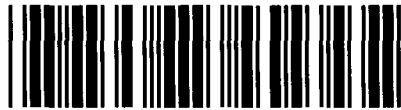




Control Number: 46867



Item Number: 1

Addendum StartPage: 0

# COATS | ROSE

*A Professional Corporation*

RECEIVED

46867

MINDY L. KOEHNE

2017 FEB 17 AM 9:26

mkoehne@coatsrose.com  
Direct Dial  
(972) 982-8461

PUBLIC UTILITY COMMISSION  
FILING CLERK

February 16, 2017

VIA FEDERAL EXPRESS

Filing Clerk  
Public Utility Commission of Texas  
Central Records  
1701 N. Congress, Suite 8-100  
Austin, Texas 78701

Re: Petition for Expedited Release from Water Certificate of Convenience held by  
Marilee Special Utility District

To Whom It May Concern:

Enclosed for filing please find the original and nine copies of a three Petitions for Expedited Release from Water Certificate of Convenience and Necessity held by Marilee Special Utility District. I have also enclosed seven CDs of each mapping of the property and seven hard copies of all of each property. Please direct all communications regarding this matter to me. Thank you.

Very truly yours,



Mindy L. Koehne *by MSM*

Enclosures

14755 Preston Road, Suite 600, Dallas, Texas 75254  
Phone: (972) 788-1600 Fax (972) 702-0662  
Web [www.coatsrose.com](http://www.coatsrose.com)

HOUSTON | AUSTIN | DALLAS | SAN ANTONIO | NEW ORLEANS

4845-5086-6499.v1

1884

AFFIDAVIT

THE STATE OF TEXAS

§

COUNTY OF DALLAS

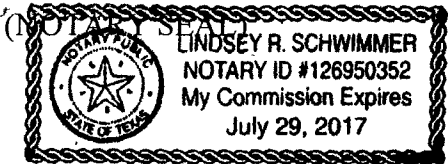
§

I, Melisa Montague, the undersigned, hereby state that on February 16, 2017, I mailed via certified/return receipt U.S. Mail the attached true and correct copy of three (3) Petitions for Expedited Release from Water Certificate of Convenience and Necessity to Marilee Special Utility District at 230 West Pecan Street, Celina, Texas 75009.

Melisa Montague  
Affiant

SWORN TO AND SUBSCRIBED BEFORE ME this the 16<sup>th</sup> day of February, 2017.

[Signature]  
Notary Public in and for the State of Texas



**PETITION FOR EXPEDITED RELEASE  
FROM WATER CERTIFICATE OF CONVENIENCE AND NECESSITY**

THE STATE OF TEXAS §

COUNTY OF COLLIN §

TO THE HONORABLE PUBLIC UTILITY COMMISSION OF TEXAS:

The undersigned, Celina Partners, Ltd. (herein the "Petitioner"), hereby files this Petition for Expedited Release from Water Certificate of Convenience and Necessity pursuant to Section 13.254(a-5), Texas Water Code. Petitioner respectfully requests that the Public Utility Commission of Texas (the "Commission") release approximately 297.09 acres of land owned by Petitioner from water Certificate of Convenience and Necessity ("CCN") No. 10150, held by Marilee Special Utility District.

I.

Petitioner owns approximately 297.09 acres of land (the "Property"), which is at least 25 contiguous acres, located in Collin County. A metes and bounds description of the Property is attached hereto as Exhibit "A." A map showing the location of the Property is attached hereto as Exhibit "B." A deed showing ownership of the Property by Petitioner is attached hereto as Exhibit "C."

II.

The Property is located wholly within water CCN No. 10150. The Property is not receiving water service from the holder of the CCN, Marilee Special Utility District.

III.

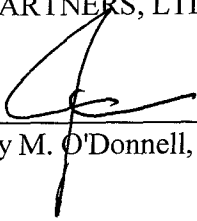
Petitioner therefore respectfully requests that the Commission grant this petition and release the land identified herein from water CCN No. 10150, as provided by Section 13.254(a-6), Texas Water Code and 16 Texas Administrative Code, Section 24.113(r).

[EXECUTION PAGE FOLLOWS]

RESPECTFULLY SUBMITTED, the 10<sup>th</sup> day of February, 2017.

PETITIONER:

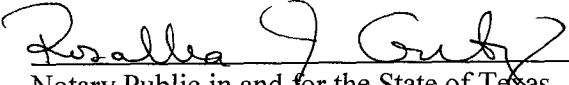
CELINA PARTNERS, LTD.

By:   
Jody M. O'Donnell, Partner

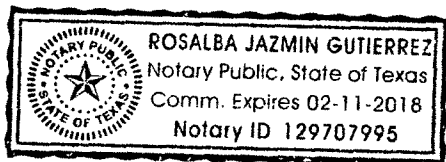
THE STATE OF TEXAS §

COUNTY OF Dallas §

This instrument was acknowledged before me on the 10<sup>th</sup> day of February, 2017, by Jody M. O'Donnell, Partner, on behalf of Celina Partners, Ltd.

  
Notary Public in and for the State of Texas

(NOTARY SEAL)



## EXHIBIT "A"

### PROPERTY DESCRIPTION

**BEING** a tract of land situated in the B. B. B. & C. RR. Company Survey, Abstract No. 130, John Culwell Survey, Abstract No. 208 and the Hezekiah, Culwell Survey, Abstract No. 186, Collin County, Texas, and being all of a called 92.315 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 4516, Page 1563, Land Records of Collin County, Texas and a portion of a called 93.492 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 4801, Page 1372, Land Records of Collin County, Texas, a portion of a called 160.635 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 5023, Page 2451, Land Records of Collin County, Texas, all of a called 0.432 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 4817, Page 2629, Land Records of Collin County, Texas, and a portion of a called 86.076 acre tract of land, conveyed to Celina Partners, Ltd., as evidenced in a Deed, recorded in Volume 5144, Page 3554, Land Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at the northeast corner of said 86.076 acre tract, same being in the approximate centerline of a gravel road, known as County Road 133;

**THENCE** South 01°13'49" East, along the easterly line of said 86.076 acre tract and generally along the centerline of said County Road 133, a distance of 536.86 feet to a corner;

**THENCE** South 88°46'11" West, departing the easterly line of said 86.076 acre tract, the centerline of said County Road 133 and crossing said 86.076 acre tract, a distance of 120.00 feet to a corner;

**THENCE** South 01°13'49" East, continuing across said 86.076 acre tract, a distance of 363.00 feet to a corner;

**THENCE** North 88°46'11" East, continuing across said 86.076 acre tract, a distance of 120.00 feet to a corner on the easterly line of said 86.076 acre tract, same being on the approximate centerline of said County Road 133;

**THENCE** South 01°13'49" East, along the easterly line of said 86.076 acre tract and generally along the centerline of said County Road 133, a distance of 324.17 feet to the southeast corner of said 86.076 acre tract, same being the northeast corner of aforesaid 92.315 acre Celina Partners, Ltd., tract;

