

**LA QUINTA CHANNEL FRANCHISE**

**PORT OF CORPUS CHRISTI AUTHORITY  
OF NUECES COUNTY, TEXAS  
TO  
SHERWIN ALUMINA COMPANY, LLC**

**SECTION 1**  
**GRANT**

Subject to the terms and conditions of this franchise, the Port of Corpus Christi Authority of Nueces County, Texas (“Authority”), hereby grants to Sherwin Alumina Company, LLC, a Delaware limited liability company, whose business address is P. O. Box 9911, Corpus Christi, TX 78469, its successors and permitted assigns (“Grantee”), for the term specified in this Section 1, the right of access to La Quinta Channel from Grantee’s Land (hereinafter defined) for all purposes necessary, proper or expedient in connection with the maintenance of the La Quinta Channel and in connection with the use and operation of the docks and wharves constructed or to be constructed on Grantee’s Land. The term of this franchise shall begin on the later of (i) the date Grantee files its written acceptance of this franchise with the Authority in accordance with Section 12 hereof, or (ii) March 25, 2013. The term of this franchise shall end on March 24, 2043. “Grantee’s Land” is that certain 36.9 acres, more or less, of submerged land situated in Nueces County, Texas, which is shown on the Authority’s Boundary Map attached hereto as Exhibit A and incorporated herein by reference. An aerial photograph of Grantee’s Land is attached hereto as Exhibit A-1. Grantee is the owner of Grantee’s Land.

**SECTION 2**  
**MUTUAL CONVEYANCES**

Grantee’s Land was acquired by Grantee’s predecessors in title pursuant to the following mutual conveyances (collectively, the “Mutual Conveyances”): (a) mutual conveyance between the Nueces County Navigation District No. 1 and Reynolds Reduction Company dated May 23, 1952, and recorded in Volume 178, pages 300-304 of the Deed Records of San Patricio County, Texas, and recorded in Volume 571, page 88, of the Deed Records of Nueces County, Texas; (b) a mutual conveyance between the Nueces County Navigation District No. 1 and Reynolds Metals Company dated May 23, 1952, and recorded in Volume 178, pages 290-295 of the Deed Records of San Patricio County, Texas, and recorded in Volume 571, page 98 of the Deed Records of Nueces County, Texas; and (c) a mutual conveyance between the Nueces County Navigation District No. 1 and Reynolds Metals Company dated December 4, 1973, and recorded in Volume 479, pages 224-237 of the Deed Records of San Patricio County, Texas, and recorded in Volume 1482, page 983-995 of the Deed Records of Nueces County, Texas. The rights, privileges, permission and authority hereinafter provided for in any Section or portion of this franchise shall be in addition to the rights, privileges, permission and authority acquired by Grantee as successor in title under the Mutual Conveyances.

**SECTION 3**  
**DREDGING AUTHORITY'S SUBMERGED LAND**

Grantee may cross the north bulkhead line of the La Quinta Channel established by the Authority (the "North Bulkhead Line") where the same is adjacent to Grantee's Land in order to conduct and perform all dredging and excavation operations in, on or under the Authority's submerged lands lying between the La Quinta Channel and Grantee's Land as may be necessary, proper or expedient in connection with the use of such submerged land as a means of access from Grantee's docks and wharves to the La Quinta Channel.

**SECTION 4**  
**RENTALS**

For the rights granted to it hereunder, Grantee shall pay to Authority a rental calculated upon the movements of property or commodities across the North Bulkhead Line to or from docks and wharves on Grantee's Land, said rentals to be computed and determined in the following manner:

(1) For any general cargo business (and by "general cargo business" is meant a business handling the shipment by water of any property or commodity owned by a party, or being purchased or sold by a party, other than the holder of this franchise or one of its affiliates), a rental based upon the quantity of shipments made and to be equal to fifty percent (50%) of Authority's then current tariff wharfage rate on the same type of commodity or property; and

(2) For a business other than a general cargo business (that is, a business handling the shipment by water of property or commodities owned by the holder of this franchise or one of its affiliates, or being purchased or sold by the holder of this franchise or one of its affiliates) a rental based upon the quantity of the shipments made and to be an amount not more than (a) fifty percent (50%) of the Authority's then current tariff wharfage rate on the same type of property or commodity, or (b) two cents (2¢) per long ton of 2,240 U. S. pounds, whichever of the two amounts is smaller; provided that the alternate rate of two cents (2¢) per long ton shall be applicable only to the following property or commodities and no other, to-wit: bauxite ore, alumina, cryolite, pitch, coke, fluorspar, caustic soda, soda ash, lime, limestone, and aluminum billet, blooms, ingot, pigs, slabs, and any aluminum products.

An "affiliate" as used herein means, with respect to the holder of this franchise, each entity which, directly or indirectly, controls or is controlled by or is under common control or ownership with the holder of this franchise.

Grantee, its successors and assigns, shall keep and maintain a complete and accurate set of books and records showing all commodities shipped over, and to or from, any dock or docks or wharf or wharves constructed on Grantee's Land so that Authority may ascertain therefrom what rentals are due to the Authority from Grantee hereunder, and such books and records shall be subject to the inspection of the Authority, its agents and attorneys, at any and all reasonable times.

