

Resale Survey Requirements

House Bill 3031 in pertinent part provides:

- (C) *Leaseholder shall deliver to Authority and Purchaser no less than forty-five days prior to Closing, at the Leaseholder's expense, an accurate survey of the individual Leased Tract (including any Undeveloped Strips being included in such Leased Tract), which survey is acceptable to the Authority and Purchaser. To be acceptable to the Authority and Purchaser, the survey must:*
- (i) *be acceptable to the title company selected by the Purchaser and Leaseholder and approved by the Authority for purposes of issuing any policy of title insurance on the applicable portion of the Leased Tract;*
 - (ii) *be prepared by a licensed state land surveyor or a registered professional land surveyor acceptable to the Authority;*
 - (iii) *include the boundary of the Leaseholder's Leased Tract and any Undeveloped Strips being conveyed, which boundaries must be consistent with the master survey prepared on behalf of the Authority in conjunction with the sale of the Leased Tract to the Purchaser;*
 - (iv) *include all improvements on the Leased Tract and indicate any encroachments across the applicable boundary lines or into the FERC Project Area or Buffer Zone; Leaseholder must provide evidence that any such encroachments across boundary lines or into the FERC Project Area or Buffer Zone have been cured by the Leaseholder (either by removal of such encroachment or by written agreement between the affected parties permitting such encroachment to continue) prior to the survey being deemed acceptable; and*
 - (v) *be reviewed and approved by the Authority and Purchaser; the Authority, Purchaser, and their representatives or agents may perform an inspection of the applicable Leased Tract to verify the accuracy of the Survey and any encroachments thereon;*

Procedures:

A. No Initial Boundary Lines Provided By PPKLP PPKLP will not be preparing the initial boundary lines for your property purchase. Per HB3031 you are required to provide and pay for an acceptable final survey for your property. It is up to you and your surveyor to do that. PPKLP initially considered establishing preliminary boundary lines for your use, but after further review PPKLP has decided that it is not financially or logistically feasible to do that.

B. Wait For the Master Survey to Be Completed For your survey to be acceptable for you to use to purchase your lot from PPKLP you should not start the survey until AECOM (the BRA surveyor for the Master Survey) establishes your 1000 ft contour line (your lake boundary line), your FERC Buffer line, and Link Field Services establishes your new roadway perimeter boundary line (if applicable). Watch our PPKLP website for information that will let you know when those boundaries will be available for your property.

C. Your BRA Lease Get a copy of your BRA lease and the legal description attached to that lease.

D. Surveyor Choose your surveyor. Your survey must be prepared by a licensed state land surveyor or registered professional land surveyor acceptable to the BRA and PPKLP. Please have your selected surveyor submit their qualifications to PPKLP as well as verification that the selected surveyor is able to co-ordinate with AECOM and/or Link Field Services to obtain the 1000 ft contour line, FERC Buffer line, and the back boundary line of your property as set forth in the Master Survey. For a list of surveyors that have submitted qualifications and been approved, please go to: <http://www.pklandpartnership.com/Surveyors.aspx>. The following surveyor is the preferred surveyor for PPKLP; but leaseholders are under no obligation to use the preferred surveyor and may choose their own qualified surveyor:

Link Field Services, Inc.
Attn: Ken Russell
831 Hood Road
P.O. Box 1485
Mineral Wells, Texas 76068
800-462-7199
krussell@linkfs.com
www.linkfieldservices.com

E. Interior Property Lines Ask your surveyor to survey your property using the interior boundary lines (those lines between you and your neighbor) contained in your existing lease and have the surveyor extend those lines toward your new 1000 ft contour perimeter property line (established by AECOM) and your new roadway perimeter property line (established by Link Field Services).

F. The "Undeveloped Strips" Your new boundary lines must include the applicable portion of the "undeveloped strips" adjacent to your lot. The BRA and/or PPKLP will be making available map(s) indicating where the "undeveloped strips" are. Unless you and your adjacent neighbor agree otherwise prior to either's closing with PPKLP, the "undeveloped strips" must be included into the adjacent lots by continuing the interior lots at the same angle/degree through the applicable "undeveloped strip(s)" to the outer boundary of said strip(s) or such other method as reasonably determined by PPKLP. PPKLP will be the ultimate judge of how the "undeveloped strips" will be allocated.

G. Changing Your Boundary Lines If you want to adjust an interior property line, PRIOR to your or your neighbor's closing with PPKLP you may enter into a Boundary Line Agreement to adjust that shared interior property boundary line. An approved surveyor will have to help you do that. If you have an existing mortgage you are not paying off at the time of your PPKLP closing you should contact your mortgage lender for permission to modify any boundary line. A sample form is provided on the PPKLP website.

H. Encroachments of Your Improvements Over Your Boundary Lines If your fences or other existing improvements encroach onto your neighbor's property you will be required to obtain a Consent for Encroachment from that neighbor. A sample form is provided on the PPKLP website. Your lender and title company may have additional requirements.

I. Encroachments of Your Improvements Into the FERC Buffer Zone Your survey must show all encroachments into the FERC Buffer. Those encroachments may or may not be allowed. The BRA will determine if any indicated encroachments are allowed or must be removed. Your lender and title company may have additional requirements.

J. Final Survey Requirements Your final survey must also:

1. illustrate and describe all perimeter boundaries of the fee simple property parcel being conveyed by deed, provide a separate page having a metes and bounds legal description for that parcel (Fee Simple Deeded Parcel). The metes and bounds description must be sent to us in Word file format by email from your surveyor and labeled Fee Simple Deeded Parcel [Street Address].doc.

2. illustrate and describe all perimeter boundaries of the FERC Buffer affecting your leasehold property and provide a separate page having a metes and bounds legal description for that parcel (FERC Parcel). The metes and bounds description must be sent to us in Word file format by email from your surveyor and labeled FERC Parcel [Street Address].doc.

3. describe all perimeter boundaries of both the a Fee Simple Deeded Parcel and the FERC Parcel on a separate page having a metes and bounds legal description for the Total Parcel (Total Parcel). The metes and bounds description must be sent to us in Word file format by email from your surveyor and labeled Total Parcel [Street Address].doc.

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4. illustrate all improvements located on both the Fee Simple and FERC Parcels.
5. show the 5 foot setback line for interior property lines and all existing encroachments into those setback lines on both the Fee Simple and FERC Parcels.
6. show all existing encroachments across the perimeter property lines.
7. show all existing encroachments into the FERC Buffer.
8. show all other matters required by BRA, PPKLP, your title company and lender.
9. have the appropriate certification.
10. be appropriately stamped, dated and signed.

The FERC illustration and description requirements herein may be waived in the future if, as and when that requirement is ever waived by the BRA.

K. Final Survey Approval Your final survey must be approved by:

1. your title company
2. the BRA
3. PPKLP
4. your lender (if any) providing you financing to acquire your property

The BRA and PPKLP may perform an inspection of the property to verify the accuracy of the survey and any encroachments. Your title company and/or lender may also require inspection of your property.

L. "45 day" Review Period You must have provided the approved survey to the BRA and PPKLP at least 45 days before your closing with PPKLP.

M. Link Field Services Waiting List You may want to call Link Field Services to get on their waiting list. If on that waiting list they will perform your individual property survey as soon as AECOM and Link Field Services finish the necessary tasks for the Master Survey currently being prepared.

Thanks!

Patterson PK Land Partnership, LTD.