**THENCE** South 01°09'05" East, along the easterly line of said 92.315 acre tract, a distance of 1,518.05 feet to the southeast corner of said 92.315 acre tract;

**THENCE** in a westerly direction, along the southerly line of said 92.315 acre tract, the following:

North 79°16'29" West, a distance of 434.44 feet to a corner;

South 78°59'25" West, a distance of 597.70 feet to a corner;

North 81°38'35" West, a distance of 271.40 feet to a corner;

South 51°24'25" West, a distance of 170.70 feet to a corner;

North 82°43'22" West, a distance of 682.32 feet to the most southerly, southwest corner of said 92.315 acre tract, same being on the southeasterly line of aforesaid 93.492 acre Celina Partners, Ltd., tract;

**THENCE** in a southwesterly direction, along the southeasterly line of said 93.492 acre tract, the following:

South 38°13'03" West, a distance of 353.71 feet to a corner;

South 57°30'27" West, a distance of 110.51 feet to a corner;

South 74°52'15" West, a distance of 187.74 feet to a corner;

South 22°17'00" West, a distance of 156.04 feet to the northeast corner of a called 76.551 acre tract of land, conveyed to Legacy Stables LLC, as evidenced in a Deed, recorded in Volume 5045, Page 190, Land Records of Collin County, Texas;

**THENCE** in a southwesterly direction, along the southerly line of said 93.492 acre tract and along the northerly line of said 76.551 acre tract, the following:

South 33°58'00" West, a distance of 256.39 feet to a corner;

North 84°57'58" West, a distance of 122.08 feet to a corner;

North 69°41'36" West, a distance of 106.63 feet to a corner;

South 58°12'43" West, a distance of 293.75 feet to a corner;

North 62°08'53" West, a distance of 198.86 feet to a corner;

South 79°57'41" West, a distance of 285.00 feet to a corner;

South 39°38'11" East, a distance of 195.00 feet to a corner;

South 20°16'16" East, a distance of 99.40 feet to a corner;

South 06°37'09" West, a distance of 75.27 feet to a corner;

South 89°16'37" West, a distance of 1,059.04 feet to the southwest corner of said 93.492 acre tract, the northwest corner of said 76.551 acre tract and the southeast corner of aforesaid 0.432 acre tract;

**THENCE** North 89°02'05" West, along the southerly line of said 0.432 acre tract, a distance of 295.10 feet to the southwest corner of said 0.432 acre tract, same also being in the approximate centerline of a gravel road, known as County Road 132, and being the point of curvature of a non-tangent curve to the left;

**THENCE** in a northeasterly direction, along the northwesterly line of said 0.432 acre tract, the approximate centerline of said County Road 132, and along the arc of said curve to the left, through a central angle of 69°31'48", having a radius of 321.20 feet, a chord bearing of North 53°11'49" East, a



chord distance of 366.30 feet and an arc length of 389.79 feet to the northerly corner of said 0.432 acre tract, same being on the westerly line of said 93.492 acre tract and the easterly line of a called 166.407 acre tract of land, conveyed to Patricia Ann Miller, as evidenced in a Deed, recorded in County Clerk's File No. 96-0036768, Official Public Records of Collin County, Texas;

**THENCE** North 00°26'57" West, along the westerly line of said 93.492 acre tract, the easterly line of said 166.407 acre tract and along the approximate centerline of said County Road 132, a distance of 908.72 feet to a corner;

**THENCE** North 89°32'57" East, departing the westerly line of said 93.492 acre tract, the easterly line of said 166.407 acre tract, said County Road 132, and crossing said 93.492 acre tract, a distance of 230.02 feet to a corner;

**THENCE** North 00°27'03" West, continuing across said 93.492 acre tract, a distance of 200.00 feet to a corner;

**THENCE** South 89°32'57" West, continuing across said 93.492 acre tract, a distance of 230.02 feet to a corner on the westerly line of said 93.492 acre tract, easterly line of said 166.407 acre tract and the approximate centerline of said County Road 132;

**THENCE** North 00°26'57" West, along the westerly line of said 93.492 acre tract, the easterly line of said 166.407 acre tract and along the approximate centerline of said County Road 132, a distance of 738.72 feet to the northwest corner of said 93.492 acre tract;

**THENCE** North 84°52'21" East, along the northerly line of said 93.492 acre tract, a distance of 30.10 feet to the northwest corner of right of way acquisition to Collin County, Texas, recorded in Instrument No. 20120830001083660, Official Public Records of Collin County, Texas;

**THENCE** departing the northerly line of said 93.492 acre tract, crossing said 93.492 acre tract and along said Collin County right of way acquisition tract, the following:

South 00°27'03" East, a distance of 115.59 feet to the southwest corner of said Collin County right of way acquisition tract;

North 89°32'57" East, a distance of 13.75 feet to the southeast corner of said Collin County right of way acquisition tract;

North 03°37'40" East, a distance of 85.85 feet to a corner;

North 30°42'24" East, a distance of 38.83 feet to the northeast corner of said Collin County right of way acquisition tract, same being on the northerly line of said 93.492 acre tract;

**THENCE** North 84°52'22" East, along the northerly line of said 93.492 acre tract, a distance of 711.05 feet to the most westerly, southwest corner of aforesaid 92.315 acre Celina Partners, Ltd., tract, same being in a gravel road, known as County Road 131;

**THENCE** North 00°01'29" West, along the westerly line of said 92.315 acre tract, a distance of 688.68 feet to the northwest corner of said 92.315 acre tract, same being on the southerly line of aforesaid 160.635 acre Celina Partners, Ltd., tract;

**THENCE** North 00°11'16" West, crossing said 160.635 acre tract and along the easterly line of a tract of land, conveyed to Michael D. Reardon and Marilyn Reardon, as evidenced in a Deed, recorded in Instrument No. 20150107000021820, Official Public Records of Collin County, Texas and the easterly line of a tract of land, conveyed to Joseph McCormick and Kelli McCormick, as evidenced in a Deed, recorded in Instrument No. 20141003001085590, Official Public Records of Collin County, Texas, a distance of 821.74 feet to the northeast corner of said McCormick tract, same being on the southerly line of a tract of land, conveyed to Chi Chu Chan and Tsun Huei Chan, as evidenced in a Deed, recorded in Volume 5446, Page 427, Land Records of Collin County, Texas;

**THENCE** North 89°46'59" East, continuing across said 160.635 acre tract, along the southerly line of said Chan tract and the southerly line of a tract of land, conveyed to Michael E. Herbert, as evidenced in a Deed, recorded in Instrument No. 20112026001367720, Official Public Records of Collin County, Texas, a distance of 1,139.34 feet to the southeast corner of said Herbert tract, same being on the easterly line of said 160.635 acre tract and the westerly line of aforesaid 86.076 acre Celina Partners, Ltd., tract;

**THENCE** North 00°33'19" West, along the westerly line of said 86.076 acre tract, a distance of 202.79 feet to the northwest corner of said 86.076 acre tract;

**THENCE** North 89°15'05" East, along the northerly line of said 86.076 acre tract, a distance of 2,671.76 feet to the **POINT OF BEGINNING** and containing 297.09 acres of land, more or less.