The rental payable hereunder shall be paid to Authority at its offices in Corpus Christi, Nueces County, Texas, and shall be payable at such reasonable time or times as Authority may direct by written notice to Grantee and by general rule or regulation which shall be applicable to all persons or parties holding permits or franchises similar to this franchise.

**SECTION 5**  
**CONDITIONS**

This franchise is granted with reasonable regulations as to construction and reasonable conditions for the protection of the Authority and its property and the property of its tenants, to-wit:

- (a) Grantee will at all times conduct its operation upon Grantee's Land so as not to create any unusual fire hazards.
- (b) Grantee will not, for itself or for others, use any portion of Grantee's Land for a railroad terminal or for any purpose in connection with a railroad terminal.
- (c) Before constructing any structure or commencing any work (including dredging or filling of submerged areas) on Grantee's Land or the Authority's submerged land lying between the La Quinta Channel and the North Bulkhead Line for which a U. S. Department of the Army permit is necessary and before filing application for any such permit, Grantee will submit plans of such structure or the work to be undertaken to the Authority for its approval. This requirement shall apply to any dredging or filling of submerged areas as well as to any type of structure. Authority shall not refuse to approve such plans without good cause. Grantee must file with the Authority a copy of any permit or license it obtains from any governmental agency in connection with any construction or work described in this Section 5, and any documents placing conditions on or amending them in any way.
- (d) To facilitate the Authority's review of the plans described in Section 5(c) above, Grantee shall submit two (2) sets of formal plans that clearly define the project. The drawings must be prepared in a standard engineering format (24" x 36" drawings) and show all physical features and improvements in and around the project site and must be signed and sealed by a Professional Engineer registered in the State of Texas. In addition, a detailed site plan (minimum 1" = 50' scale) depicting the location and physical layout of the project site and any area to be dredged, adjacent docking facilities, property lines, federal channels, bulkhead lines, existing channel depth elevations, etc., must be included with the formal plans submitted. The site plan must clearly show the bottom of cut line and top of slope line of any planned dredging. If any dredging is planned by Grantee that will, in Authority's judgment, based upon customary dredging operations, result in removal of a substantial quantity of earth or material from, or damage to, adjacent real property, Grantee must obtain the written permission of the adjacent

property owner to carry out such dredging for the project and submit it to the Authority with the formal plans.

- (e) Grantee shall perform all construction or work described in this Section 5 in conformity with accepted building codes and all applicable federal, state and other governmental laws and regulations; and Grantee must comply with any applicable provisions of the code of the National Fire Protection Association.
- (f) Grantee's slips along the North Bulkhead Line shall be maintained at a depth sufficient to prevent vessels berthed at the docks there from striking bottom due to lowering of the water level from passing vessels.
- (g) Grantee shall take all reasonable precaution to prevent the pollution of the waters of the La Quinta Channel and the pollution of the ambient air over and adjacent to said channel. Grantee shall also comply with all valid state and federal laws and regulations relating to water and air pollution.
- (h) Grantee shall comply with the Authority's reasonable rules and regulations presently in effect or that the Authority may invoke in the future which apply to all individuals or entities holding franchises similar to this franchise.

## **SECTION 6** **DREDGING THE LA QUINTA CHANNEL**

Grantee, and its successors and assigns, may from time to time when necessary or desirable, dredge or cause to be dredged the La Quinta Channel from the Corpus Christi Ship Channel to a point opposite Grantee's Land and may remove obstructions from said channel for the purpose of maintaining the channel in such condition that it may be used by Grantee, its successors and assigns, for navigation. Grantee, its successors and assigns, may maintain the channel markers and other aids to navigation on the La Quinta Channel and may construct additional markers thereon. However, Grantee, its successors and assigns, shall not be obligated to do any such dredging, or to maintain the La Quinta Channel, or to construct or maintain any channel markers. The rights afforded Grantee by this Section 6 are not exclusive in Grantee (similar rights being held by holders of similar franchises) and the exercise of such rights by Grantee shall be consistent with the exercise of similar rights by holders of other franchises.

## **SECTION 7** **DEFAULT**

In the event of a default of Grantee in the performance of any of the terms and conditions herein stipulated to be done by it, or required of it under any valid rules or regulations of the government of the United States of America or the State of Texas, and in event such default continues for sixty (60) days after the Authority has sent a written notice by registered or certified United States mail to Grantee at its business address set forth in Section 1 advising it fully of the nature and extent of such default, this franchise shall be subject to forfeiture at the instance of the Authority by suit in a State District Court in Nueces County, Texas.

**SECTION 8**  
**RIGHTS UNDER THE MUTUAL CONVEYANCES CONFIRMED**

The rights and privileges of Grantee arising out of the Mutual Conveyances are hereby expressly recognized and confirmed and are in no wise lessened or diminished by the granting of this franchise and its acceptance by Grantee, or by any surrender, cancellation or forfeiture of this franchise.

**SECTION 9**  
**ASSIGNMENT**

This franchise may be transferred or assigned in its entirety to any person or entity holding title or right of use and occupancy of Grantee's Land or Grantee's alumina plant or aluminum reduction plant in San Patricio County, Texas, located adjacent to Grantee's Land. Partial assignments of this franchise are not permitted. Any such assignee of this franchise, upon taking transfer or assignment of the franchise, shall file written evidence of such transfer or assignment and of assignee's acceptance of the same in the office of the Authority.

