



Control Number: 44541



Item Number: 18

Addendum StartPage: 0

DOCKET NO. 44541

APPLICATION OF CITY OF HEATH TO	§	PUBLIC UTILITY COMMISSION
AMEND A CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY AND	§	OF TEXAS
TO DECERTIFY A PORTION OF	§	
FORNEY LAKE WATER SUPPLY	§	
CORPORATION'S SERVICE AREA IN	§	
ROCKWALL COUNTY	§	

**CITY OF HEATH'S RESPONSE TO ORDER NO. 2 AND AMENDMENT TO
CLARIFY APPLICATION**

Now comes the City of Heath ("Heath") and files its Response to Order No. 2 and Amendment to Clarify Application and in support thereof would show the following.

Order No. 2 requires the City of Heath to cure the deficiencies identified in the Commission Staff's April 8, 2015 Response to Order No. 1 by no later than May 6, 2015. The City of Heath's Response to Order No. 2 is timely filed. Each of the deficiencies stated in the Commission Staff's Response to Order No. 1 is addressed in Attachments 1 and 1A-F.

Respectfully submitted,



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Attorneys for the City of Heath

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Heath's Response to Order No. 2 and Amendment to Clarify Application was served on all parties of record in this proceeding on this 4th day of May, 2015, by hand-delivery, facsimile, electronic mail, and/or First Class Mail.

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866-929-1641 (fax)

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Austin, Texas 78711-3326
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Jim Mathews

Attachment 1

Heath's Response to Information Requested Through Commission Staff's
Response to Order No. 1

APPLICATION CONTENT

- 1. Statement regarding the expected outcome in regards to the facilities located within the proposed area owned and operated by Forney Lake WSC, and whether it [The City of Heath] expects the facilities to be rendered valueless or useless.**

Response:

The City of Heath expects that none of Forney Lake's facilities located within the proposed area will be rendered useless or valueless because Forney Lake will retain all of its existing facilities and continue to use those facilities to serve all of its existing customers.

Forney Lake's WSC's Response to the City of Heath's Request for Information 1-8 confirms the City's understanding. Through its response to the City of Heath's Request for Information 1-8 Forney Lake has admitted that all of Forney Lake's water utility facilities currently used to provide retail water service to its customers before the grant of single certification as requested by Heath will continue to be used for that purpose provided the single certification request is granted.

As stated in section 9 of the City of Heath's March 16, 2015 original application the City seeks single certification *solely* to serve new customers in specified tracts anticipated for development as residential subdivision in Heath's corporate limits. At the time of its original application Heath was not aware of Forney Lake WSC currently providing service to any existing customers in those tracts. However, through its response to Heath's Request for Information 1-5 Forney Lake has identified 8 addresses that it serves within the tracts identified in Attachment 12.A of Heath's original application for single certification. To clarify and reaffirm that Heath does not intend to serve any of Forney Lake's customers the revised maps submitted with this response constitute an amendment of Heath's application to exclude from the single certification area the properties where Forney Lake's existing customers are located and certain other properties that are not currently under development.

Attachment 1-A is the affidavit of Ed Thatcher, City Manager of Heath, attesting that the revised maps contained in this response constitute an amendment of the City of Heath's March 16, 2015 original application and that the information contained in this response and those maps is true and correct.

- 2. Clarification on whether the proposed area was annexed or incorporated.**

Response:

Attachment 1-B separately identifies the portions of the proposed area that were annexed and incorporated.

3. A statement regarding the status of the selection of an appraiser.

Response:

The City of Heath believes that it is premature to select an appraiser before the Utility Commission has determined whether single certification as requested by Heath would result in property of Forney Lake being rendered useless or valueless. However, in an effort to cooperate and to expedite this matter the City of Heath, on April 24, proposed to Forney Lake WSC the names of two appraisers for its consideration.

MAPPING ISSUES:

1. A small scale (general location) map only showing the location of the proposed service area(s) in the vicinity of the nearest town, city, or county.

Response:

See attachment 1-C.

2. A detailed and (large scale) map clearly delineating the proposed water service area with enough detail to accurately locate the service area and the vicinities surrounding roads, streets, and highways.

Response:

See attachment 1-D.

3. Revise digital data for their proposed water service area, which removes the portion not located within the City of Heath's city limits boundry.

Response:

See attachment 1-E.

- 4. Confirm the total acreage being amended for the City of Heath's proposed water service area. The total acreage does not match for the meets and bounds survey description and the digital data submitted for the applicants proposed water service areas. Confirm whether the total acreage of the proposed water service area is approximately 1020 acres as provided with their meets and bounds description, or is approximately 1031 acres as provided in their digital data.**

Response:

As noted in Response Application Content No. 1 above this response also constitutes an amendment of Heath's application to exclude from the single certification area the properties where Forney Lakes WSC's existing customers are located and certain other properties that are currently not under development. As amended, the acreage provided in the City's meets and bounds descriptions is 903 acres. The area provided in the City's digital data is 903.54 acres. Copies of the maps, tract plats, and amended meets and bounds survey descriptions, and written description of the proposed service area are contained in attachment 1-F.

Attachment 1-A

State of Texas

§

§

County of Rockwall

BEFORE ME, the undersigned authority, personally appeared Ed Thatcher, who being duly sworn on his oath, deposed and stated:

"My name is Ed Thatcher. I am the city manager for the City of Heath and have held that position since 2005. My business address is 200 Laurence Drive, Heath, Texas 75032. I am over the age of twenty-one years and am authorized to make this affidavit.

The maps submitted with the City of Heath's Response to Order No. 2 and Amendment to Clarify Application constitute an amendment of the City of Heath's March 16, 2015 application to obtain single certification under Texas Water Code §13.255. I have reviewed the City's Response to Order No. 2 and Amendment to Clarify Application and the maps attached thereto. The facts stated therein are within my personal knowledge and are true and correct."

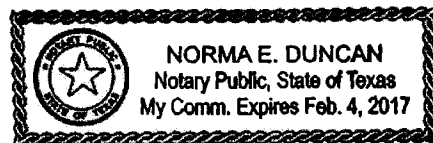

Ed Thatcher

Subscribed and sworn before me on the 4th day of MAY, 2015.

Notary Public in and for
ROCKWALL County, Texas

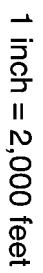
(seal)

My Commission Expires: FEB 4, 2017

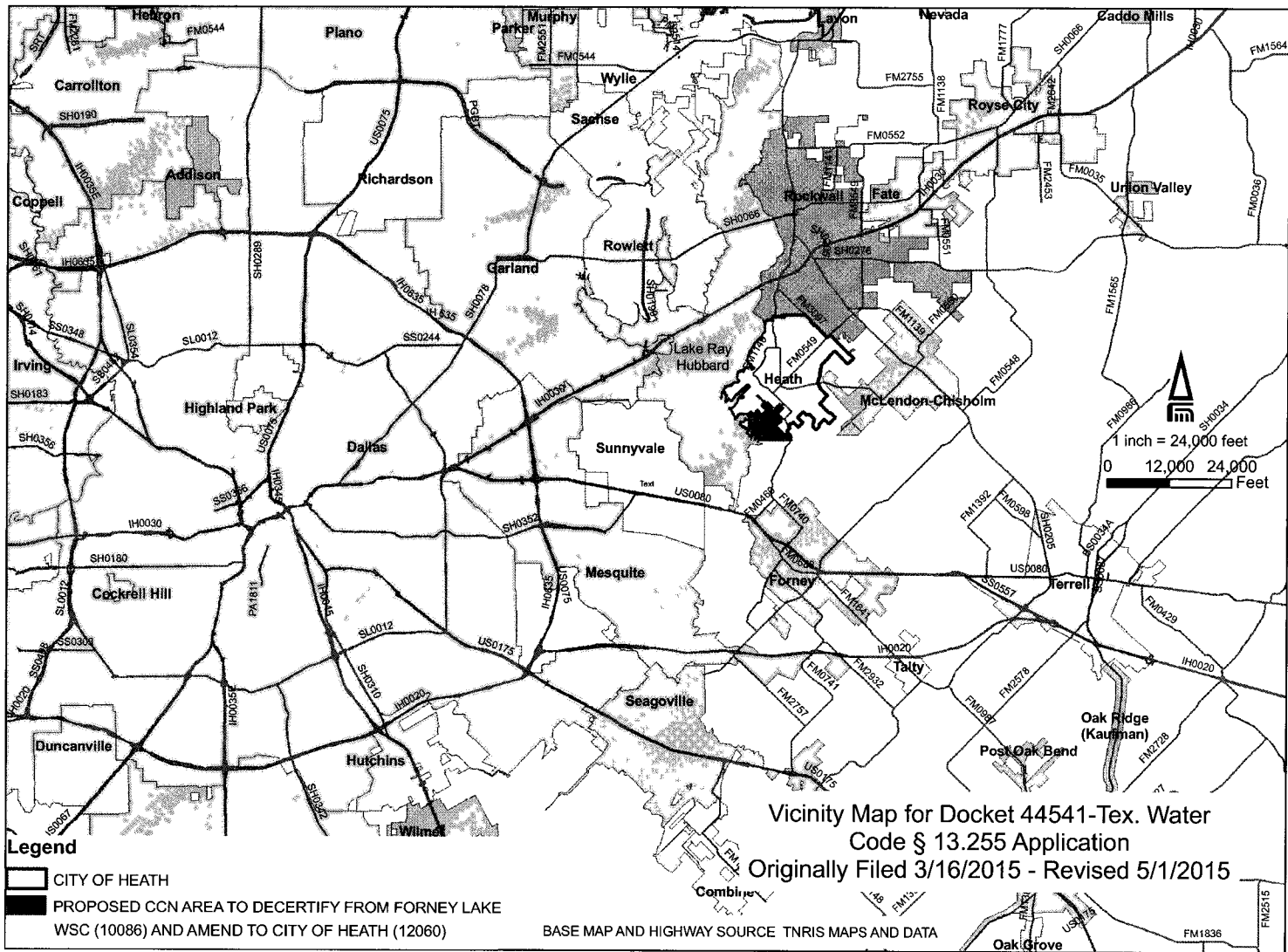


Attachment 1-B

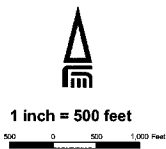
Areas in Original Incorporation and Subsequently Annexed
Originally filed April 22, 2015, Revised May 1, 2015