# EXHIBIT "B"

## MAP OF PROPERTY

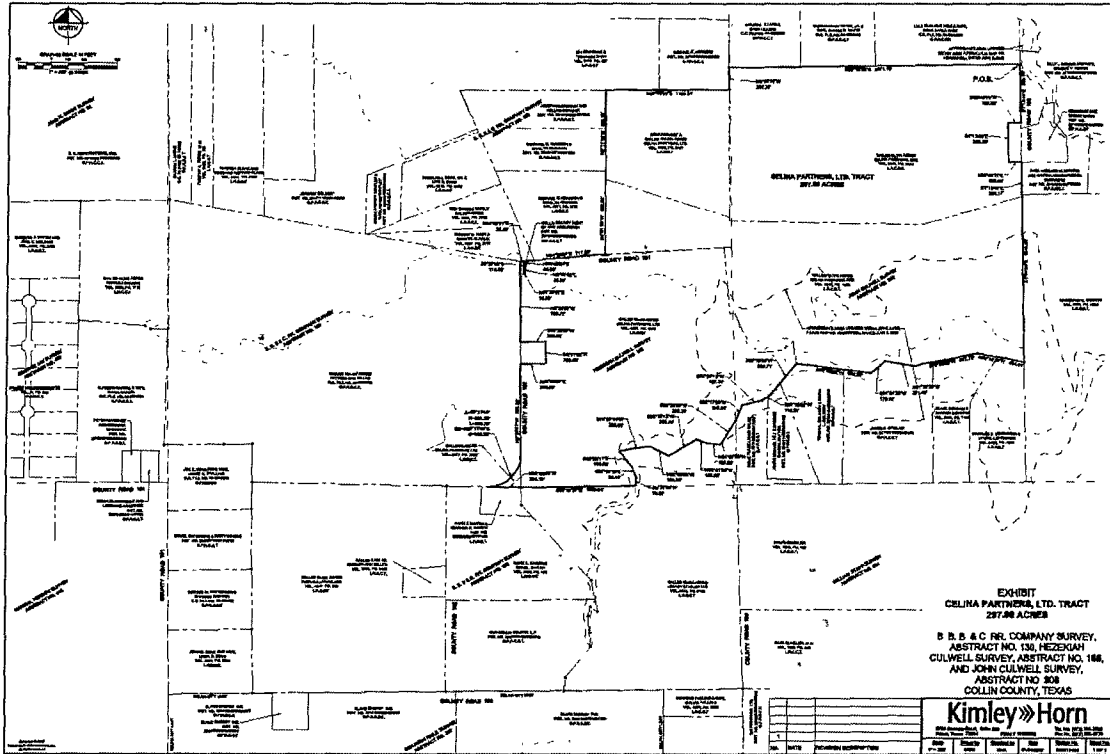


EXHIBIT "C"

DEED SHOWING OWNERSHIP

99- 0124602

**GENERAL WARRANTY DEED**  
**(92.315 Acres)**

04516 01563

STATE OF TEXAS {  
COUNTY OF COLLIN {  
KNOW ALL MEN BY THESE PRESENTS:

That Jody M. O'Donnell ("Grantor"), whose address is 1437 Halsey Way, Carrollton, Texas 75007-4410, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Celina Partners, Ltd., a Texas limited partnership ("Grantee"), whose mailing address is set forth hereinbelow, the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES HEREBY GRANT, BARGAIN, SELL and CONVEY, unto Grantee that certain tract of land located in Collin County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Property") together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in any way pertaining thereto; provided, however, this conveyance is made and accepted subject and subordinate to those matters set forth on Exhibit "B" attached hereto and incorporated herein by reference for all purposes (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind himself, Grantor's heirs, executors, personal representatives, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof; provided, however, the foregoing warranty of title (and any other warranty of title), which may be expressed or implied herein (or otherwise), is hereby expressly disclaimed as to any subsequent grantee other than the Grantee defined herein as the Grantee.

For the same consideration as provided herein, Grantor hereby conveys unto Grantee, all right, title and interest, if any, of Grantor in any and all strips and gores between the Property and abutting properties and any land lying in or under the bed of any street, avenue, alley, road or right-of-way, opened, closed or proposed, abutting or adjacent to the Property.

By acceptance of this General Warranty Deed (the "Deed"), Grantee assumes payment of all real property taxes and personal property taxes on the Property for the current year and subsequent years.

IN WITNESS WHEREOF, this Deed has been executed by Grantor as of the 1<sup>st</sup> day of December, 1998.

04516 01564

GRANTOR:

  
Jody M. O'Donnell

GRANTEE'S ADDRESS:

Celina Partners, Ltd.  
1437 Halsey Way  
Carrollton, Texas 75007-4410  
Attn: Mr. Jody M. O'Donnell

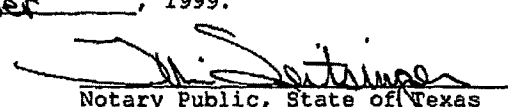
AFTER RECORDING,  
PLEASE RETURN TO:

Gerald D. Quast, P.C.  
3011 Montecito Drive  
Suite 200  
Denton, Texas 76205-8517  
Attn: Gerald D. Quast, President

STATE OF TEXAS                   S  
                                      S  
COUNTY OF DALLAS            S

BEFORE ME, the undersigned authority, on this day personally appeared Jody M. O'Donnell known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 21st day of September, 1999.

  
Notary Public, State of Texas

Notary's name printed:

Toni Seitsinger

My Commission expires: 3/2/2000

E:\166\1\QWD3

GENERAL WARRANTY DEED - Page 2



EXHIBIT "A"

04516 01565

BEING a tract of land situated in the Hezekiah Culwell Survey, Abstract No. 186, John Culwell Survey, Abstract No. 208 and the B.B.B. & C. RR Survey, Abstract No. 130, Collin County, Texas and also all of the tract conveyed to Phillip M. Green as recorded in Volume 670, Page 781 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set for corner at the Northeast corner of said Green tract in the intersection of County Road No. 133 and County Road No. 131 both being gravel roads;

THENCE South 0 degrees 26 minutes 58 seconds East following the general course of a wire fence a distance of 1517.90 feet to a point in a lake;

THENCE following the lake and creek the following calls:

North 78 degrees 33 minutes 31 seconds West 434.42 feet;  
South 79 degrees 42 minutes 23 seconds West 597.70 feet  
North 80 degrees 55 minutes 37 seconds West 271.40 feet  
South 52 degrees 07 minutes 23 seconds West 170.70 feet  
North 82 degrees 00 minutes 24 seconds West 682.32 feet  
North 07 degrees 01 minutes 38 seconds West 204.77 feet  
South 47 degrees 06 minutes 11 seconds West 122.09 feet  
South 86 degrees 27 minutes 40 seconds West 224.47 feet  
North 46 degrees 25 minutes 24 seconds West 126.42 feet  
North 26 degrees 04 minutes 21 seconds West 316.23 feet  
South 74 degrees 30 minutes 28 seconds West 36.57 feet  
to a point in the East line of J.J. Godbey tract as recorded in 95-0057583 of the County Clerk's Records of Collin County Texas;

THENCE North 05 degrees 24 minutes 15 seconds West following the East line of said Godbey tract a distance of 606.04 feet to a 1/2 inch iron set for corner in County Road No. 131;

THENCE South 87 degrees 35 minutes 45 seconds West following the North line of Godbey tract and County Road No. 131 a distance of 1097.27 feet to a 1/2 inch iron rod set for corner;

THENCE North 00 degrees 41 minutes 29 seconds East a distance of 688.68 feet to a steel fence post for corner;

THENCE South 72 degrees 19 minutes 33 seconds East a distance of 1200.51 feet to a steel fence post for corner in the West line of a 85 acre tract as recorded in Volume 561 Page 54 of the Deed Records of Collin County, Texas;

04516 01566

THENCE South 00 degrees 37 minutes 21 seconds West following the West line of said 85 acres a distance of 33.50 feet to a steel fence post for corner at the Southwest corner of said 85 acres;

THENCE South 88 degrees 13 minutes 06 seconds East following the South line of said 85 acres a distance of 1771.20 feet to a 1/2 inch iron rod found for corner;

THENCE North 75 degrees 00 minutes 54 seconds East following the South line of said 85 acres a distance of 947.48 feet to the POINT OF BEGINNING and containing 4,021,247 square feet or 92.315 acres of land.



04516 01567

EXHIBIT "B"

1. Easement granted to Collin County Soil Conservation District by Miss Willie Cason et.al., recorded in Volume 656, Page 468, Collin County Land Records and as shown on the survey dated November 10, 1998, prepared by David J. Surdukan, R.P.L.S. No. 4613.
2. Location of fences along the north and south property lines as shown on survey dated November 10, 1998, prepared by David J. Surdukan, R.P.L.S. No. 4613, indicating that fences do not follow surveyed property lines.
3. Subject to that portion of subject property which lies within the boundaries of County Road No. 131 as shown on the survey dated November 10, 1998, prepared by David J. Surdukan, R.P.L.S. No. 4613.
4. Power pole and electric line as shown on the survey dated November 10, 1998, prepared by David J. Surdukan, R.P.L.S. No. 4613.
5. An undivided one-half (1/2) interest in all oil, gas and minerals as reserved by Grantors in deed dated November 11, 1998, from Philip M. Green and wife, Mattie Green, to Jody M. O'Donnell, as recorded in Clerk's File No. 98-0126556, Collin County Land Records, Texas.
6. Warranty Deed with Vendor's Lien retained in deed dated November 11, 1998, recorded under Clerk's File No. 98-0126556, Collin County Land Records, Texas, executed by Phillip M. Green and wife, Mattie Green, to Jody M. O'Donnell, securing the payment of a promissory note in the original principal amount of \$498,501.00, payable to Phillip M. Green and wife, Mattie Green; said promissory note being additionally secured by a Deed of Trust of even date therewith to Stan McWilliams, Trustee, recorded under Clerk's File No. 98-0126557, Collin County Land Records, Texas.

Please return to:  
Gerald D. Quast, P.C.  
3011 Montecito Drive, Suite 200  
Denton, TX 76205-8517  
Attn: Gerald D. Quast, President

F:\156\1\EX-B(GND3)

EXHIBIT "B" - Solo Page

04516 01568

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. (COUNTY OF COLLIN)  
(THE STATE OF TEXAS)  
I hereby certify that this instrument was filed in the Public Records of the  
and the facts reported herein by me, and was duly RECORDED, in the Official Public  
Records of Real Property of Dallas County, Texas on

OCT 06 1999

*Helen Starnes*



Filed for Record in:  
COLLIN COUNTY, TX  
HONORABLE HELEN STARNES

On 1999/10/06

At 11:16A

Number: 99- 0184602  
Type : D1 19.00

Please return to:  
Gerald D. Quast, P.C.  
3011 Montecito Drive  
Suite 200  
Denton, TX 76205-8517  
Attn: Gerald D. Quast, President

4801 1372

2000- 0127773

GENERAL WARRANTY DEED  
(93.492 Acres)

STATE OF TEXAS  
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That Jody M. O'Donnell ("Grantor"), whose address is 1437 Halsey Way, Carrollton, Texas 75007-4410, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Celina Partners, Ltd., a Texas limited partnership ("Grantee"), whose mailing address is set forth hereinbelow, the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES HEREBY GRANT, BARGAIN, SELL and CONVEY, unto Grantee that certain tract of land located in Collin County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Property") together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in any way pertaining thereto; provided, however, this conveyance is made and accepted subject and subordinate to those matters set forth on Exhibit "B" attached hereto and incorporated herein by reference for all purposes (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind himself, Grantor's heirs, executors, personal representatives, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof; provided, however, the foregoing warranty of title (and any other warranty of title), which may be expressed or implied herein (or otherwise), is hereby expressly disclaimed as to any subsequent grantee other than the Grantee defined herein as the Grantee.


For the same consideration as provided herein, Grantor hereby conveys unto Grantee, all right, title and interest, if any, of Grantor in any and all strips and gores between the Property and abutting properties and any land lying in or under the bed of any street, avenue, alley, road or right-of-way, opened, closed or proposed, abutting or adjacent to the Property.

By acceptance of this General Warranty Deed (the "Deed"), Grantee assumes payment of all real property taxes and personal property taxes on the Property for the current year and subsequent years.

IN WITNESS WHEREOF, this Deed has been executed by Grantor as of the 1<sup>st</sup> day of November, 1998.

4801 1373

GRANTOR:

  
Jody M. O'Donnell

GRANTEE'S ADDRESS:

Celina Partners, Ltd.  
1437 Halsey Way  
Carrollton, Texas 75007-4410  
Attn: Mr. Jody M. O'Donnell

AFTER RECORDING,  
PLEASE RETURN TO:

Gerald D. Quast, P.C.  
3011 Montecito Drive  
Suite 200  
Denton, Texas 76205-8517  
Attn: Gerald D. Quast, President

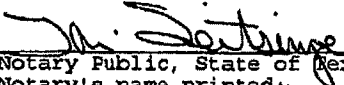
STATE OF TEXAS  
COUNTY OF DALLAS

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Jody M. O'Donnell known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 8th day of March, 1998.



