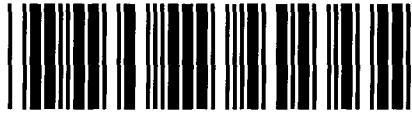


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Item Number: 1

Addendum StartPage: 0

PUC DOCKET NO.

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PETITION BY CARMA EASTON LLC
TO DECERTIFY A PORTION OF
WATER CERTIFICATE OF
CONVENIENCE AND NECESSITY
NO. 11029

BEFORE THE PUBLIC UTILITY

COMMISSION
FILING CLERK

COMMISSION OF TEXAS

**CARMA EASTON LLC'S PETITION
TO DECERTIFY A PORTION OF WATER
CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11029**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

Carma Easton LLC ("Petitioner" or "Carma Easton") files this Petition to Decertify a Portion of Water Certificate of Convenience and Necessity No. 11029 with the Public Utility Commission of Texas ("PUC") pursuant to TEXAS WATER CODE ("TWC") §13.254 (a-5) and 16 TEX. ADMIN. CODE ("TAC") §24.113(r) of the PUC's Rules, and in support thereof would respectfully show as follows.

1. PURPOSE FOR THE PETITION AND DECERTIFICATION CRITERIA

Petitioner files this petition seeking release of property that Petitioner owns in Travis County, Texas from Water CCN No. 11029 held by Creedmoor-Maha Water Supply Corporation ("CMWSC"). While the tract for which Petitioner seeks release is smaller than 25 acres, it is adjacent to and contiguous with tracts that are larger than 25 acres and that are also under Petitioner's ownership.

Under the authority of TWC §13.254(a-5) and 16 TAC §24.113(r), the owner of a tract of land that is at least 25 acres and that is not receiving water service may petition the PUC for expedited release of the area from a CCN, and the owner is entitled to release if the property is located in Travis County (among other counties). Under prior PUC orders interpreting TWC §

13.254 (a-5); the area being removed from a certificated service area may be smaller than 25 acres if that area is part of a tract of land that (a) is at least 25 acres, (b) is not receiving water or sewer service, and (c) is located in a qualifying county. Order, *Pet. of Tyler Blue Ridge LLC to Amend Tall Timbers Util. Co., Inc.'s Certificate of Convenience & Necessity in Smith County by Expedited Release*, PUC Dkt. No. 44507, at 3 (May 28, 2015); Order, *Petition Of Carma Easton LLC To Amend Creedmoor-Maha Water Supply Corporation's Certificate Of Convenience and Necessity In Travis County By Expedited Release*, PUC Dkt. No. 45902 (September 28, 2016).

2. REQUEST FOR DECERTIFICATION

A. *Background:* Petitioner owns land in Travis County, Texas that is approximately 2,160 contiguous acres in size (the "Property"). Exhibit 1 is a map showing the approximate 2,160 acres that Petitioner owns. In May of 2008, Carma Easton filed a petition with the Texas Commission on Environmental Quality ("TCEQ") under TWC § 13.254 (a-1) seeking the expedited release of approximately 1,900 acres of the Property from Water CCN No. 11029 held by CMWSC, and in August of 2008, the TCEQ issued an order granting that petition. That proceeding eventually led to an opinion from the Third Court of Appeals of Texas, Austin affirming the TCEQ order. *Creedmoor-Maha Water Supply Corporation v. Texas Commission on Environmental Quality*, 307 S.W. 3d 505 (Tex. App.—Austin 2010, no pet.). Since that time, Petitioner has purchased other tracts located within the Property that were not subject to the 2008 petition and therefore remain within CMWSC's certificated water service area. By petition dated April 28, 2016, Carma Easton sought the release of 2.903 acres from Water CCN No. 11029 held by CMWSC and, by order dated September 28, 2016, the PUC granted that petition. Order, *Petition Of Carma Easton LLC To Amend Creedmoor-Maha Water Supply Corporation's Certificate Of Convenience and Necessity In Travis County By Expedited Release*, PUC Dkt. No.

45902 (September 28, 2016). However, after the PUC staff and subsequent PUC Order carved out the 2.903 acres from Water CCN No. 11029 based on the maps provided in that Petition, a 0.4 acre sliver of property adjacent to the west side of the decertified 2.903 acres remained in CMWSC's CCN.

B. *Current Request:* Carma Easton now returns to the PUC seeking the release of that 0.4 acre area, which is identified as parcel A on Exhibits 1 and 3, and is located completely within the certificated area of CCN No. 11029. Exhibit 2 shows the general location of the 0.4 acre area in relation to Austin Bergström Airport and downtown Austin. While the 0.4 acre area is smaller than 25 acres, it is adjacent to and contiguous with two tracts within the Property (the "Adjacent Tracts") that are larger than 25 acres and are also owned by Petitioner.

Neither the 0.4 acre area for which Carma Easton seeks decertification nor the Adjacent Tracts are receiving water utility service from CMWSC or any other water provider. Upon information and belief, CMWSC has never provided water service to the 0.4 acre area, thus CMWSC has no facilities or lines committed to providing service to that area. Exhibit 4 is an affidavit of Chad Matheson, Chief Financial Officer of Carma Easton LLC, attesting to that fact.

Exhibit 5 contains a digital description of the 0.4 acre area. Exhibit 6 contains a deed that includes the metes and bounds description for an 82.844 acre tract (Deed Number 2007003159) the Petitioner owns; the 0.4 acre area is located within that 82.844 acre tract. Exhibit 7 contains two deeds with accompanying metes and bounds descriptions (deed numbers 2015099700 and 2007204509) for the Adjacent Tracts. Taken together, those two Adjacent Tracts total 63.851 acres.

Deed Numbers 2007003159 and 2007204509 both show a predecessor company of Carma Easton LLC, Jona Acquisition Inc. as the Grantee. Exhibit 8 is comprised of corporate

documents showing name changes from Jona Acquisition Inc. to Carma Easton Inc. and from Carma Easton, Inc. to Petitioner.

Regarding Exhibit 6, deed number 2007003159 references 82.844 acres conveyed to Jona Acquisition Inc., but 0.243 acres have been subsequently conveyed to others leaving 82.601 acres currently owned by Petitioner. The Adjacent Tract that carries deed number 2007204509 references 61.071 acres conveyed to Jona Acquisition Inc., but 0.123 acres have been subsequently conveyed to others leaving 60.948 acres currently owned by Petitioner.

A copy of this Petition was sent to CMWSC by certified mail on January 13, 2017, the same day that this original Petition was submitted to the PUC.

3. LIST OF EXHIBITS

- Exhibit 1: Overall Map
- Exhibit 2: Location Map
- Exhibit 3: Tract Map
- Exhibit 4: Affidavit of Chad Matheson, Chief Financial Officer of Carma Easton LLC
- Exhibit 5: CD containing a digital description of the 0.4 acre area
- Exhibit 6: Deed No. 2007003159 with Metes and Bounds Description within which the 0.4 acre area is located
- Exhibit 7: Deed No. 2015099700 and Deed No. 2007204509 with Metes and Bounds Descriptions for the Adjacent Tracts
- Exhibit 8: Corporate Documents:
 - Certificate of Amendment of Carma Easton, Inc. formerly Jona Acquisition Inc.
 - Certificate of Conversion of Carma Easton, Inc. into Carma Easton LLC

4. CONCLUSION AND PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner Carma Easton LLC respectfully requests that the Public Utility Commission of Texas process this Petition and release Petitioner's Separate Tract from Certificate of Convenience and Necessity No. 11029 pursuant to TEXAS WATER CODE §13.254 (a-5) and 16 TEX. ADMIN. CODE §24.113(r).