Attachment 1-C



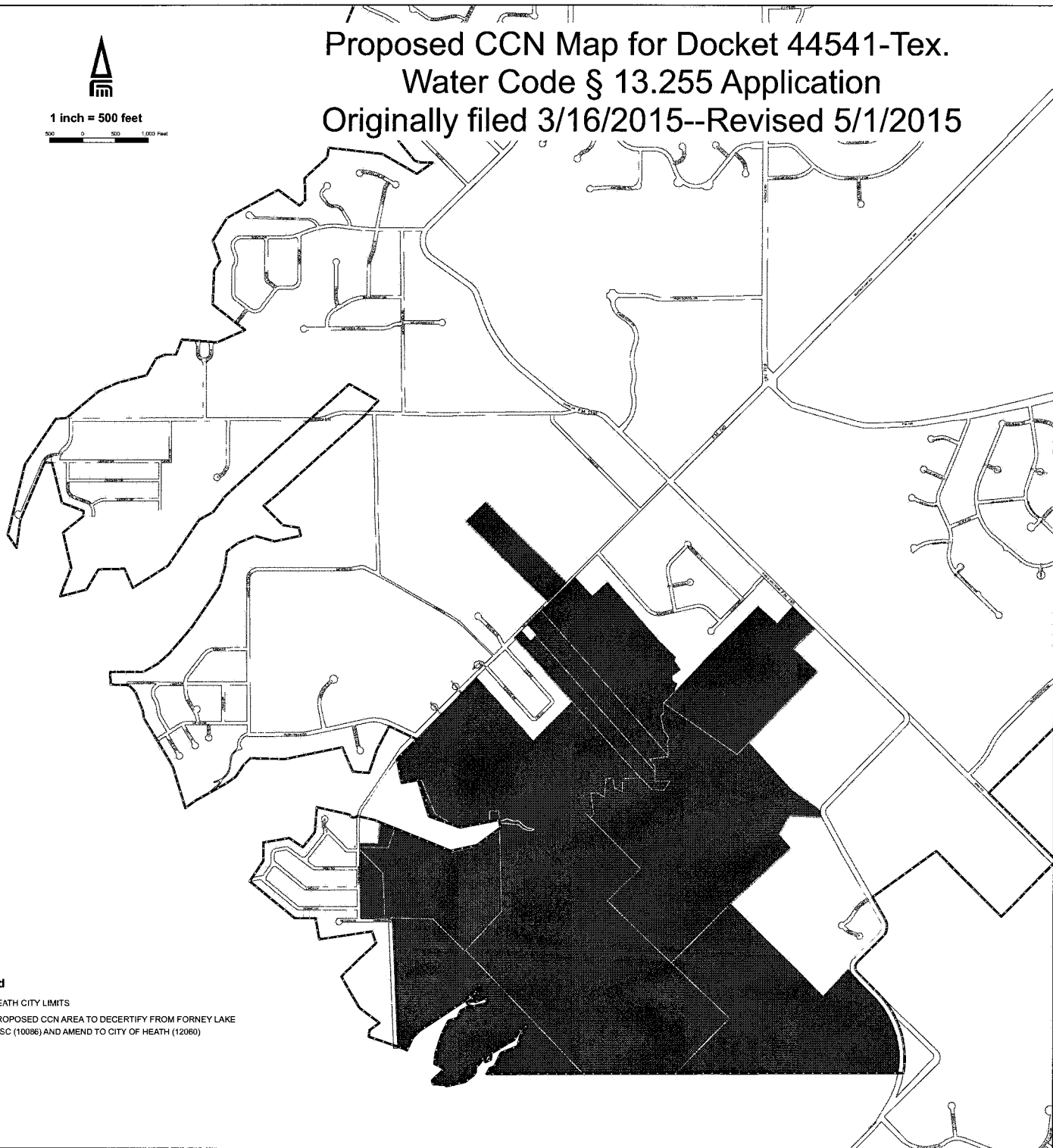
Attachment 1-D



Proposed CCN Map for Docket 44541-Tex.
Water Code § 13.255 Application
Originally filed 3/16/2015--Revised 5/1/2015

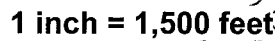
Legend

- HEATH CITY LIMITS
- PROPOSED CCN AREA TO DECERTIFY FROM FORNEY LAKE
WSC (10086) AND AMEND TO CITY OF HEATH (12060)

