

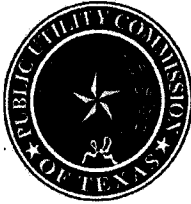


Control Number: 44541



Item Number: 1

Addendum StartPage: 0



PURSUANT TO PUC CHAPTER 24, SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER SERVICE PROVIDERS, SUBCHAPTER G: CERTIFICATES OF CONVENIENCE AND NECESSITY

Application to Obtain or Amend a Certificate of Convenience and Necessity (CCN) Under Water Code Section 13.255

Docket Number: **44541**

(this number will be assigned by the Public Utility Commission after your application is filed)

7 copies of the application, including the original shall be filed with

Public Utility Commission of Texas
Attention: Filing Clerk
1701 N. Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

RECEIVED
2008 MAR 16 PM 2:54
PUBLIC UTILITY COMMISSION
FILING CLERK

If submitting digital map data, two copies of the portable electronic storage medium (such as CD or DVD) are required.

CCN Requirements

1. Purpose of application

Check all boxes that apply.

The purpose of this application is to:

☒ Obtain single certification to a service area within the cities limits; and /or

☒ Amend Certificate of Convenience and Necessity (CCN) No. 12060

to provide ☒ water or ☐ sewer service to:

new customers in the tracts shown on Attachments for 12. A-B and 13.A (Subdivision or Area) and to decertify
a portion of Forney Lake Water Supply Corporation, CCN No. 10086 (Name of Utility and CCN No.)

2. Applicant

Name of City: City of Heath

Mailing address: 200 Laurence Drive, Heath, Texas, 75032

Phone: 972-771-6228

Fax: 972-961-1932

Email: ethatcher@heathtx.com

Tax Identification number: 75-1367725

3. County or counties

Name of county(ies) where the city intends to provide retail public utility service:

Rockwall

4. Contact information

Contact person regarding this application:

Name: Jim Mathews

Title: Lawyer

Mailing address: 8140 N. Mopac Expressway, Building 2 Suite 260, Austin, Tx. 78759

Phone: 512-404-7800

Fax: 512-703-2785

Email: jmathews@mandf.com

5. Retail public utility

Retail public utility currently certificated to the area involved in this application:

Utility Name: Forney Lake Water Supply Corporation

Title: N.A.

Mailing address: 5763 S.H. 205 South, Suite 101, Rockwall, Texas 75032

Phone: 972-722-3203

Fax: 972-722-0333

Email: flwater@airmail.net

Retail public utility contact person regarding negotiations with the city over the service area involved:

Name: George Stine; Robin Baley

Title: Board Secretary; Manager

Mailing address: 5763 S. H. 205 South, Suite 101, Rockwall, Texas, 75032

Phone: 972-722-3203

Fax: 972-722-0333

Email: flwater@airmail.net

6. Service area

On what date was this proposed service area incorporated by the city? 10-12-1959; 3-18-1965; 12-17-2002

7. Negotiation date between city and retail public utility

On what date did negotiations begin between the city and the retail public utility? June 2, 2011

8. Notice date

On what date was notice of the city's intent to provide service to the incorporated or annexed area provided to the retail public utility made? June 2, 2011 (See Attachment for 8)

Please attach a copy of the notice provided. Also attach a copy of the mailing list indicating to whom such notice was provided.

9. Description of retail public utility facilities

Please provide a brief description of the retail public utility's facilities in the service area involved in this application. Also indicate how many customers are currently receiving service from the retail public utility in this area:

This application seeks single certification solely to serve new customers in specified tracts anticipated for development as residential subdivisions in Heath's corporate limits. FLWSC has water lines crossing some of these tracts. The City is not aware of FLWSC currently providing service to any existing customer on these tracts. If such service is currently being provided, it can continue without change, absent an agreement between Heath and FLWSC, because Heath's request is limited to new customers.

10. Service start date

Provide the date when city service to the area can begin. approximately 4-1-2015

11. Franchised utility information

If the city will allow a franchised utility to provide service to the area involved, please attach a copy of the city consent or franchise agreement and provide the following information:

Utility Name: N.A.