**SECTION 10**  
**CHANGE IN APPLICABLE LAWS**

If the statutes of the State of Texas governing the granting of franchises such as this are amended during the term hereof so as to enable Authority to grant franchises for a longer term than thirty (30) years, then and in that event this franchise, if then in effect and in use, shall be extended for such period of time as will, in the aggregate, amount to the greater period fixed in any such amendment to such statutes, unless such extension is prohibited by such amendment.

**SECTION 11**  
**GENERAL**

All covenants, conditions and agreements of this franchise shall apply to and be binding upon the Authority and Grantee and their respective legal representatives, successors and permitted assigns (when assignment is made in accordance with the provisions hereof). This franchise is made under the applicable laws of the State of Texas and if any term, clause, provision, part or portion of this franchise shall be adjudged invalid or illegal for any reason, the validity of any other part or portion hereof shall not be affected thereby, and the invalid or illegal portion thereof shall be deleted and ignored as if the same had not been written herein. If any of the rights and authorities granted hereunder are in excess of the authority of the Authority, then the rights and authorities shall be limited to such as the Authority is authorized to grant, under the applicable laws. The failure of Grantee or of the Authority to insist upon the strict performance of any of the covenants and conditions of this franchise, or the consent, either express or implied, of either party hereto to any act or omission by the other party in breach or default hereof, shall not be deemed or construed to be a waiver of any such covenants or condition except for that particular instance only and shall not constitute or be construed as a

waiver of such covenant or condition or of any further or future breach or default thereof. The expense of publishing this franchise as required by law shall be borne by the Grantee.

**SECTION 12**  
**PASSAGE AND ACCEPTANCE**

A majority of the Authority's Port Commissioners voted to grant this franchise at meetings of the Port Commission held on January 8, 2013, \_\_\_\_\_, 2013, and \_\_\_\_\_, 2013, and the final form of this franchise was approved at the last of such meetings. Grantee must file its written acceptance of this franchise with the Authority within thirty (30) days after the date on which this franchise was finally approved by the Authority's Port Commissioners, and such written acceptance shall be duly acknowledged by the person or persons executing the same. This franchise shall take effect on the later of (i) the date Grantee files its written acceptance of this franchise with the Authority in accordance with this Section, or (ii) March 25, 2013.

IN WITNESS WHEREOF, the Authority has caused this franchise to be signed by the Chairman of the Port Commission and attested by the Secretary of the Port Commission this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Chairman of the  
Port Commission of Port of Corpus Christi  
Authority of Nueces County, Texas

ATTEST:

\_\_\_\_\_  
Secretary of the Port  
Commission of Port of Corpus Christi  
Authority of Nueces County, Texas

STATE OF TEXAS       §  
                                  §  
COUNTY OF NUECES   §

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 2013, by, \_\_\_\_\_, Chairman of the Port Commission of Port of Corpus Christi Authority of Nueces County, Texas, and \_\_\_\_\_, Secretary of the Port Commission of Port of Corpus Christi Authority of Nueces County, Texas, on behalf of said Port Authority.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

**ACCEPTANCE OF GRANTEE**

The above and foregoing franchise granted to Sherwin Alumina Company, LLC is accepted by Sherwin Alumina Company, LLC, and Sherwin Alumina Company, LLC hereby agrees to be bound thereby.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

SHERWIN ALUMINA COMPANY, LLC

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS       §  
                                  §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_, 2013, by \_\_\_\_\_, \_\_\_\_\_ of Sherwin Alumina Company, LLC, a Delaware limited liability company, on behalf of said company.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS



**Surveying & Hydro Excavation Services**

802 N. Navigation Blvd., Suite 102  
Corpus Christi, Texas 78408

**4.264-Acre Tract "TRACT 1, PARCEL 4"**

**FIELD NOTES** to describe an exhibit of a called 4.264-acre tract known as Tract 1, Parcel 4 as recorded in Document #2001000017, Official Records, Nueces County, Texas being out of the State of Texas Submerged Land Tracts, Tract 2, in Nueces County, Texas also being out of the T.T. Williamson Survey, Abstract 290, in San Patricio County, Texas, said 4.264-acre tract being more particularly described by metes and bounds as follows;

**BEGINNING** at a point for the northeast corner of said 4.264-acre tract, the southeast corner of a called 1610.0-acre tract known as Tract 1, Parcel 1A as recorded in Document #2001000017, Official Records, Nueces County, Texas, the northwest corner of a 27.28-acre tract of submerged lands as recorded in Volume 1386, Page 268, Deed Records, Nueces County, Texas, and the southwest corner of a 336.47-acre tract as recorded in Volume 359, Page 276, Deed Records, San Patricio County, Texas for the northeast corner of the herein described tract;

**THENCE** South 25°59'12" West, along the common line of said 4.264-acre tract and 27.28-acre tract, a distance of 411.27 feet to a point in the Port of Corpus Christi Authority's North Bulkhead Line for the southeast corner of the herein described tract;

**THENCE** North 77°32'08" West, along said north bulkhead line, a distance of 469.74 feet to a point being the southeast corner of a called 31.82-acre tract known as Tract 1, Parcel 5 as recorded in Document #2001000017, Official Records, Nueces County, Texas for the southwest corner of the herein described tract;

**THENCE** North 25°59'12" East, along the common line of said 4.264-acre tract and 31.82-acre tract, a distance of 432.70 feet to a point in the south line of said 1610.0-acre tract, the northeast corner of said 31.82-acre tract, for the northwest corner of the herein described tract;

**THENCE** South 66°53'00" East, along the common line of said 4.264-acre tract and 1610.0-acre tract, a distance of 214.11 feet to a point for an interior corner of the herein described tract;

**THENCE** South 81°45'00" East, continuing along said common line, a distance of 255.00 feet to a point for the northeast corner of the herein described tract and the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 4.264 acres (185,724 square feet) of land, more or less.