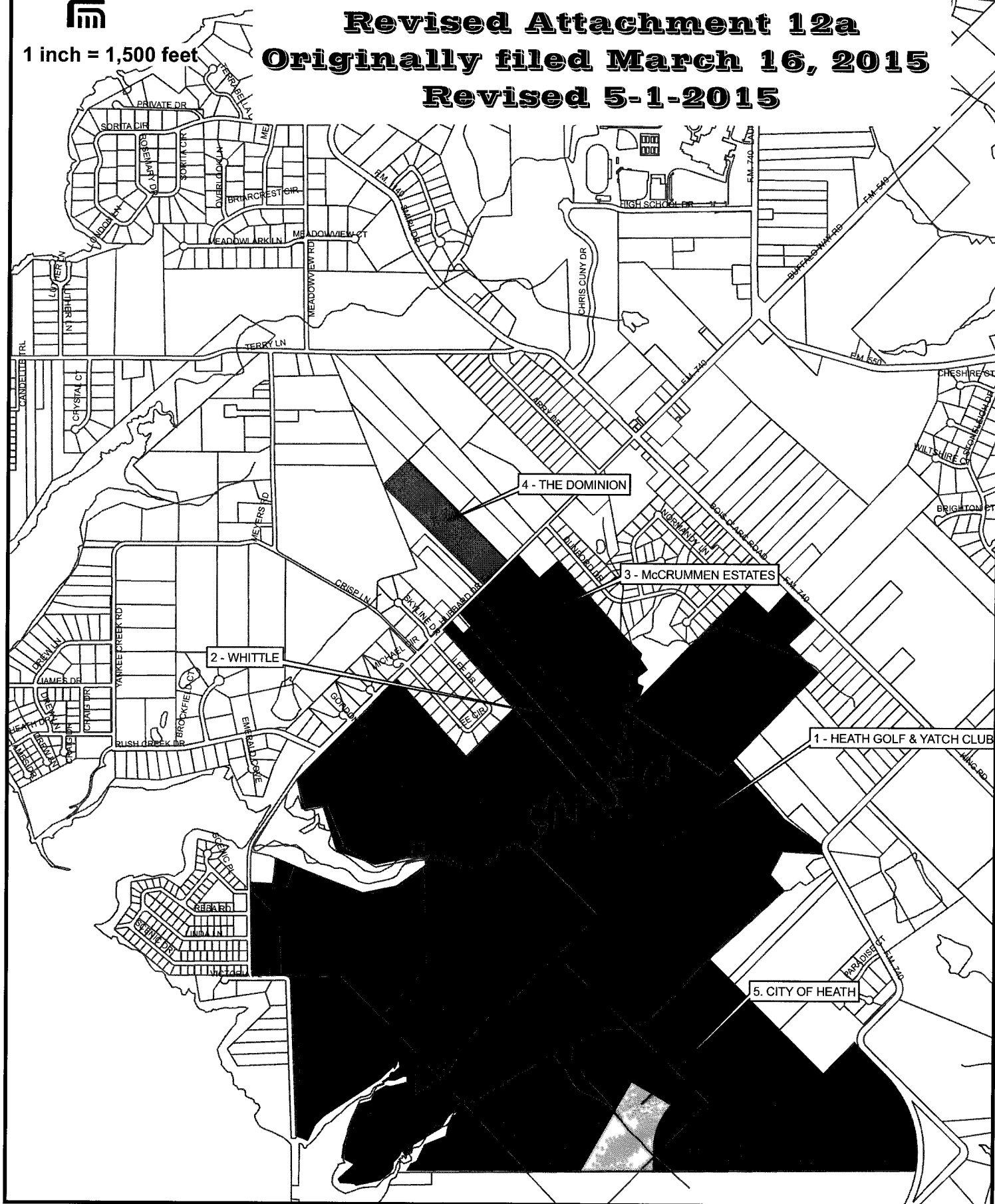


Attachment 1-E

Attachment 1-F



**Tract, Plats
and Metes and Bounds
Revised Attachment 12a
Originally filed March 16, 2015
Revised 5-1-2015**



1

HEATH GOLF AND YATCH CLUB

EXHIBIT B

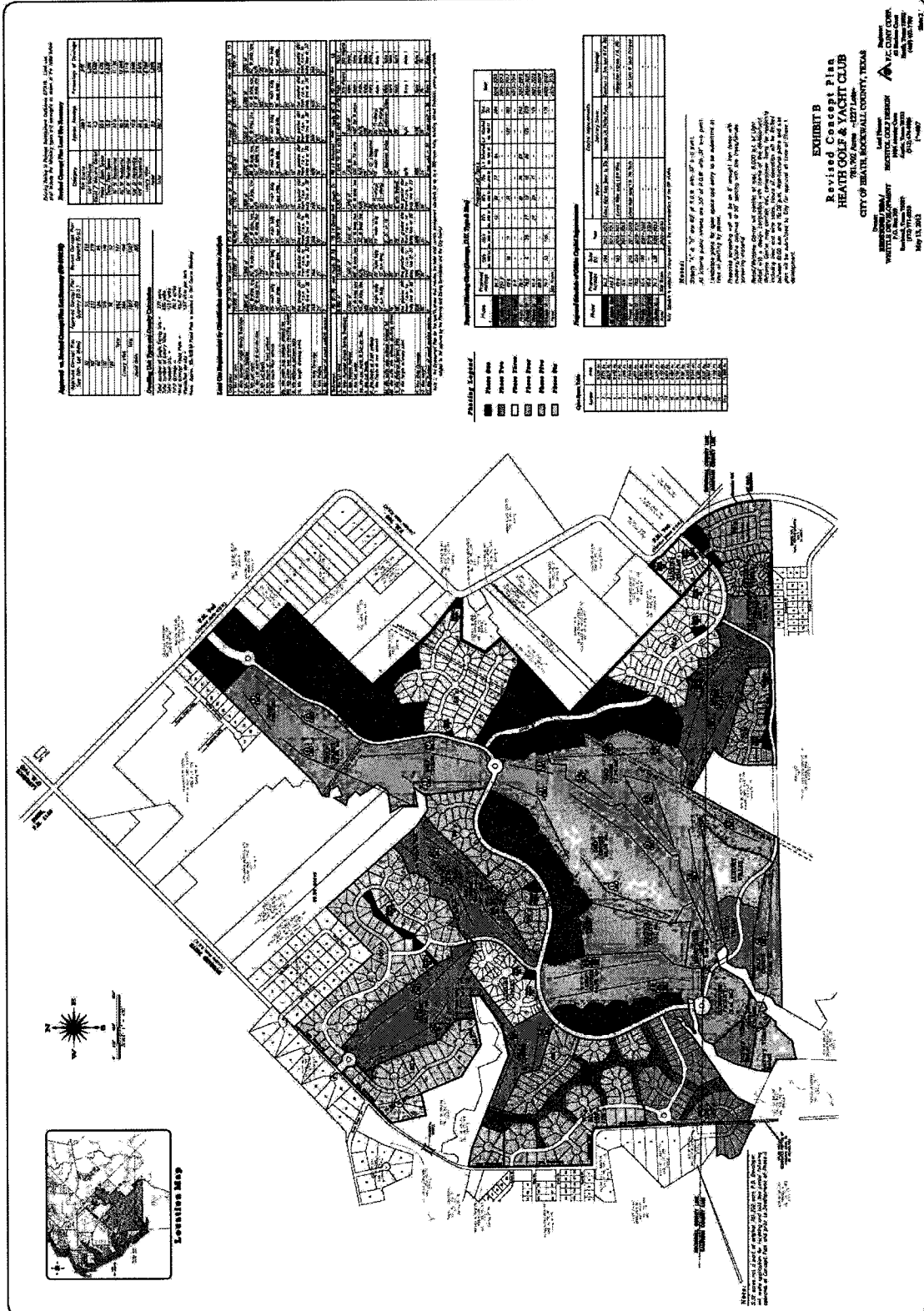


EXHIBIT A

TRACT 1

PROPERTY DESCRIPTION

781.702 ACRES

BEING A TRACT OF LAND SITUATED IN THE J. CANTER SURVEY, ABSTRACT NO.53 AND THE J. CANTER SURVEY, ABSTRACT NO.85, THE G.R. PASCHALL SURVEY, ABSTRACT NO. 180, THE G.R. PASCHALL SURVEY, ABSTRACT NO. 404, THE M. CAMPBELL SURVEY, ABSTRACT NO. 254, THE I. BRISCOE SURVEY, ABSTRACT NO. 57, AND THE I. BRISCOE SURVEY, ABSTRACT NO. 38, IN THE CITY OF HEATH, KAUFMAN COUNTY AND ROCKWALL COUNTY, TEXAS, AND BEING ALL OF A 199.468 ACRE TRACT OF LAND CONVEYED TO WHITTLE DEVELOPMENT, INC., BY DEED RECORDED IN VOLUME 3874, PAGE 120, DEED RECORDS, ROCKWALL COUNTY, TEXAS, ALL OF A 65.99 ACRE TRACT OF LAND CONVEYED TO THE HEATH GOLF AND YACHT CLUB, BY DEED RECORDED IN COUNTY CLERK'S VOLUME 6210, PAGE 117, DEED RECORDS, ROCKWALL COUNTY, TEXAS, ALL OF A 2.420 ACRE TRACT OF LAND CONVEYED AS "TRACT I" AND A 2.00 ACRE TRACT OF LAND CONVEYED AS "TRACT II" TO WHITTLE DEVELOPMENT, INC., BY DEED RECORDED IN VOLUME 4569, PAGE 102, DEED RECORDS, ROCKWALL COUNTY, TEXAS, ALL OF A 511.319 ACRE TRACT OF LAND CONVEYED TO HEATH GOLF & YACHT CLUB, INC. BY DEED RECORDED IN VOLUME 6089, PAGE 55, DEED RECORDS, ROCKWALL COUNTY, TEXAS. BEARING BASIS IS THE TEXAS STATE PLANE COORDINATE SYSTEM NAD 83, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH YELLOW CAP STAMPED "CARTER BURGESS" FOUND FOR THE SOUTHEAST CORNER OF SAID 199.468-ACRE TRACT, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF FM 740 (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE, ALONG THE SOUTH LINE OF SAID 199.468 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 88 DEGREES 53 MINUTES 34 SECONDS WEST, A DISTANCE OF 3247.44 FEET TO A 5/8 INCH IRON WITH A PLASTIC CAP STAMPED "R.P.L.S. 5430" SET FOR CORNER;

NORTH 01 DEGREES 06 MINUTES 26 SECONDS WEST, A DISTANCE OF 303.90 FEET TO A 5/8 INCH IRON WITH A PLASTIC CAP STAMPED " R.P.L.S. 5430" SET FOR THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 630.00 FEET, A CENTRAL ANGLE OF 48 DEGREES 17 MINUTES 16 SECONDS, A CHORD BEARING OF NORTH 23 DEGREES 02 MINUTES 12 SECONDS EAST, WITH A CHORD LENGTH OF 515.38 FEET, ALONG SAID

CURVE TO THE RIGHT, AN ARC LENGTH OF 530.95 FEET TO A 5/8 INCH IRON WITH A PLASTIC CAP STAMPED " R.P.L.S. 5430" SET FOR CORNER;

NORTH 61 DEGREES 02 MINUTES 28 SECONDS WEST, A DISTANCE OF 577.50 FEET TO A 5/8 INCH IRON WITH A PLASTIC CAP STAMPED " R.P.L.S. 5430" SET FOR CORNER;

SOUTH 28 DEGREES 57 MINUTES 32 SECONDS WEST, A DISTANCE OF 1228.86 FEET TO A 5/8 INCH IRON WITH A PLASTIC CAP STAMPED "CARTER BURGESS" FOUND FOR CORNER;

SOUTH 88 DEGREES 53 MINUTES 34 SECONDS WEST, A DISTANCE OF 2081.92 FEET TO A 5/8 INCH IRON WITH A PLASTIC CAP STAMPED " R.P.L.S. 5430" SET ON THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED AS PARCEL VI, TO THE CITY OF DALLAS, AS RECORDED IN VOLUME 10, PAGE 323, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

NORTH 30 DEGREES 31 MINUTES 19 SECONDS EAST, A DISTANCE OF 25.55 FEET TO A 5/8 INCH IRON WITH A PLASTIC CAP STAMPED "CARTER & BURGESS" FOUND FOR CORNER;

THENCE, NORTH 30 DEGREES 21 MINUTES 36 SECONDS EAST, ALONG THE EAST LINE OF SAID PARCEL VI, A DISTANCE OF 71.70 FEET TO A POINT FOR A SOUTHERLY CORNER OF TRACT NO. 2, CONVEYED TO THE CITY OF DALLAS, BY DEED RECORDED IN VOLUME 537, PAGE 766, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE, ALONG THE SOUTH LINE OF SAID 511.319 ACRE TRACT, AND THE COMMON LINES OF SAID CITY OF DALLAS TRACT NO. 2, THE FOLLOWING COURSES AND DISTANCES:

NORTH 63 DEGREES 24 MINUTES 50 SECONDS EAST, A DISTANCE OF 81.62 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-9-A";

NORTH 23 DEGREES 52 MINUTES 23 SECONDS EAST, A DISTANCE OF 223.23 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-9-B";

NORTH 67 DEGREES 36 MINUTES 29 SECONDS EAST, A DISTANCE OF 293.87 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-10";

NORTH 06 DEGREES 15 MINUTES 39 SECONDS EAST, A DISTANCE OF 145.86 FEET TO A POINT FOR CORNER;

NORTH 31 DEGREES 46 MINUTES 20 SECONDS EAST, A DISTANCE OF 111.94 FEET TO A POINT FOR CORNER;

SOUTH 86 DEGREES 49 MINUTES 00 SECONDS EAST, A DISTANCE OF 152.52 FEET TO A POINT FOR CORNER;

NORTH 54 DEGREES 08 MINUTES 40 SECONDS EAST, A DISTANCE OF 70.13 FEET TO A POINT FOR CORNER;

NORTH 43 DEGREES 06 MINUTES 36 SECONDS WEST, A DISTANCE OF 143.05 FEET TO A POINT FOR CORNER;

SOUTH 74 DEGREES 29 MINUTES 09 SECONDS WEST, A DISTANCE OF 176.28 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-14";

SOUTH 29 DEGREES 26 MINUTES 32 SECONDS WEST, A DISTANCE OF 324.97 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15";

SOUTH 57 DEGREES 44 MINUTES 21 SECONDS WEST, A DISTANCE OF 318.79 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15-A";

SOUTH 04 DEGREES 29 MINUTES 09 SECONDS WEST, A DISTANCE OF 93.78 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15-B";

SOUTH 64 DEGREES 10 MINUTES 18 SECONDS WEST, A DISTANCE OF 88.84 FEET TO A POINT FOR CORNER;

NORTH 31 DEGREES 59 MINUTES 43 SECONDS WEST, A DISTANCE OF 65.42 FEET TO A POINT FROM WHICH A DISTURBED FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15-D" BEARS SOUTH 60 DEGREES 39 MINUTES 57 SECONDS WEST, A DISTANCE OF 1.70 FEET;

SOUTH 57 DEGREES 43 MINUTES 50 SECONDS WEST, A DISTANCE OF 27.57 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15-E";

SOUTH 07 DEGREES 19 MINUTES 57 SECONDS WEST, A DISTANCE OF 24.28 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15-F";

SOUTH 37 DEGREES 05 MINUTES 37 SECONDS WEST, A DISTANCE OF 73.28 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15-G";

SOUTH 43 DEGREES 55 MINUTES 44 SECONDS WEST, A DISTANCE OF 58.02 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-15-H";

SOUTH 01 DEGREES 33 MINUTES 17 SECONDS WEST, A DISTANCE OF 18.32 FEET TO A POINT ON THE NORTH LINE OF THE AFORESAID CITY OF DALLAS PARCEL VI;

THENCE, CONTINUING ALONG THE SOUTH LINE OF SAID 511.319 ACRE TRACT, AND ALONG THE NORTH LINE OF SAID PARCEL VI, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 87 DEGREES 21 MINUTES 29 SECONDS WEST, A DISTANCE OF 67.00 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-17";

SOUTH 43 DEGREES 16 MINUTES 21 SECONDS WEST, A DISTANCE OF 273.28 FEET TO A POINT FOR CORNER;

SOUTH 77 DEGREES 57 MINUTES 22 SECONDS WEST, A DISTANCE OF 229.32 FEET TO POINT FOR CORNER, SAID POINT BEING IN THE EAST LINE DESCRIBED IN AGREED JUDGEMENT DATED FEBRUARY 2, 1999; CAUSE NO. 6241-A, RECORDED IN VOLUME 1370, PAGE 721, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE, NORTH 01 DEGREES 07 MINUTES 31 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 239.47 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-1 / C7-4";

THENCE, NORTH 64 DEGREES 27 MINUTES 00 SECONDS WEST, CONTINUING ALONG SAID EAST LINE, A DISTANCE OF 170.18 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-1-A" FOR THE SOUTHEAST CORNER OF TRACT NO. 1, AS DESCRIBED IN DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 537, PAGE 766, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE, CONTINUING ALONG THE SOUTH LINE OF SAID 511.319 ACRE TRACT, AND, THE COMMON EASTERLY LINE OF SAID CITY OF DALLAS TRACT NO. 1, THE FOLLOWING COURSES AND DISTANCES:

NORTH 06 DEGREES 17 MINUTES 33 SECONDS EAST, A DISTANCE OF 164.52 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-1-B";

NORTH 16 DEGREES 49 MINUTES 57 SECONDS EAST, A DISTANCE OF 296.53 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-1-C";

NORTH 25 DEGREES 52 MINUTES 10 SECONDS EAST, A DISTANCE OF 236.00 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-1-D";

NORTH 71 DEGREES 45 MINUTES 21 SECONDS EAST, A DISTANCE OF 146.55 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-1-E";

NORTH 22 DEGREES 11 MINUTES 31 SECONDS EAST, A DISTANCE OF 114.04 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-1-F";

NORTH 60 DEGREES 04 MINUTES 14 SECONDS EAST, A DISTANCE OF 160.21 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4";

SOUTH 84 DEGREES 07 MINUTES 06 SECONDS EAST, A DISTANCE OF 59.57 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-A";

NORTH 75 DEGREES 19 MINUTES 20 SECONDS EAST, A DISTANCE OF 205.79 FEET TO A POINT FOR CORNER;

NORTH 87 DEGREES 13 MINUTES 36 SECONDS EAST, A DISTANCE OF 113.62 FEET TO A POINT FOR CORNER;

NORTH 15 DEGREES 38 MINUTES 56 SECONDS EAST, A DISTANCE OF 80.92 FEET TO A POINT FOR CORNER;

SOUTH 83 DEGREES 48 MINUTES 53 SECONDS WEST, A DISTANCE OF 182.98 FEET TO A POINT FOR CORNER;

SOUTH 67 DEGREES 15 MINUTES 03 SECONDS WEST, A DISTANCE OF 123.23 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-F";

NORTH 87 DEGREES 11 MINUTES 53 SECONDS WEST, A DISTANCE OF 78.23 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-G";

SOUTH 55 DEGREES 49 MINUTES 30 SECONDS WEST, A DISTANCE OF 62.89 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-H";

NORTH 40 DEGREES 02 MINUTES 18 SECONDS WEST, A DISTANCE OF 20.99 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-J";

NORTH 54 DEGREES 42 MINUTES 28 SECONDS EAST, A DISTANCE OF 97.98 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-K";

NORTH 21 DEGREES 23 MINUTES 45 SECONDS EAST, A DISTANCE OF 56.99 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-L";

NORTH 82 DEGREES 27 MINUTES 32SECONDS EAST, A DISTANCE OF 38.67 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-M";

