

BK3488PG0252

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

# Texas Royalty Brokers

## SPECIAL WARRANTY DEED

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTIES OF TARRANT

§

AND JOHNSON

§

§

That **ROSE PEARL, LTD.,** a Texas limited partnership (hereinafter referred to as "Grantor"), whose address is 400 North St. Paul Street, Suite 1300, Dallas, Texas 75201, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by **GREGORY W. DUNN** (hereinafter referred to as "Grantee"), whose address is 5910 Flintshire Court, Arlington, Texas 76017, the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee an undivided **twenty five percent (25%)** in and to the oil, gas, and other minerals in and under that certain real property located in Tarrant and Johnson Counties, Texas, as more particularly described on **Exhibit A** attached hereto and incorporated herein by reference the same as if fully copied and set forth at length (hereinafter referred to as the "Minerals").

This conveyance is made and accepted subject to the matters described on **Exhibit B** attached hereto, and incorporated herein by reference the same as if fully copied and set forth at length, to the extent (but not further) the same are valid and subsisting and affect title to the property conveyed hereby (hereinafter collectively referred to as the "Permitted Exceptions").

TO HAVE AND TO HOLD the above described Minerals, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind its successors and assigns, to WARRANT AND FOREVER DEFEND, subject to the Permitted Exceptions, all and singular the said Minerals unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK.]

BK 3488 PG 0253

EXECUTED this 7<sup>th</sup> day of March, 2005.

**GRANTOR:**

**Texas Royalty Brokers**

ROSE PEARL, LTD.,  
a Texas limited partnership

By: RCP Development, L.L.C.,  
a Texas limited liability company  
Its: General Partner

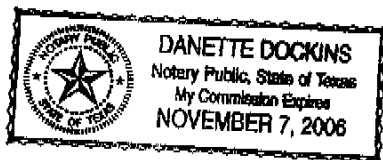
By: [Signature]  
Thomas M. Gaubert, Sole Member

**ACKNOWLEDGMENT**

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared Thomas M. Gaubert, the Sole Member of RCP Development, L.L.C., a Texas limited liability company, the General Partner of Rose Pearl, Ltd., a Texas limited partnership, 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, in the capacity therein stated and as the act of such partnership.

Given under my hand and seal of office this 7<sup>th</sup> day of March, 2005.



Danette Dockins  
NOTARY PUBLIC, STATE OF TEXAS  
Printed Name: Danette Dockins  
My Commission Expires: 11-07-06

**Texas Royalty Brokers**

**AFTER RECORDING RETURN TO:**

Michael D. Hesse, Esq.  
HESSE & HESSE, L.L.P.  
15303 Dallas Parkway, Suite 1040  
Addison, Texas 75001

RATTIKIN TITLE COMPANY  
4200 S. COOPER ST. STE. 201  
ARLINGTON, TEXAS 76015

00348890254

## EXHIBIT A

LEGAL DESCRIPTION

BEING a tract of land situated in the Elijah Gibbs Survey, Abstract No. 602, Tarrant County, Texas, and Elijah Gibbs Survey, Abstract No. 1107, Johnson County, Texas, and being a portion a tract of land deceded to Rose Pearl, LTD., a Texas Limited Partnership (Rose Pearl) as recorded in Document No. D203460173, Decd Records Tarrant County, Texas (DRTCT) and being more particularly described by metes and bounds as follows (basis of bearing referenced to deed to Rose Pearl Ltd., as recorded in Document No. D203460173, DRTCT):

BEGINNING at a set PK Nail with shiner marked "BHB INC" in the centerline of Retta Mansfield Road (C.R. 1062) from which a found 5/8-inch iron rod for the called northwest corner of the Elijah Gibbs Survey, Abstract 602, bears South 89° 50' West, a distance of 672.4 feet;

THENCE North 89°49'55" East along the centerline of said C.R. 1062, a distance of 963.10 feet to a found 5/8-inch iron rod in the centerline intersection of said C.R. 1062 and Peacock Lane;

THENCE South 00°32'47" East along the centerline said Peacock Lane, a distance of 1872.74 feet to a found 3/4-inch iron rod in the centerline of Peacock Lane at a 90° easterly bend in road;

THENCE 88°54'55" East continuing with the centerline Peacock Lane, a distance of 1008.65 feet to a set iron rod at the centerline intersection of Peacock Lane and Nash Lane;

THENCE South 00°31'17" West along the centerline Nash Lane, a distance of 490.20 feet to a found 5/8-inch iron rod with red cap marked "2KC 5133";

THENCE South 88°54'55" East, a distance of 25.00 feet to a found 5/8-inch iron rod with red cap marked "2KC 5133";

THENCE South 00°31'17" West, a distance of 283.06 feet to a point for corner, from which a found 1/2-inch iron rod bears South 04°19' West, a distance of 1.0 foot and a found 5/8-inch iron rod with yellow cap marked "2KC 5133" bears South 62°44' West, a distance of 1.0 foot;

THENCE in a westerly direction, generally along a fence line called for in two Boundary Line Agreements, first between Shirley M. Whitehead and C.E. Peacock and Linnie Mae Peacock as recorded in Document No. D203460171, DRTCT, second between David Stroud and C.E. Peacock and Linnie Mae Peacock as recorded in Document No. D203460172, the following courses and distances:

South 88°02'49" West, a distance of 137.06 feet  
South 88°59'18" West, a distance of 813.83 feet  
North 89°28'26" West, a distance of 1124.60 feet  
North 89°42'50" West, a distance of 623.19 feet

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THENCE North 00°23'59" East departing said line and along the called east line of the J.W. Haynes Survey, Abstract No. 1112, a distance of 811.73 feet to a set iron rod for the southwest corner of Lot 12, Block 1, Rose Creek Estates, Phase One, as recorded in Cabinet A, Slide 9197, Plat Records Tarrant County, Texas.

