



Control Number: 48484



Item Number: 1

Addendum StartPage: 0

PUC DOCKET NO. 48484

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PETITION BY EQK BRIDGEVIEW §  
PLAZA, LLC FOR EXPEDITED §  
RELEASE FROM WATER CCN §  
NO. 10841 HELD BY HIGH POINT §  
WATER SUPPLY CORPORATION §  
IN KAUFMAN COUNTY §

BEFORE THE PUBLIC UTILITY COMMISSION  
FILING CLERK  
PUBLIC UTILITY COMMISSION  
OF TEXAS

**PETITION BY EQK BRIDGEVIEW PLAZA, LLC FOR EXPEDITED RELEASE  
PURSUANT TO TEXAS WATER CODE SECTION 13.254(a-5)**

**TO THE PUBLIC UTILITY COMMISSION OF TEXAS:**

COMES NOW, EQK Bridgeview Plaza, LLC (“Petitioner”) and files this Petition with the Public Utility Commission of Texas (the “PUC”) for expedited release from Certificate of Convenience and Necessity (“CCN”) No. 10841, held by High Point Water Supply Corporation (“High Point WSC”) pursuant to (i) Texas Water Code Section 13.254(a-5); and (ii) Rule 24.113(l) of the Commission’s Rules found at 16 Tex. Admin. Code Section 24.113; and in support thereof would respectfully show as follows:

**I. APPLICABLE REGULATIONS**

Section 13.254(a-5) of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for expedited release of the area from a CCN.<sup>1</sup> For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract “is entitled to that release.”<sup>2</sup> The rule adopted by the PUC pursuant to Section 13.254(a-5) provides the same, and it recognizes that Kaufman County is a county in

<sup>1</sup> Tex. Water Code Ann. § 13.254(a-5) (West 2008 and Supp. 2016) (TWC).  
<sup>2</sup> *Id.*

which owners of at least 25 acres are entitled to expedited release.<sup>3</sup> Under Section 13.254(a-6), the PUC “shall grant a petition received under Subsection (a-5) not later than the 60<sup>th</sup> day after the date the landowner files the petition.”

## **II. REQUEST FOR EXPEDITED RELEASE**

The 2807 acres of contiguous property in Kaufman County (the “Property”) was purchased by EQK Bridgeview Plaza, Inc. On October 13, 2016, EQK Bridgeview Plaza, Inc. filed documents to change its name to EQK Bridgeview Plaza, LLC. All of the Property is within the boundaries of Water CCN No. 10841 held by High Point WSC. None of the Property receives service from High Point WSC. An Affidavit in support of this Petition is attached hereto as **Exhibit A**. A general location map of the Property is attached hereto as **Exhibit B**. A detailed property map of the Property is attached hereto as **Exhibit C**. The deeds showing ownership of the Property are attached hereto as **Exhibit D**.

## **III. CONCLUSION AND PRAYER**

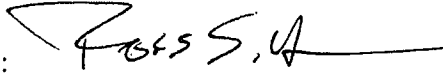
Texas Water Code Section 13.254(a-5) entitles Petitioner to expedited release of the Property described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Kaufman County. Under Section 13.254(a-6), the PUC should grant this Petition no later than the 60<sup>th</sup> day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.254(a-5) releasing all portions of the Property that are within the boundaries of water CCN No. 10841 from CCN No. 10841.

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<sup>3</sup> 16 Tex. Admin. Code §24.113(l)

Respectfully submitted,

WINSTEAD PC

By: 

Ross S. Martin  
State Bar No. 24037035  
[rmartin@winstead.com](mailto:rmartin@winstead.com)

Scott W. Eidman  
State Bar No. 24078468  
[seidman@winstead.com](mailto:seidman@winstead.com)

2728 N. Harwood Street  
Suite 500  
Dallas Texas 75201  
Telephone: (214) 745-5484  
Facsimile: (214) 745-5390

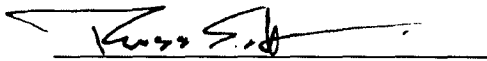
**ATTORNEYS FOR PETITIONER  
EQK BRIDGEVIEW PLAZA, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20th day of June, 2018, a true and correct copy of the Petition by EQK Bridgeview Plaza, LLC for Expedited Release Pursuant to Texas Water Code Section 13.254(a-5) was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

High Point Water Supply Corporation  
16983 Valley View Rd.  
Forney, Texas 75126

*Via Certified Mail, RRR*

  
\_\_\_\_\_  
Ross S. Martin

**EXHIBIT A**  
**AFFIDAVIT OF LOUIS J. CORNA**

**PETITION BY EQK BRIDGEVIEW  
PLAZA, LLC FOR EXPEDITED  
RELEASE FROM WATER CCN  
NO. 10841 HELD BY HIGH POINT  
WATER SUPPLY CORPORATION  
IN KAUFMAN COUNTY**

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**BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS**