NORTH 48 DEGREES 45 MINUTES 49 ECONDS EAST, A DISTANCE OF 91.20 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-N";

NORTH 03 DEGREES 12 MINUTES 13 ECONDS WEST, A DISTANCE OF 62.74 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-P";

NORTH 36 DEGREES 02 MINUTES 39 SECONDS WEST, A DISTANCE OF 32.94 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-Q";

SOUTH 13 DEGREES 11 MINUTES 10 SECONDS WEST, A DISTANCE OF 54.69 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-R";

SOUTH 23 DEGREES 13 MINUTES 14 SECONDS WEST, A DISTANCE OF 61.72 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-S";

NORTH 34 DEGREES 33 MINUTES 10 SECONDS WEST, A DISTANCE OF 33.01 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-4-T";

SOUTH 45 DEGREES 52 MINUTES 47 SECONDS WEST, A DISTANCE OF 223.95 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-5";

SOUTH 55 DEGREES 42 MINUTES 16 SECONDS WEST, A DISTANCE OF 825.85 FEET TO A POINT FOR CORNER;

SOUTH 44 DEGREES 45 MINUTES 36 SECONDS WEST, A DISTANCE OF 138.08 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-6-A";

SOUTH 24 DEGREES 19 MINUTES 45 SECONDS WEST, A DISTANCE OF 219.97 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-6-B";

THENCE, NORTH 64 DEGREES 29 MINUTES 50 SECONDS WEST, A DISTANCE OF 49.94 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G1-7";

THENCE, NORTH 70 DEGREES 32 MINUTES 44 SECONDS WEST, A DISTANCE OF 109.21 FEET TO A POINT FOR CORNER;

THENCE, NORTH 70 DEGREES 28 MINUTES 18 SECONDS WEST, A DISTANCE OF 60.46 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER F6-1" IN THE NORTHEAST LINE OF PARCEL II, AS DESCRIBED IN DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 10, PAGE 323, DEED RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE, CONTINUING ALONG THE SOUTH LINE OF SAID 511.319 ACRE TRACT, AND THE COMMON NORTHEAST LINE OF SAID REMAINDER OF CITY OF DALLAS PARCEL II, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 21 DEGREES 28 MINUTES 32 SECONDS WEST, A DISTANCE OF 85.98 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 21 DEGREES 36 MINUTES 48

SECONDS, A CHORD THAT BEARS NORTH 54 DEGREES 08 MINUTES 46 SECONDS WEST, WITH A CHORD DISTANCE OF 131.25 FEET;

ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 132.03 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR CORNER;

NORTH 64 DEGREES 43 MINUTES 08 SECONDS WEST, A DISTANCE OF 44.99 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR CORNER;

NORTH 67 DEGREES 32 MINUTES 04 SECONDS WEST, A DISTANCE OF 46.91 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR CORNER;

NORTH 64 DEGREES 00 MINUTES 18 SECONDS WEST, A DISTANCE OF 83.30 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR CORNER;

NORTH 67 DEGREES 33 MINUTES 28 SECONDS WEST, A DISTANCE OF 88.44 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 63.00 FEET, A CENTRAL ANGLE OF 42 DEGREES 47 MINUTES 33 SECONDS, A CHORD THAT BEARS NORTH 46 DEGREES 09 MINUTES 41 SECONDS WEST, WITH A CHORD LENGTH OF 45.97 FEET;
ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 47.05 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR CORNER;

NORTH 24 DEGREES 45 MINUTES 55 SECONDS WEST, A DISTANCE OF 72.60 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 48.89 FEET, A CENTRAL ANGLE OF 56 DEGREES 58 MINUTES 36 SECONDS, A CHORD THAT BEARS NORTH 03 DEGREES 43 MINUTES 28 SECONDS EAST, WITH A CHORD LENGTH OF 46.64 FEET;
ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 48.62 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR CORNER;

NORTH 32 DEGREES 12 MINUTES 46 SECONDS EAST, A DISTANCE OF 79.15 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 40.17 FEET, A CENTRAL ANGLE OF 59 DEGREES 03 MINUTES 22 SECONDS, A CHORD THAT BEARS NORTH 02 DEGREES 40 MINUTES 50 SECONDS EAST, WITH A CHORD LENGTH OF 39.60 FEET;
ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 41.41 FEET TO A 5/8" IRON ROD WITH RED PLASTIC STAMPED "DALLAS" FOUND FOR CORNER;

NORTH 26 DEGREES 50 MINUTES 51 SECONDS WEST, A DISTANCE OF 39.13 FEET TO A 5/8" IRON ROD WITH PLASTIC CAP STAMPED "DALLAS" FOUND FOR CORNER;

THENCE NORTH 88 DEGREES 47 MINUTES 17 SECONDS EAST, A DISTANCE OF 419.27 FEET TO A P.K. NAIL WITH SHINER FOUND FOR THE SOUTHEAST CORNER OF A CALLED 5.329 ACRE TRACT OF LAND CONVEYED TO WHITLE DEVELOPMENT, INC. RECORDED IN VOLUME 3463, PAGE 1 OF THE DEED RECORDS OF ROACKALL COUNTY, TEXAS;
THENCE, ALONG THE WEST LINE OF SAID 511.319 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 02 DEGREES 50 MINUTES 30 SECONDS WEST, ALONG HUBBARD DRIVE, A DISTANCE OF 1503.84 FEET TO A 1/2" IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 511.319 ACRE TRACT, AND THE NORTHEAST CORNER OF PECAN KNOLL ADDITION, AN ADDITION TO THE CITY OF HEATH, AS RECORDED IN CABINET C, SLIDE 141, PLAT RECORDS OF ROCKWALL COUNTY, TEXAS, SAID CORNER BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 258.91 FEET, A CENTRAL ANGLE OF 28 DEGREES 12 MINUTES 24 SECONDS, A CHORD THAT BEARS

NORTH 75 DEGREES 59 MINUTES 16 SECONDS WEST, WITH A CHORD LENGTH OF 126.18 FEET;

ALONG SAID CURVE TO THE LEFT, AND ALONG THE NORTH LINE OF SAID PECAN KNOLL ADDITION, AN ARC LENGTH OF 127.46 FEET TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE, SOUTH 89 DEGREES 57 MINUTES 32 SECONDS WEST, CONTINUING ALONG THE NORTH LINE OF SAID PECAN KNOLL ADDITION, A DISTANCE OF 336.18 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND IN THE EAST RIGHT-OF-WAY LINE OF SAID HUBBARD DRIVE;

THENCE, NORTH 00 DEGREES 57 MINUTES 58 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID HUBBARD DRIVE, A DISTANCE OF 1085.10 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER OF AFORESAID 2.00 ACRE TRACT;

THENCE, NORTH 00 DEGREES 29 MINUTES 57 SECONDS WEST, CONTINUING ALONG THE EAST RIGHT-OF-WAY LINE OF SAID HUBBARD DRIVE, A DISTANCE OF 360.89 FEET TO A 1/2" IRON ROD FOUND FOR AN ANGLE POINT OF AFORESAID 2.42 ACRE TRACT;

THENCE NORTH 07 DEGREES 28 MINUTES 11 SECONDS EAST, ALONG THE WEST LINE OF SAID 2.42 ACRE TRACT, A DISTANCE OF 88.77 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "R.P.L.S. 5034" FOUND FOR THE NORTH CORNER OF SAME;

THENCE, SOUTH 78 DEGREES 50 MINUTES 57 SECONDS EAST, ALONG THE NORTH LINE OF SAID 2.420 ACRE TRACT, AND THE COMMON SOUTH LINE OF A TRACT OF LAND CONVEYED TO THE CITY OF DALLAS, BY DEED RECORDED IN VOLUME 78, PAGE 406, DEED RECORDS, ROCKWALL COUNTY, TEXAS, A DISTANCE OF 224.00 FEET TO A FOUND MONUMENT WITH BRASS DISK FOUND FOR CORNER;

THENCE, SOUTH 68 DEGREES 22 MINUTES 13 SECONDS EAST, ALONG THE NORTH LINES OF SAID 2.420 ACRE TRACT, SAID 2.00 ACRE TRACT, AND SAID 511.319 ACRE TRACT, AND THE COMMON SOUTH LINE OF LAST MENTIONED CITY OF DALLAS TRACT, A DISTANCE OF 1248.59 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G4-3";

THENCE, ALONG THE SOUTH LINE OF SAID LAST MENTIONED CITY OF DALLAS TRACT, THE FOLLOWING COURSES AND DISTANCES:

NORTH 77 DEGREES 03 MINUTES 09 SECONDS EAST, A DISTANCE OF 396.80 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G4-4";

NORTH 53 DEGREES 43 MINUTES 25 SECONDS EAST, A DISTANCE OF 443.21 FEET TO A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G4-5"

NORTH 00 DEGREE 47 MINUTES 00 SECOND WEST, A DISTANCE OF 119.79 FEET TO A FOUND MONUMENT CONCRETE MONUMENT IN THE NORTH LINE OF A TRACT DESCRIBED IN DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 79, PAGE 177, DEED RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, ALONG THE NORTH LINE OF LAST MENTIONED CITY OF DALLAS TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 78 DEGREES 11 MINUTES 38 SECONDS WEST, A DISTANCE OF 626.70 FEET TO A POINT FOR CORNER;

NORTH 58 DEGREES 29 MINUTES 38 SECONDS WEST, A DISTANCE OF 459.69 FEET TO A POINT FOR CORNER;

NORTH 22 DEGREES 26 MINUTES 04 SECONDS WEST, A DISTANCE OF 543.09 FEET TO A FOUND CONCRETE MONUMENT LYING IN THE TOE OF A TRIBUTARY;

SOUTH 77 DEGREES 31 MINUTES 51 SECONDS WEST, A DISTANCE OF 275.86 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND FOR CORNER;

NORTH 12 DEGREES 27 MINUTES 12 SECONDS WEST, PASSING AT A DISTANCE OF 346.16 FEET A FOUND MONUMENT WITH BRASS DISK STAMPED "CITY OF DALLAS ELEVATION MARKER G5-4", AND CONTINUING FOR A TOTAL DISTANCE OF 446.82 FEET TO A POINT IN THE AFORESAID EASTERLY LINE DESCRIBED IN AGREED JUDGEMENT, CAUSE NO.6241-A;

THENCE, NORTH 45 DEGREES 42 MINUTES 01 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID 511.319 ACRE TRACT, AND THE COMMON SOUTHEAST LINE OF ANCHOR BAY PHASE I AND PHASE 2 ADDITIONS TO THE CITY OF HEATH, TEXAS, AS RECORDED IN CABINET C, PAGE 60, AND PAGE 63, PLAT RECORDS, ROCKWALL COUNTY, TEXAS, A DISTANCE OF 1691.20 FEET TO A POINT ON THE SOUTHWEST LINE OF K & K DEVELOPMENT, AN ADDITION TO THE CITY OF HEATH, TEXAS, AS RECORDED IN CABINET A, SLIDE 94, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 42 DEGREES 11 MINUTES 26 SECONDS EAST ALONG THE SOUTHWEST LINE OF SAID K & K DEVELOPMENT ADDITION, A DISTANCE OF 1307.38 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND FOR THE SOUTH CORNER OF SAME;

THENCE NORTH 45 DEGREES 08 MINUTES 01 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID K & K DEVELOPMENT TRACT, A DISTANCE OF 825.00 FEET TO A 1/2 INCH