  
Notary Public, State of Texas  
Notary's name printed:  
Toni Sertsinger  
My Commission expires: 3/2/2000

E:\166\11\GMD.doc

EXHIBIT "A"

4801 1374

BEING a tract of land situated in the Hezekiah Culwell Survey, Abstract No. 186 and the John Culwell Survey, Abstract No. 208, Collin County, Texas and also all of the tract conveyed to Joe J. Godbey and wife, Jewel L. Godbey as recorded in County Clerks No. 95-0657584 of the County Clerks Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete marker found for corner at the Southwest corner of said H. Culwell Survey;

THENCE North 0 deg. 31 min. 01 sec. East following the West line of said Culwell Survey and the County Road No. 132 a distance of 2095.60 feet to a 1/2 inch iron rod set for corner at the Northwest corner of said survey;

THENCE North 87 deg. 35 min. 45 sec. East following the North line of said survey and County Road No. 131 a distance of 1879.52 feet to a 1/2 inch iron set for corner;

THENCE South 5 deg. 24 min. 15 sec. East a distance of 606.04 feet to a point in a creek;

THENCE following said creek the following calls:

North 74 deg. 30 min. 28 sec. East, 36.57 feet;  
South 26 deg. 04 min. 21 sec. East, 316.23 feet;  
South 46 deg. 25 min. 24 sec. East, 126.42 feet;  
North 86 deg. 27 min. 40 sec. East, 224.47 feet;  
North 47 deg. 06 min. 11 sec. East, 122.09 feet;  
South 07 deg. 01 min. 38 sec. East, 204.77 feet;  
South 41 deg. 45 min. 56 sec. West, 345.84 feet;  
South 58 deg. 28 min. 25 sec. West, 110.54 feet;  
South 75 deg. 50 min. 13 sec. West, 187.74 feet;  
South 29 deg. 19 min. 05 sec. West, 334.78 feet;  
South 43 deg. 41 min. 40 sec. West, 95.55 feet;  
North 77 deg. 33 min. 31 sec. West, 224.39 feet;  
South 56 deg. 02 min. 43 sec. West, 301.69 feet;  
North 66 deg. 58 min. 50 sec. West, 39.15 feet;  
North 45 deg. 14 min. 07 sec. West, 49.03 feet;  
North 54 deg. 00 min. 36 sec. West, 84.10 feet;  
North 89 deg. 21 min. 33 sec. West, 115.44 feet;  
South 75 deg. 49 min. 50 sec. West, 108.05 feet;  
South 59 deg. 07 min. 49 sec. West, 70.13 feet;  
South 06 deg. 03 min. 25 sec. East, 20.87 feet;  
South 45 deg. 53 min. 33 sec. East, 91.28 feet;  
South 26 deg. 23 min. 10 sec. East, 146.30 feet;  
South 05 deg. 51 min. 41 sec. West, 89.51 feet to a point in the South line of said survey;

THENCE North 89 deg. 41 min. 13 sec. West following the South line of said survey passing at 153.14 feet a concrete marker and continuing in all a distance of 1058.84 feet to the POINT OF BEGINNING and containing 4,072,507 square feet or 93.492 acres of land.

EXHIBIT "A" - Solo Page

4801 1375

EXHIBIT "B"

1. Easement granted to Collin County by Joe J. Godbey, dated October 15, 1993, filed December 1, 1993, recorded in Clerk's File No. 93-104451, Collin County Land Records and as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
2. Easement granted to Collin County Soil and Water Conservation District by Texas Veteran's Land Board et al, dated April 8, 1966, filed June 21, 1966, recorded in Volume 675, Page 396 (Clerk's File No. 5205), Collin County Land Records and as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
3. Subject to that portion of subject property which lies within the boundaries of County Road No. 131 and County Road No. 132, as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
4. Power poles as shown on the survey dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. No. 4613.
5. Location of fence along the North, West and South property line as shown on surveyor's plat dated September 13, 1996, prepared by David J. Surdukan, R.P.L.S. #4613, indicates that fence does not follow surveyed property line. Any conflict over title as a result of fence not following property line is excluded from coverage under this policy.

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EXHIBIT "B" - Solo Page

4801 1376

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. (COUNTY OF COLLIN)  
(THE STATE OF TEXAS)  
I hereby certify that this instrument was FILED in the File Room, Records in the date  
and the time stamped hereon by me, and was duly RECORDED, in the Official Public  
Records of Real Property of Collin County, Texas on

NOV 22 2000

*Helen Starnes*



Filed for Record in:  
Collin County, McKinney TX  
Honorable Helen Starnes  
Collin County Clerk

On Nov 22 2000  
At 12:09pm

Doc/Num : 2000- 0127773

Recording/Types:D1 17.00  
Receipt #: 311788

4817 2629

GENERAL WARRANTY DEED

(0.432 Acre)

2000- 0136650

STATE OF TEXAS  
COUNTY OF COLLIN

KNOW ALL MEN BY THESE PRESENTS:

That Jody M. O'Donnell ("Grantor"), whose address is 1437 Halsey Way, Carrollton, Texas 75007-4410, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Celina Partners, Ltd., a Texas limited partnership ("Grantee"), whose mailing address is set forth hereinbelow, the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES HEREBY GRANT, BARGAIN, SELL and CONVEY, unto Grantee that certain tract of land located in Collin County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Property") together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in any way pertaining thereto; provided, however, this conveyance is made and accepted subject and subordinate to all matters of record filed against the Property in the Real Property Records of Collin County, Texas (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind himself, Grantor's heirs, executors, personal representatives, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof; provided, however, the foregoing warranty of title (and any other warranty of title), which may be expressed or implied herein (or otherwise), is hereby expressly disclaimed as to any subsequent grantee other than the Grantee defined herein as the Grantee.

For the same consideration as provided herein, Grantor hereby conveys unto Grantee, all right, title and interest, if any, of Grantor in any and all strips and gores between the Property and abutting properties and any land lying in or under the bed of any street, avenue, alley, road or right-of-way, opened, closed or proposed, abutting or adjacent to the Property.

By acceptance of this General Warranty Deed (the "Deed"), Grantee assumes payment of all real property taxes and personal property taxes on the Property for the current year and subsequent years.

IN WITNESS WHEREOF, this Deed has been executed by Grantor as of the 1<sup>st</sup> day of November, 1998.



4817 2630

GRANTOR:

  
Jody M. O'Donnell

GRANTEE'S ADDRESS:

Celina Partners, Ltd.  
1437 Halsey Way  
Carrollton, Texas 75007-4410  
Attn: Mr. Jody M. O'Donnell

AFTER RECORDING,  
PLEASE RETURN TO:

Gerald D. Quast, P.C.  
3011 Montecito Drive  
Suite 200  
Denton, Texas 76205-8517  
Attn: Gerald D. Quast, President

STATE OF TEXAS  
COUNTY OF DALLAS


§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Jody M. O'Donnell known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 24th day of March, 1998.