**AFFIDAVIT OF LOUIS J. CORNA IN SUPPORT OF PETITION FOR EXPEDITED  
RELEASE FROM WATER CCN NO. 10841 HELD BY HIGH POINT WATER SUPPLY  
CORPORATION PURSUANT TO TEXAS WATER CODE SECTION 13.254 (a-5)**

**STATE OF TEXAS       §**

**COUNTY OF DALLAS   §**

BEFORE ME, the undersigned notary, personally appeared Louis J. Corna, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1.       “My name is Louis J. Corna, I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2.       I am the Manager of EQK Bridgeview Plaza, LLC, the Petitioner in the above-captioned matter. EQK Bridgeview Plaza, LLC owns approximately 2807 acres of land (the “Property”), which is located within the boundaries of Water CCN No. 10841 issued to High Point Water Supply Corporation. The Property is located in Kaufman County, Texas, is over 25 acres in size, and consists of contiguous tracts of land. Exhibit B attached to this Petition is a true and correct copy of a map identifying the Property, its location, and the area of the CCN.

3.       The Property is not receiving water service from High Point Water Supply Corporation. EQK Bridgeview Plaza, LLC has not requested water service from High Point Water Supply Corporation or paid any fees or charges to initiate or maintain water service, and there are no billing records or other documents indicating an existing account for the Property.

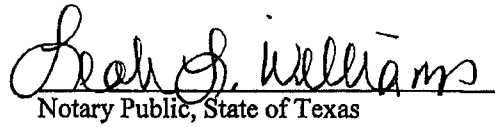
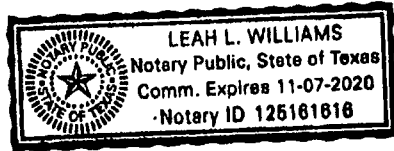
4.       I request that the Public Utility Commission of Texas release this Property from Water CCN No. 10841.”

FURTHER AFFIANT SAYETH NOT.