Respectfully submitted,

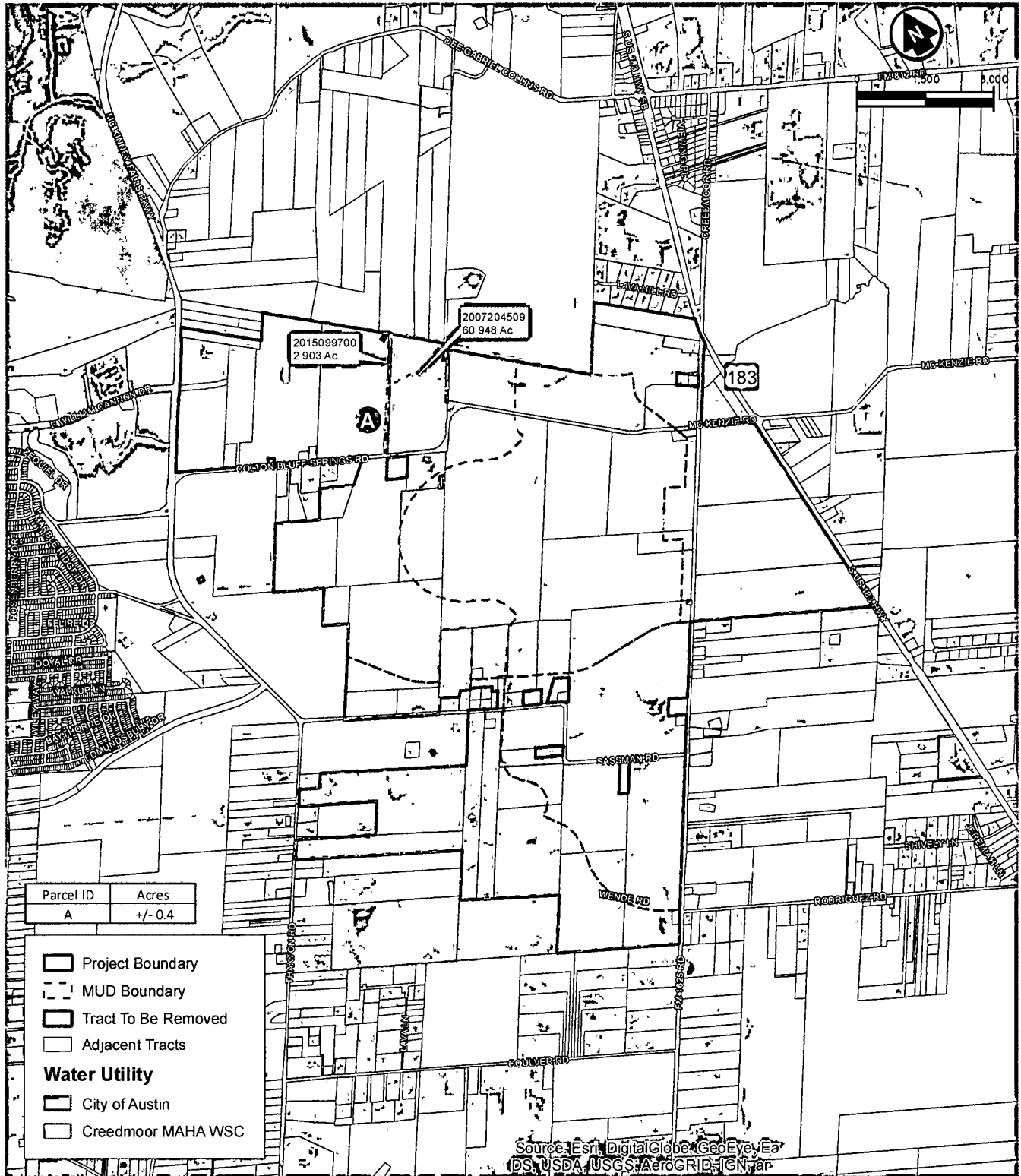
LAW OFFICES OF KEN RAMIREZ, PLLC

By: 

Kenneth R. Ramirez
State Bar No. 16502200
901 Mopac Expressway South
Barton Oaks Plaza One, Suite 300
Austin, Texas 78746
(512) 329-2722
(512) 329-2707 (Fax)
ken@kenramirezlaw.com

COUNSEL FOR PETITIONER
CARMA EASTON LLC

EXHIBIT 1



KITCHEN TABLE
CIVIL SOLUTIONS

6805 N. CAPITAL OF TEXAS HIGHWAY | SUITE 315
AUSTIN, TEXAS 78731 | TEL (512) 758-7474
TBPE FIRM NO. F-18129

PUBLIC UTILITY
COMMISSION OF TEXAS

OVERVIEW MAP

SLIVER TRACT TO BE REMOVED FROM
CREEDMOOR MAHA WSC'S WATER CCN
AUSTIN, TRAVIS COUNTY, TEXAS

EXH01

EXHIBIT 2



KITCHEN TABLE CIVIL SOLUTIONS

6805 N. CAPITAL OF TEXAS HIGHWAY | SUITE 315
AUSTIN, TEXAS 78731 | TEL (512) 758-7474
TBPE FIRM NO F-18129

PUBLIC UTILITY COMMISSION OF TEXAS

LOCATION MAP

SLIVER TRACT TO BE REMOVED FROM
CREEDMOOR MAHA WSC'S WATER CCN
AUSTIN, TRAVIS COUNTY, TEXAS

EXH02

EXHIBIT 3



KITCHEN TABLE CIVIL SOLUTIONS

6805 N. CAPITAL OF TEXAS HIGHWAY | SUITE 315
AUSTIN, TEXAS 78731 | TEL (512) 758-7474
TBPE FIRM NO. F-18129

PUBLIC UTILITY COMMISSION OF TEXAS

DETAILED MAP

**SLIVER TRACT TO BE REMOVED FROM
CREEDMOOR MAHA WSC'S WATER CCN**
AUSTIN, TRAVIS COUNTY, TEXAS

EXH03

EXHIBIT 4

EXHIBIT 4

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

**AFFIDAVIT OF CHAD MATHESON
IN SUPPORT OF CARMA EASTON, LLC'S
PETITION TO DECERTIFY PORTIONS OF WATER CCN. NO 11029**

BEFORE ME, the undersigned notary, personally appeared Chad Matheson, the affiant,
a person who is known to me. After administering the oath, the affiant testified that:

"My name is Chad Matheson. I am over the age of eighteen years, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

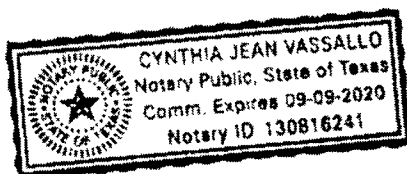
I am Chief Financial Officer of Carma Easton, LLC, which owns land in Travis County, Texas that is approximately 2,160 contiguous acres in size. From this, Carma Easton seeks to decertify from Creedmoor-Maha Water Supply Corporation's Water Certificate of Convenience and Necessity No. 11029 a separate area that is 0.4 acres in size and is recorded in the Travis County deed records within Deed No. 2007003159. This 0.4 acre area is depicted in Exhibit 3 of Carma Easton LLC's Petition to Decertify A Portion Of Water Certificate of Convenience and Necessity No. 11029 ("Petition"). This 0.4 acre area does not receive water service from Creedmoor-Maha Water Supply Corporation or any other retail public utility. Further, the 63.851 acre area, which is comprised of two separate tracts described in the Petition as the Adjacent Tracts, also does not receive water service from any provider at this time.

By this Petition, I hereby request that the Public Utility Commission of Texas release this tract from Water CCN No. 11029"

FURTHER SAYETH AFFIANT NOEL.


Chad Matheson, Chief Financial Officer of Carma Easton

SUBSCRIBED AND SWORN TO BEFORE ME, by Chad Matheson on the 12 day of January, 2017.



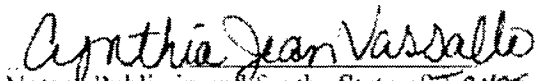
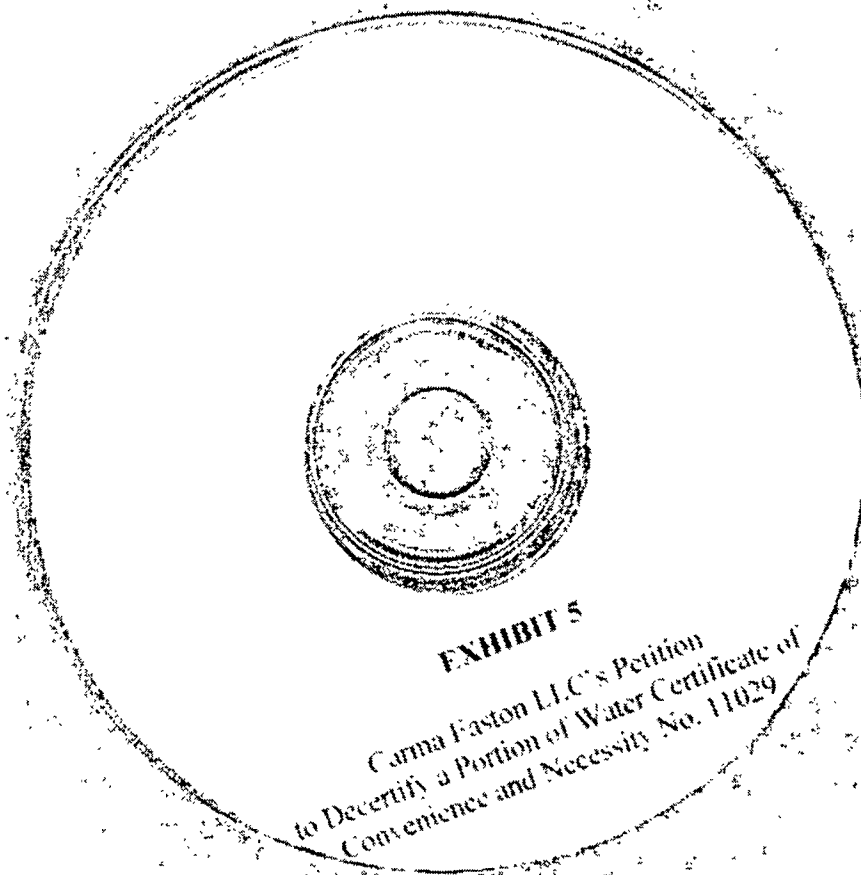

Notary Public in and for the State of Texas
My Commission Expires: 09/09/2020

EXHIBIT 5



CD hand-delivered to PUC

EXHIBIT 6

03 6F#612027-SM

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

13

SPECIAL WARRANTY DEED

STATE OF TEXAS
COUNTY OF TRAVIS

§
§
§



WD 2007003159
13 PGS

KNOW ALL MEN BY THESE PRESENTS, that GEORGE J. SHIA and wife, CLAIRE SHIA, (hereinafter referred to as "Grantors"), of 900 Houston Street, City of Austin, County of Travis, State of Texas 78756, for and in consideration of the sum of ten and 00/100 dollars (\$10.00), and other valuable consideration to the undersigned paid by JONA ACQUISITION INC., a Texas corporation, (hereinafter referred to as "Grantee"), c/o E. Scott Lineberry, DuBois, Bryant, Campbell & Schwartz, L.L.P., 700 Lavaca, Suite 1300, City of Austin, County of Travis, State of Texas 78701, the receipt of which is hereby acknowledged, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto said Grantee, all of the following described real property ("Property") in Travis County, Texas, to wit:

TRACT 1: Being a 82.844 acre tract or parcel of land, more or less, being out of and a part of the Santiago Del Valle Grant, Abstract #24, in Travis County, Texas, being more particularly described by metes and bounds in Exhibit A-1 attached hereto and made a part hereof.