Mailing address:

Phone:

Fax:

Email:

Franchised Utility's CCN Number:

Franchised Utility's contact person and their address:

Name:

Title:

Mailing address:

Email:

Phone:

Phone:

Fax:

Email:

12. Paper map requirements

All maps should include applicant's name, address, telephone number, and date of drawing or revision and be folded to 8½ x 11 inches.

Attach the following maps with each copy of the application:

A. Subdivision plat or engineering plans or other large scale map showing the following:

1. The exact proposed service area boundary showing locations of requests for service and locations of existing connections (if applicable).
2. Metes and bounds (if available).
3. Proposed and existing service area boundaries should be plotted on the map in relation to verifiable natural and man-made landmarks such as roads, creeks, rivers, railroads, etc.
4. Service area boundaries should be shown with such exactness that they can be located on the ground.

❖ ***Applicant may use a USGS 7.5"-minute series map if no other large scale map is available.***

B. Small scale location map delineating the proposed service area. The proposed service area boundary should be delineated on a copy of the official CCN map. This map will assist the Public Utility Commission in locating the proposed service area in relation to neighboring utility service areas.

C. Hard copy maps should include the following items:

1. Map scale should be prominently displayed.
2. Color coding should be used to differentiate the applicants existing service areas from the proposed service area.
3. Attach a written description of the proposed service area.
4. Proposed service area should be the same on all maps.
5. Include map information in digital format (if available), see 13, GIS map information.

D. Each utility shall make available to the public at each of its business offices and designated sales offices within Texas the map of the proposed service area currently on file with the Commission. The applicant employees shall lend assistance to persons requesting to see a map of the proposed area upon request.

❖ ***For information on obtaining a CCN base map or questions about sending digital map data, please visit the Water Utilities section of the PUC's website for assistance.***

13. GIS map information

A. Digital Map Requirements: In order that your digital data can be properly used, the following information is necessary:

1. Submit digital data of the proposed CCN service area on a CD, flash drive, or DVD. Two digital copies are necessary. Most files of CCNs (minus the base map) should be small enough to zip up and put on a CD.
2. The digital data should include all items represented in the hard copy maps.
3. Please identify data file format, projection information, map units and base map used. Acceptable Data File Format:
 - a. ArcView shape file (preferred)
 - b. Arc/Info E00 file

❖ *For information on obtaining a CCN base map or questions about sending digital map data, please visit the Water Utilities section of the PUC website for assistance.*

ALL APPLICABLE QUESTIONS MUST BE ANSWERED FULLY.

THE APPLICATION WILL NOT BE ACCEPTED FOR FILING WITHOUT MAPS.

PLEASE NOTE THE FILING OF THIS APPLICATION DOES NOT CONSTITUTE AUTHORITY TO PROVIDE WATER/SEWER SERVICE IN THE REQUESTED AREA.

OATH

State of TexasCounty of RockwallI, Ed Thatcher being duly sworn, file this

application under V.T.C.A., Water Code Section 13.255 as City Manager of Heath
 (Name of the City); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Public Utility Commission of Texas.

I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

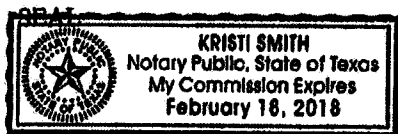
I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.

Ed Thatcher
 AFFIANT

(Applicant's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of
 Texas, this 13th day of March 20 15



Kristi Smith
 NOTARY PUBLIC



PURSUANT TO PUC CHAPTER 24, SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER SERVICE PROVIDERS, SUBCHAPTER G: CERTIFICATES OF CONVENIENCE AND NECESSITY

Application to Obtain or Amend a Certificate of Convenience and Necessity (CCN) Under Water Code Section 13.255

Instructions and Checklist

Each question on the application must be answered completely. If additional space is needed, attach additional sheets clearly labeled with the applicant's name and Docket Number if available. If a question is not applicable, please mark it N.A. and briefly explain why the question does not apply. **DO NOT LEAVE ANY QUESTIONS BLANK.**

7 copies of the application package, including the original, must be filed with the commission's filing clerk, per §22.71(c)(9) of the Commission's procedural rules.