IRON ROD FOUND FOR THE EAST CORNER OF SAME, ALSO LYING ON THE SOUTHWEST LINE OF A TRACT OF LAND DESCRIBED BY DEED TO HEATH GOLF & YACHT CLUB, INC. (TRACT ONE) RECORDED IN VOLUME 6210, PAGE 117 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 41 DEGREES 12 MINUTES 01 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID TRACT ONE, A DISTANCE OF 1491.77 TO A 1/2 INCH IRON ROD WITH CAP STAMPED "HALFF" FOUND AT AN ANGLE POINT IN SAME, SAID POINT LYING IN RUSH CREEK;

THENCE, ALONG THE MEANDERS OF RUSH CREEK, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 77 DEGREES 16 MINUTES 21 SECONDS EAST, A DISTANCE OF 1.64 FEET TO A FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "HALFF" FOUND FOR CORNER;

SOUTH 54 DEGREES 58 MINUTES 34 SECONDS EAST, A DISTANCE OF 243.70 FEET TO A POINT FOR CORNER;

NORTH 83 DEGREES 25 MINUTES 00 SECOND EAST, A DISTANCE OF 171.20 FEET TO A POINT FOR CORNER;

NORTH 36 DEGREES 32 MINUTES 00 SECOND EAST, A DISTANCE OF 177.90 FEET TO A POINT FOR CORNER;

SOUTH 80 DEGREES 45 MINUTES 00 SECOND WEST, A DISTANCE OF 233.40 FEET TO A POINT FOR CORNER;

NORTH 00 DEGREE 27 MINUTES 00 SECOND EAST, A DISTANCE OF 212.90 FEET TO A POINT FOR CORNER;

NORTH 32 DEGREES 06 MINUTES 00 SECOND WEST, A DISTANCE OF 140.60 FEET TO A POINT FOR CORNER;

NORTH 83 DEGREES 00 MINUTE 00 SECOND EAST, A DISTANCE OF 268.40 FEET TO A POINT FOR CORNER;

NORTH 31 DEGREES 08 MINUTES 00 SECONDS EAST, A DISTANCE OF 159.60 FEET TO A POINT FOR CORNER;

NORTH 33 DEGREES 21 MINUTES 00 SECOND WEST, A DISTANCE OF 245.40 FEET TO A POINT FOR CORNER;

NORTH 40 DEGREES 31 MINUTES 00 SECOND EAST, A DISTANCE OF 80.10 FEET TO A POINT FOR CORNER;

NORTH 44 DEGREES 22 MINUTES 00 SECOND WEST, A DISTANCE OF 128.20 FEET TO A POINT FOR CORNER;

NORTH 69 DEGREES 50 MINUTES 00 SECOND WEST, A DISTANCE OF 87.00 FEET TO A POINT FOR CORNER;

NORTH 32 DEGREES 02 MINUTES 00 SECOND EAST, A DISTANCE OF 164.80 FEET TO A POINT FOR CORNER;

SOUTH 11 DEGREES 02 MINUTES 00 SECOND EAST, A DISTANCE OF 106.60 FEET TO A POINT FOR CORNER;

NORTH 65 DEGREES 19 MINUTES 00 SECOND EAST, A DISTANCE OF 147.00 FEET TO A POINT FOR CORNER;

NORTH 27 DEGREES 16 MINUTES 00 SECOND WEST, A DISTANCE OF 109.80 FEET TO A POINT FOR CORNER;

NORTH 80 DEGREES 19 MINUTES 00 SECOND WEST, A DISTANCE OF 90.30 FEET TO A POINT FOR CORNER;

NORTH 11 DEGREES 04 MINUTES 00 SECOND EAST, A DISTANCE OF 80.80 FEET TO A POINT FOR CORNER;

THENCE, NORTH 60 DEGREES 47 MINUTES 24 SECONDS EAST, A DISTANCE OF 179.45 FEET TO A POINT LYING ON THE NORTHWEST LINE OF THE AFORESAID 65.99 ACRE TRACT;

THENCE, NORTH 44 DEGREES 23 MINUTES 27 SECONDS EAST ALONG THE NORTHWEST LINE OF SAID 65.99 ACRE TRACT, AND THE SOUTHEAST LINE OF HIGHLANDS OF HEATH ADDITION RECORDED IN CABINET D, PAGE 129 OF THE PLAT RECORDS OF ROCKWALL COUNTY, TEXAS, A DISTANCE OF 2218.51 TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF SAID 65.99 ACRE TRACT, THE EAST CORNER OF A TRACT OF LAND CONVEYED TO BRENDA JACKSON RECORDED IN VOLUME 3634, PAGE 105 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, ALSO LYING ON THE SOUTHWEST LINE OF THE AFOREMENTIONED F.M. NO. 740;

THENCE, SOUTH 45 DEGREES 45 MINUTES 14 SECONDS EAST ALONG THE SOUTHWEST LINE OF SAID F.M. NO. 740 AND THE NORTHEAST LINE OF SAID 65.99 ACRE TRACT, A DISTANCE OF 851.95 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN OUTSIDE ELL CORNER OF SAID 65.99 ACRE TRACT;

THENCE, SOUTH 44 DEGREES 19 MINUTES 33 SECONDS WEST, ALONG A SOUTHEAST LINE OF SAID 65.99 ACRE TRACT, A DISTANCE OF 434.85 FEET TO A 1/2 INCH IRON ROD FOUND FOR AN INSIDE ELL CORNER OF SAID 65.99 ACRE TRACT;

THENCE SOUTH 45 DEGREES 44 MINUTES 01 SECOND EAST, ALONG A NORTHEAST LINE OF SAID 65.99 ACRE TRACT, A DISTANCE OF 500.95 FEET TO A FENCE CORNER POST FOUND FOR AN OUTSIDE ELL CORNER OF SAID 65.99 ACRE TRACT;

THENCE, SOUTH 43 DEGREES 59 MINUTES 58 SECONDS WEST, ALONG THE SOUTHEAST LINE OF SAID 65.99-ACRE TRACT, A DISTANCE OF 398.05 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "R.P.L.S. 3047." FOUND AT AN ANGLE POINT IN SAME;

THENCE, SOUTH 44 DEGREES 14 MINUTES 24 SECONDS WEST, CONTINUING ALONG THE SOUTHEAST LINE OF SAID 65.99 ACRE TRACT, A DISTANCE OF 1047.09 FEET TO A 1/2" IRON ROD FOUND NEAR A FENCE CORNER POST FOR THE SOUTHWEST CORNER OF A TRACT OF LAND TO DEMETRA ATHENS RECORDED IN PROBATE RECORD NO. 02-30 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;;

THENCE SOUTH 26 DEGREES 05 MINUTES 48 SECONDS EAST ALONG THE SOUTHWEST LINE OF SAID ATHENS TRACT, A DISTANCE OF 15.85 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND AT AN ANGLE POINT IN SAME;

THENCE, SOUTH 41 DEGREES 42 MINUTES 44 SECONDS EAST, CONTINUING ALONG THE SOUTHWEST LINE OF SAID ATHENS TRACT, A DISTANCE OF 941.45 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND AT AN ANGLE POINT IN SAME;

THENCE, SOUTH 51 DEGREES 18 MINUTES 43 SECONDS EAST, CONTINUING ALONG THE SOUTHWEST LINE OF SAID ATHENS TRACT, A DISTANCE OF 541.52 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND ON THE WEST RIGHT-OF-WAY LINE OF THE AFORESAID FM 740 ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 178.10 FEET, A CENTRAL ANGLE OF 17 DEGREES 51 MINUTES 00 SECOND, A CHORD THAT BEARS SOUTH 02 DEGREES 30 MINUTES 23 SECONDS WEST, WITH A CHORD LENGTH OF 55.26 FEET;

ALONG SAID CURVE TO THE LEFT AND, ALONG SAID WEST RIGHT-OF-WAY LINE OF FM 740, AN ARC LENGTH OF 55.49 FEET TO A WOOD RIGHT-OF-WAY MONUMENT FOUND FOR CORNER;

THENCE, SOUTH 13 DEGREES 46 MINUTES 26 SECONDS EAST, CONTINUING ALONG SAD WEST RIGHT-OF-WAY LINE OF FM 740, A DISTANCE OF 16.10 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO GERALD R. SCHOTTHOEFER AND E. JOAN SCHOTTHOEFER, RECORDED IN VOLUME 925, PAGE 75, DEED RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, NORTH 88 DEGREES 55 MINUTES 23 SECONDS WEST, DEPARTING SAID WEST RIGHT-OF-WAY LINE AND ALONG THE NORTH LINE OF SAID SCHOTTHOEFER TRACT, A DISTANCE OF 508.81 FEET TO A 3/8" IRON ROD FOUND FOR CORNER NEAR A CORNER POST FOR THE MOST NORTHERLY CORNER OF SAME;

THENCE, SOUTH 27 DEGREES 54 MINUTES 28 SECONDS WEST, ALONG THE NORTHWEST LINE OF SAID SCHOTTHOEFER TRACT, A DISTANCE OF 317.01 FEET TO A 3/8" IRON ROD FOUND FOR CORNER NEAR A CORNER POST AT AN ANGLE POINT IN SAME;

THENCE, SOUTH 40 DEGREES 21 MINUTES 40 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID SCHOTTHOEFER TRACT A DISTANCE OF 268.02 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND IN THE NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO LLOYD N. FIEDLER, DVM AND DAWN FIEDLER, RECORDED IN VOLUME 1252, PAGE 10, DEED RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 47 DEGREES 47 MINUTES 00 SECOND WEST, ALONG THE NORTHWEST LINE OF SAID FIEDLER TRACT, A DISTANCE OF 1249.55 FEET TO A 1/2" IRON ROD FOUND FOR THE WEST CORNER OF SAID FIEDLER TRACT;

THENCE SOUTH 45 DEGREES 23 MINUTES 00 SECOND EAST, ALONG THE SOUTHWEST LINE OF SAID FIEDLER TRACT, GENERALLY ALONG A BARBED WIRE FENCE, A DISTANCE OF 371.51 FEET TO A 1/2 INCH IRON ROD FOUND SOUTH CORNER OF SAME, ALSO FOR THE WEST CORNER OF A TRACT OF LAND DESCRIBED BY DEED TO H.D. AKINS RECORDED IN VOLUME 148, PAGE 852 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 49 MINUTES 27 SECONDS EAST, CONTINUING GENERALLY ALONG A BARBED WIRE FENCE, A DISTANCE OF 895.23 FEET TO A 1/2 INCH IRON ROD WITH CAP STAMPED "D.A.I." FOUND FOR THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED BY DEED TO HEATH GOLF & YACHT CLUB, INC. (CALLED EXHIBIT A-2), RECORDED IN VOLUME 6210, PAGE 117 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS, ALSO FOR THE WEST CORNER OF A TRACT OF LAND DESCRIBED BY DEED TO ALAN REED SHAW RECORDED IN VOLUME 3096, PAGE 48 OF THE DEED RECORDS OF ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 21 MINUTES 58 SECONDS EAST CONTINUING GENERALLY ALONG SAIS BARBED WIRE FENCE AND ALSO THE SOUTHWEST LINE OF SAID SHAW TRACT, A DISTANCE OF 714.92 FEET TO A 3/8 INCH IRON ROD FOUND FOR THE SOUTH CORNER OF SAME;

THENCE NORTH 43 DEGREES 52 MINUTES 03 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID SHAW TRACT, A DISTANCE OF 547.74 FEET TO A 3/8" IRON ROD FOUND FOR THE WEST CORNER OF A 0.10 ACRE TRACT, CONVEYED AS TRACT 2, TO DALE E PRATZ