\_\_\_\_\_  
Louis J. Corna

SWORN TO AND SUBSCRIBED TO BEFORE ME by Louis J. Corna on  
June 19, 2018

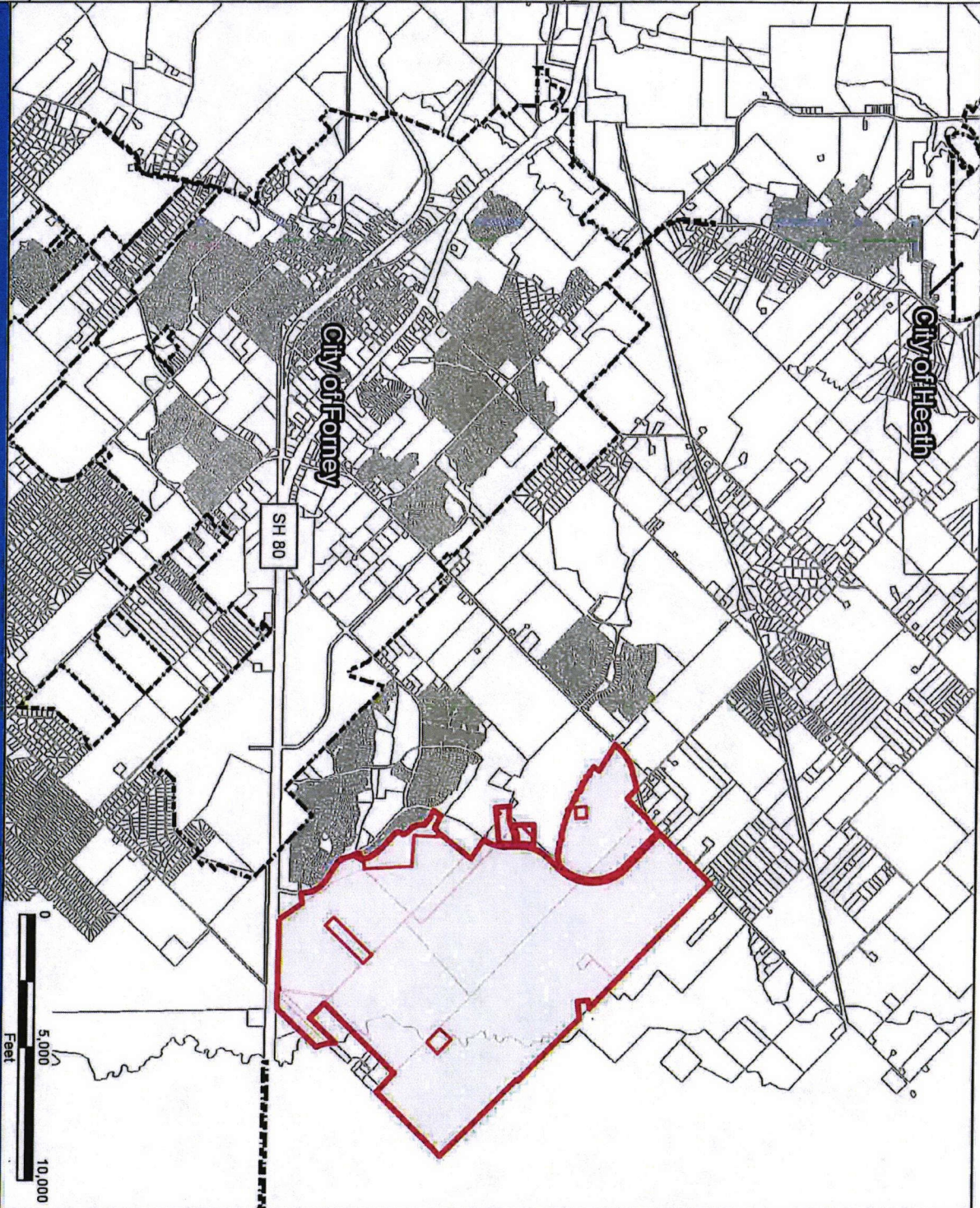


\_\_\_\_\_  
Notary Public, State of Texas



**EXHIBIT B**  
**GENERAL LOCATION MAP**

**EOK Bridgeview Plaza 2807 Acres General Location Map**



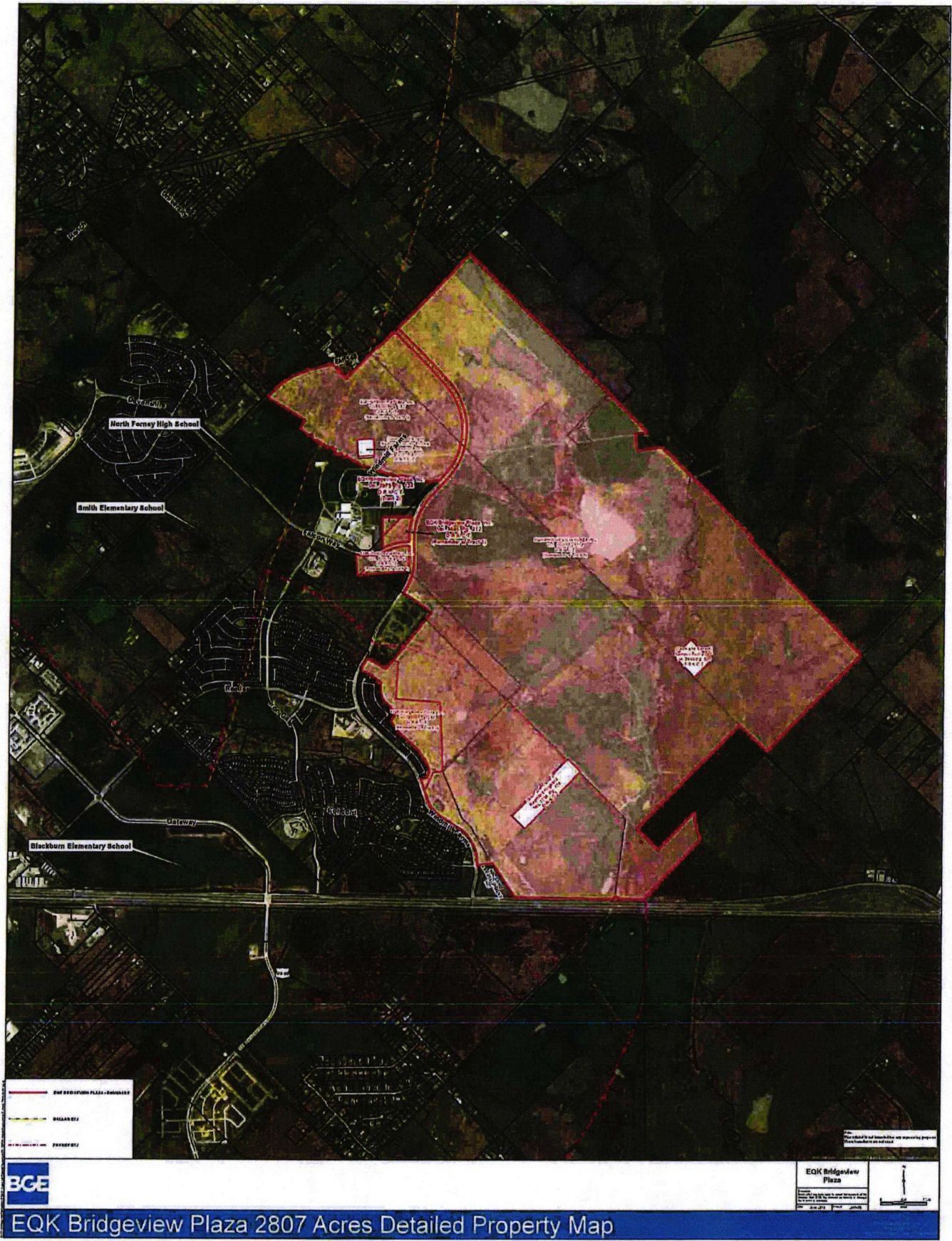
**Disclaimer:**  
Every effort has been made to ensure the accuracy of the base map data. BGE, Inc. assumes no liability or damages due to errors or omissions.