TRACT 2: Being a 20.807 acre tract or parcel of land, more or less, being out of and a part of the Santiago Del Valle Grant, Abstract #24, in Travis County, Texas, being more particularly described by metes and bounds in Exhibit A-2 attached hereto and made a part hereof.

TRACT 3: Being a 25.735 acre tract or parcel of land, more or less, being out of and a part of the Santiago Del Valle Grant, Abstract #24, in Travis County, Texas, being more particularly described by metes and bounds in Exhibit A-3 attached hereto and made a part hereof.

This conveyance is made and accepted subject to the exceptions of title listed in Exhibit "B" which is attached hereto and incorporated herein for all purposes.

GRANTEE ACKNOWLEDGES AND AGREES THAT THE GRANTORS HAVE NOT MADE, DO NOT MAKE AND SPECIFICALLY NEGATE AND DISCLAIM ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO (A) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE

WATER, SOIL AND GEOLOGY, (B) THE INCOME TO BE DERIVED FROM THE PROPERTY, (C) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH THE GRANTEE MAY CONDUCT THEREON, (D) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (E) THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, (F) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO THE PROPERTY, (G) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY, OR (H) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY, AND SPECIFICALLY, THAT THE GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING SOLID WASTE, AS DEFINED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS AT 40 C.F.R., PART 261, OR THE DISPOSAL OR EXISTENCE IN OR ON THE PROPERTY, OF ANY HAZARDOUS SUBSTANCE, AS DEFINED BY THE COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT OF 1980, AS AMENDED, AND REGULATIONS PROMULGATED THEREUNDER. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, GRANTEE IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE REAL PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION. GRANTOR IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS" CONDITION AND BASIS "WITH ALL FAULTS". IT IS UNDERSTOOD AND AGREED THAT THE PURCHASE PRICE HAS BEEN ADJUSTED BY PRIOR NEGOTIATION TO REFLECT THAT ALL OF THE PROPERTY IS SOLD BY GRANTOR AND PURCHASED BY GRANTEE SUBJECT TO THE FOREGOING.

AFTER THE DATE OF THIS DEED AS BETWEEN GRANTEE AND GRANTORS, THE RISK OF LIABILITY OR EXPENSE FOR ENVIRONMENTAL PROBLEMS, EVEN IF ARISING FROM EVENTS BEFORE CLOSING, WILL BE THE SOLE RESPONSIBILITY OF GRANTEE, REGARDLESS OF WHETHER THE ENVIRONMENTAL PROBLEMS WERE KNOWN OR UNKNOWN AT CLOSING. AFTER THE DATE OF THIS DEED, GRANTEE INDEMNIFIES, HOLDS HARMLESS, AND RELEASES GRANTOR FROM LIABILITY FOR ANY LATENT DEFECTS AND FROM ANY LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE

DISPOSAL ACT, OR THE TEXAS WATER CODE; GRANTEE INDEMNIFIES, HOLDS HARMLESS, AND RELEASES GRANTOR FROM ANY LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY; AND GRANTEE INDEMNIFIES, HOLDS HARMLESS, AND RELEASES GRANTOR FROM ANY LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY UNDER THEORIES OF PRODUCTS LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE THAT WOULD OTHERWISE IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY.

Grantee assumes all taxes, assessments, interest and penalties that may be levied or assessed against the Property as a result of a change in ownership or change in use of the Property under any special use valuation ("Roll Back Taxes") for the periods prior to the date of this deed.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever; and Grantors do hereby bind themselves, their heirs and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under the said Grantors, but not otherwise; provided, however, that this conveyance is made by the Grantors subject to the title exceptions provided for in Exhibit B to this deed.

EXECUTED the 5th day of January, 2007.

George J. Shia
GEORGE J. SHIA

Claire Shia
CLAIRE SHIA

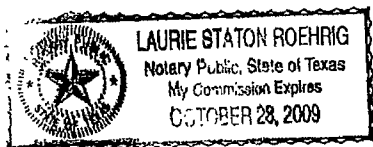
STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 5th day of January, 2007, by GEORGE J. SHIA.

My Commission Expires:

Laurie Stator Roehrig
Notary Public, State of Texas

TYPE/PRINT/STAMP NAME



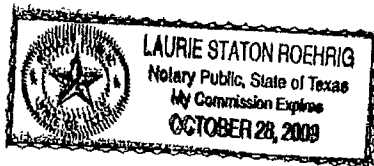
STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 5th day of
January, 2007, by CLAIRE SHIA.

My Commission Expires:

Laurie Staton Roehrig
Notary Public, State of Texas

TYPE/PRINT/STAMP NAME



AGREED TO AND ACCEPTED BY:

JONA ACQUISITION INC.,
a Texas corporation

By: David C. Harvie
Name: DAVID C. HARVIE
Title: PRESIDENT

~~STATE OF TEXAS~~ §
~~COUNTY OF TRAVIS~~ §

This instrument was acknowledged before me on the 3 day
of January, 2007, by David C. Harvie, President of JONA
ACQUISITION INC.

My Commission Expires:

Archibald
~~Notary Public, State of Texas~~
COMMISSIONER FOR OATHS, PROVINCE OF ALBERTA
TYPE/PRINT/STAMP NAME

Exhibits: Exhibit A-1 - Legal Description Tract 1
Exhibit A-2 - Legal Description Tract 2
Exhibit A-3 - Legal Description Tract 3
Exhibit B - Title Exceptions

KRISTINA L. ARCHIBALD
A Commissioner for Oaths
in and for the province of Alberta.
My Commission Expires January 31, 2007

PREPARED BY:

Philip C. Joseph
524 N. Lamar Blvd., Suite 201
Austin, Texas 78703

PLEASE RETURN TO:

JONA ACQUISITION INC.
c/o E. Scott Lineberry
DuBois, Bryant, Campbell &
Schwartz, L.L.P.
700 Lavaca, Suite 1300
Austin, Texas 78701

0168014\drafting\specialwarrantydeed\f0701031



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**82.844 ACRES (TRACT 16-2)
SANTIAGO DEL VALLE GRANT**

A DESCRIPTION OF 82.844 ACRES OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 82.8480 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO GEORGE J. SHIA, DATED DECEMBER 16, 1986 AND RECORDED IN VOLUME 10025, PAGE 372 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 82.844 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a bolt in concrete found at the west corner of the said 82.8480 acre tract, same being the south corner of a 1.0 acre tract described in a deed of record in Volume 12371, Page 662 of the Real Property Records of Travis County, Texas, also being in the north right-of-way line of Colton Bluff Springs Road (70' right-of-way), from which a 1/2" rebar found bears North 63°24'00" West, a distance of 150.37 feet;

THENCE North 27°09'21" East, departing the north right-of-way line of Colton Bluff Springs Road, along the northwest line of the 82.8480 acre tract, same being the southeast line of the 1.0 acre tract, a distance of 290.52 feet to a 1/2" rebar found at the east corner of the 1.0 acre tract, same being a south corner of a remainder of 117.7234 acres described in a deed of record in Volume 10637, Page 410 of the Real Property Records of Travis County, Texas;

THENCE continuing along the northwest line of the 82.8480 acre tract, same being the southeast line of the said remainder of 117.7234 acres, the following two (2) courses and distances:

1. North 27°37'15" East, a distance of 1812.69 feet to a 1/2" rebar with cap set;
2. North 27°56'41" East, a distance of 780.08 feet to a 1/2" rebar found at the north corner of the 82.8480 acre tract, same being the east corner of the said remainder of 117.7234 acres, also being in the southwest line of a 29.50 acre tract out of the D. G. Collins Estate, according to the plat thereof, recorded in Volume 3, Page 220 of the Plat Records of Travis County, Texas;

THENCE South 48°20'11" East, along the northeast line of the 82.8480 acre tract, same being the southwest line of the said 29.50 acre tract and the southwest line of a 52.418 acre tract described in a deed of record under Document No. 2004080843 of the Official Public Records of Travis County, Texas, a distance of 1354.84 feet to a 1/2" rebar found at the east corner of the 82.8480 acre tract, same being the north corner of a 2.899 acre tract described in the deed of record under Document No. 2004080843 of the Official

Public Records of Travis County, Texas, also being in the southwest line of the said 52.418 acre tract;


THENCE along the southeast line of the 82.8480 acre tract, same being the northwest line of the said 2.899 acre tract, the following four (4) courses and distances:

1. South 27°02'48" West, a distance of 87.42 feet to a 1/2" rebar with cap set;
2. South 28°05'48" West, a distance of 57.15 feet to a 1/2" rebar with cap set;
3. South 26°28'48" West, a distance of 262.67 feet to a 1/2" rebar with cap set;
4. South 26°58'48" West, a distance of 2126.73 feet to a 1/2" rebar found at the south corner of the 82.8480 acre tract, same being the west corner of the 2.899 acre tract, also being in the north right-of-way line of Colton Bluff Springs Road, from which a 1/2" rebar found bears South 63°40'41" East, a distance of 49.99 feet;

THENCE along the north right-of-way line of Colton Bluff Springs Road, same being the southwest line of the 82.8480 acre tract, the following two (2) courses and distances:

1. North 63°13'10" West, a distance of 642.90 feet to a 1/2" rebar found;
2. North 63°18'06" West, a distance of 703.08 feet to the **POINT OF BEGINNING**, containing 82.844 acres of land, more or less.

Surveyed on the ground in June 2006. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 500-001-BD16-2. Caps placed on set rebars are plastic, stamped "Chaparral Boundary".