The following items must be included in the application package:

- Completed application form, including any attachments
- Copy of notice of city's intent to serve the incorporated or annexed area to the retail public utility
- Completed Oath
- Maps - See the Map section on the application form for more details.

No required filing fee.

7 copies of the completed application package, including the original should be sent to:

Filing Clerk
Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, Texas 78711-3326

ATTACHMENTS FOR CITY OF HEATH'S
APPLICATION FOR SINGLE CERTIFICATION

ATTACHMENT FOR #8

HEATH'S NOTICE OF INTENT TO PROVIDE
SERVICE AND MAP PURSUANT TO 30 TAC
291.103(C), (now P.U.C. SUBST. R.
24.103(c))

ATTACHMENT FOR #12A

SUBDIVISION PLATS WITH METES AND
BOUNDS DESCRIPTIONS¹

ATTACHEMENT FOR #12B

MAP OF PROPOSED CCN AREA DELINEATED
ON OFFICIAL WATER CCN MAP

ATTACHMENT #12C

WRITTEN DESCRIPTION OF PROPOSED CCN
AREA

ATTACHMENT FOR #13

CD OF DIGITAL MAPPING DATA SHOWING
PUC CCN WATER DATA, CITY LIMIT
BOUNDARY, AND PROPOSED SINGLE
CERTIFICATION AREA

¹ The first map shows each of the tracts where Heath will serve new customer with each tract named and numbered. The numbered maps following the first map correspond to the numbered tracts provided on the first map.

Attachment for 8

**CITY OF HEATH**

300 Lawrence Drive, Heath, Texas 75032 | Phone: (972) 771-6221 | Fax: (972) 771-6222

June 2, 2011

Forney Lake Water Supply Corporation
c/o Robin Bailey - Administrative Officer
811 Yellow Jacket, Suite 102
Rockwall, TX 75087

Dear Ms. Bailey and Board Members,

The Texas Water Code and the rules of the Texas Commission on Environmental Quality authorize a city to provide retail water utility service, without first obtaining a certificate of convenience and necessity, to an area or customers not currently being served within the city's corporate limits (Texas Water Code § 13.242(c); 30 TAC § 291.103(c)). Before commencing such service, the city must provide notice of its intent to serve pursuant to Texas Water Code Section 13.255 and 30 TAC § 291.103(c). This letter and the enclosed map constitute the City of Heath's notice that it intends to provide water utility service to new customers located in the crosshatched areas shown on the map as those areas develop.

The city recognizes that its extension of service as described in this notice may potentially have an adverse impact on the value of Forney Lake WSC's property based on the factors described in Texas Water Code Section 13.255(g). We would welcome the opportunity to meet with you or your designated representatives to discuss those potential impacts and appropriate compensation.

Please feel free to contact me or Jim Mathews, the attorney representing us in this matter if you would like to schedule a meeting, or if you have any questions about this matter. Jim can be reached at:

Jim Mathews
327 Congress Ave, Suite 300
Austin, TX 78701
512-404-7800.