**Overall Exhibit**  
Date: June 2019  
Job No: 299-00

**BGE, Inc.**

**EXHIBIT C**

**DETAILED PROPERTY MAP SHOWING DEEDS TO PROPERTY**



**BGE**

**EQK Bridgeview Plaza**



EQK Bridgeview Plaza 2807 Acres Detailed Property Map

**EXHIBIT D**

**DEEDS**

Kaufman County  
Laura Hughes  
County Clerk

Instrument Number: 2011-0010817

WARRANTY DEED

Party: 130 WINDMILL FARMS LP

Billable Pages: 10  
Number of Pages: 11

FILED AND RECORDED - REAL RECORDS	CLERKS COMMENTS
On: 07/18/2011 at 03:28 PM	WALK IN
Document Number: <u>2011-0010817</u>	
Receipt No: <u>11-10949</u>	
Amount: \$ <u>52.00</u>	
Vol/Pg: <u>V:3975 P:124</u>	



STATE OF TEXAS  
COUNTY OF KAUFMAN

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Kaufman County, Texas.

*Laura A. Hughes*

Laura Hughes, County Clerk

Recorded By: Cynthia Ramirez, Deputy

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.

Record and Return To:

SENDERA TITLE  
1221 N 135  
CARROLLTON, TX 75006



INST # 2011-0010817

debra Title  
# 092457-1 NJA

**SPECIAL WARRANTY DEED**

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

THAT, 130 WINDMILL FARMS, LP, a Texas limited partnership (hereinafter referred to as "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by EQK BRIDGEVIEW PLAZA, INC., a Nevada corporation ("Grantee"), whose address is 1800 Valley View Lane, Suite 300, Dallas, Texas 75234, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, the following described property (the "Land") in Kaufman County, Texas, together with all of Grantor's right, title and interest in and to the rights and appurtenances pertaining solely to such Land, including any right, title and interest of Grantor in and to all oil, gas and other minerals in, on or under or that may be produced from the Land and any right, title and interest of Grantor in and to the centerline of adjacent roads, streets, alleys or rights-of-way to the extent (but only to the extent) that the same relate solely to the Land (all of such Land, real property, rights and appurtenances being hereinafter collectively referred to as the "Property"), to wit:

That certain property more particularly described on Exhibit A attached hereto and made a part hereof for all purposes;

SUBJECT; HOWEVER, ONLY TO THOSE MATTERS AND TITLE EXCEPTIONS SET FORTH ON EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, BUT ONLY TO THE EXTENT SUCH MATTERS AND TITLE EXCEPTIONS ARE VALID, SUBSISTING AND IN FACT AFFECT THE LAND.

TO HAVE AND TO HOLD the above described Land, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Land 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 Grantor, but not otherwise, and subject as aforesaid.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed as of (although not necessarily on) and to be effective the 30 of June, 2010.

130 WINDMILL FARMS, LP,  
a Texas limited partnership

By: 130 WINDMILL FARMS GP, LLC,  
a Texas limited liability company  
General Partner

By:   
Mehrdad Moayedi, Member

THE STATE OF TEXAS

§  
§  
§

COUNTY OF *Dallas*

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Mehrdad Moayedi, Member of 130 Windmill Farms GP, LLC, a Texas limited liability company, General Partner of 130 WINDMILL FARMS, LP, a Texas limited partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as a duly authorized officer of such corporation, and as the act and deed of such corporation, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15 day of Dec., 2010.



*Laura Wayland*  
Notary Public, State of Texas

My Commission Expires:

Typed/Printed Name of Notary

~~Return to Grantee's Address:~~

~~EQK BRIDGEVIEW PLAZA, INC.  
1800 Valley View Lane, Suite 300  
Dallas, Texas 75234  
Attn: \_\_\_\_\_~~

Senders Title  
1221 N. I-35  
Carrollton, TX 75006



**EXHIBIT "A"**  
**TO SPECIAL WARRANTY DEED**  
**LEGAL DESCRIPTIONS**  
**[TO BE INSERTED]**

**EXHIBIT "A"**

BEING all that certain lot, tract or parcel of land situated in the S. Smith Survey, Abstract No. 450, Kaufman County, Texas, and being part of a called 66.258 acre tract of land described as Tract II in a Deed to Liberty Bankers Life Insurance Company, as recorded in Volume 3024, Page 540 of the Official Records of Kaufman County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron rod with plastic cap stamped "USA INC." found for corner at the most Easterly Northwest corner of the above cited 66.258 acre tract, said point being an interior corner of a called 2870.83 acre tract of land described as Tract I in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of Official Public Records of Kaufman County, Texas;

Thence South 05 degrees 16 minutes 41 seconds East along the most Northerly East line of said 66.258 acre tract, and along an interior West line of said 2870.83 acre tract, for a distance of 187.50 feet to a 1/2" iron rod with plastic cap stamped "USA INC." set for corner;

Thence South 84 degrees 30 minutes 35 seconds West departing the most Northerly East line of said 66.258 acre tracts, for a distance of 224.91 feet to a 1/2" iron rod with plastic cap stamped "USA INC." set for corner in the most Easterly Northwest line of said 66.258 acre tract, said point also being in an interior Southeast line of said 2870.83 acre tract;

Thence North 44 degrees 46 minutes 45 seconds East along the most Easterly Northwest line of said 66.258 acre tract, and along an interior Southeast line of said 2870.83 acre tract, for a distance of 293.35 feet to the Point of Beginning and containing 0.484 acres of land, more or less.