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Notary Public, State of Texas  
Notary's name printed:

Toni Seitsinger  
My Commission expires 3/2/2000

4817 2631

**EXHIBIT "A"**

BEING a tract of land situated in the B.B.B. & C.R.R. Survey, Abstract No. 130, Collin County, Texas and also part of the tract being conveyed to Pat Hunn as recorded in County Clerks No. 94-0045090 of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument found for corner at the Southeast corner of said Hunn tract and the Southwest corner of a 42.27 acre tract as recorded in C.C. No. 95-0057583 of Collin County, Texas;

THENCE North 88 degrees 06 minutes 34 seconds West following the South line of said Hunn tract a distance of 295.10 feet to a 1/2 inch iron rod set for corner at the beginning of a curve to the left which center bears North 1 degree 05 minutes 04 seconds West a radius distance of 321.20 feet;

THENCE along said curve to the left through a central angle of 69 degrees 33 minutes 31 seconds an arc distance of 389.94 feet to a 1/2 inch iron set for corner in the East line of said Hunn tract and West line of said 42.27 acre tract;

THENCE South 0 degrees 31 minutes 01 seconds West following the common property line a distance of 224.42 feet to the POINT OF BEGINNING and containing 0.432 acres of land.

4817 2632

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE  
DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS NULL AND  
VOID. (UNIFORM REAL PROPERTY ACT)  
(THE STATE OF TEXAS) (COUNTY OF COLLIN)  
This document was filed in the Public Records of the County of Collin,  
Texas, on the 18th day of December, 2000, at 4:27 PM, and duly recorded in the Official Public  
Records of Collin County, Texas.

DEC 18 2000

*Helen Starnes*



Filed for Record by:  
Collin County, McKinney TX  
Honorable Helen Starnes  
Collin County Clerk

On Dec 18 2000  
At 4:27pm

Doc/Num : 2000- 0136650

Recording/Type: D1 15.00  
Receipt #: 314290

05023 02451

2001- 0130027

GENERAL WARRANTY DEED  
(25.472 Acres)

STATE OF TEXAS {  
COUNTY OF COLLIN { KNOW ALL MEN BY THESE PRESENTS:

That Jody M. O'Donnell ("Grantor"), whose address is 1437 Halsey Way, Carrollton, Texas 75007-4410, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Celina Partners, Ltd., a Texas limited partnership ("Grantee"), whose mailing address is set forth hereinbelow, the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents DOES HEREBY GRANT, BARGAIN, SELL and CONVEY, unto Grantee that certain tract of land located in Collin County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Property") together with all and singular the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in any way pertaining thereto; provided, however, this conveyance is made and accepted subject and subordinate to those matters set forth on Exhibit "B" attached hereto and incorporated herein by reference for all purposes (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, Grantee's successors and assigns forever; and Grantor does hereby bind himself, Grantor's heirs, executors, personal representatives, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof; provided, however, the foregoing warranty of title (and any other warranty of title), which may be expressed or implied herein (or otherwise), is hereby expressly disclaimed as to any subsequent grantee other than the Grantee defined herein as the Grantee.

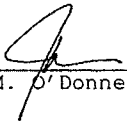
For the same consideration as provided herein, Grantor hereby conveys unto Grantee, all right, title and interest, if any, of Grantor in any and all strips and gores between the Property and abutting properties and any land lying in or under the bed of any street, avenue, alley, road or right-of-way, opened, closed or proposed, abutting or adjacent to the Property.

By acceptance of this General Warranty Deed (the "Deed"), Grantee assumes payment of all real property taxes and personal property taxes on the Property for the current year and subsequent years.

IN WITNESS WHEREOF, this Deed has been executed by Grantor as of June 1, 2000.

05023 02452

GRANTOR:

  
\_\_\_\_\_  
Jody M. O'Donnell

GRANTEE'S ADDRESS:

Celina Partners, Ltd.  
1437 Halsey Way  
Carrollton, Texas 75007-4410  
Attn: Mr. Jody M. O'Donnell

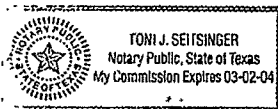
AFTER RECORDING,  
PLEASE RETURN TO:

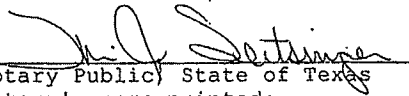
Gerald D. Quast, P.C.  
3011 Montecito Drive  
Suite 200  
Denton, Texas 76205-8517  
Attn: Gerald D. Quast, President

STATE OF TEXAS                   §  
   §  
COUNTY OF DALLAS               §

BEFORE ME, the undersigned authority, on this day personally appeared Jody M. O'Donnell known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this 5th day of October, 2001.



  
\_\_\_\_\_  
Notary Public, State of Texas  
Notary's name printed:  
Toni J. Seitsinger  
My Commission expires 03/02/04

t:\1661\NGRD4

05023 02453

EXHIBIT "A"

SITUATED in Collin County, Texas, in the BBB & C RR Survey, Abstract No. 129 and the BBB & C RR Survey, Abstract No. 130, being a re survey of the 160.821 acres of land described in a deed from D.H. Mackaman to Mackaman Family Partnership, Ltd. dated October 14, 1993, recorded in Document No. 93-0092529 of the Collin County Land Records, being described by metes and bounds as follows:

BEGINNING at an iron pin found on the North side of a 2" steel pipe corner post at the Northeast corner of said 160.821 acre tract, in the East line of said BBB & C RR Survey, Abstract No. 129 and in the West line of the Malcolm Lillard tract, Ref. Doc. No. 94-0029596;

THENCE South 0 deg. 05 min. East, with the East line of said 160.821 acre tract and the East line of said Railroad Surveys, passing the Southeast corner of said BBB & C RR Survey, Abst. No. 129 and the Northeast corner of said BBB & C RR Survey, Abst. No. 130 at 950 feet and with the West line of said Lillard tract and the West line of the John Culwell Survey, Abst. No. 208 and with a fence, in all 2795.5 feet to a 2" steel pipe corner post set in concrete at the East, Southeast corner of said 160.821 acre tract and a Northeast corner of the Phillip Green 91.774 acre tract;

THENCE westerly with a South line of said 160.821 acre tract and a North line of said 91.774 acre tract and with a fence as follows:

North 72 deg. 32 min. 45 sec. West, 563.91 feet to a steel pipe brace post;

North 72 deg. 59 min. 53 sec. West, 627.46 feet to an iron pin set at the ell corner of said 160.821 acre tract and a Northwest corner of said 91.774 acre tract;

THENCE South 0 deg. 32 min. 18 sec. West, 694.22 feet with an East line of said 160.821 acre tract and a West line of said 91.774 acre tract and with an old, old fence on the East side of a new fence to an iron pin set at the South, Southeast corner of said 160.821 acre tract and the Southwest corner of said 91.774 acre tract, in the center of East-West County Road 131, and in the North line of the Jody M O'Donnell 93.492 acre tract, Ref. Document No. 96-008353;

THENCE westerly with the South line of said 160.821 acre tract and with the North line of said 93.492 acre tract and with said County Road as follows:

South 85 deg. 25 min. 51 sec. West, 527.25 feet to an iron pin found;