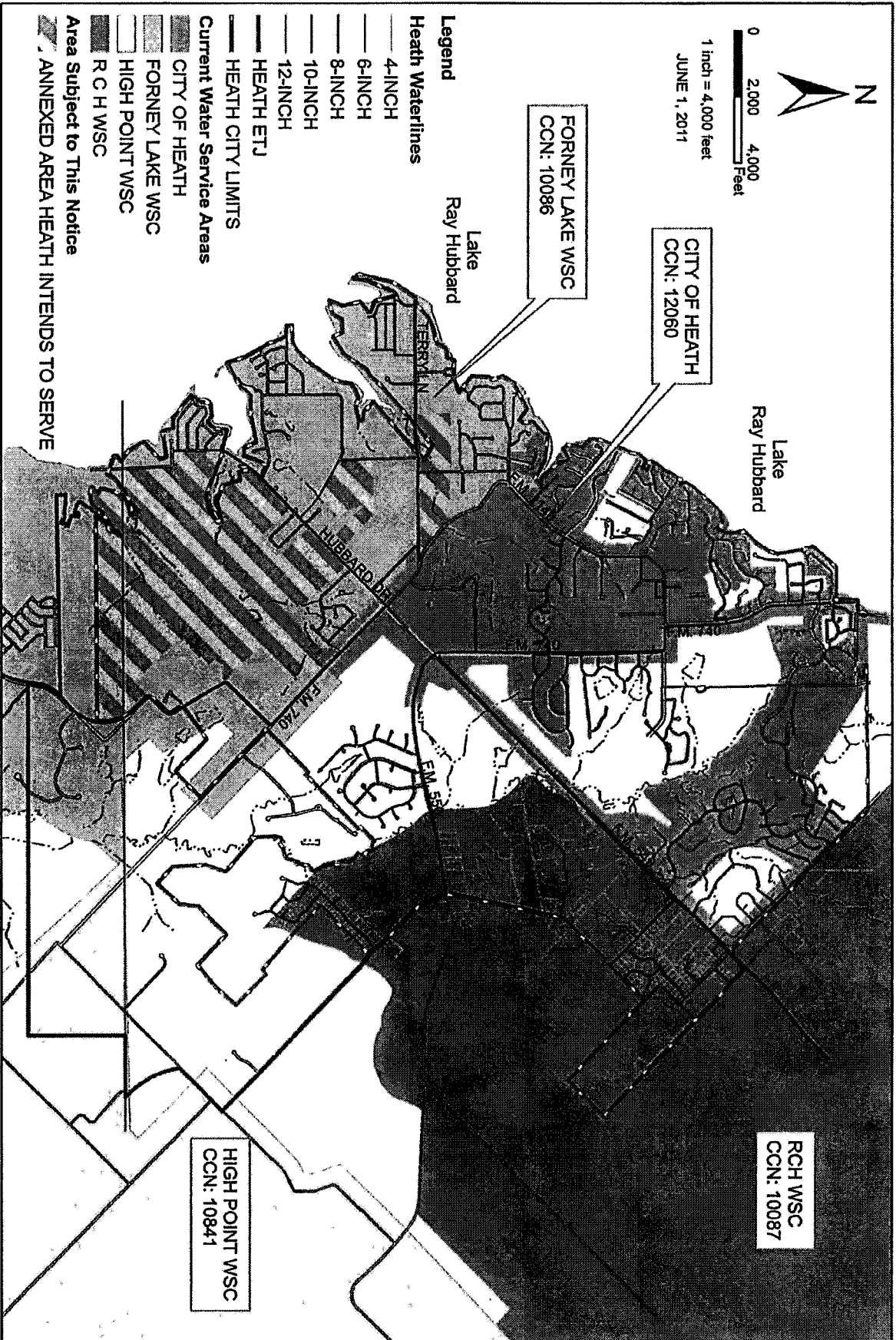
We look forward to hearing from you.