**EXHIBIT "A"**

All that certain lot, tract or parcel of land situated in the S. Smith Survey, Abstract No. 450 and the J.B. Davenport Survey, Abstract No. 132, Kaufman County, Texas, and being part of that tract of land described in a Deed to Forney Independent School District, as recorded in Volume 2348, Page 182 of the Official Public Records of Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "USA INC" set (hereinafter called 1/2" iron rod set) for corner in the most Easterly Southeast line of said Forney Independent School District tract, said point being North 44 degrees 46 minutes 45 seconds East a distance of 654.83 feet from a 1/2" iron rod found at the most Easterly Southwest corner of same, said point also being in an interior Northwest line of a called 2870.83 acre tract of land described as Tract I in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas;

THENCE North 00 Degrees 01 Minutes 31 Seconds West departing the Easterly Southeast line of said Forney Independent School District tract and an interior Northwest line of said 2870.83 acre tract, for a distance of 500.32 feet to a 1/2" iron rod set for corner;

THENCE North 90 degrees 00 minutes 00 seconds East for a distance of 496.70 feet to a 1/2" iron rod set for corner in the most Easterly Southeast line of said Forney Independent School District tract and an interior Northwest line of said 2870.83 acre tract;

THENCE South 44 Degrees 46 Minutes 45 Seconds West along the most Easterly Southeast line of said Forney Independent School District tract and an interior Northwest line of said 2870.83 acre tract, for a distance of 704.85 feet to the POINT OF BEGINNING, and containing 2.853 acres of land, more or less.

**EXHIBIT "B"**  
**TO SPECIAL WARRANTY DEED**  
**PERMITTED EXCEPTIONS**

**Special Warranty Deed of 130 Windmill Farms, L.P. - Page 6.**  
**(to 130 Windmill and EQK Exchange Agreement)**  
**276862.1**

**EXHIBIT "B"**  
(Affects .484 Acre Tract)

- a. An easement to Lone Star Gas Company, recorded in Volume 205, Page 474, of the Deed Records, Kaufman County, Texas. Ratified by instrument recorded in Volume 246, Page 171, Deed Records, Kaufman County, Texas.
- b. An easement to Texas Power and Light Company, dated January 15, 1948, recorded in Volume 316, Page 150, of the Deed Records, Kaufman County, Texas.
- c. An easement to Lone Star Gas Company, recorded in Volume 460, Page 10, of the Deed Records, Kaufman County, Texas.
- d. An easement to Kaufman-Van Zandt Soil and Water Conservation District, recorded in Volume 548, Page 69, of the Deed Records, Kaufman County, Texas.
- e. An easement to Kaufman-Van Zandt Soil and Water Conservation District, recorded in Volume 566, Page 584, of the Deed Records, Kaufman County, Texas.
- f. An easement to Farmers Electric Cooperative, Inc., dated October 11, 1978, recorded in Volume 649, Page 278, of the Deed Records, Kaufman County, Texas.
- g. Terms, conditions and stipulations contained in Agreement dated April 19, 1971 executed by and between Carr P. Collins, III and Kaufman-Van Zandt Soil and Water Conservation District, and recorded in Volume 548, Page 71, of the Deed Records of Kaufman County, Texas.
- h. Terms, provisions, covenants and conditions contained in Memorandum of Interest in Non-Productive Interests dated January 8, 1990 executed by Nelson Bunker Hunt and wife, Caroline Lewis Hunt and recorded in Volume 995, Page 561, of the Deed Records of Kaufman County, Texas.
- i. Terms, provisions, covenants, conditions and assessments, if any, contained in Order Canvassing Confirmation of Sales and Use Tax Election for Kaufman County Election District No. 1 dated August 14, 1996, and recorded in Volume 1251, Page 436, of the Deed Records of Kaufman County, Texas.

As affected by Amended District Information Form recorded in Volume 1268, Page 584, supplement recorded in Volume 1754, Page 14, amendment in Volume 2194, Page 468 and by Termination and Release of Assessment and Liens recorded in Volume 2572, Page 307, all of the Deed Records of Kaufman County, Texas.

- j. Terms, provisions, requirements and assessments, if any, contained in Order Declaring Results of Election to Divide Kaufman County Fresh Water Supply District No. 1 dated August 14, 2001, and recorded in Volume 2327, Page 327, of the Deed Records of Kaufman County, Texas.

As affected by Amended District Information Form in Volume 1980, Page 249 and Order Declaring Results of Election recorded in Volume 2327, Page 347, Deed Records, Kaufman County, Texas.