An exhibit of even date herewith accompanies this legal description.

I do hereby attest that the foregoing field notes were prepared from information of record provided by Sherwin Alumina and the Port of Corpus Christi Authority and does not represent a survey made on the ground. This description was prepared for informational purposes only. This description does not represent a valid survey and should not be used to convey, sell or trade property.

1-4-13  
Date

Michael D. Stridde  
Michael D. Stridde R.P.L.S. #3589

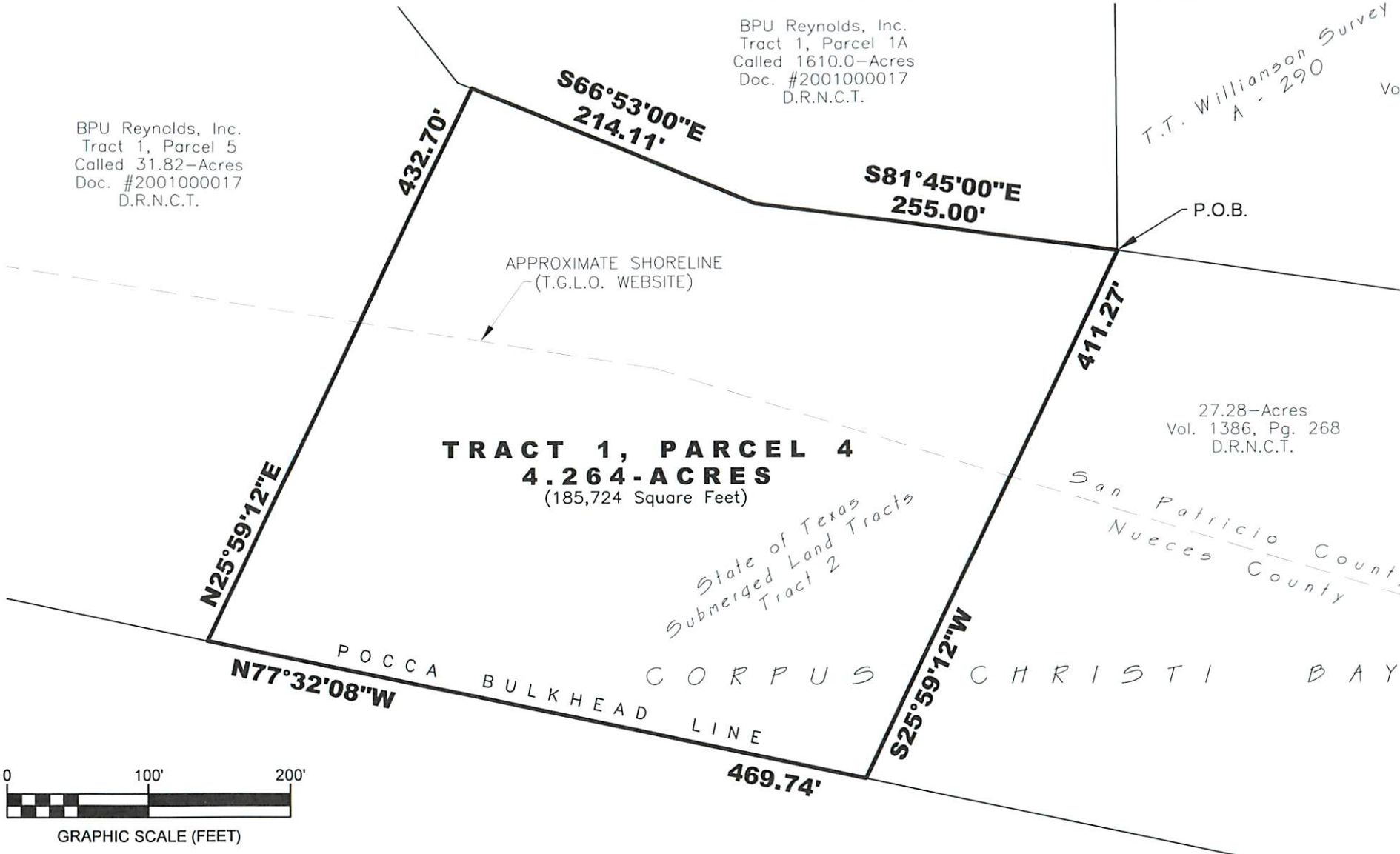




BPU Reynolds, Inc.  
Tract 1, Parcel 5  
Called 31.82-Acres  
Doc. #2001000017  
D.R.N.C.T.

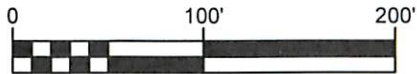
BPU Reynolds, Inc.  
Tract 1, Parcel 1A  
Called 1610.0-Acres  
Doc. #2001000017  
D.R.N.C.T.