Sincerely,

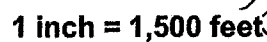
Ed Thatcher
City Manager

Enclosure

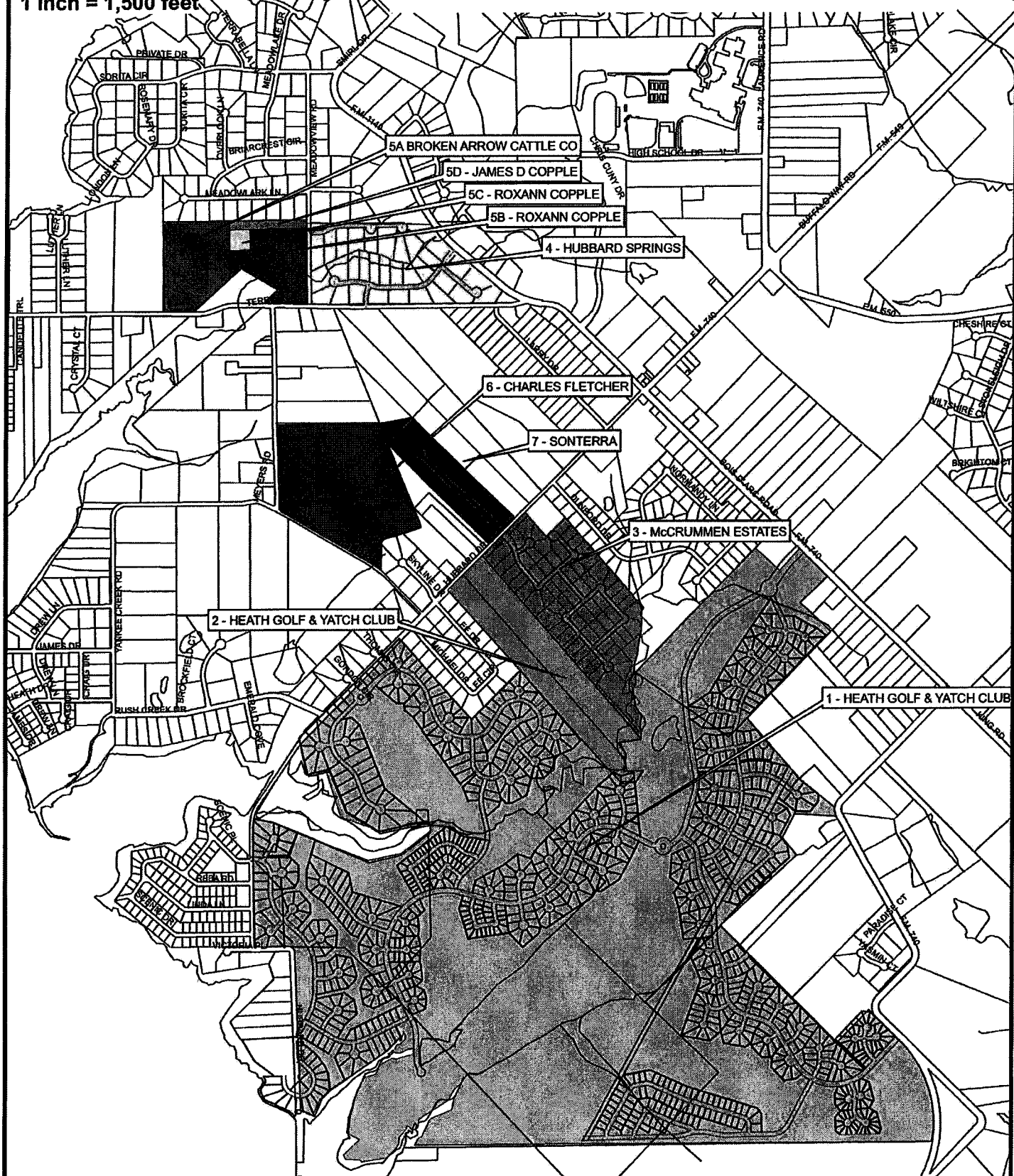
Cc: Jim Mathews
Tammy Benter, TCEQ



Attachment for 12.A



Subdivision Plats and Metes and Bounds



1

HEATH GOLF AND YATCH CLUB

EXHIBIT B

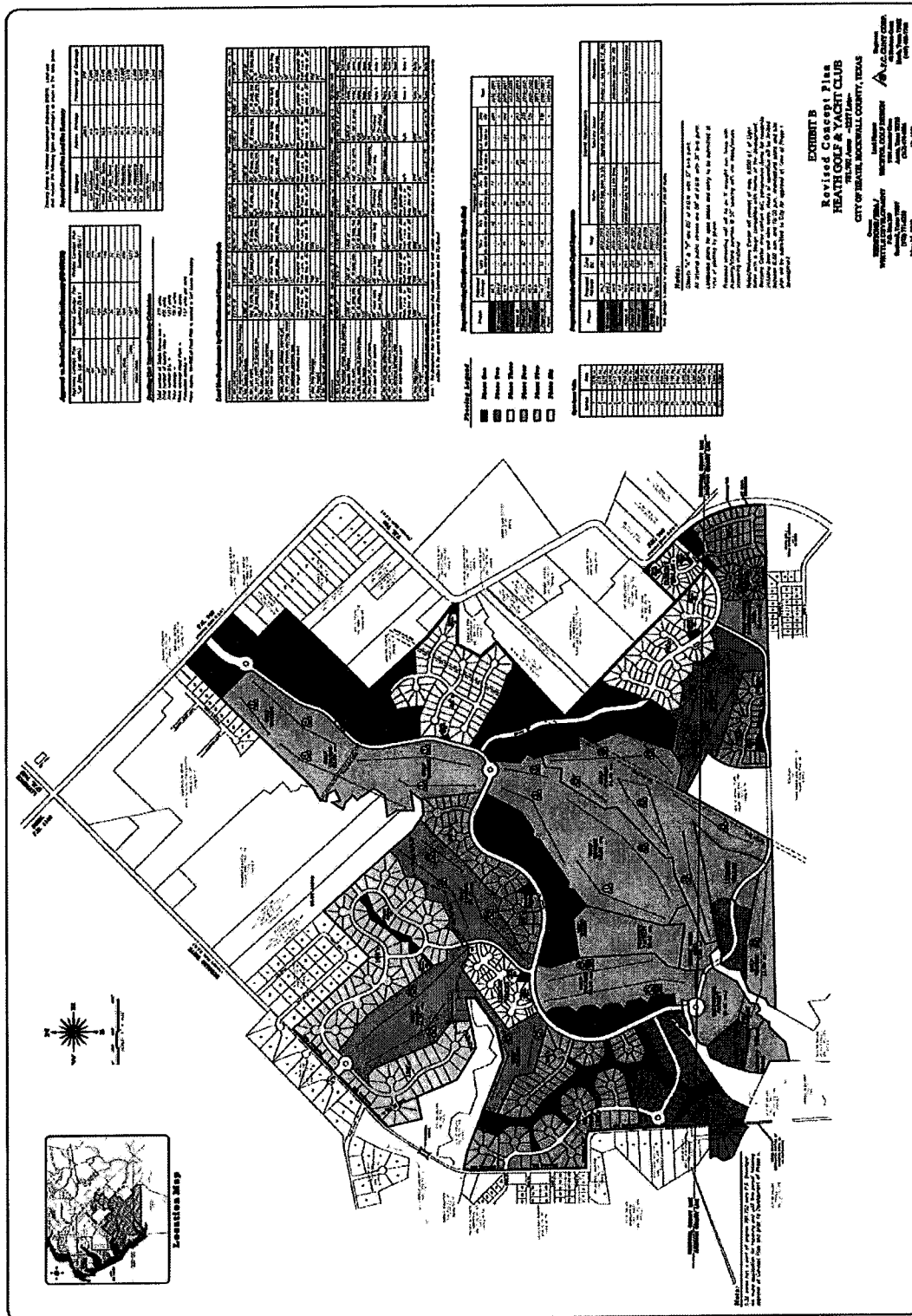


EXHIBIT B

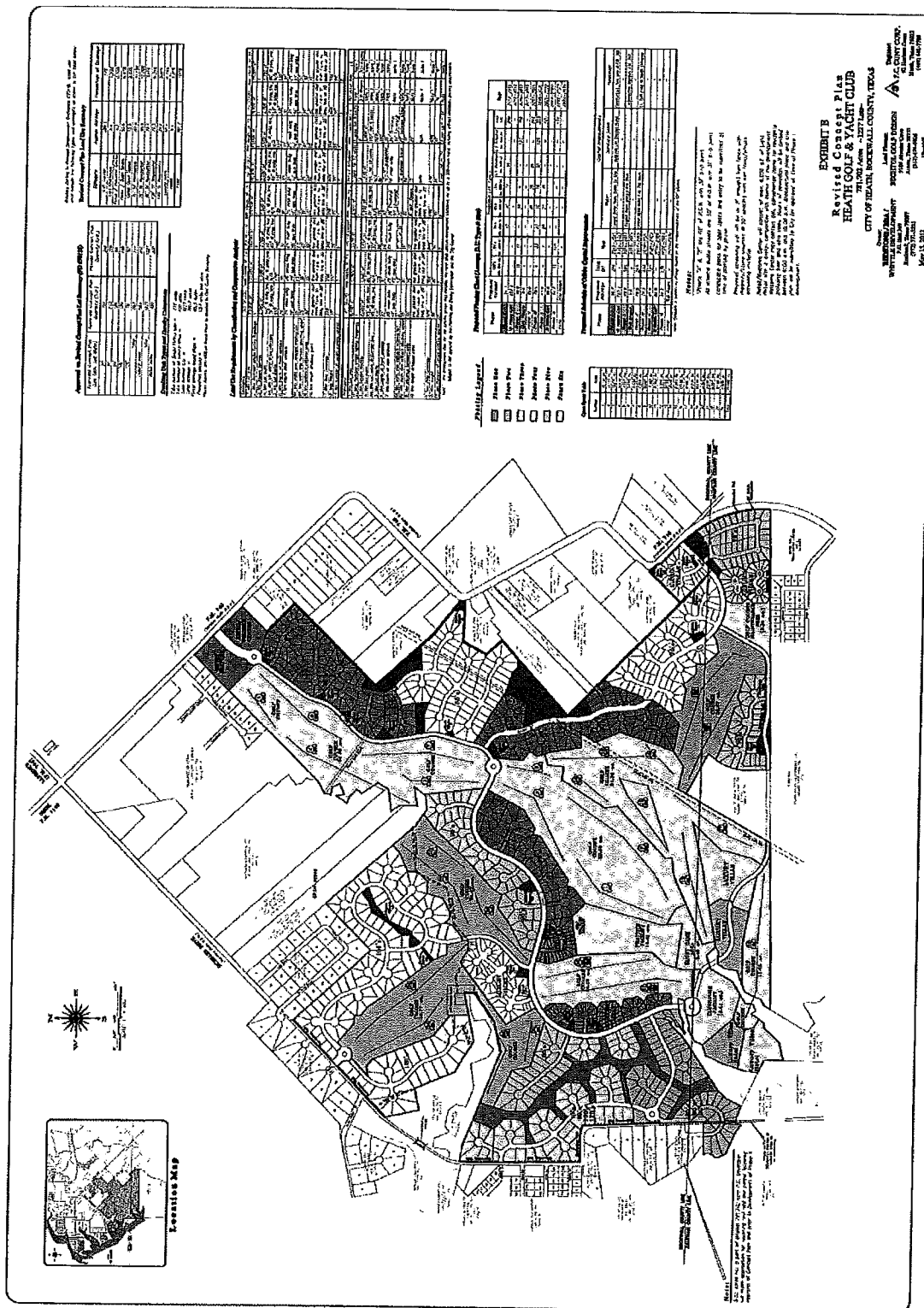


EXHIBIT A

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 ROCKWALL 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 1 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.

2

HEATH GOLF AND YATCH CLUB