AND SANDRA L. PRATZ, BY DEED RECORDED IN VOLUME 1447, PAGE 153, DEED RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE SOUTH 45 DEGREES 31 MINUTES 01 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID PRATZ TRACT, A DISTANCE OF 98.58 FEET TO A 1/2" IRON ROD FOUND, SAID POINT BEING IN THE WEST RIGHT-OF-WAY LINE OF THE SAID FM 740, ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 194.85 FEET, A CENTRAL ANGLE OF 27 DEGREES 18 MINUTES 55 SECONDS, A CHORD THAT BEARS SOUTH 32 DEGREES 05 MINUTES 19 SECONDS EAST, WITH A CHORD LENGTH OF 92.02 FEET;

THENCE, CONTINUING ALONG THE NORTHEAST LINE OF SAID 199.468 ACRE TRACT, AND THE COMMON SOUTHWEST RIGHT-OF-WAY LINE OF SAID FM 740, THE FOLLOWING COURSES:

ALONG SAID CURVE TO THE LEFT, AN ARC LENGTH OF 92.89 FEET TO A 1/2" IRON ROD WITH YELLOW CAP STAMPED "HALFF ASSOC., INC." FOUND FOR CORNER;

SOUTH 45 DEGREE 27 MINUTES 35 SECONDS EAST, A DISTANCE OF 372.54 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND AT AN ANGLE POINT IN SAME;

SOUTH 44 DEGREES 18 MINUTES 16 SECONDS WEST, A DISTANCE OF 4.90 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT FOUND FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1387.41 FEET, A CENTRAL ANGLE OF 49 DEGREES 50 MINUTES 09 SECONDS, A CHORD THAT BEARS SOUTH 20 DEGREES 46 MINUTES 40 SECONDS EAST, WITH A CHORD LENGTH OF 1169.08 FEET;

ALONG SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 1206.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 34,050,956 SQUARE FEET OR 781.702 ACRES OF LAND.

Save and Except

809 Hubbard Dr.

Commencing at the northwest corner of the 809 Hubbard Dr tract for the Point of Beginning;

Thence: South $85^{\circ} 27' 20''$ East for a distance of 236.08 feet;

Thence: South $67^{\circ} 24' 09''$ East for a distance of 73.81 feet;

Thence South $05^{\circ} 22' 15''$ West for a distance of 321.72 feet;

Thence: North $89^{\circ} 15' 33''$ West for a distance of 273.96 feet;

Thence: North $01^{\circ} 02' 55''$ West for a distance of 283.13 feet;

Thence: North $04^{\circ} 04' 38''$ East for a distance of 80.95 feet to the Point of Beginning for a total of 2.36 acres.

Leaving a total of 779.62 acres.

2

WHITTLE



70 2010 00438384

Rockwall County Clerk
Rockwall, Texas 75087 (972) 204-6300

Instrument Number: 2010-00438384

Recorded On: August 30, 2010

As
Recordings

Parties: FOX CHASE DEVELOPMENT CORP
To HEATH GOLF AND YACHT CLUB INC

Billable Pages: 10
Number of Pages: 10

Comment: WD

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	48.00
Total Recording:	48.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

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.

File Information:

Document Number: 2010-00438384
Receipt Number: 243659
Recorded Date/Time: August 30, 2010 02:46:57P
Book-Vol/Pg: BK-OR VL-6210 PG-117
User / Station: F H - Cashier Station #4

Record and Return To:

HEATH GOLF AND YACHT CLUB
P O BOX 369
Rockwall TX 75087



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and
Page of the named records in Rockwall County, Texas

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color or race is invalid and
unenforceable under Federal law.

Lea Carlson

Lea Carlson
Chief Deputy, Rockwall County Clerk

WARRANTY DEED

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

Date: JULY 30, 2010

Grantor: FOX CHASE DEVELOPMENT CORPORATION, a Texas corporation, (Lots, 1, 12 & 14, Block B and Lot 19 Block D) MARIAH BAY DEVELOPMENT, INC., a Texas corporation (20.995 acres and 20 ac. & 20 ac.) and WHITTLE DEVELOPMENT, INC., a Texas corporation (65.99 acre and Lot 10, Block D)

Grantor's mailing address:
P.O. BOX 369
ROCKWALL, ROCKWALL COUNTY, TEXAS 75087

Grantee: HEATH GOLF AND YACHT CLUB, INC.

Grantee's mailing address:
P.O. BOX 369
ROCKWALL, ROCKWALL COUNTY, TEXAS 75087

Consideration: Ten and No/100 Dollars (\$10.00) Cash and other good and valuable consideration.

Property (including any improvements):

SEE EXHIBITS "A" (WHICH INCLUDES EXHIBITS "A-1" THROUGH "A-4") ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES FOR PROPERTY DESCRIPTION.

Reservations from and Exceptions to Conveyance:

RESTRICTIONS

RECORDED IN VOLUME 2507, PAGE 267 AND VOLUME 4377, PAGE 195, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

RECORDED IN VOLUME 138, PAGE 531, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20.995 acre)

RECORDED IN CABINET D, SLIDE 343, MAP RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

EASEMENTS

EASEMENT FROM WHITTLE DEVELOPMENT, INC. TO THE CITY OF ROCKWALL, FILED MARCH 26, 1987, RECORDED IN VOLUME 313, PAGE 232, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

EASEMENT AND RIGHT-OF-WAY TO TP & L CO. AS RECORDED IN VOLUME 63, PAGE 82, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

EASEMENT AND RIGHT-OF-WAY TO RCH WATER SUPPLY CORP., RECORDED IN VOLUME 64, PAGE 274, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

EASEMENT FROM FOX CHASE DEVELOPMENT CORPORATION TO TXU ELECTRIC COMPANY FILED NOVEMBER 15, 2001 AS RECORDED IN VOLUME 2332, PAGE 317, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

ANY PORTION OF THE PROPERTY WHICH LIES WITHIN THE 100 YEAR FLOOD LINE AS SHOWN ON SURVEY BY HAROLD L. EVANS. (RAINBOW LAKE ESTATES)

EASEMENTS FOR INDIVIDUAL LOTS AS SHOWN ON PLAT OF RAINBOW LAKE ESTATES RECORDED IN CABINET D, SLIDE 343, MAP RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

EASEMENT GRANTED BY B.J. SMITH AND WIFE, BETTY JOE SMITH TO RCH WATER SUPPLY CORP. AS RECORDED IN VOLUME 64, PAGE 305, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (65.99)

THAT PORTION OF PROPERTY TO BE INSURED WHICH LIES WITHIN THE 100 YEAR FLOOD ZONE ACCORDING TO SURVEY MADE BY RUSSELL LAND SURVEYING COMPANY, DATED DECEMBER 17, 2004 UNDER JOB NO. MR 0026. (65.99)

10' WATER LINE EASEMENT AS DESCRIBED IN DEED, DATED NOVEMBER 20, 1978, AS RECORDED IN VOLUME 138, PAGE 534, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20.995 AC.)

EASEMENT EXECUTED BY L.R. HILZ AND EMMA E. HILZ TO FORNEY LAKE WATER SUPPLY CORP. FILED MAY 06, 1966 AS RECORDED IN VOLUME 75, PAGE 443, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20 AC. TRACT 1 OF 20 AC. & 20 AC.)

EASEMENT EXECUTED BY L.R. HILZ AND EMMA E. HILZ TO NORTH TEXAS MUNICIPAL WATER DISTRICT, DATED JUNE 14, 1995 AND FILED ON JULY 05, 1995 IN VOLUME 1019, PAGE 180, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (29 AC. TRACT 1 OF 20 AC. & 20)

EASEMENT EXECUTED BY EDWARD KEIG AND HELEN ADAMS KEIG TO FORNEY LAKE WATER SUPPLY CORP., DATED FEBRUARY 7, 1966 AND FILED APRIL 21, 1966 AS RECORDED IN VOLUME 75, PAGE 346, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20 ac. Tract 2 of 20 ac. & 20 ac.)

EASEMENT EXECUTED BY EDWARD KEIG TO NORTH TEXAS MUNICIPAL DISTRICT, DATED JULY 3, 1995 AND FILED JULY 5, 1995 AS RECORDED IN VOLUME 1019, PAGE 185, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20 AC. Tract 2 of 20 ac. & 20 ac.)

CONCRETE DRIVEWAY LYING WITHIN THE FORNEY LAKE WATER SUPPLY CORP. EASEMENTS ALONG THE FRONT PROPERTY LINE AS SHOWN ON THE SURVEY BY ROCKWALL SURVEYING CO., INC. FILE NO. 20062185, DATED DECEMBER 4, 2006. (20 ac. & 20 ac.)

PORTION OF LAND LYING WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON SURVEY BY ROCKWALL SURVEYING CO., INC. FILE NO. 20062185, DATED DECEMBER 4, 2006. (20 ac. & 20 ac.)

POWER POLES ALONG THE NORTH AND EAST PROPERTY LINES AS SHOWN ON THE SURVEY BY ROCKWALL SURVEYING CO., INC. FILE NO. 20062185, DATED DECEMBER 4, 2006 (20 ac. & 20 ac.)

PORTION OF THE PROPERTY LYING WITHIN THE HUBBARD DRIVE AS SHOWN ON THE SURVEY BY ROCKWALL SURVEYING CO., INC., FILE NO. 20062185, DATED DECEMBER 4, 2006. (20 ac. & 20 ac.)

VISIBLE AND APPARENT EASEMENTS ON OR ACROSS THE PROPERTY.

ANY PORTION OF THE PROPERTY HEREIN DESCRIBED WHICH FALLS WITHIN THE BOUNDARIES OF ANY ROAD OR ROADWAY.

RESERVATION

ROYALTY RESERVATION IN PERPETUITY OF ½ OF THE ROYALTY, SAME BEING ½ OF THE 1/8TH ROYALTY, ON A NON-PARTICIPATING BASIS, RESERVED BY THE NATIONAL LIFE & ACCIDENT INS. CO. IN DEED TO G.R. WOOLDRIDGE, DATED NOVEMBER 1, 1940, RECORDED IN VOLUME 36, PAGE 233, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

AN UNDIVIDED ½ INTEREST IN AND TO ALL OF THE OIL, GAS AND OTHER MINERALS IN AND UNDER THE SUBJECT PROPERTY THAT MAY BE PRODUCED FROM THE PROPERTY, DESCRIBED AS TRACT I, RESERVED BY J.L. PARKER IN DEED TO HELEN ALEXANDER, DATED MARCH 31, 1966, RECORDED IN VOLUME 75, PAGE 201, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

TITLE TO ½ OF ALL MINERALS, IN ON AND UNDER SUBJECT PROPERTY, AS RESERVED TO AND BY THE GRANTOR IN THE CORRECTION DEED FROM KIRBY B. ALBRIGHT TO J. DOYLE

ALEXANDER AND WIFE, DATED OCTOBER 1, 1964, RECORDED IN VOLUME 71, PAGE 328, DEED RECORDS, ROCKWALL COUNTY, TEXAS. (RAINBOW LAKE ESTATES)

MINERAL RESERVATION OF ½ OF ALL OIL, GAS AND OTHER MINERALS BY GEORGE L. ATHENS AND WIFE, DEMEIRA ATHENS FOR A PERIOD OF 99 YEARS, DATED DECEMBER 14, 1964 AS RECORDED IN VOLUME 71, PAGE 376, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20.995 ac.)

