land, lying and being situated in the Maria Kegans Survey, Abstract No. 28, Brazos County, Texas, and being part of the 21.41 acre tract described in the deed from Hal L. Hackey III, Independent Executor of the Estate of Gloria M. Allen to MHD Family Partners, L.P., recorded in Volume 6973, Page 236, of the Official Records of Brazos County, Texas, and said 8.34 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found marking the common corner between the beforementioned 21.41 acre tract and Lot 2, Block 1, Enchanted Oaks Subdivision according to the plat recorded in Volume 290, Page 23, of the Deed Records of Brazos County, Texas, a 24" post oak tree bears S 67° 06' W – 1.8 feet, a chain link fence corner bears N 37° 24' W – 8.0 feet;

THENCE S 44° 56' 54" E along the common line between the beforementioned 21.41 acre tract and Block 1 of Enchanted Oaks Subdivision adjacent to a fence, for a distance of 877.00 feet to a ½" iron rod found marking the north corner of Lot 7 – 1.08 acres, Prosperity Acres Subdivision, Phase 1, according to the plat recorded in Volume 7051, Page 101, of the Official Records of Brazos County, Texas;

THENCE along the northwest line of the beforementioned Prosperity Acres Subdivision, Phase 1, as follows:

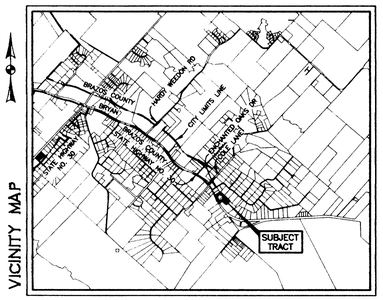
S 45° 03' 06" W	for a distance of 315.00 feet and corner near the center of a 24' wide concrete street, same being the centerline of Gloria Allen Drive, (60' Private Access Easement),
N 44° 56' 54" W	along the centerline and the projection thereof of Gloria Allen Drive, (60' Private Access Easement) for a distance of 373.27 feet to a ½" iron rod set,
S 62° 46' 39" W	for a distance of 246.13 feet to a ½" iron rod found marking the west corner of Lot 15 – 1.16 acres, Prosperity Acres Subdivision, Phase 1, said ½" iron rod also lying in the northeast right-of-way line of State Highway No. 30;

THENCE N 23° 54' 27" W along the northeast right-of-way line of the beforementioned State Highway No. 30, for a distance of 531.55 feet to a ½" iron rod found marking the west corner of the beforementioned 21.41 acre tract;

THENCE 55° 41' 02" E along the common line between the beforementioned 21.41 acre tract and Lot 1A, Block 1, Enchanted Oaks Subdivision, adjacent to a fence, for a distance of 364.87 feet to the PLACE OF BEGINNING, containing 8.34 acres of land, more or less.

NOT TO SCALE

VICINITY MAP



REPLAT
OF
PROSPERITY ACRES SUBDIVISION
PHASE TWO

8.34 ACRE TRACT

MARIA KEGANS SURVEY, A-28
BRAZOS COUNTY, TEXAS

OWNED AND DEVELOPED BY:
HOWARD W. SCOGGINS
1903 PAN SHELL COURT
SEABROOK, TEXAS 77586

Received
JUN 0 4 2008
Development & Engineering Services

SCALE: 1"=100' JUNE, 2008

PREPARED BY:
KLING ENGINEERING & SURVEYING
4101 TEXAS AV. + P.O. BOX 4234 + BRYAN,TEXAS + PH.979/846-6212