James Redmon
Registered Professional Land Surveyor
State of Texas No. 5848

6-22-06





**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**20.807 ACRES (TRACT 16-3)
SANTIAGO DEL VALLE GRANT**

A DESCRIPTION OF 20.807 ACRES IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 20.8088 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO GEORGE J. SHIA, DATED DECEMBER 16, 1986 AND RECORDED IN VOLUME 10025, PAGE 372 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 20.807 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the apparent north right-of-way line of Colton Bluff Springs Road (apparent right-of-way width varies), at the southwest corner of the said 20.8088 acre tract, same being the southeast corner of a 138.61 acre tract described in a deed of record in Volume 12519, Page 751 of the Real Property Records of Travis County, Texas;

THENCE departing the apparent north right-of-way line of Colton Bluff Springs Road, along the common line of the 20.8088 acre tract and the said 138.61 acre tract, the following four (4) courses and distances:

1. North 27°13'28" East, a distance of 867.67 feet to a 1/2" rebar with cap set;
2. South 88°09'49" East, a distance of 129.73 feet to a 1/2" rebar found;
3. South 57°01'02" East, a distance of 438.02 feet to a 1/2" rebar with cap set;
4. South 66°17'49" East, a distance of 32.91 feet to a 1/2" rebar found at the southwest corner of a 1 acre tract described in a deed of record in Volume 5869, Page 1058 of the Deed Records of Travis County, Texas;

THENCE South 53°08'58" East, along the north line of the 20.8088 acre tract, same being the south line of the said 1 acre tract and the south line of a 1.10 acre tract described in a deed of record in Volume 12586, Page 40 of the Real Property Records of Travis County, Texas, a distance of 440.29 feet to a 1/2" rebar with cap set in the west right-of-way line of F.M. 1625 (80' right-of-way), for the northeast corner of the 20.8088 acre tract, same being the southeast corner of the said 1.10 acre tract, from which a concrete highway monument found in the west right-of-way line of F.M. 1625 bears North 27°05'32" East, a distance of 681.84 feet;


THENCE along the west right-of-way line of F.M. 1625, same being the east line of the 20.8088 acre tract, the following three (3) courses and distances:

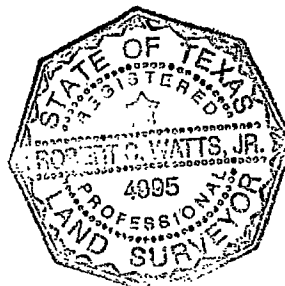
1. South 27°05'32" West, a distance of 28.03 feet to a 1/2" rebar with cap set;
2. South 26°41'32" West, a distance of 410.29 feet to a concrete highway monument found 40 feet right engineers' centerline station 14+49.2, from which a concrete highway monument found 40 feet left of engineers' centerline station 14+49.2 bears South 62°51'37" East, a distance of 80.00 feet;
3. South 27°11'23" West, a distance of 393.37 feet to a calculated point in the apparent north right-of-way line of Colton Bluff Springs Road, for the southeast corner of the 20.8088 acre tract, from which a 1/2" rebar found bears North 61°15'38" West, a distance of 0.36 feet;

THENCE departing the west right-of-way line of F.M. 1625, along the apparent north right-of-way line of Colton Bluff Springs Road, same being the south line of the 20.8088 acre tract, the following two (2) courses and distances:

1. North 61°15'38" West, a distance of 926.07 feet to a 1/2" rebar found, from which a 1/2" rebar found at an angle point in the apparent south right-of-way line of Colton Bluff Springs Road bears South 24°55'31" West, a distance of 69.66 feet;
2. North 63°05'40" West, a distance of 98.32 feet to the **POINT OF BEGINNING**, containing 20.807 acres of land, more or less.

Surveyed on the ground in June 2006. Bearing Basis: Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 500-001-BD16-3. Caps placed on set rebars are plastic, stamped "Chaparral Boundary".


Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995



6-12-06



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**25.735 ACRES (TRACT 16-1)
SANTIAGO DEL VALLE GRANT**

A DESCRIPTION OF 25.735 ACRES OUT OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 25.0000 ACRE TRACT AND ALL OF A 0.7346 ACRE TRACT, BOTH DESCRIBED IN A SPECIAL WARRANTY DEED TO GEORGE J. SHIA, DATED JULY 12, 1991 AND RECORDED IN VOLUME 11502, PAGE 1192 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 25.735 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found at the north corner of the said 25.0000 acre tract, same being the east corner of a 60.171 acre tract described in a deed of record in Volume 5063, Page 1541 of the Deed Records of Travis County, Texas, also being in the southwest line of a 7.006 acre tract described in a deed of record in Volume 9523, Page 989 of the Real Property Records of Travis County, Texas;

THENCE South 48°17'57" East, along the southwest line of the said 7.006 acre tract, same being the northeast line of the 25.0000 acre tract, a distance of 556.46 feet to a 1/2" rebar found at the east corner of the 25.0000 acre tract, same being an angle point in the northwest line of a remainder of 117.7234 acres described in a deed of record in Volume 10637, Page 410 of the Real Property Records of Travis County, Texas, from which a 1" rebar found for another angle point in the northwest line of the said remainder of 117.7234 acres, same being the south corner of the 7.006 acre tract, bears South 48°17'57" East, a distance of 71.19 feet;

THENCE with the southeast line of the 25.0000 acre tract and the said 0.7346 acre tract, same being the northwest line of the remainder of 117.7234 acres, the following three (3) courses and distances:

1. South 27°57'32" West, a distance of 1947.39 feet to a 1/2" rebar found at the south corner of the 25.0000 acre tract;
2. North 62°30'04" West, a distance of 238.22 feet to a 1/2" rebar found at the east corner of the 0.7346 acre tract;
3. South 27°56'34" West, a distance of 500.00 feet to a 1/2" rebar found at the south corner of the 0.7346 acre tract, same being in the northeast right-of-way line of Colton Bluff Springs Road (70' right-of-way);

THENCE North 62°29'18" West, along the northeast right-of-way line of Colton Bluff

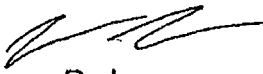
Springs Road, same being the southwest line of the 0.7346 acre tract, a distance of 64.03 feet to a 1/2" rebar found at the west corner of the 0.736 acre tract, same being the south corner of a second remainder of the said 117.7234 acre tract, from which a 1/2" rebar found at the west corner of the said second remainder of 117.7234 acres, same being the south corner of the said 60.171 acre tract, also being in the northeast right-of-way line of Colton Bluff Springs Road, bears North 62°29'18" West, a distance of 237.84 feet;

THENCE departing the northeast right-of-way line of Colton Bluff Springs Road, with the northwest line of the 0.7346 acre tract and the 25.0000 acre tract, same being the southeast line of the second remainder of 117.7234 acres, the following two (2) courses and distances:

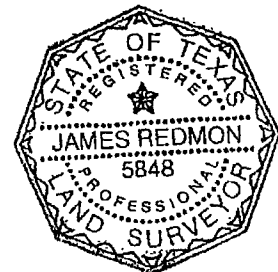
1. North 27°56'40" East, a distance of 499.99 feet to a 1/2" rebar found at the north corner of the 0.7346 acre tract, same being the southwest line of the 25.0000 acre tract;
2. North 62°30'04" West, a distance of 237.83 feet to a 1/2" rebar found at the west corner of the 25.0000 acre tract, same being in the southeast line of the 60.171 acre tract;

THENCE North 27°56'44" East, along the northwest line of the 25.0000 acre tract, same being the southeast line of the 60.171 acre tract, a distance of 2083.91 feet to the **POINT OF BEGINNING**, containing 25.735 acres of land, more or less.

Surveyed on the ground in June 2006. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 500-001-BD16-1.


James Redmon
Registered Professional Land Surveyor
State of Texas No. 5848

06-21-06



1. Rights of parties in possession as a result of fence encroachments.
2. Property lies within the 100 year Flood Plain as shown on survey by James Redmon, RPLS dated 06-22-06 (Tracts 1 & 2).
3. Property lies within the 100 year Flood Plain as shown on survey prepared by Robert C. Watts, RPLS dated 06-12-06 (Tract 2).
4. Overhead electric lines, power poles, as shown on survey by James Redmon, dated 06-22-06 (Tract 2).
5. A water line easement crossing the subject tract, granted to City of Austin, as set forth in Volume 10027, Page 683 of the Real Property Records of Travis County, Texas, as shown on survey by James Redmon, dated 06-22-06 (Tract 3).
6. Mineral reservation as set out in Mineral Deed recorded in Volume 777, Page 250, of the Deed Records of Travis County, Texas (Tract 3).
7. Mineral reservation as set out in Mineral Deed recorded in Volume 779, Page 479 of the Deed Records of Travis County, Texas (Tract 3).

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2007 Jan 05 01:35 PM 2007003159

ESPINOZAC \$64.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

EXHIBIT "B"

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

EXHIBIT 7

15/ITC/ 1517915 -COM/CCT SPECIAL WARRANTY DEED
(STRIP TRACT)

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

THAT, ERNEST B. COLLINS AND FLORETTA F. COLLINS (collectively, "Grantor"), for and in consideration of the sum of \$10.00 cash in hand paid by CARMA EASTON LLC, a Texas limited liability company ("Grantee"), whose address is 11501 Alterra Parkway, Suite 100, Austin, Texas 78758, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, those certain tracts of real property situated in Travis County, Texas, and described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Land") and all buildings, fixtures and other improvements located on the Land, if any, together with all and singular the rights, privileges, hereditaments, and appurtenances pertaining to such real property, including, but not limited to, any right, title and interest of Grantor in and to any and all mineral interests of whatever nature, producing or nonproducing, relating to said tract, including, but not limited to, rights of Grantor under any and all oil and gas leases covering said tract (collectively, the "Property").