MINERAL RESERVATION AS RESERVED IN DEED EXECUTED BY L.R. HILZ AND EMMA E. HILZ, FILED APRIL 22, 1965 AS RECORDED IN VOLUME 73, PAGE 58, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20 ac. Tract 1 of 20 ac. & 20 ac.)

MINERAL RESERVATION AS RESERVED IN DEED EXECUTED BY JOHN R. PINNION, ET UX TO EDWARD KEIG AND HELEN ADAMS KEIG, FILED APRIL 21, 1965 AS RECORDED IN VOLUME 73, PAGE 60, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (20 ac. Tract 2 of 20 ac. & 20 ac.)

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

FOX CHASE DEVELOPMENT CORPORATION,
a Texas corporation

BY: 
ROBERT S. WHITTLE, President

MARIAH BAY DEVELOPMENT, INC.,
a Texas corporation

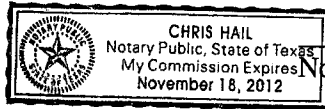
BY: 
ROBERT S. WHITTLE, President

WHITTLE DEVELOPMENT, INC.,
a Texas corporation

BY: [Signature]
ROBERT S. WHITTLE, President

STATE OF TEXAS
COUNTY OF ROCKWALL

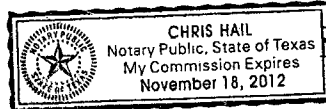
This instrument was acknowledged before me on July 30, 2010, by
ROBERT S. WHITTLE, President FOX CHASE DEVELOPMENT
CORPORATION.



[Signature]
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF ROCKWALL

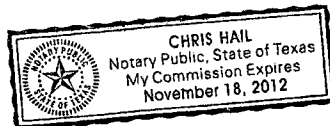
This instrument was acknowledged before me on July 30, 2010, by
ROBERT S. WHITTLE, President MARIAH BAY DEVELOPMENT, INC., a
Texas corporation.



[Signature]
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on July 30, 2010, by
ROBERT S. WHITTLE, President WHITTLE DEVELOPMENT, INC., a Texas
corporation.



[Signature]
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
HEATH GOLF AND YACHT CLUB, INC.
P.O. BOX 369
ROCKWALL, TEXAS 75087

EXHIBIT A-1

(65.99 ac. tract)

Being a 65.99 acres tract of land situated in the Joshua Center Survey, Abstract number 53, Rockwall County, Texas, and being all of that certain tract or parcel of land as monumented on the ground and conveyed to RCM Development as recorded in Volume 2148, Page 189 of the Deed Records of Rockwall County, Texas and as described by metes and bounds in called 65.80 acre tract of land as conveyed to ENMARK Gas Corporation as recorded in Volume 1298, Page 064 of said Deed Records, (basis of bearing is the northwest line of said deed recorded in Volume 1298, Page 064, North 45 degrees 10 minutes 01 seconds East), said 65.99 acre being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the north corner of said called 65.80 acre tract, the east corner of a called 0.504 acre tract of land as described in deed to Brenda J. Jackson as recorded in Volume 3634, Page 105 of said Deed Records, said iron rod also being in the southwest right-of-way line of F.M. Road 740 (a variable width right-of-way);

THENCE South 44 degrees 54 minutes 56 seconds East, along the northeast line of said called 65.80 acre tract and the southwest right-of-way line of F.M. Road 740, a distance of 852.55 feet to a 1/2 inch iron rod found for an ell corner of said called 65.80 acre tract and the northernmost corner of a called 1.9044 acre tract of land as described in deed to Timothy D. Bivins and wife, Cindy L. Bivins as recorded in Volume 1207, Page 020 of said Deed Records;

THENCE South 45 degrees 13 minutes 22 seconds West, along a southeast line of said called 65.80 acre tract and along the northwest line of said Bivins tract, a distance of 435.45 feet to a 3/4 inch iron rod found for an ell corner of said called 65.80 acre tract and the westernmost corner of said Bivins tract;

THENCE South 45 degrees 20 minutes 05 seconds East, along a northeast line of said called 65.80 acre tract and the southwest line of said Bivins tract, a distance of 192.21 feet to a 3/8 inch iron rod found for the southernmost corner of said Bivins tract and the westernmost corner of a called 2.38 acre tract of land as described in deed to B.R. Baker and wife, Cindy L. Baker as recorded in Volume 0841, Page 001 of said Deed Records;

THENCE South 45 degrees 07 minutes 36 seconds East, continuing along a northeast line of said called 65.80 acre tract and along the southwest line of Baker tract, a distance of 308.19 feet to fence corner post for the southernmost corner of said Baker tract and being in the northwest line of Lot 14 of King Acres Addition, as recorded in Cabinet A, Slide 48 of the Plat Records of Rockwall County, Texas;

THENCE South 44 degrees 56 minutes 54 seconds West, along the southeast line of said called 65.80 acre tract and the northeast line of said Lot 14, passing at a distance of 1041.43 feet a 1/2 inch iron rod found for the westernmost corner of a tract of land as described in deed to K.K. Stonfield as recorded in Volume 82, Page 15 of said Deed Records and the northernmost corner of a called 20.00 acre tract (Tract J) as described in deed to George Athens & Demetra Athens as recorded in Volume 74, Page 447 of said Deed Records, and passing at a distance of 1446.16 feet a 1/2 inch iron rod found for the westernmost corner of said Athens tract and an ell corner of a tract of land as described in deed to Travis Ranch Development, L.P. as recorded in Volume 2318, Page 56 of said Deed Records, in all a total distance of 1747.28 feet to a 1/2 inch iron rod found for the southernmost corner of said called 65.80 acre tract and being an ell corner of said Travis Ranch Development tract;

THENCE North 53 degrees 27 minutes 11 seconds West, along the southwest line of said called 65.80 acre tract and along a northeast line of said Travis Ranch Development tract, a distance of 1371.82 feet to a fence corner post for the westernmost corner of said called 65.80 acre tract, an ell corner of said Travis Ranch Development tract and being in the southeast line of Tract 2 as described in deed to McCrummen Partners, L.P. as recorded in Volume 1054, Page 117 of said Deed Records;

THENCE North 45 degrees 00 minutes 47 seconds East, along the southeast line of said Tract 2, passing a southeast corner of said Tract 2 and the southernmost corner of The Highlands of Heath Addition, as recorded in Cabinet D, Slides 129 and 130 of the Plat Records of Rockwall County, Texas, in all a total distance of 1064.37 feet, to a 1/2 inch iron rod set with yellow plastic cap marked "R.P.L.S. 5305";

THENCE North 45 degrees 10 minutes 01 seconds East, continuing along the southeast line of The Highlands of Heath Addition, and passing at a distance of 1110.90 feet a 1/2 inch iron rod found for the easternmost corner of Lot 27, Block 1 of said Addition and the southernmost corner of aforesaid called 0.504 acre tract, in all a total distance of 1318.46 feet to the POINT OF BEGINNING and containing 65.99 acres or 2,874,673 square feet of land more or less.

EXHIBIT A-2

(20.995 ac. tract)

BEGINNING at a 60D nail found near a fence corner post at the west corner of said 6.674 acre tract, also for the south corner of a tract of land described by deed to H.D. Akins recorded in Volume 148 Page 852, D.R.R.C.T.;

THENCE North 45 degrees 10 minutes 18 seconds East along the common line of said 6.674 acre tract and said Akins tract and generally along a barbed wire fence, for a distance of 1217.50 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set for corner;

THENCE South 33 degrees 08 minutes 53 seconds East along a wire fence, for a distance of 625.39 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set at an angle point in said wire fence;

THENCE North 60 degrees 29 minutes 05 seconds East continuing along said wire fence, for a distance of 82.03 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set at an angle point in said wire fence;

THENCE South 30 degrees 11 minutes 17 seconds East continuing along said wire fence, for a distance of 165.60 feet to a 5/8 inch iron rod with cap stamped R.P.L.S. 5430 set on the southeast line of the aforementioned 14.923 acre tract, and from which a 1/2 inch iron rod with cap stamped "D.A.I." found at the east corner of said 14.923 acre tract bears North 45 degrees 13 minutes 08 seconds East, a distance of 444.58 feet;

THENCE South 45 degrees 13 minutes 08 seconds West along the southeast line of said 14.923 acre tract, for a distance of 1126.52 feet to a 1/2 inch iron rod with cap stamped "D.A.I." found at the south corner of same, also lying on a northeasterly line of a tract of land described by deed to Whittle Development recorded in Volume 3874, Page 120, D.R.R.C.T.;

THENCE North 44 degrees 56 minutes 35 seconds West along the common line of said Whittle tract, said 14.923 acre tract, said 9.106 acre tract, and said 6.674 acre tract and generally along a barbed wire fence, for a distance of 793.59 feet to the PLACE OF BEGINNING, and containing 14,523 square feet or 20.995 acres of land more or less.

EXHIBIT A-3

(20 ac. tract and 20 ac. tract)

Tract One

BEING all that certain lot, tract or parcel of land, situated in the JOSHUA CANTER SURVEY, Abstract No. 53, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a point in the center of a County Road that is 3049.9 feet South 45° 58' West from the North corner of said Canter Survey;

THENCE South 40° 57' East, a distance of 2,883.1 feet to a point in the center of Rush Creek;

THENCE in a Southerly direction, down the center of Rush Creek as follows:

South 01° 00' West, a distance of 164.1 feet;

North 81° 18' East, a distance of 233.4 feet;

South 37° 05' West, a distance of 177.9 feet;

South 83° 58' West, a distance of 171.2 feet;

North 54° 26' West, a distance 243.7 feet;

North 75° 58' West, a distance of 1.7 feet;

THENCE North 40° 57' West, a distance of 2,814.9 feet to a point in the center of said County Road;

THENCE North 45° 58' East, along the center of said Road, a distance of 284.9 feet to the POINT of BEGINNING and containing 20.00 acres of land.

Tract Two

BEING a tract of 20.00 acres in the JOSHUA CANTER SURVEY, ABSTRACT No. 53, Rockwall County, Texas; and being more particularly described as follows:

BEGINNING at a point in the center of a County Road that is 2739.2 feet South 45° 58', West from the North corner of the said Canter Survey;

THENCE South 40° 57' East, 2866.4 feet to a point in the center of Rush Creek;

THENCE in a Southerly direction down the center of Rush Creek as follows:

South 31° 41' West 35.1 feet;

South 83° 33' West 268.4 feet;

South 31° 33' East 140.6 feet;

South 1° 00' West 48.8 feet;

THENCE North 40° 57' West, 2883.1 feet to a point in the center of said road;

THENCE North 45° 58' East, along the center of said road, 310.7 feet to the POINT OF BEGINNING and containing 20.00 acres of land,

together with all Improvements and Fixtures and all rights, titles and interests appurtenant thereto.

Save and Except:

Commencing at the southwestern corner of Whittle, Thence South 44 degree 48' 12" to a Point of Beginning.