THENCE South 89°36'01" East along the south line of said Lot 12 and crossing over the right-of-way Silver Rose Boulevard, a distance of 362.40 feet to a found iron rod in the east line of said Silver Rose Boulevard;

THENCE North 00°23'59" East along east line said Silver Rose, a distance of 450.00 feet to a found iron rod at the southwest corner of Lot 9, Block 2, of the aforesaid Rose Creek Estates;

THENCE South 89°36'01" East along the south line of said Lot 9, a distance of 310.40 feet to a found iron rod at the southeast corner of said Lot 9;

THENCE North 00°23'01" East along the east line of the aforesaid Rose Creek Estates, a distance of 1411.26 feet to the POINT OF BEGINNING and containing 94.698 acres more or less.

**AND:**

Being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 1; and Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 2 of ROSE CREEK ESTATES PHASE ONE, an Addition to Tarrant County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 9197, Deed Records, Tarrant County, Texas.

Texas Royalty Brokers

348860256

RTC GF# AR-04C67874-SGM;chk  
Special Warranty Deed

**Exhibit "B"**

**Permitted Exceptions**

# Texas Royalty Brokers

1. Restrictive Covenants as recorded under County Clerk's File No. D204145488, as affected by D204238933, Deed Records of Tarrant County, Texas, and in Volume 3348, Page 598, Deed Records Johnson County, Texas.

2. Easement for right-of-way granted to Texas Electric Service Company, recorded in Volume 1296, Page 217, Deed Records of Tarrant County, Texas, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

3. Easement for right-of-way granted to Texas Electric Service Company, recorded in Volume 1296, Page 233, Deed Records of Tarrant County, Texas, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

4. Easement for right-of-way granted to KOCH REFINING CO., recorded in Volume 9742, Page 901, Deed Records of Tarrant County, Texas, and as shown on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

5. Easement for right-of-way granted to KOCH REFINING CO., L.P., recorded in Volume 12793, Page 488, Deed Records of Tarrant County, Texas, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

6. Easement for right-of-way granted to KOCH REFINING CO., L.P., recorded in Volume 2083, Page 292, Deed Records of Johnson County, Texas, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

7. Easement for water utility granted to BETHESDA WATER SUPPLY CORPORATION, recorded in Volume 14192, Page 486, Deed Records of Tarrant County, Texas, and as shown on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

8. Terms, conditions, and stipulations of Boundary Line Agreement by and between SHIRLEY M. WHITEHEAD and C.E. PEACOCK and LINNIE MAE PEACOCK, recorded under County Clerk's File No. D203460171, Deed Records of Tarrant County, Texas, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

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RTC GF# AR-04C67874-SGM;chk  
Special Warranty Deed :

**Exhibit "B"**

**Permitted Exceptions**

9. Terms, conditions, and stipulations of Boundary Line Agreement by and between C.E. PEACOCK and LINNIE MAE PEACOCK and DAVID STROUD, recorded under County Clerk's File No. D203460172, Deed Records of Tarrant County, Texas, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

10. Terms, conditions, and stipulations of Declaration of Covenants, Conditions and Restrictions by and between ROSE CREEK ESTATES and ROSE PEARL, LTD., recorded under County Clerk's File No. D204145448, as affected by D204238933, Deed Records of Tarrant County, Texas, and in Volume 3348, Page 598, Deed Records Johnson County, Texas, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

11. Terms, conditions, and stipulations of Oil, Gas and Mineral lease dated August 2, 2004, recorded under County Clerk's File No. D204253671, Deed Records of Tarrant County, Texas, by and between ROSE PEARL, LTD., as Lessor, and ANTERO RESOURCES, L. L.P., as Lessee, and as noted on survey dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942, and Memorandum of Oil and Gas Lease recorded in Volume 3477, Page 0412, Deed Records of Johnson County, Texas.

12. The following matters as shown by survey plat dated January 14, 2005, revised January 19, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942:

- a. Overhead utility lines along the North and most east side of the property.
- b. Location of Chain Link Fence along the most easterly North side of the property.

13. The rights of the public and others in any portion of the property lying within the boundaries of a street, alley, or road, and the regulation of the use thereof by the State or other governmental entity. (Retta Mansfield Road, Peacock Lane and Nash Lane) and as shown on survey dated January 14, 2005, prepared by Paul Hubert, Registered Professional Land Surveyor No. 1942.

14. Rights of tenants in possession, as tenants only, under any unrecorded leases or rental agreements.

15. All future assessments and charges of ROSE CREEK HOMEOWNERS' ASSOCIATION, INC.

03488760258

**WARNING — THIS IS PART OF THE OFFICIAL RECORD**  
**DO NOT DESTROY**

Filed For Record 948 (AM/PM)

MAR 10 2005

County Clerk Johnson County  
By HS Deputy

ANY PROVISION HEREIN WHICH  
RESTRICTS THE SALE, RENTAL OR  
USE OF THE DESCRIBED REAL  
PROPERTY BECAUSE OF COLOR OR  
RACE IS INVALID AND  
UNENFORCEABLE UNDER FEDERAL  
LAW.



STATE OF TEXAS  
COUNTY OF JOHNSON

that I hereby certify this instrument was FILED on the date and at the time stamped  
hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF  
JOHNSON COUNTY, TEXAS in the Volume and Page as shown heron.

  
CURTIS H. DOUGLAS, COUNTY CLERK  
JOHNSON COUNTY, TEXAS