For the same consideration, Grantor has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, without warranty, express or implied, all interest of Grantor, if any, in (1) strips and gores, if any, within the Property or between the Property and any abutting properties, whether owned or claimed by deed, limitations or otherwise, and whether located inside or outside the Property; and (2) any land lying in or under the bed of any creek, stream or waterway or any highway, avenue, street, road, alley, easement or right of way, open or proposed, in, or across, abutting or adjacent to the Property.

This conveyance is being made by Grantor and accepted by Grantee subject only to those certain title exceptions set forth in Exhibit "B" attached hereto and made a part hereof for all purposes, but only to the extent that such exceptions are valid, existing, and, in fact, affect the Property.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, to Grantee and Grantee's successors and assigns forever; and subject only to the exceptions set forth on the attached Exhibit "B", Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend, all and singular, the Property unto the Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED on the date set forth in the acknowledgement below to be effective the ____ day of June, 2015.

GRANTOR:

Ernest B. Collins
ERNEST B. COLLINS

Floretta F. Collins
FLORETTA F. COLLINS

THE STATE OF TEXAS

COUNTY OF Harris

§
§
§

This instrument was acknowledged before me on June 22nd, 2015, by Ernest B. Collins and Floretta F. Collins.

[Signature]
Notary Public, State of Texas
[Seal]

After Recording, Return to:

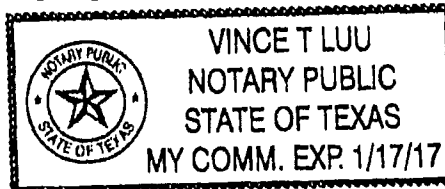


EXHIBIT A

Land

[see attached]

BEING A 2.903 ACRE TRACT OF LAND SITUATED IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 2.899 ACRE TRACT OF LAND DESCRIBED AS TRACT I IN A SPECIAL WARRANTY DEED TO ERNEST B. COLLINS AND FLORETTA F. COLLINS, RECORDED ON APRIL 29, 2004 IN DOCUMENT NO. 2004080843 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 2.903 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found (Grid Coordinates = N: 10,029,285.69, E: 3,123,440.54) for the West corner of said 2.899 acre tract and the South corner of a called 82.844 acre tract of land described as Tract 1 in a Special Warranty Deed to Jona Acquisition Inc., recorded on January 5, 2007 in Document No. 2007003159 of said Official Public Records, and also being in the Northeast right-of-way line of Colton Bluff Springs Road (being a 70 feet wide right-of-way at this point, from which a 1/2-inch iron rod found for an angle point in the Southwest line of said 82.844 acre tract and said Northeast right-of-way line of Colton Bluff Springs Road, bears North 63°14'17" West a distance of 642.89 feet;

THENCE along the Northwest line of said 2.899 acre tract and the Southeast line of said 82.844 acre tract, the following four (4) courses and distances:

1. North 26°58'38" East a distance of 2126.49 feet to a 1/2-inch iron rod found;
2. North 26°30'47" East a distance of 262.66 feet to a 1/2-inch iron rod found;
3. North 28°04'38" East a distance of 57.26 feet to a 1/2-inch iron rod found; and
4. North 27°02'16" East a distance of 87.42 feet to a 1/2-inch iron rod found (Grid Coordinates = N: 10,031,544.13, E: 3,124,589.09) for the North corner of said 2.899 acre tract and the East corner of said 82.844 acre tract, also being in the Southwest line of a called 52.418 acre tract of land described as Tract II in said Special Warranty Deed to Ernest B. Collins and Floretta F. Collins, from which a 1/2-inch iron rod found for the West corner of said 52.418 acre tract and being in the Northeast line of said 82.844 acre tract, bears North 48°17'20" West a distance of 182.55 feet;

THENCE South 48°55'17" East along the Northeast line of said 2.899 acre tract and said Southwest line of the 52.418 acre tract, a distance of 52.26 feet to a 1/2-inch iron rod found for the East corner of said 2.899 acre tract and the North corner of a called 61.071 acre tract of land described as Tract 1 in a Special Warranty Deed to Jona Acquisition Inc. recorded on November 8, 2007 in Document No. 2007204509 in said Official Public Records, from which a 1/2-inch iron rod found for the South corner of said 52.418 acre tract and being an angle point in the Northeast line of said 61.071 acre tract, bears South 47°54'17" East a distance of 467.14 feet;

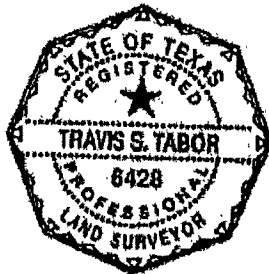
THENCE South 26°58'21" West along the Southeast line of said 2.899 acre tract and the Northwest line of said 61.071 acre tract, a distance of 2520.65 feet to a 1/2-inch iron rod found for the South corner of said 2.899 acre tract and the West corner of said 61.071 acre tract, also being in said Northeast right-of-way line of Colton Bluff Springs Road;

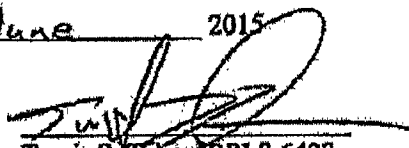
THENCE North 63°31'12" West along the Southwest line of said 2.899 acre tract and said Northeast right-of-way line of Colton Bluff Springs Road, a distance of 49.96 feet to the POINT OF BEGINNING and containing 2.903 acres of land more or less.

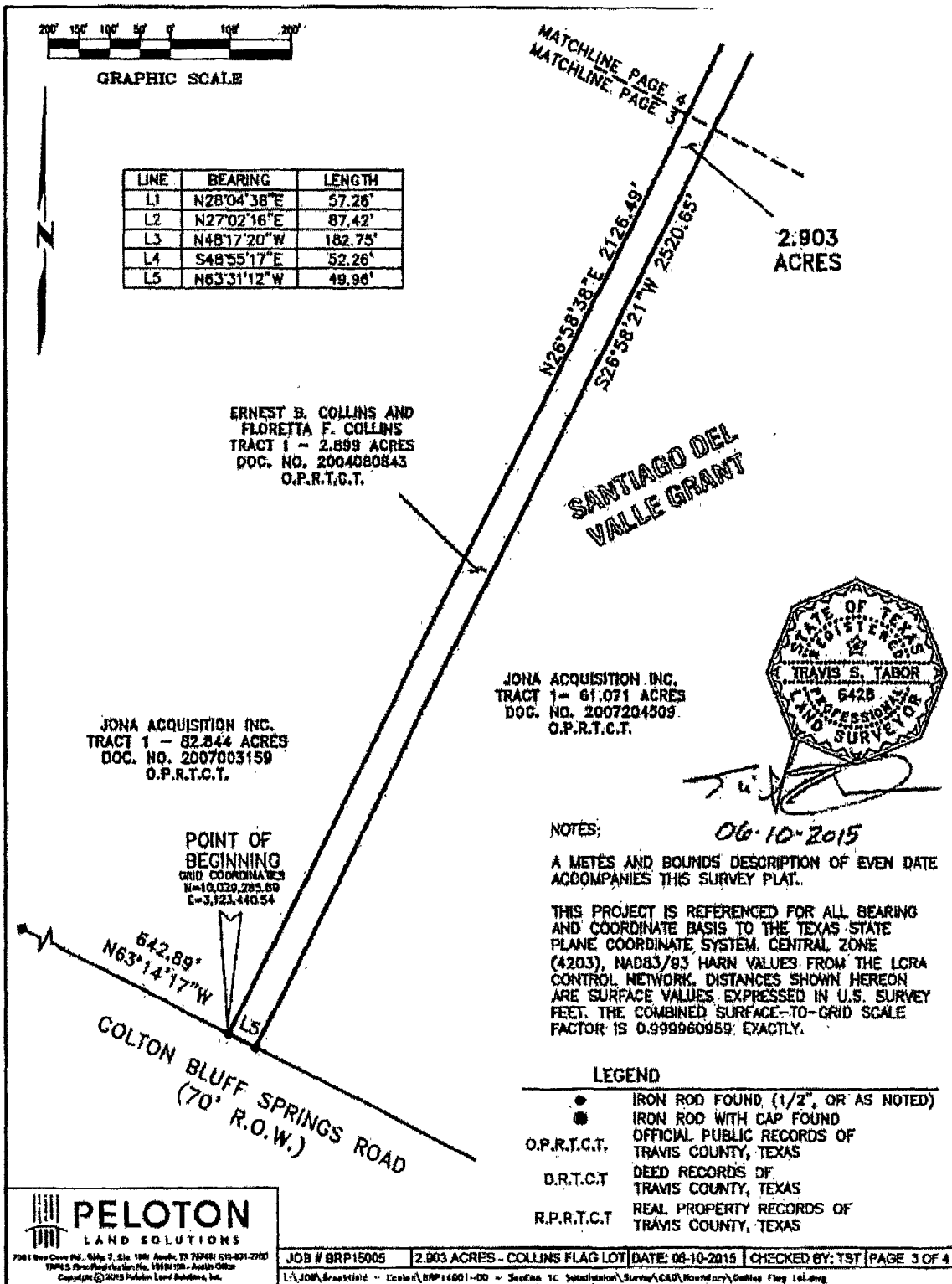
All bearings and coordinates shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83/93 HARN values from the LCRA control network. All distances shown hereon are surface values represented in U.S. Survey Feet and may be converted to grid by multiplying by a combined adjustment factor of 0.999960959.