North 58 deg. 59 min. 49 sec. West, 244.08 feet to an iron pin set;

North 19 deg. 10 min. 45 sec. West, 211.35 feet to an iron pipe found in the East line of the Clyde Moore 27.45 acres of land, Ref. V. 1530, P. 830;

THENCE North 23 deg. 16 min. 11 sec. West, 1759.9 feet with the West edge of County Road No. 132 and with the West line of said 160.821 acre tract and with the East line of said 27.45 acre tract and with the East line of the Clyde Moore 20.000 acres of land to an iron pin found;

THENCE North 0 deg. 53 min. 39 sec. West, 1278.31 feet with the West line of said 160.821 acre tract and the East line of said 20.000 acre tract and the East line of the 26.849 acre James T. Hollis tract, Ref. V. 721, P. 717 to an iron pin set at the Northwest corner of said 160.821 acre tract;

THENCE South 89 deg. 06 min. 48 sec. East, 2660.19 feet with the North line of said 160.821 acre tract and with the South side of County Road No. 134 to the PLACE OF BEGINNING and containing 160.635 acres of land, more or less.

05023 02454

SAVE AND EXCEPT

BEING a tract of land situated in the B.B.B. & C.R. Company Survey, Abstract No. 129, and in the B.B.B. & C.R. Company Survey, Abstract No. 130, Collin County, Texas, and also being part of 160.821 acre tract conveyed to Mackaman Family Partnership, LTD, as recorded in County Clerk No. 93-0092529, Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a PK nail found for corner at the northwest corner of said 160.821-acre tract, said nail being at the intersection of the center line of County Road No. 134 and the center line of County Road No. 132;

THENCE South 89 deg. 04 min 38 sec. East following the center line of County Road No. 134 a distance of 2656.60 feet to a PK nail set for corner;

THENCE South 00 deg. 22 min. 19 sec. West following a fence line a distance of 1656.55 feet to a 1/2 inch iron rod set for corner;

THENCE North 89 deg. 04 min. 38 sec. West a distance of 2482.20 feet to a 1/2 inch iron rod set for corner in the west line of County Road No. 32;

THENCE North 22 deg. 56 min. 13 sec. West following the west line of County Road No. 132 a distance of 402.69 feet to a 5/8 inch iron rod found for corner;

THENCE North 00 deg. 17 min. 52 sec. West leaving the west line of said County Road No. 132 and following the center line of County Road No. 132 a distance of 1288.49 to the POINT OF BEGINNING and containing 4,356,000 square feet or 100.000 acres of land, more or less.

SAVE AND EXCEPT

BEING a tract of land situated in the B.B.B. & C.R. Company Survey, Abstract No. 130, Collin County, Texas, and also being part of 60.635 acre tract conveyed to Jody M. O'Donnell as recorded in Volume 4524, Page 2180 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the northwest corner of said 60.635 acre tract, said corner also being the southwest corner of 100 acre tract conveyed to Billy Herrin as recorded in volume 4524, Page 2194, D.R.C.C.T., said iron rod also being on the west line of County Road No. 132;

THENCE South 89 degrees 04 minutes 38 seconds East following the south line of Herrin tract and the north line of said O'Donnell tract a distance of 1340.62 feet to a 1/2 inch iron rod set for corner;

THENCE South 00 degrees 41 minutes 25 seconds West a distance of 739.17 feet to a 1/2 inch iron rod set for corner;

THENCE North 89 degrees 04 minutes 38 seconds West a distance of 1016.70 feet to a 1/2 inch iron rod set for corner in the west line of County Road No. 132;

THENCE North 22 degrees 56 minutes 13 seconds West following the west line of County Road No. 132 a distance of 808.23 feet to the POINT OF BEGINNING and containing 871,200 square feet or 20.000 acres of land, more or less.

05023 02455

SAVE AND EXCEPT

BEING a tract of land situated in the B.B.B. & C.R. Company Survey, Abstract No. 130, Collin County, Texas, and also being part of 60.635 acre tract conveyed to Jody M. O'Donnell as recorded in Volume 4524, Page 2180 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for corner at the Northwest corner of said 60.635 acre tract, said corner also being the Southwest corner of 100 acre tract conveyed to Billy Herrin as recorded in Volume 4524, Page 2194, D.R.C.C.T., said iron rod also being on the West line of County Road No. 132;

THENCE South 22 degrees 56 minutes 13 seconds East following the West line of Jody O'Donnell's tract a distance of 808.23 feet to a 1/2 inch iron rod found for corner for the Point of Beginning;

THENCE South 89 degrees 04 minutes 38 seconds East a distance of 1016.70 feet to a 1/2 inch iron rod set for corner;

THENCE South 00 degrees 41 minutes 25 seconds West a distance of 772.62 feet to a 1/2 inch iron rod set for corner in County Road No. 131;

THENCE South 87-degrees 36 minutes 34 seconds West following County Road No. 131 a distance of 582.27 feet to a 1/2 inch iron rod set for corner;

THENCE North 44 degrees 31 minutes 52 seconds West following County Road No. 131 a distance of 168.07 feet to a 1/2 inch iron rod set for corner in County Road No. 132;

THENCE North 26 degrees 30 minutes 13 seconds West following County Road No. 132 a distance of 210.10 feet to a 1/2 inch iron rod set for corner in the West line of County Road No. 132;

THENCE North 22 degrees 56 minutes 13 seconds West following the West line of County Road No. 132 a distance of 548.78 feet to the Point of Beginning and containing 660,500 square feet or 15.163 acres of land, more or less.



05023 02456

EXHIBIT "B"

1. Easement granted to Gunter Water Supply Corporation by D. H. Mackaman and wife, Kathryn A. Mackaman, dated July 24, 1971, filed April 14, 1972, recorded in Volume 817, Page 506, Collin County Land Records and as shown on the survey dated July 12, 1997, prepared by G. M. Geor, R.P.L.S. No. 3258.
2. Easement granted to The County of Collin, State of Texas, by Donald H. Mackaman, dated August 22, 1985, filed August 24, 1993, recorded in Clerk's File No. 93-70690, Collin County Land Records.
3. Royalty Deed executed by D. H. Mackaman et ux to Linda Kathryn Mackaman Young et al, dated November 21, 1980, filed November 24, 1980, recorded in Volume 1327, Page 472, Collin County Land Records.
4. Royalty Deed executed by D. H. Mackaman et ux to Katherine Clara Mackaman, dated April 8, 1985, filed April 11, 1985, recorded in Volume 2107, Page 612, Collin County Land Records.
5. Easement granted to County of Collin by Jody M. O'Donnell, dated January 4, 2000, filed February 22, 2000, recorded in Clerk's File No. 00-16360, Collin County Land Records.
6. Subject to any portion of subject property which lies within the boundaries of County Road No. 132 and County Road No. 131.
7. Possible encroachments and location of fence, as applicable, to the subject property as shown on the survey dated July 12, 1997, prepared by G. M. Geor, R.P.L.S. No. 3258.