- k. Terms, provisions, requirements and assessments, if any, contained in Order Declaring Results of Election to Divide Kaufman County Fresh Water District No. 1-A into two Districts dated July 30, 2002, and recorded in Volume 2327, Page 347, of the Deed Records of Kaufman County, Texas.

As affected by Amended Notices recorded in Volume 2335, Page 199, Volume 2345, Page 484 and Waiver of Special Assessments recorded in Volume 2336, Page 624 all of the Deed Records of Kaufman County, Texas.

Special Warranty Deed of 130 Windmill Farms, LP - Page 7.  
(to 130 Windmill and EQK Exchange Agreement)  
276862.1

- l. Terms, provisions and assessments, if any, contained in Notice to Purchasers, recorded in Volume 3025, Page 80 and Volume 3025, Page 101, of the Deed Records of Kaufman County, Texas.
- m. Mineral and/or royalty interest, as described in instrument recorded in Volume 347, Page 324, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- n. Mineral and/or royalty interest, as described in instrument recorded in Volume 275, Page 616, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- o. Mineral and/or royalty interest, as described in instrument recorded in Volume 538, Page 249, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- p. Mineral and/or royalty interest, as described in instrument recorded in Volume 539, Page 567, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- q. Mineral and/or royalty interest, as described in instrument recorded in Volume 542, Page 692, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- r. Mineral and/or royalty interest, as described in instrument recorded in Volume 657, Page 728, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- s. Mineral and/or royalty interest, as described in instrument recorded in Volume 657, Page 730, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- t. Mineral and/or royalty interest, as described in instrument recorded in Volume 657, Page 758, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- u. Mineral and/or royalty interest, as described in instrument recorded in Volume 657, Page 764, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- v. Mineral and/or royalty interest, as described in instrument recorded in Volume 1029, Page 429, Deed Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- w. Terms, conditions and stipulations contained in Oil, Gas or Mineral Lease dated March 22, 1965, between the Prospect Company, as Lessor and B. Eugene Miller, as Lessee, recorded in Volume 492, Page 170, Deed Records, Kaufman County, Texas. Title to said lease not checked subsequent to date of aforesaid instrument.
- x. All oil, gas and other minerals in, on and under the herein described property, together with right of ingress and egress, mining and oil drilling privileges appurtenant thereof, heretofore reserved by predecessors in title. There is expressly excluded from coverage hereunder, and this Company does not insure title to oil, gas and other minerals of every kind and character, in, on and under the property herein described. This policy does not insure against loss sustained by the owner of the surface of said property through the exercise of the right of ingress and egress and/or any other right or privilege incident to the ownership of said mineral estate.

Special Warranty Deed of 130 Windmill Farms, LP - Page 8.  
(to 130 Windmill and EQK Exchange Agreement)  
276862.1

**EXHIBIT "B"**  
**(Affects 2.853 Acre Tract)**

- a. Easement executed by Myrtle H. Senter, to Lone Star Gas Company, dated October 1, 1962, filed May 21, 1963, recorded in/under Volume 460, Page 9 of the Real Property Records of KAUFMAN County, Texas.
- b. Easement executed by Myrtle H. Senter, to State of Texas, dated April 17, 1961, filed June 29, 1961, recorded in/under Volume 441, Page 490 of the Real Property Records of KAUFMAN County, Texas.
- c. Mineral and/or royalty interest, as described in instrument recorded in Volume 281, Page 45, Real Property Records, Kaufman County, Texas, reference to which instrument is here made for all purposes. Title to said interest not checked subsequent to date of aforesaid instrument.
- d. Terms, conditions and stipulations contained in Oil, Gas or Mineral Lease dated March 22, 1965, between The Prospect Company, as Lessor and S. Eugene Miller, as Lessee, recorded in Volume 492, Page 170, Real Property Records, Kaufman County, Texas. Title to said lease not checked subsequent to date of aforesaid instrument.
- e. Terms, conditions and stipulations contained in Oil, Gas or Mineral Lease dated January 27, 1977, between Helen Myrtle Patterson, as Lessor and Searcy M. Ferguson, Jr., as Lessee, recorded in Volume 624, Page 884, Real Property Records, Kaufman County, Texas. Title to said lease not checked subsequent to date of aforesaid instrument.
- f. Terms, conditions and stipulations contained in Oil, Gas or Mineral Lease dated January 27, 1977, between Kelly Jo Spratlan, as Lessor and Searcy M. Ferguson, Jr., as Lessee, recorded in Volume 624, Page 887, Real Property Records, Kaufman County, Texas. Title to said lease not checked subsequent to date of aforesaid instrument.
- g. Terms, conditions and stipulations contained in Oil, Gas or Mineral Lease dated January 27, 1977, between The Prospect Company, as Lessor and Searcy M. Ferguson, Jr., as Lessee, recorded in Volume 625, Page 199, Real Property Records, Kaufman County, Texas. Title to said lease not checked subsequent to date of aforesaid instrument.
- h. The further covenant, consideration and condition is that the following restrictions shall in all things be observed, followed, and complied with:

(a) The above-described realty, or any part thereof; shall not be used in the operation of; or in conjunction with, any school or other institution of learning, study or instruction which discriminates against any person because of his race, color or national origin, regardless of whether such discrimination be effected by design or otherwise.