Thence: North 44 degrees 30' 00" for a distance of 130.18

Thence: South 41 degrees 53' 12" for a distance of 201.71

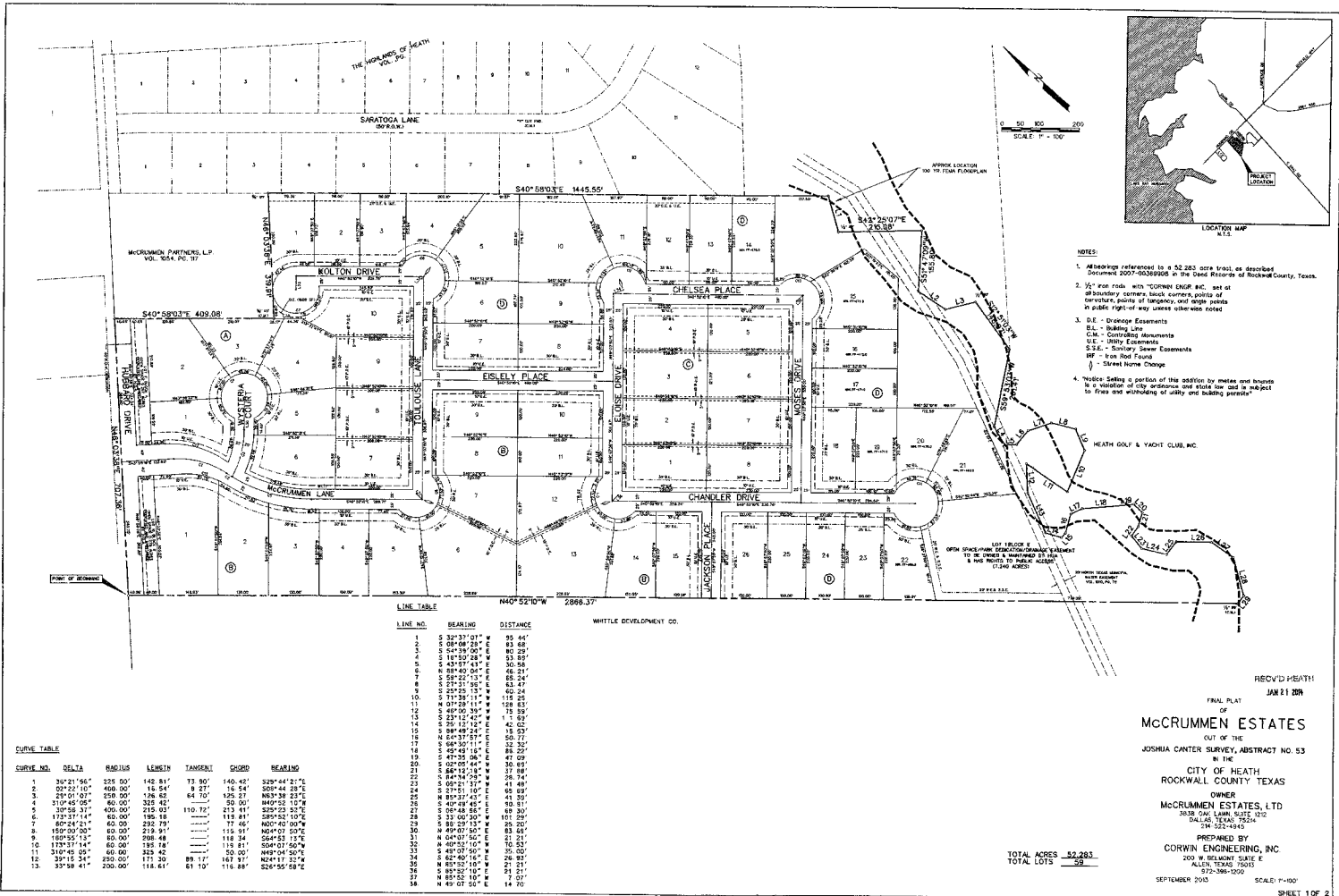
Thence: South 42 degrees 12' 55" for a distance of 130.78

Thence: North 41 degrees 44' 16" for a distance of 202.40 feet to the point of beginning for a total of 0.6 acres.

Leaving a total of 39.4 acres

3

McCRUMMEN ESTATES



REC'D HEATH
JAN 21 2009

FINAL PLAT
OF
MCCRUMMEN ESTATES
OUT OF THE
JOSHUA CANTER SURVEY, ABSTRACT NO. 53
IN THE
CITY OF HEATH
ROCKWALL COUNTY TEXAS

OWNER
MCCRUMMEN ESTATES, LTD
3818 DAW LANE, SUITE 1212
DALLAS, TEXAS 75244
(214) 352-4943

PREPARED BY
CORWIN ENGINEERING, INC.
202 W. BILKENT SUITE E
AUSTIN, TEXAS 78703
972-386-1200

SEPTEMBER 2007 SCALE: 1"=100' SHEET 1 OF 2

LEGAL DESCRIPTION (McCrummen Estates)

WHEREAS, McCrummen Estates, LLC, is the owner of a tract of land situated in the Joshua Carter Survey, Abstract No. 53, in the City of North Rockwall County, Texas, being said a 52.283 acre tract, as described in Document No. 2007-00489026, in the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEING, and a 1/2, Jack Iron rod found at the northeast corner of said 52.283 acre tract

THENCE, North 40° 03' 38" East, along the north line of the 52.283 acre tract, for a distance of 197.56 feet, to a 1/2 inch iron rod set

THENCE, South 40° 18' 03" East, continuing along said north line, for a distance of 409.08 feet, to a 1/2 inch iron rod found at an interior at corner

THENCE, North 40° 03' 38" East, continuing along said north line, for a distance of 319.91 feet, to a 1/2 inch iron rod found at the most easterly northeast corner of the 52.283 acre tract, also being in the west line of The Highlands of Heath, on addition to the City of North, as described in Volume Four in the First Records of Rockwall County, Texas

THENCE, South 40° 58' 03" East, along the east line of the 52.283 acre tract and along the west line of said The Highlands of Heath, for a distance of 144.55 feet, to a 1/2 inch iron rod set

THENCE, South 32° 37' 07" West, continuing along said east and west line, for a distance of 85.44 feet, to a 1/2 inch iron rod set

THENCE, South 25° 17' 07" East, continuing along said line, for a distance of 155.80 feet, to a 1/2 inch iron rod set

THENCE, South 08° 08' 28" East, continuing along said line, for a distance of 63.68 feet, to a 1/2 inch iron rod set

THENCE, South 54° 39' 00" East, continuing along said line, for a distance of 90.29 feet, to a 1/2 inch iron rod found

THENCE, South 12° 12' 03" West, continuing along said line, for a distance of 148.87 feet, to a 1/2 inch iron rod set at the most westerly southwest corner of said The Highlands of Heath, also being in center of Creek Branch

THENCE, continuing along said east line and along the center of said Creek Branch for the following "wavy" curve, 127' cbs:

South 59° 53' 02" West, for a distance of 201.41 feet

South 30° 50' 28" West, for a distance of 53.89 feet

South 43° 15' 45" East, for a distance of 35.58 feet

North 68° 42' 04" East, for a distance of 44.31 feet

South 59° 22' 32" East, for a distance of 65.24 feet

South 27° 35' 06" East, for a distance of 63.48 feet

South 25° 25' 03" West, for a distance of 60.24 feet

South 77° 38' 11" West, for a distance of 10.35 feet

North 07° 28' 11" West, for a distance of 126.43 feet

South 45° 00' 39" West, for a distance of 75.59 feet

THENCE, South 23° 12' 42" West, for a distance of 116.69 feet

South 25° 12' 02" East, for a distance of 42.02 feet

South 88° 48' 24" East, for a distance of 16.53 feet

North 64° 37' 57" East, for a distance of 50.77 feet

South 86° 30' 11" East, for a distance of 32.32 feet

South 45° 49' 18" East, for a distance of 66.22 feet

South 47° 35' 08" East, for a distance of 47.03 feet

South 02° 09' 44" West, for a distance of 30.89 feet

South 88° 05' 05" West, for a distance of 37.86 feet

South 84° 34' 28" West, for a distance of 28.74 feet

South 08° 21' 37" West, for a distance of 14.18 feet

South 17° 51' 07" East, for a distance of 65.89 feet

North 85° 27' 42" East, for a distance of 41.39 feet

South 40° 49' 45" East, for a distance of 90.91 feet

South 00° 49' 58" East, for a distance of 68.30 feet

South 33° 20' 30" West, for a distance of 101.29 feet

South 88° 29' 03" West, for a distance of 25.20 feet, to a 1/2 inch iron rod set at the most westerly southwest corner of said 52.283 acre tract

THENCE, North 40° 52' 02" West, along the west line of said 52.283 acre tract, for a distance of 296.33 feet, to the POINT OF BEGINNING, and containing 52.283 acres of land.

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that I, WARREN L. CORWIN, do hereby certify that I prepared this Final Plat and the field notes from an actual and accurate survey of the land, that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the subdivision Regulations of the City of Heath, Texas.

WARREN L. CORWIN
R.P.S. No. 4821

THE STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared WARREN L. CORWIN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2013.

NOTARY PUBLIC, STATE OF TEXAS

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

I, the undersigned, owner of the land shown on this plat, and designated herein as the McCrummen Estates, on addition to the City of North Rockwall County, Texas, and which form a subdivision, hereby certify to the use of the public, for use of streets, alleys, parks, water courses, drains, easements and public places shown thereon, on the part of the subdivision, that I have caused to be recorded in the public records of the County of Rockwall, Texas, a plat of the subdivision, and that all other parties who have a mortgage or lien interest in the McCrummen Estates, subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes related to for the multipurpose and accommodation of utilities dealing to use or using same.

I, the undersigned, the following:

1. No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.

2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growth or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective systems on any of these easement strips and any public utility and all of them have the right to digress or across its, from, and upon the said easement strips for purposes of construction, reconstruction, inspection, pulling, mending, and other adding to or removing of any part of their respective system without the necessity of 60-day time, prior to the permission of anyone.

3. The City of Rockwall shall be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.

4. The developer, one subdivision engineer and/or one subdivision engineer shall be responsible for storm drain improvements.

5. The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage easements such that properties within the drainage area not adversely affected by storm drainage from the development.

6. No house, building, lot, or other structure shall be constructed on any lot in this addition by the owner or any other person without the developer, and/or owner has complied with all requirements of the Subdivision Regulations of the City of Heath regarding improvements with respect to the entire block, on the street or streets on which property fronts, including the actual installation of streets with the required base and paving, curb and gutter, solar and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Heath.

McCrummen Estates, LLC
By: _____
By: McCrummen Estates, C.P.
By: _____

STATE OF TEXAS
COUNTY OF TEXAS

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this _____ day of _____, 2013.

Notary Public in and for the State of Texas

"Recommended for Final Approval"

Chairman _____ Date _____
Planning & Zoning Commission

Approved _____

Mayor _____ Date _____
City of Heath, Texas

I hereby certify that the above and foregoing Plat of McCrummen Estates addition to the City of Heath, Texas, was approved by the Mayor of the City of Heath on the _____ day of _____, 2013.

This approval shall be invalid unless the approved Plat for such addition is recorded in the office of the County Clerk of Rockwall County, Texas, within three hundred sixty-five (185) days from said date of final approval. An extension may be granted by the Planning & Zoning Commission.

Said addition shall be subject to the requirements of the Platting Ordinance of the City of Heath.

Witness my hand this _____ day of _____, 2013.

City Secretary

City of Heath, Texas

FINAL PLAT
OF

MCCRUMMEN ESTATES

OUT OF THE
JOSHUA CARTER SURVEY, ABSTRACT NO. 53

IN THE
CITY OF HEATH

ROCKWALL COUNTY, TEXAS

OWNER
MCCRUMMEN ESTATES, LTD.

3505 LAW LANE, SUITE 1010
DALLAS, TEXAS 75244
314-522-4845

PREPARED BY
CORWIN ENGINEERING, INC.

200 N. HILLCREST SUITE 1
ALLEN, TEXAS 75012
972-396-1200

SEPTEMBER 2013 SCALE: 1"=400'

SHEET 2 OF 2