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

Instrument Number: 2010-00438384

As

Recorded On: August 30, 2010

Recordings

Parties: FOX CHASE DEVELOPMENT CORP

Billable Pages: 10

To HEATH GOLF AND YACHT CLUB INC

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 $\frac{1}{2}$ OF THE ROYALTY, SAME BEING $\frac{1}{2}$ OF THE $\frac{1}{8}$ TH 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 $\frac{1}{2}$ 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 $\frac{1}{2}$ 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

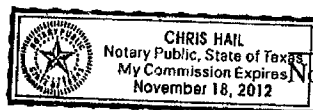
BY: 
ROBERT S. WHITTLE, President

WHITTLE DEVELOPMENT, INC.,
a Texas corporation

BY: [Signature]
ROBERT S. WHITTLE, President

STATE OF TEXAS
COUNTY OF ROCKWALL

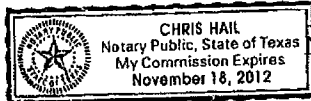
This instrument was acknowledged before me on July 30, 2010, by
ROBERT S. WHITTLE, President FOX CHASE DEVELOPMENT
CORPORATION.



[Signature]
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF ROCKWALL

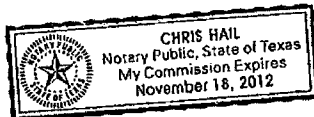
This instrument was acknowledged before me on July 30, 2010, by
ROBERT S. WHITTLE, President MARIAH BAY DEVELOPMENT, INC., a
Texas corporation.