This property description is accompanied by a separate plat of even date.

Surveyed on the ground the 10th day of June 2015




Travis S. Tabor, RPLS 6428
Peloton Land Solutions
7004 Bee Cave Road
Building 2, Suite 100
Austin, Texas 78746
(512) 831-7700
TBPLS Firm No. 10194108



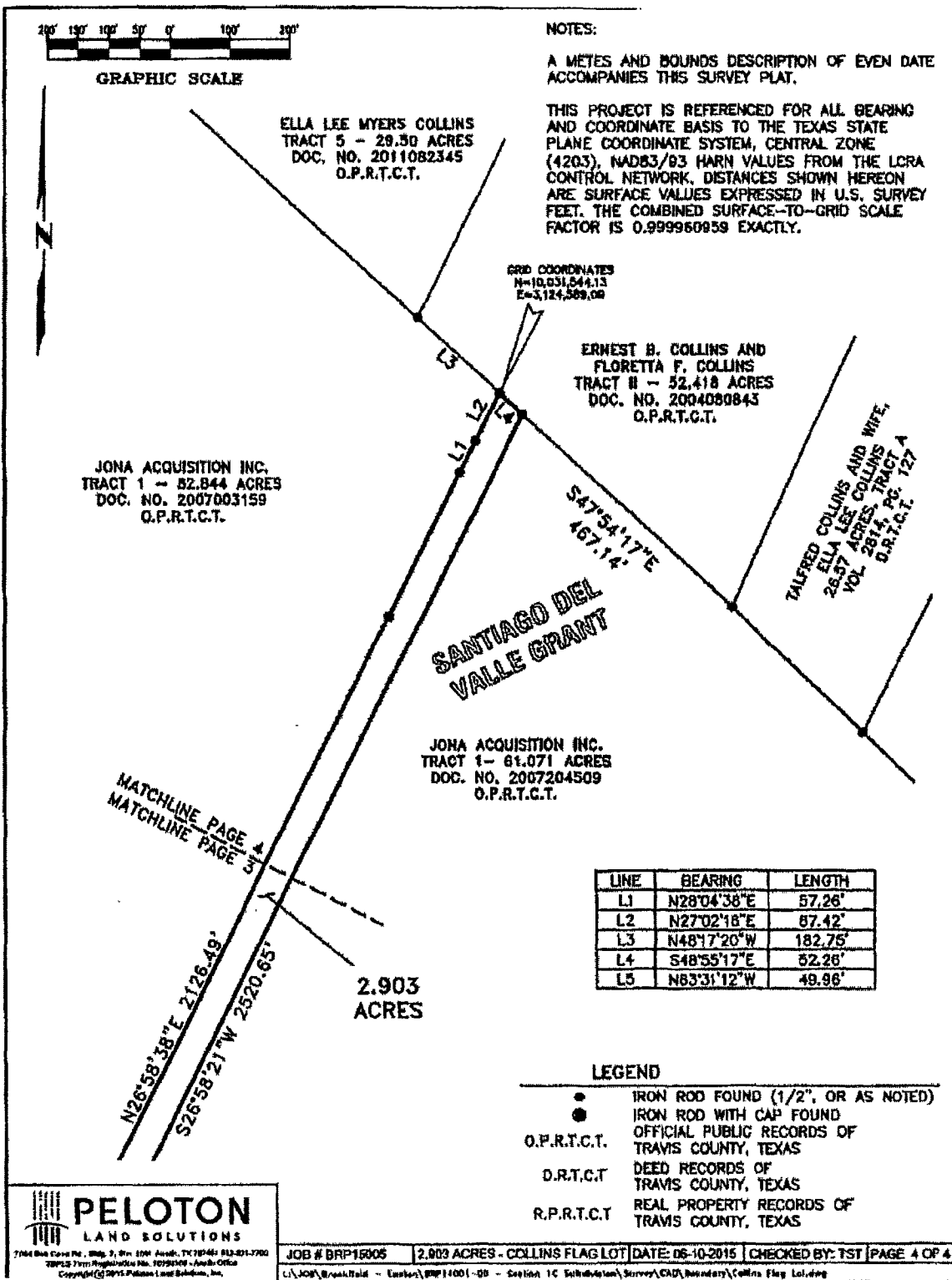


EXHIBIT B

Exceptions

- a. Easement:
Recorded: Volume 429, Page 406, Deed Records, Travis County, Texas.
To: Shell Pipe Line Corporation
Purpose: Pipe Line
- b. Easement:
Recorded: Volume 649, Page 378, Deed Records, Travis County, Texas.
To: Lower Colorado River Authority
Purpose: Electric
- c. Easement:
Recorded: Volume 659, Page 351, Deed Records, Travis County, Texas.
To: City of Austin
Purpose: Electric
- d. Easement:
Recorded: Volume 1021, Page 84, Deed Records, Travis County, Texas.
To: Humble Pipe Line Company
Purpose: Pipe Line
- e. Easement:
Recorded: Volume 9992, Page 432, Real Property Records, Travis County, Texas.
To: City of Austin
Purpose: Water Line
- f. Easement:
Recorded: Document No. 2010166395, Official Public Records, Travis County, Texas.
To: City of Austin
Purpose: Water Line
- g. Terms, Conditions, and Stipulations in the Agreement:
Recorded: Document No. 2010004740, Official Public Records, Travis County, Texas.
Type: Right of Entry and Possession
- h. Mineral and/or royalty interest in and to all coal, lignite, oil, gas and other minerals; together with all rights incident thereto:
Recorded: Volume 655, Page 201, Deed Records, Travis County, Texas.
- j. Any and all portion of the subject property lying within the boundaries of a public or private roadway.
- k. Any visible and apparent easement, either public or private, located on or across the land, the existence of which is not disclosed by the Public Records as herein defined.
- p. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.

Exhibit B -- Page 1

2109319.1



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

June 24 2015 01:28 **038**

FEE \$ 54 00 2015099700



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS §

THAT, Sharon Patricia Huegele ("Huegele") and Beverly Diane Bennett ("Bennett"), both individually and as Co-Independent Executors of the Estate of Marie D. Feuerbacher, Deceased (Huegele and Bennett, in all such capacities, collectively referred to herein as "Grantor"), for and in consideration of the sum of \$10.00 cash in hand paid by Jona Acquisition Inc., a Texas corporation ("Grantee"), whose address is c/o E. Scott Lineberry, DuBois, Bryant & Campbell, L.L.P., 700 Lavaca, Suite 1300, Austin, Texas 78701, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, those certain tracts of real property situated in Travis County, Texas, and described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Land") and all buildings, fixtures and other improvements located on the Land, if any, together with all and singular the rights, privileges, hereditaments, and appurtenances pertaining to such real property, including, but not limited to, any right, title and interest of Grantor in and to any and all mineral interests of whatever nature, producing or nonproducing, relating to said tract, including, but not limited to, rights of Grantor under any and all oil and gas leases covering said tract (collectively, the "Property").

For the same consideration, Grantor has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, without warranty, express or implied, all interest of Grantor, if any, in (1) strips and gores, if any, within the Property or between the Property and any abutting properties, whether owned or claimed by deed, limitations or otherwise, and whether located inside or outside the Property; and (2) any land lying in or under the bed of any creek, stream or waterway or any highway, avenue, street, road, alley, easement or right of way, open or proposed, in, or across, abutting or adjacent to the Property.

This conveyance is being made by Grantor and accepted by Grantee subject only to those certain title exceptions set forth in Exhibit "B" attached hereto and made a part hereof for all purposes, but only to the extent that such exceptions are valid, existing, and, in fact, affect the Property.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, to Grantee and Grantee's successors and assigns forever; and subject only to the exceptions set forth on the attached Exhibit "B", Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend, all and singular, the Property unto the Grantee and Grantee's successors and assigns, against every person whomsoever

lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED to be effective the 7th day of November, 2007.

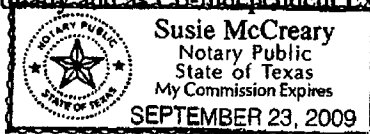
GRANTOR:

Sharon Patricia Huegele
SHARON PATRICIA HUEGELE, individually and as
Co-Independent Executor of the Estate of
Marie D. Feuerbacher, Deceased

Beverly Diane Bennett
BEVERLY DIANE BENNETT, individually and as
Co-Independent Executor of the Estate of
Marie D. Feuerbacher, Deceased

STATE OF TEXAS)
COUNTY OF TRAVIS)

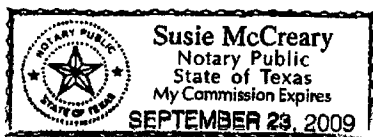
This instrument was acknowledged before me on November 7, 2007 by Sharon Patricia Huegele, individually and as Co-Independent Executor of the Estate of Marie D. Feuerbacher, Deceased.



Susie McCreary
Notary Public, State of Texas

STATE OF TEXAS)
COUNTY OF TRAVIS)

This instrument was acknowledged before me on November 7, 2007 by Beverly Diane Bennett, individually and as Co-Independent Executor of the Estate of Marie D. Feuerbacher, Deceased.



Susie McCreary
Notary Public, State of Texas

After Recording, Return to:

c/o E. Scott Lineberry
DuBois, Bryant & Campbell, L.L.P.
700 Lavaca, Suite 1300
Austin, Travis County, Texas 78701

EXHIBIT A

The Land

Tract 1: Being a 61.071 acre tract or parcel of land, more or less, being out of and a part of the Santiago Del Valle Grant, in Travis County, Texas, being more particularly described by metes and bounds in Exhibit "A-1" attached hereto and made a part hereof.