336.47-Acres  
Vol. 359, Pg. 276  
D.R.S.P.C.T.



**NOTES:**

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS MAP AS PER THOSE NOTED IN SPECIAL WARRANTY DEED TO BPU REYNOLDS, INC., AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF SHERWIN ALUMINA DEFINING THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS FOR THEIR INTERNAL USE.



GRAPHIC SCALE (FEET)



TBPLS REG. NO. 10193804  
802 N. Navigation Blvd., Suite 102  
Corpus Christi, TX 78408  
P: (361)452-1375 F: (361)452-1376  
Survey Date:  
Exhibit Prepared: January 4, 2013  
HX Job No: H12-0150  
© COPYRIGHT 2013 ALL RIGHTS RESERVED  
SHEET 1 OF 4

THIS EXHIBIT WAS PREPARED FOR SHERWIN ALUMINA AND IS INTENDED TO GRAPHICALLY SHOW THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS DESCRIBED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY SHERWIN ALUMINA AND THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

1-4-13 *Michael D. Stridde*  
DATE: MICHAEL D. STRIDDE  
REGISTERED PROFESSIONAL LAND SURVEYOR, NO.: 3589



# EXHIBIT OF TRACT 1, PARCEL 4

SHOWING AN EXHIBIT OF A CALLED 4.264-ACRE TRACT KNOWN AS TRACT 1, PARCEL 4 AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS, BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 2, IN NUECES COUNTY, TEXAS ALSO BEING OUT OF THE STATE OF TEXAS, WILLIAMSON SURVEY, ABSTRACT 290, IN SAN PATRICIO COUNTY, TEXAS.





**Surveying & Hydro Excavation Services**

802 N. Navigation Blvd., Suite 102  
Corpus Christi, Texas 78408

**30.15-Acre Tract "REMAINDER OF TRACT 1, PARCEL 5"**

**FIELD NOTES** to describe an exhibit of a 30.15-acre remainder of a called 31.82-acre tract known as Tract 1, Parcel 5 as recorded in Document #2001000017, Official Records, Nueces County, Texas being out of the State of Texas Submerged Land Tracts, Tract 1 and Tract 2, in Nueces County, Texas also being out of the T.T. Williamson Survey, Abstract 290, in San Patricio County, Texas, said 30.15-acre tract being more particularly described by metes and bounds as follows;

**BEGINNING** at a point for the northwest corner of said 31.82-acre tract, the southwest corner of a called 1610.0-acre tract known as Tract 1, Parcel 1A as recorded in Document #2001000017, Official Records, Nueces County, Texas, the northeast corner of a called 58.07-acre tract known as Tract 1, Parcel 6 as recorded in said Document #2001000017, and the southeast corner of a called 328.9-acre tract known as Tract 1, Parcel 2A as recorded in said Document #2001000017 for the northwest corner of the herein described tract;

**THENCE** South 73°42'00" East, along the common line of said 31.82-acre tract and 1610.0-acre tract, a distance of 434.93 feet to a point for an exterior corner of the herein described tract;

**THENCE** South 67°33'15" East, continuing along said common line, a distance of 283.40 feet to a point for an exterior corner of the herein described tract;

**THENCE** South 65°50'00" East, continuing along said common line, a distance of 410.00 feet to a point for an exterior corner of the herein described tract;

**THENCE** South 67°18'00" East, continuing along said common line, a distance of 685.00 feet to a point for an exterior corner of the herein described tract;

**THENCE** South 36°00'00" East, continuing along said common line, a distance of 228.00 feet to a point for an interior corner of the herein described tract;

**THENCE** South 66°53'00" East, continuing along said common line, a distance of 10.89 feet to a point being the northwest corner of a called 4.264-acre tract known as Tract 1, Parcel 4 as recorded in Document #2001000017, Official Records, Nueces County, Texas for the northeast corner of the herein described tract;

**THENCE** South 25°59'12" West, along the common line of said 4.264-acre tract and 31.82-acre tract, a distance of 432.70 feet to a point in the Port of Corpus Christi Authority's North Bulkhead Line for the southeast corner of the herein described tract;

**THENCE** North 77°32'08" West, along said north bulkhead line, a distance of 1689.43 feet to a point for the southwest corner of the herein described tract;

**THENCE** North 00°41'57" West, across said 31.82-acre tract, a distance of 760.24 feet to a point for an interior corner of the herein described tract;

**THENCE** North 17°04'03" West, continuing across said 31.82-acre tract, a distance of 15.16 feet to a point in the east line of said 58.07-acre tract for an exterior corner of the herein described tract;

**THENCE** North 13°07'17" East, along the common line of said 31.82-acre tract and 58.07-acre tract, a distance of 103.55 feet to a point for the northwest corner of the herein described tract and the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 30.15 acres (1,313,244 square feet) of land, more or less.

An exhibit of even date herewith accompanies this legal description.

I do hereby attest that the foregoing field notes were prepared from information of record provided by Sherwin Alumina and the Port of Corpus Christi Authority and does not represent a survey made on the ground. This description was prepared for informational purposes only. This description does not represent a valid survey and should not be used to convey, sell or trade property.

1-4-13  
Date

Michael D. Stridde  
Michael D. Stridde R.P.L.S. #3589





BPU Reynolds, Inc.  
Tract 1, Parcel 2A  
Called 328.9-Acres  
Doc. #2001000017  
D.R.N.C.T.