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  
(THE STATE OF TEXAS) (COUNTY OF COLLIN)  
I hereby certify that this instrument was filed in the File Number Sequence on the date and the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of the Property of Collin County, Texas on

OCT 12 2001

*Helen Starnes*



Filed for Record in:  
Collin County, McKinney TX  
Honorable Helen Starnes  
Collin County Clerk

On Oct 12 2001  
At 2:03pm

Doc/Num : 2001- 0130027

Recording/Type:D1 19.00  
Receipt #: 33736

EXHIBIT "B" - Solo Page

05144 03554

2002- 0052710

G.F. No. 02-03-22/0203016

ADDRESS OF AND RETURN TO:

Celina Partners, Ltd.  
1437 Halsey Way  
Carrollton, Texas 75007

WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That we, CLARENCE OTIS HENDLEY, REBA HUNDLEY, and MERLIN L. HUNDLEY, acting hereby by Clarence Otis Hundley, attorney in fact (hereinafter called "Grantor"), owning, occupying and claiming other property as homestead, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by Grantee named herein, the receipt of which is hereby acknowledged, and for the further consideration of the execution and delivery by Grantee of Grantee's one certain promissory note of even date herewith, in the principal sum of **FOUR HUNDRED THIRTY-ONE THOUSAND THREE HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$431,375.00)**, payable to the order of Grantor, bearing interest as therein specified, payable as therein specified, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to GRADY R. THOMPSON, Trustee, have GRANTED, SOLD AND CONVEYED and by these presents do GRANT SELL AND CONVEY unto CELINA PARTNERS, LTD., a Texas limited partnership, (hereinafter called "Grantee"), all of the following described real property in Collin County, Texas, (the "Property") to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

05144 03555

This conveyance is made and accepted subject to the following:

1. Easement granted to Texas Power & Light Co., recorded in Volume 489, Page 198, Collin County Land Records, and as shown on the survey dated April 3, 2002, prepared by David J. Surdukan, R.P.L.S. No. 4613.
2. Location of fence along the East and South property lines as shown on the survey dated April 3, 2002, prepared by David J. Surdukan, R.P.L.S. No. 4613.
3. Subject to that portion of subject property which lies within the boundaries of County Road Nos. 131 and 133, as shown on the survey dated April 3, 2002, prepared by David J. Surdukan, R.P.L.S. No. 4613.
4. Overhead power lines, power poles and guy wires as shown on the survey dated April 3, 2002, prepared by David J. Surdukan, R.P.L.S. No. 4613.

For Grantor and Grantor's heirs, successors and assigns forever, a reservation of seventy-five percent (75%) of all oil, gas and other minerals in and under and that may be produced from the Property.

The Property is conveyed subject to the following restrictions, which shall be covenants running with the land and shall be binding upon Grantee, Grantee's heirs, successors and assigns, for a period of 10 years, and inure to the benefit of Grantor and Grantee. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violations or to recover damages.

**RESTRICTIONS:** No mobile home or other prefabricated structure, as illustrated by, but not limited to, manufactured or modular homes, shall be placed on the Property and used as a permanent residence, except for temporary structures.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, the Grantee's heirs, successors and assigns, and Grantor does hereby bind Grantor, Grantor's heirs and successors, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, the Grantee's heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the vendor's lien, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to

05144 03556

the face, tenor, effect and reading thereof, when this Deed shall become absolute.

Current ad valorem taxes on said Property have been prorated and the payment thereof is assumed by the Grantee.

EXECUTED on the dates of the acknowledgments set out below, to be effective, however, on the 9th day of April, 2002.

Clarence Otis Hundley  
CLARENCE OTIS HUNDLEY

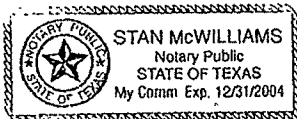
Reba Hundley  
REBA HUNDLEY

Merlin L. Hundley  
MERLIN L. HUNDLEY, acting by Clarence  
Otis Hundley  
*by Clarence Otis Hundley*  
*Attorney in Fact*

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the 9<sup>th</sup> day of April, 2002, by REBA HUNDLEY and CLARENCE OTIS HUNDLEY, INDIVIDUALLY AND AS ATTORNEY IN FACT FOR MERLIN L. HUNDLEY.



Stan McWilliams  
Notary Public in and for State of Texas

PREPARED IN THE LAW OFFICES OF:

McWILLIAMS & THOMPSON  
1600 Redbud Boulevard, Suite 400  
McKinney, Texas 75069-0844

05144 03557

**EXHIBIT "A" - LEGAL DESCRIPTION**

BEING a tract of land situated in the John Culwell Survey, Abstract No. 208, Collin County, Texas, and also being all of a 85 acre tract as conveyed to Clarence Hundley and Reba Hundley as recorded in Volume 561, Page 54 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found for corner at the northwest corner of said 85 acre tract, said iron rod also being in the west line of said John Culwell Survey, said iron rod also being at the southwest corner of a 22 acre tract as recorded in County Clerks No. 94-0029576, Collin County, Texas;

THENCE South 89 degrees 54 minutes 50 seconds East following the north line of said 85 acres and the south line of said 22 acre tract passing at 664.50 feet the southeast corner of said 22 acre tract in all a distance of 2671.78 feet to a being 1/2 inch iron rod found for corner in County Road No. 133;

THENCE south 00 degrees 10 minutes 43 seconds East following County Road No. 133 a distance of 1212.53 feet to a 1/2 inch iron rod found for corner at the northeast corner of a 80.875 acre tract conveyed to Jody O'Donnell as recorded in Volume 4292, Page 2081, D.R.C.C.T;

THENCE South 75 degrees 00 minutes 54 seconds West following the north line of said 80.875 acre tract a distance of 947.49 feet to a 1/2 inch iron rod found for corner;

THENCE North 88 degrees 13 minutes 06 seconds West following the north line of said 80.875 acre tract a distance of 1771.20 feet to a wood fence post found for corner in the west line of said Culwell Survey;

THENCE North 00 degrees 24 minutes 34 seconds East a distance of 1406.49 feet to the POINT OF BEGINNING and containing 3,749,476 square feet or 86.076 acres of land.

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 (COUNTY OF COLLIN  
THE STATE OF TEXAS)  
I hereby certify that this instrument was FILED in the File Number Sequence on the date  
and the time stamped herein by me, and was duly RECORDED, in the Official Public  
Records of Real Property of Collin County, Texas on

APR 10 2002

*Helen Starnes*



Filed for Record in:  
Collin County, McKinney TX  
Honorable Helen Starnes  
Collin County Clerk

On Apr 10 2002  
At 2:36pm

Doc/Num : 2002- 0052710

Recording/Type:D1 15.00  
Receipt #: 13051

# **OVERSIZED MAP**

**TO VIEW OVERSIZED MAP or  
DOCUMENTS,**

**PLEASE CONTACT CENTRAL  
RECORDS**

**at 512.936.7180**