Tract 2: Being a 67.339 acre tract or parcel of land, more or less, being out of and a part of the Santiago Del Valle Grant, in Travis County, Texas, being more particularly described by metes and bounds in Exhibit "A-2" attached hereto and made a part hereof.



EXHIBIT "A-1"

**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**61.071 ACRES (TRACT 18)
SANTIAGO DEL VALLE GRANT**

A DESCRIPTION OF 61.071 ACRES IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A 63 ACRE TRACT CONVEYED BY INDEPENDENT EXECUTOR'S SPECIAL WARRANTY DEED TO MARIE D. FEUERBACHER, DATED OCTOBER 23, 2003 AND RECORDED UNDER DOCUMENT NO. 2003268689 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND DESCRIBED IN VOLUME 3838, PAGE 1434 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 61.071 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found at the southwest corner of the said 63 acre tract, same being the southeast corner of a 2.899 acre tract described in a deed of record in Document No. 2004080843 of the Official Public Records of Travis County, Texas, also being in the north right-of-way line of Colton Bluff Springs Road (70' right-of-way), from which a 1/2" rebar found bears North 63°34'23" West, a distance of 49.99 feet;

THENCE North 26°58'22" East, with the west line of the 63 acre tract, same being the east line of the said 2.899 acre tract, a distance of 2520.59 feet to a 1/2" rebar found at the northwest corner of the 63 acre tract, same being the northeast corner of the 2.899 acre tract, also being in the south line of a 52.418 acre tract also described in the said deed of record in Document No. 2004080843, from which a 1/2" rebar found bears North 48°47'21" West, a distance of 52.36 feet;

THENCE South 47°55'49" East, with the north line of the 63 acre tract, same being the south line of the said 52.418 acre tract, a distance of 467.09 feet to a 1/2" rebar found at the southeast corner of the 52.418 acre tract, same being the southwest corner of a 26.57 acre tract described in a deed of record in Volume 2814, Page 127 of the Deed Records of Travis County, Texas;

THENCE South 46°39'23" East, continuing with the north line of the 63 acre tract, same being the south line of the said 26.57 acre tract, the south line of a 29.02 acre tract described in a deed of record in Volume 7967, Page 611 of the Deed Records of Travis County, Texas, and the south line of a 380.080 acre tract described in a deed of record in Volume 12791, Page 11 of the Real Property Records of Travis County, Texas, at a distance of 299.35 feet passing a 1/2" rebar found at the common corner of the 26.57 acre tract and the said 29.02 acre tract, and continuing for a total distance of 712.33 feet to a 1/2" rebar with cap set for the northeast corner of the 63 acre tract, same being a southwest corner of the said 380.080 acre tract;

THENCE South 26°38'45" West, with the east line of the 63 acre tract, same being the west line of the 380.080 acre tract, the west line of a 138.540 acre tract described in a deed of record in Document No. 2007038642 of the Official Public Records of Travis County, Texas, and the north right-of-way line of Colton Bluff Springs Road, at a distance of 120.93 feet passing a 3/4" iron pipe found at the southwest common corner of the 380.080 acre tract and the said 138.540 acre tract, from which a 3/4" iron pipe found bears South 47°44'05" East, a distance of 309.95 feet, at a distance of 1193.23 feet passing a 1/2" rebar with "Chaparral Boundary" cap found at the southwest corner of the 138.540 acre tract, same being an angle point the north right-of-way line of Colton Bluff Springs Road, from which a 1/2" rebar with "Chaparral Boundary" cap found bears South 47°54'15" East, a distance of 419.77 feet, and continuing with the north right-of-way line of Colton Bluff Springs Road, for a total distance of 1587.90 feet to a 1/2" rebar with cap set for a point of curvature in the north right-of-way line of Colton Bluff Springs Road, as described in a deed to Travis County, of record in Volume 1338, Page 425 of the Deed Records of Travis County, Texas;

THENCE crossing the 63 acre tract, with the north right-of-way line of Colton Bluff Springs Road, as described in the following four (4) courses and distances:

1. Along a curve to the left, having a radius of 394.30 feet, a delta angle of 15°43'21", an arc length of 108.20 feet, and a chord which bears South 34°57'17" West, a distance of 107.86 feet to a 1/2" rebar with cap set for a point of tangency, from which a 1/2" rebar with "Chaparral Boundary" cap found bears South 62°54'23" East, a distance of 70.00 feet, also from which another 1/2" rebar with "Chaparral Boundary" cap found bears South 62°54'23" East, a distance of 70.00 feet and North 79°36'49" East, a chord distance of 514.71 feet;
2. South 27°05'37" West, a distance of 181.15 feet to a 1/2" rebar with cap set for a point of curvature, from which a 5/8" rebar found bears South 62°54'23" East, a distance of 70.00 feet, also from which a 1/2" rebar with "Chaparral Boundary" cap found bears South 62°54'23" East, a distance of 70.00 feet and South 32°45'01" West, a chord distance of 77.73 feet;
3. Along a curve to the right, having a radius of 324.30 feet, a delta angle of 72°04'25", an arc length of 407.94 feet, and a chord which bears South 63°07'47" West, a distance of 381.57 feet to a 1/2" rebar with cap set;
4. North 69°11'02" West, a distance of 103.70 feet to a 1/2" rebar with cap set in the south line of the 63 acre tract, from which a 1/2" rebar found bears South 53°31'22" East, a distance of 356.63 feet, also from which another 1/2" rebar found bears North 72°54'09" West, a distance of 417.54 feet;

THENCE North $63^{\circ}15'05''$ West, with the north right-of-way line of Colton Bluff Springs Road, same being the south line of the 63 acre tract, a distance of 799.89 feet to the **POINT OF BEGINNING**, containing 61.071 acres of land, more or less.

Surveyed on the ground May 2007. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 500-001-BD18. Caps placed on set rebars are plastic, stamped "Chaparral Boundary"



7-27-07

James Redmon
Registered Professional Land Surveyor
State of Texas No. 5848

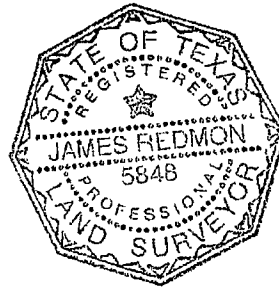




EXHIBIT "A-2"

**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**67.339 ACRES (TRACT 24)
SANTIAGO DEL VALLE GRANT**

A DESCRIPTION OF 67.339 ACRES IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 68.81 ACRE TRACT CONVEYED BY INDEPENDENT EXECUTOR'S SPECIAL WARRANTY DEED TO MARIE D. FEUERBACHER, DATED OCTOBER 23, 2003 AND RECORDED UNDER DOCUMENT NO. 2003268689 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND DESCRIBED IN VOLUME 3838, PAGE 1434 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 67.339 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with plastic "Chaparral Boundary" cap found in the southwest right-of-way line of Colton Bluff Springs Road (right-of-way width varies) at the northeast corner of said 68.81 acre tract, being also the northwest corner of an 81.018 acre tract, conveyed in a deed of record under Document No. 2006246454 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar with plastic "Chaparral Boundary" cap found in the north line of the said 81.018 acre tract, in the southwest right-of-way line of Colton Bluff Springs Road, bears South 47°57'35" East, a distance of 305.77 feet;

THENCE South 28°11'21" West, with the common line of the 68.81 acre tract and the 81.018 acre tract, a distance of 2163.87 feet to a 1/2" rebar found for the southeast corner of the said 68.81 acre tract, being also the southwest corner of the 81.018 acre tract, and in the north line of a 103.415 acre tract of land conveyed in a deed of record in Document No. 2006224021 of the Official Public Records of Travis County, Texas, from which a 1/2" rebar with plastic "Chaparral Boundary" cap found for the southeast corner of the said 81.018 acre tract bears, South 61°38'29" East, a distance of 1699.74 feet;

THENCE North 61°39'29" West, along the common line of the said 68.81 acre tract and the said 103.415 acre tract, passing at a distance of 1244.04 feet a 1/2" rebar found, and continuing for a total distance of 1246.35 feet to a calculated point, for the southwest corner of the 68.81 acre tract, being also the northwest corner of the said 103.415 acre tract, being also in the east line of a 198.302 acre tract of land conveyed in a deed of record in Document No. 2006244772, of the Official Public Records of Travis County, Texas, from which a 1/2" rebar found for the southwest corner of the said 103.415 acre tract bears, South 27°20'10" West, a distance of 1687.27 feet;

THENCE North 27°20'10" East, along the common line of the said 68.81 acre tract, and the said 198.302 acre tract, a distance of 2479.45 feet to a 1/2" rebar found at the northwest corner of the 68.81 acre tract, being also the northeast corner of the 198.302

acre tract, and in the southwest right-of-way line of Colton Bluff Springs Road, from which a 1/2" rebar with plastic "Chaparral Boundary" cap found bears, North 47°51'59" West, a distance of 1576.87 feet;

THENCE South 47°51'59" East, along the common line of the 68.81 acre tract and the southwest right-of-way line of Colton Bluff Springs Road, a distance of 1322.23 feet to the **POINT OF BEGINNING**, containing 67.339 acres of land, more or less.