BPU Reynolds, Inc.  
Tract 1, Parcel 1A  
Called 1610.0-Acres  
Doc. #2001000017  
D.R.N.C.T.

T.T. Williamson Survey  
A - 290



N13°07'17"E  
103.55'

N17°04'03"W  
15.16'

State of Texas  
Submerged Land Tracts  
Tract 1

Cheniere  
Called 337.4-Acres  
(No Recording Info.)  
(See Note No. 6)

BPU Reynolds, Inc.  
Tract 1, Parcel 6  
Called 58.07-Acres  
Doc. #2001000017  
D.R.N.C.T.

Parcel 6  
Parcel 5

760.24'  
857.05'  
N00°41'57"W

P.O.B.  
S73°42'00"E  
434.93'

S67°33'15"E  
283.40'

S65°50'00"E  
410.00'

S67°18'00"E  
685.00'

S36°00'00"E  
228.00'

S66°53'00"E  
10.89'

San Patricio County  
Nueces County

APPROXIMATE SHORELINE  
(T.G.L.O. WEBSITE)

State of Texas  
Submerged Land Tracts  
Tract 2

REMAINDER OF  
TRACT 1, PARCEL 5  
30.15-ACRES  
(1,313,244 Square Feet)

C O R P U S C H R I S T I B A Y

1878.67'  
P O C C A B U L K H E A D L I N E

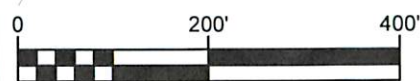
N77°32'08"W

1689.43'

NOTES:

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS MAP AS PER THOSE NOTED IN SPECIAL WARRANTY DEED TO BPU REYNOLDS, INC., AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF SHERWIN ALUMINA DEFINING THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS FOR THEIR INTERNAL USE.
6. CHENIERE BOUNDARY INFORMATION WAS PROVIDED BY THE PORT OF CORPUS CHRISTI.

BPU Reynolds, Inc.  
Tract 1, Parcel 4  
Called 4.264-Acres  
Doc. #2001000017  
D.R.N.C.T.



GRAPHIC SCALE (FEET)



TBPLS REG. NO. 10193804  
802 N. Navigation Blvd., Suite 102  
Corpus Christi, TX 78408  
P: (361)452-1375 F: (361)452-1376  
Survey Date:  
Exhibit Prepared: January 4, 2013  
HX Job No: H12-0150  
© COPYRIGHT 2013 ALL RIGHTS RESERVED  
SHEET 2 OF 4

THIS EXHIBIT WAS PREPARED FOR SHERWIN ALUMINA AND IS INTENDED TO GRAPHICALLY SHOW THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS DESCRIBED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY SHERWIN ALUMINA AND THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

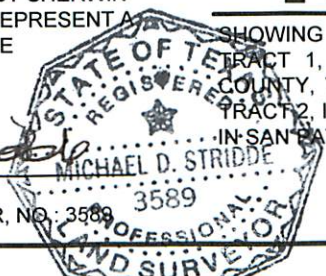
EXHIBIT OF  
**TRACT 1, PARCEL 5**

SHOWING AN EXHIBIT OF A 30.15-ACRE REMAINDER OF A CALLED 31.82-ACRE TRACT KNOWN AS TRACT 1, PARCEL 5 AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1 AND TRACT 2, IN NUECES COUNTY, TEXAS ALSO BEING OUT OF T.T. WILLIAMSON SURVEY, ABSTRACT 290, IN SAN PATRICIO COUNTY, TEXAS.

1-4-13  
DATE:

Michael D. Stridde

MICHAEL D. STRIDDE  
REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589







**Surveying & Hydro Excavation Services**

802 N. Navigation Blvd., Suite 102  
Corpus Christi, Texas 78408

**0.0676-Acre Tract "REMAINDER OF TRACT 1, PARCEL 6"**

**FIELD NOTES** to describe an exhibit of a 0.0676-acre remainder of a called 58.07-acre tract known as Tract 1, Parcel 6 as recorded in Document #2001000017, Official Records, Nueces County, Texas being out of the State of Texas Submerged Land Tracts, Tract 1, in Nueces County, Texas also being out of the T.T. Williamson Survey, Abstract 290, in San Patricio County, Texas, said 0.0676-acre tract being more particularly described by metes and bounds as follows;

**BEGINNING** at a point for the northeast corner of said 58.07-acre tract, the southeast corner of a called 328.9-acre tract known as Tract 1, Parcel 2A as recorded in Document #2001000017, Official Records, Nueces County, Texas, the northwest corner of a called 31.82-acre tract known as Tract 1, Parcel 5 as recorded in said Document #2001000017, and the southwest corner of a called 1610.0-acre tract known as Tract 1, Parcel 1A as recorded in said Document #2001000017 for the northeast corner of the herein described tract;

**THENCE** South 13°07'17" West, along the common line of said 31.82-acre tract and 58.07-acre tract, a distance of 103.55 feet to a point for the southeast corner of the herein described tract;

**THENCE** North 17°04'03" West, across said 58.07-acre tract, a distance of 113.16 feet to a point in the south line of said 328.9-acre tract for the northwest corner of the herein described tract;

**THENCE** South 82°38'24" East, along the common line of said 58.07-acre tract and 328.9-acre tract, a distance of 57.19 feet to a point for the northeast corner of the herein described tract and the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 0.0676 acres (2,946 square feet) of land, more or less.