[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 acre 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 Branda J. Jackson as recorded in Volume 3834, 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 58 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 1041.63 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 3) as described in deed to George Athens & Demetrio 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 2518, 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 1034, 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 1319.46 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 1217.60 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 625.59 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 14,623 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.

3

McCRUMMEN ESTATES

DISTANCE

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LENGTH

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Received 10 June 2003; accepted 10 June 2003

SEPTEMBER 2013

of Hestia, Texas

LEGISLATIVE PUBLIC, STATE OF TEXAS

WARREN L. CÖRNER
R.P.L.S. NO. 4521

4

HUBBARD SPRINGS

5A

BROKEN ARROW CATTLE CO.



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

Instrument Number: 2010-00436605

As

Recorded On: July 26, 2010

Recordings

Parties: COPPLE JAMES D

Billable Pages: 4

To BROKEN ARROW CATTLE CO LLP

Number of Pages: 4

Comment: WDV L

(Parties listed above are for Clerks reference only)

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

Recordings	24.00
Total Recording:	24.00

***** 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: 2010-00436605

Receipt Number: 241694

Recorded Date/Time: July 26, 2010 10:33:51A

Book-Vol/Pg: BK-OR VL-6176 PG-25

User / Station: F H - Cashier Station #4

Record and Return To:

BROKEN ARROW CATTLE CO

P O BOX 241

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

FF \$
 GF # STNT 284100343DC

NOTICE OF CONFIDENTIALLY 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.

GENERAL WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF TARRANT §

Date: July 14, 2010

THAT THE UNDERSIGNED, **James D. Copple and Roxann Copple**, hereinafter called "Grantor," whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to the undersigned in hand paid by the Grantee, herein named, the receipt of which is hereby acknowledged, and further consideration of the execution and delivery by the Grantee of that one certain promissory note of even date herewith in the principal sum of **ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00)** payable to the order of **James D. Copple and Roxann Copple** as therein specified, providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by a deed of trust of even date herewith Rita McGee, TRUSTEE, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto **Broken Arrow Cattle Company, LLP** herein referred to as "Grantee," whether one or more, the real property described as:

SEE ATTACHED EXHIBIT "A"

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions, and restrictions, relating to the hereinabove described real property as now reflected by the records of the County Clerks of **Rockwall County, Texas**.

TO HAVE AND TO HOLD the above described premises, together with all the rights and appurtenances lawfully accompanying it, by the Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns forever; and Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors, and/or assigns to **WARRANT AND FOREVER DEFEND** all the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors, and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and assumed by Grantee. This conveyance is made and accepted to subject to any and all validly existing restrictions, mineral reservations and interests, conditions, covenants, easements, and rights of way, if any applicable to and enforceable against the above described property as now reflected by the records of the County Clerk in said County an State and to applicable zoning laws and ordinances.

But is expressly agreed that the Vendor's Lien, as well as Superior Title in and to the above-described premises, is retained and reserved in favor of the payee said note against the above-described property, premises, and improvements until the above described property note and all interest thereon are fully paid according to the face, tenor, effect, and reading thereof, when this Deed shall become absolute.

When this deed is executed by one person, or when Grantee is one person, the instrument shall read as though pertinent verbs and nouns were changed to correspond and when executed by or to a corporation the words "heirs", executors and administrators or Heirs and assigns shall be construed to mean "Successors and assigns".

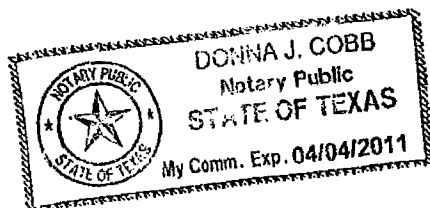
EXECUTED this 22 day of July 2010.

James D. Copple

Roxann Copple

STATE OF TEXAS
COUNTY OF ROCKALL

This instrument was acknowledged before me on the 22nd day of July 2010 by James D. Copple and Roxann Copple.



Notary Public State of Texas

h. Cobb
Notary's Printed Name

Commission Expires: 04/04/11

After Recording Return to:
Broken Arrow Cattle Company, LLP
P.O. Box 241
Rockwall, Texas 75087