Surveyed on the ground May 2007. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 500-001-BD24. . Caps placed on set rebars are plastic, stamped "Chaparral Boundary"



James Redmon
Registered Professional Land Surveyor
State of Texas No. 5848

5-31-07

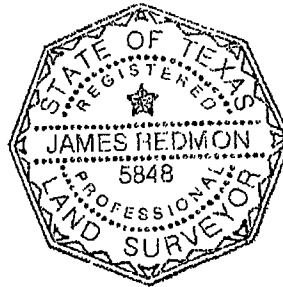


EXHIBIT B

Permitted Exceptions

None.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2007 Nov 08 09:32 AM 2007204509

ESPINOZAC \$52.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

EXHIBIT 8



Office of the Secretary of State

**CERTIFICATE OF AMENDMENT
OF**

Carma Easton Inc.
800551600

[formerly: Jona Acquisition Inc.]

The undersigned, as Secretary of State of Texas, hereby certifies that the attached Articles of Amendment for the above named entity have been received in this office and have been found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Amendment.

Dated: 03/11/2009
Effective: 03/11/2009



A handwritten signature in black ink, appearing to read "Hope Andrade".

Hope Andrade
Secretary of State

**ARTICLES OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION
OF
JONA ACQUISITION INC.**

FILED
In the Office of the
Secretary of State of Texas
MAR 11 2009
Corporations Section

Pursuant to the provisions of Article 4.04 of the Texas Business Corporation Act, Jona Acquisition, Inc., a Texas corporation (the "Corporation"), adopts the following amendment to the Articles of Incorporation of the Corporation:

FIRST

The name of the Corporation is Jona Acquisition Inc.

SECOND

On February 27, 2009, the directors of the Corporation executed a written consent setting forth the following amendment to the Articles of Incorporation of the Corporation and directing that such amendment be submitted to the sole shareholder of the Corporation for approval and adoption:

ARTICLE ONE of the Corporation's Articles of Incorporation is amended in its entirety to read as follows:

"The name of the Corporation is Carma Easton Inc."

THIRD

The above amendment to the Articles of Incorporation was adopted by the sole shareholder of the Corporation on February 27, 2009.

FOURTH

The number of shares of the Corporation outstanding and entitled to vote at the time of adoption of the foregoing amendment was 1,000 shares of the Corporation's common stock, \$.01 par value.

FIFTH

The holder of all the issued and outstanding shares of the Corporation entitled to vote on the foregoing amendment executed a written consent approving and adopting such amendment.

IN WITNESS WHEREOF, the undersigned has caused these Articles of Amendment to be executed as of February 27, 2009.

JONA ACQUISITION INC.

By: DAVID C. HARVE
Name: DAVID C. HARVE
Title: SENIOR VICE-PRESIDENT

FILED
In the Office of the
Secretary of State of Texas
DEC 28 2011

Corporations Section

CERTIFICATE OF CONVERSION
OF
CARMA EASTON INC.
(a corporation)
INTO
CARMA EASTON LLC
(a limited liability company)

Pursuant to the provisions of Article 2.15 of the Texas Revised Corporation Act (the "Act"), the undersigned Texas corporation, Carma Easton Inc. (the "Converting Entity"), adopts the following Certificate of Conversion for the purpose of converting Carma Easton LLC, a Texas limited liability company (the "Converted Entity") and hereby certified as follows:

FIRST: The name of the Converting Entity is Carma Easton Inc. The Converting Entity is a limited liability company. The jurisdiction of formation of the Converting Entity is Texas. The date of formation of the Converting Entity is September 29, 2005, and the file number issued to the Converting Entity by the Secretary of State is 800551600.

SECOND: The Converting Entity plans to convert into the Converted Entity. The Converted Entity will be named Carma Easton LLC and will be a limited liability company formed under the laws of the State of Texas. A Plan of Conversion (the "Plan") has been approved by the Converting Entity.

THIRD: An executed Plan is on file at the principal place of business of the Converting Entity. The address of the principal place of business of the Converting Entity is 9737 Great Hills Trail, Suite 260, Austin, Texas 78759. An executed Plan will be on file, from and after the conversion, at the principal place of business of the Converted Entity. The address of the principal place of business of the Converted Entity will be 9737 Great Hills Trail, Suite 260, Austin, Texas 78759.

FOURTH: A copy of the Plan will be furnished by the Converting Entity (prior to the conversion) or by the Converted Entity (after the conversion), on written request and without cost, to any partner of the Converting Entity or any member of the Converted Entity.

FIFTH: The Converted Entity is a Texas limited liability company. The Certificate of Formation of the Converted Entity is attached to this Certificate as Exhibit A hereto.

SIXTH: The approval of the Plan was duly authorized by all action required by the laws under the the Converting Entity was incorporated, formed or organized and by its constituent documents.

SEVENTH: This document becomes effective on December 31, 2011.

EIGHTH: The converted entity acknowledges that it will be responsible for all Texas franchise tax obligations of the converting entity.

[signature page follows]

EXECUTED the 7th day of December, 2011.

CARMA EASTON INC.

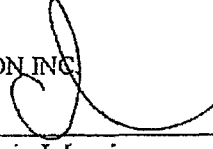
By: 
Name: Craig J. Laurie
Title: Chief Financial Officer

EXHIBIT A
CERTIFICATE OF FORMATION
OF CONVERTED ENTITY

FILED
In the Office of the
Secretary of State of Texas
DEC 28 2011
Corporations Section

**CERTIFICATE OF FORMATION
OF CARMA EASTON LLC
A Texas Limited Liability Company**

The undersigned hereby adopts the following Certificate of Formation for Carma Easton LLC, a Texas limited liability company (the "Company"). The Company is being formed pursuant to the Plan of Conversion of Carma Easton Inc., a Texas corporation with a principal place of business at 9737 Great Hills Trail, Suite 260, Austin, Texas 78759, originally formed on September 29, 2005, and assigned the filing number 800551600.

ARTICLE ONE.

The name of the Company is Carma Easton LLC.

ARTICLE TWO.

The Company is a domestic limited liability company.

ARTICLE THREE.

The Company is organized for the purposes of transacting any and all lawful business for which limited liability companies may be organized under the TBOC.

ARTICLE FOUR.

The address of the initial registered office of the Company is 800 Brazos, Suite 400 , Austin, Texas 78701 and the name of the initial registered agent of the Company at that address is Capitol Corporate Services, Inc.

ARTICLE FIVE.

The Company is to be managed by its member and shall have no managers. The name and address of the initial member are as follows:

Brookfield Residential (Texas) LLC
9737 Great Hills Trail, Suite 260
Austin, Texas 78759

ARTICLE SIX.

A member of the Company shall not be liable to the Company or its other members for monetary damages for an act or omission in the member's capacity as a member, except that this Article Six does not eliminate or limit the liability of a member to the extent the member is found liable for (i) a breach of the member's duty of loyalty to the Company or its members; (ii) an act or omission not in good faith that constitutes a breach of duty of the member to the Company or an act or omission that involves intentional misconduct or a knowing violation of the law; (iii) a transaction from which the member received an improper benefit, whether or not the benefit resulted from an action taken within the scope of the member's office; (iv) an act or omission for which the liability of a member is expressly provided in an applicable statute.

transaction from which the member received an improper benefit, whether or not the benefit resulted from an action taken within the scope of the member's office; (iv) an act or omission for which the liability of a member is expressly provided in an applicable statute.

Any repeal or amendment of this Article Six by the member of the Company shall be prospective only and shall not adversely affect any limitation on the liability of a member of the Company existing at the time of such repeal or amendment. In addition to the circumstances in which the member of the Company is not liable as set forth in the preceding sentences, the member shall not be liable to the fullest extent permitted by any provision of the statutes of Texas hereafter enacted that further limits the liability of a member.

ARTICLE SEVEN.

The name and address of the sole organizer of the Company are:

Robin Rutherford
Brookfield Homes Services LLC
12865 Pointe Del Mar Way, Suite 200
Del Mar, California 92014

IN WITNESS WHEREOF, this Certificate of Formation has been executed to be effective as of December 31, 2011.

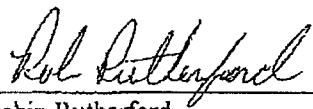
SOLE ORGANIZER



Robin Rutherford

DISCLAIMER

I, the undersigned organizer of Carma Easton LLC, a limited liability company to be organized in the State of Texas, do hereby disclaim any and all interests in said limited liability company.



Robin Rutherford

Form 401-A
(Revised 12/09)



Acceptance of Appointment
and
Consent to Serve as Registered Agent
§5.201(b) Business Organizations Code

The following form may be used when the person designated as registered agent in a registered agent filing is an individual

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I acknowledge, accept and consent to my designation or appointment as registered agent in Texas for		
<i>Name of represented entity</i> I am a resident of the state and understand that it will be my responsibility to receive any process, notice, or demand that is served on me as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if I resign.		
X:	<i>Signature of registered agent</i>	<i>Printed name of registered agent</i> <i>Date (mm/dd/yyyy)</i>

The following form may be used when the person designated as registered agent in a registered agent filing is an organization.

<u>Acceptance of Appointment and Consent to Serve as Registered Agent</u>		
I am authorized to act on behalf of <u>Capitol Corporate Services, Inc.</u>		
<i>Name of organization designated as registered agent</i> The organization is registered or otherwise authorized to do business in Texas. The organization acknowledges, accepts and consents to its appointment or designation as registered agent in Texas for: <u>Carma Easton LLC</u>		
<i>Name of represented entity</i> The organization takes responsibility to receive any process, notice, or demand that is served on the organization as the registered agent of the represented entity; to forward such to the represented entity; and to immediately notify the represented entity and submit a statement of resignation to the Secretary of State if the organization resigns.		
X:	<i>Signature of person authorized to act on behalf of organization</i> 	<i>Printed name of authorized person</i> <i>Date (mm/dd/yyyy)</i> Krista Ali, Asst. Secretary on behalf of Capitol Corporate Services, Inc. 12/28/2011