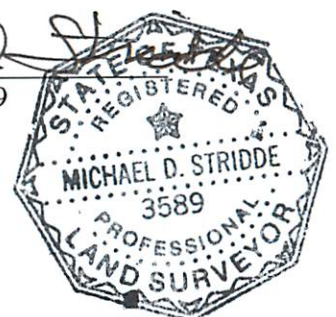
An exhibit of even date herewith accompanies this legal description.

I do hereby attest that the foregoing field notes were prepared from information of record provided by Sherwin Alumina and the Port of Corpus Christi Authority and does not represent a survey made on the ground. This description was prepared for informational purposes only. This description does not represent a valid survey and should not be used to convey, sell or trade property.

1-4-13

Date

*Michael D. Stridde*  
Michael D. Stridde R.P.L.S. #3589





**REMAINDER OF  
TRACT 1, PARCEL 6  
0.0676-ACRES**  
(2,946 Square Feet)

Cheniere  
Called 337.4-Acres  
(No Recording Info.)  
(See Note No. 6)

BPU Reynolds, Inc.  
Tract 1, Parcel 2A  
Called 328.9-Acres  
Doc. #2001000017  
D.R.N.C.T.

BPU Reynolds, Inc.  
Tract 1, Parcel 1A  
Called 1610.0-Acres  
Doc. #2001000017  
D.R.N.C.T.

*T.T. Williamson Survey  
A - 290*

**S82°38'24"E  
57.19'**

P.O.B.

*State of Texas  
Submerged Land Tracts  
Tract 1*

BPU Reynolds, Inc.  
Tract 1, Parcel 6  
Called 58.07-Acres  
Doc. #2001000017  
D.R.N.C.T.

**N17°04'03"W  
113.16'**

**S13°07'17"W  
103.55'**

BPU Reynolds, Inc.  
Tract 1, Parcel 5  
Called 31.82-Acres  
Doc. #2001000017  
D.R.N.C.T.

Cheniere  
Called 337.4-Acres  
(No Recording Info.)  
(See Note No. 6)

**NOTES:**

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS MAP AS PER THOSE NOTED IN SPECIAL WARRANTY DEED TO BPU REYNOLDS, INC., AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF SHERWIN ALUMINA DEFINING THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS FOR THEIR INTERNAL USE.
6. CHENIERE BOUNDARY INFORMATION WAS PROVIDED BY THE PORT OF CORPUS CHRISTI.



GRAPHIC SCALE (FEET)



TBPLS REG. NO. 10193804  
802 N. Navigation Blvd., Suite 102  
Corpus Christi, TX 78408  
P: (361)452-1375 F: (361)452-1376  
Survey Date:  
Exhibit Prepared: January 4, 2013  
HX Job No: H12-0150  
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SHEET 3 OF 4

THIS EXHIBIT WAS PREPARED FOR SHERWIN ALUMINA AND IS INTENDED TO GRAPHICALLY SHOW THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS DESCRIBED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY SHERWIN ALUMINA AND THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

**EXHIBIT OF  
TRACT 1, PARCEL 6**

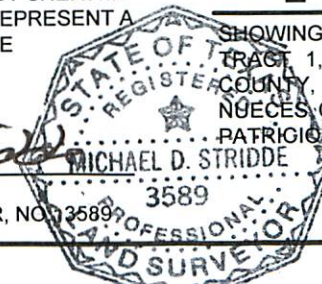
SHOWING AN EXHIBIT OF A 0.0676-ACRE REMAINDER OF A CALLED 58.07-ACRE TRACT KNOWN AS TRACT 1, PARCEL 6 AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS ALSO BEING OUT OF T.T. WILLIAMSON SURVEY, ABSTRACT 290, IN SAN PATRICK COUNTY, TEXAS.

1-4-13

DATE:

*Michael D. Stridde*

MICHAEL D. STRIDDE  
REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 3589







**Surveying & Hydro Excavation Services**

802 N. Navigation Blvd., Suite 102  
Corpus Christi, Texas 78408

**1.855-Acre Tract "REMAINDER OF TRACT 1, PARCEL 6"**

**FIELD NOTES** to describe an exhibit of a 1.855-acre remainder of a called 58.07-acre tract known as Tract 1, Parcel 6 as recorded in Document #2001000017, Official Records, Nueces County, Texas being out of the State of Texas Submerged Land Tracts, Tract 1, in Nueces County, Texas also being out of the T.T. Williamson Survey, Abstract 288, in San Patricio County, Texas, said 1.855-acre tract being more particularly described by metes and bounds as follows;

**BEGINNING** at a point on the east line of a called 21.41-acre tract known as Tract IV, Submerged Tract as recorded in Document #1998005467, Official Records, Nueces County, Texas, for the northwest corner of said 58.07-acre tract and the southwest corner of a called 28.91-acre tract as recorded in Clerks File #523132, Real Property Records, San Patricio County, Texas for the northwest corner of the herein described tract;

**THENCE** North 79°40'36" East, along the common line of said 58.07-acre tract and 28.91-acre tract, a distance of 258.26 feet to a point for the southwest corner of the remainder of a called 328.9-acre tract known as Tract 1, Parcel 2A as recorded in Document #2001000017, Deed Records, Nueces County, Texas, for the southeast corner of said 28.91-acre tract and for the northeast corner of the herein described tract;