(b) The above-described realty, or any part thereof; shall not be used in the operation of or in conjunction with, any school or other institution of learning, study or instruction which creates, maintains, reinforces, renews, or encourages, or which tends to create, maintain, reinforce, renew or encourage a dual school system.

These restrictions and conditions shall be binding upon Grantee and its successors and assigns for a period of fifty (50) years from the date hereof.

The foregoing restrictions and the other covenants hereafter set out are covenants running with the land, and each and every parcel thereof; and shall be fully binding upon any person, firm, partnership, corporation, trust, church, club, governmental body, or other organization or entity whatever (whether private or governmental in nature), without limitation, hereafter acquiring any estate, title, interest or property in said land, whether by descent, devise, purchase or otherwise; and no act or omission upon the

part of the Grantor herein, its successors and assigns, shall be a waiver of the operation or enforcement of such restrictions; but neither restriction shall be construed to be a condition subsequent or special limitation on the estate hereby conveyed.

It is further covenanted, that third party beneficiaries of the restrictions set forth above shall be as follows:

- (1) As to the restrictions set out in (a) above, any person prejudiced by its violation;
- (2) As to the restriction set out in (b) above, any public school district or any person prejudiced by its violation; and
- (3) As to either or both of the restrictions set out in (a) and (b) above, the United States of America, as plaintiff; and the American G.I. Forum, the League of United Latin American Citizens (LULAC), and the National Association of Colored People (NAACP), as intervenors, in U.S. v. Texas, Civil Action No. 5281, Tyler Division, U.S. District Court, Eastern District of Texas; reported in U.S. v. Texas, 321 F.Supp. 1043 (E.D. Tex. 1970); U.S. v. Texas, 330 F. Supp. 235 (E.D. Tex. 1971); affd. with modifications sub nom. U.S. v. State of Texas and J. W. Edgar, et al., 447 F.2d 441 (5 Cir. 1971) stay den. sub nom. Edgar v. U.S., 404 U.S. 1206 (1971); cert. den. 404 U.S. 1016 (1972).

It is further covenanted, that in case of a violation of either or both of the above restrictions, any of the third party beneficiaries above alluded to is authorized and empowered to prosecute proceedings at law or in equity against any person, firm, partnership, corporation, trust, church, club, governmental body or other organization or entity whatever (whether private or governmental in nature), without limitation:

- (A) To enforce either or both of such restrictions relating to the use of the above-described realty;
- (B) To abate or prevent violations of either or both of such restrictions; and
- (C) To recover damages for a breach of either or both of such restrictions.

It is further covenanted, that if any third party beneficiary referred to above shall prosecute proceedings at law or in equity for the aforesaid purposes, such third party beneficiary may recover reasonable attorney's fees from the violator or violators of either or both of such restrictions, if the Court finds proceedings were necessary to bring about compliance therewith.

INST # 2011-0010817  
Filed for record in Kaufman County  
On: 7/18/11 at 3:28 PM



Kaufman County  
Laura Hughes  
County Clerk

Instrument Number: 2011-0000635

WARRANTY DEED

Party: EQK WINDMILL FARMS LLC

Billable Pages: 35  
Number of Pages: 36

FILED AND RECORDED - REAL RECORDS	CLERKS COMMENTS
<b>On:</b> 01/12/2011 at 11:40 AM	MAILBACK
<b>Document Number:</b> <u>2011-0000635</u>	GENERAL WARRANTY DEED
<b>Receipt No:</b> <u>11-585</u>	* At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photocopy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.
<b>Amount:</b> \$ <u>152.00</u>	
<b>Vol/Pg:</b> <u>V:3886 P:212</u>	



STATE OF TEXAS  
COUNTY OF KAUFMAN

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the Official Public Records of Kaufman County, Texas.

*Laura A. Hughes*

Laura Hughes, County Clerk

Recorded By: Karen Jones, Deputy

**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.**

Record and Return To:  
COMMONWEALTH LAND TITLE INSURANCE CO  
5949 SHERRY LANE STE 111  
DALLAS, TX 75225



INST # 2011-0000635

**GENERAL WARRANTY DEED**

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

**EQK WINDMILL FARMS, LLC**, a Nevada limited liability company (the "Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, paid by **EQK BRIDGEVIEW PLAZA, INC.**, a Nevada corporation (the "Grantee"), whose address is 1750 Valley View Lane, Suite 440, Dallas, Texas 75234, **HAS GRANTED, BARGAINED, SOLD and CONVEYED**, and by these presents **DOES GRANT, BARGAIN, SELL and CONVEY** unto Grantee that certain tract of land (the "Land") situated in Kaufman County, Texas, and described on **Exhibit "A"** which is attached hereto and incorporated herein by reference for all purposes; together with all of Grantor's right, title and interest in and to the rights and appurtenances pertaining solely to such Land, including any right, title and interest of Grantor in and to the centerline of adjacent roads, streets, alleys or rights-of-way to the extent (but only to the extent) that the same relate to the Land, (all of such Land, rights and appurtenances being hereinafter collectively referred to as the "Property").