**THENCE** South 06°31'54" East, across said 58.07-acre tract, a distance of 366.40 feet to a point in the Port of Corpus Christi Authority's North Bulkhead Line for the southeast corner of the herein described tract;

**THENCE** North 77°32'08" West, along said north bulkhead line, a distance of 272.55 feet to a point for the southwest corner of said 58.07-acre tract, for the southeast corner of said 21.41-acre tract and for the southwest corner of the herein described tract;

**THENCE** North 06°31'41" West, along the common line of said 58.07-acre tract and 21.41-acre tract, a distance of 260.60 feet to a point for the northwest corner of the herein described tract and the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 1.855 acres (80,789 square feet) of land, more or less.

An exhibit of even date herewith accompanies this legal description.

I do hereby attest that the foregoing field notes were prepared from information of record provided by Sherwin Alumina and the Port of Corpus Christi Authority and does not represent a survey made on the ground. This description was prepared for informational purposes only. This description does not represent a valid survey and should not be used to convey, sell or trade property.

1-4-13  
Date

Michael D. Stridde  
Michael D. Stridde R.P.L.S. #3589





Port of Corpus Christi Authority  
Tract II, 930.28-Acres  
Doc. #1998005467  
O.R.N.C.T.

T.T. Williamson Survey  
A - 288

San Patricio County  
Drainage District  
Called 28.91-Acre  
Drainage Easement  
Clerks File #523132  
R.P.R.S.P.C.T.

BPU Reynolds, Inc.  
Tract 1, Parcel 2A  
Remainder of  
Called 328.9-Acres  
Doc. #2001000017  
D.R.N.C.T.

Existing Shoreline as  
surveyed by David Pyle, L.S.L.S.  
as noted on February 2004  
survey of POCCA Property

Port of Corpus Christi Authority  
Tract IV Submerged Tract  
Called 21.41-Acres  
Doc. #1998005467  
O.R.N.C.T.

State of Texas  
Submerged Land Tracts  
Tract 1

N79°40'36"E  
258.26'

260.60'

N06°31'41"W

**REMAINDER  
OF TRACT 1,  
PARCEL 6  
1.855-ACRES**  
(80,789 Square Feet)

BPU Reynolds, Inc.  
Tract 1, Parcel 6  
Called 58.07-Acres  
Doc. #2001000017  
D.R.N.C.T.

366.40'

S06°31'54"E

N77°32'08"W

POCCA  
272.55'

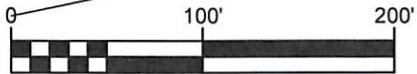
BULKHEAD LINE

APPROXIMATE SHORELINE  
(T.G.L.O. WEBSITE)



**NOTES:**

1. ACCOMPANYING FIELD NOTES HAVE BEEN PREPARED.
2. BASIS OF BEARING OF THIS MAP AS PER THOSE NOTED IN SPECIAL WARRANTY DEED TO BPU REYNOLDS, INC., AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS.
3. NO EASEMENT RESEARCH HAS BEEN PERFORMED BY HYDRO EX, LLC.
4. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
5. THIS EXHIBIT WAS PREPARED FOR THE BENEFIT OF SHERWIN ALUMINA DEFINING THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS FOR THEIR INTERNAL USE.
6. CHENIERE BOUNDARY INFORMATION WAS PROVIDED BY THE PORT OF CORPUS CHRISTI.



GRAPHIC SCALE (FEET)

C O R P U S C H R I S T I B A Y



TBPLS REG. NO. 10193804  
802 N. Navigation Blvd., Suite 102  
Corpus Christi, TX 78408  
P: (361)452-1375 F: (361)452-1376  
Survey Date:  
Exhibit Prepared: January 4, 2013  
HX Job No: H12-0150  
© COPYRIGHT 2013 ALL RIGHTS RESERVED  
SHEET 4 OF 4

THIS EXHIBIT WAS PREPARED FOR SHERWIN ALUMINA AND IS INTENDED TO GRAPHICALLY SHOW THE REMAINING PORTIONS OF THE SUBMERGED LAND TRACTS DESCRIBED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS. THIS EXHIBIT WAS PREPARED FROM INFORMATION OF RECORD PROVIDED BY SHERWIN ALUMINA AND THE PORT OF CORPUS CHRISTI AUTHORITY AND DOES NOT REPRESENT A SURVEY MADE ON THE GROUND. THIS EXHIBIT SHOULD NOT BE USED IN THE CONVEYANCE OF PROPERTY.

**EXHIBIT OF  
TRACT 1, PARCEL 6**

SHOWING AN EXHIBIT OF A 1.855-ACRE REMAINDER OF A CALLED 58.07-ACRE TRACT KNOWN AS TRACT 1, PARCEL 6 AS RECORDED IN DOCUMENT #2001000017, OFFICIAL RECORDS, NUECES COUNTY, TEXAS BEING OUT OF THE STATE OF TEXAS SUBMERGED LAND TRACTS, TRACT 1, IN NUECES COUNTY, TEXAS ALSO BEING OUT OF T.T. WILLIAMSON SURVEY, ABSTRACT 288, IN SAN PATRICIO COUNTY, TEXAS.

1-4-13

DATE:

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