This conveyance is made subject, however, to the matters of record as of the date hereof.

**TO HAVE AND TO HOLD** the Property unto Grantee, and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to **WARRANT and FOREVER DEFEND**, all and singular the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, and subject, however, as aforesaid.

[Signature and Acknowledgment to Follow]

**EXECUTED** effective as of this 21<sup>st</sup> day of September, 2010.

**GRANTOR:**

**EQK WINDMILL FARMS, LLC,**  
a Nevada limited liability company

By:   
Steven A. Shelley, Vice President

**THE STATE OF TEXAS** §  
§  
**COUNTY OF DALLAS** §

This instrument was acknowledged before me on this 21<sup>st</sup> day of September, 2010, by Steven A. Shelley, as Vice President of **EQK WINDMILL FARMS, LLC**, a Nevada limited liability company, on behalf of such company.



Alice D. Bueto  
Notary Public in and for the State of Texas

After recording return to:  
Commonwealth Land Title Insurance Co.  
5949 Sherry Lane, Suite 111  
Dallas, Texas 75225

**EXHIBIT "A"**

**TRACT: I**

All that certain lot, tract or parcel of land situated in the S. SMITH SURVEY, ABSTRACT NO. 458, the J. B. DAVENPORT SURVEY, ABSTRACT NO. 132, the D. HARRIS SURVEY, ABSTRACT NO. 199, the J. B. WHITE SURVEY, ABSTRACT NO. 580, the W. BOLES SURVEY, ABSTRACT NO. 55, the L. FEARCE SURVEY, ABSTRACT NO. 373 and the J. HEATH SURVEY, ABSTRACT NO. 227, KAUFMAN County, Texas, and being part of that tract of land described in a Deed to Kaufman Land Partners, Ltd., as recorded in Volume 1973, Page 552 of the Official Public Records of KAUFMAN County, Texas, and being part of a called 1114.15 acre tract of land described in a Deed to Kaufman Land Partners, Ltd., as recorded in Volume 1973, Page 568 of the Official Public Records of KAUFMAN County, Texas, and also being all of a called 23.14 acre tract of land described in a Deed to Kaufman Land Partners, Ltd., as recorded in Volume 2504, Page 233 of the Official Public Records of KAUFMAN County, Texas, and being more particularly described as follows:

**BEGINNING** at a ½ inch iron rod with plastic cap stamped "USA INC. PROP. COR." set (herein called a ½ inch iron rod set) for corner in the North line of U. S. Highway No. 80 (300 foot right-of-way), said point being the most Southerly Southwest corner of the above cited 1114.15 acre tract of land, said point also being the Southeast corner of a tract of land conveyed to Leman Development, Ltd., per Deed recorded in Volume 1323, Page 281 of the Deed Records of KAUFMAN County, Texas;

**THENCE** North 33 degrees 06 minutes 43 seconds West departing the North line of said highway, and along the Westerly line of said 1114.15 acre tract and the Easterly line of said Leman Development tract, for a distance of 103443 feet to a ½ inch iron rod set for corner, said point being the most Southerly Southeast corner of the above cited 23.14 acre tract;

**THENCE** North 44 degrees 04 minutes 13 seconds West along the Southerly line of said 23.14 acre tract, for a distance of 15.44 feet to a ½ inch iron rod set for corner;

**THENCE** South 83 degrees 48 minutes 36 seconds West along the Southerly line of said 23.14 acre tract, for a distance of 387.97 feet to a ½ inch iron rod set for corner in the Easterly line of Windmill Farms Boulevard (120 foot right-of-way per the plat of Windmill Farms Phase 1A, 1B and 1C, as recorded in Cabinet 2, Page 213 of the Plat Records of KAUFMAN County, Texas), said point also being the most Southerly Southwest corner of said 23.14 acre tract;

**THENCE** North 06 degrees 11 minutes 24 seconds West along the Easterly line of said Windmill Farms Boulevard, passing the platted North line of same at a distance of 66.35 feet, and continuing along the Easterly line of Windmill Farms Boulevard (120 foot right-of-way per Volume 2692, Page 620 of the Official Public Records of KAUFMAN County, Texas), for a total distance of 178.19 feet to a ½ inch iron rod set for corner at the beginning of a curve to the left;

THENCE in a Northwesterly direction, along the Easterly line of said Windmill Farms Boulevard, and along said curve to the left having a central angle of 50 degrees 47 minutes 32 seconds, a radius of 1005.00 feet, a chord bearing of North 31 degrees 35 minutes 10 seconds West, a chord length of 730.56 feet and an arc length of 961.84 feet to a 1/2 inch iron rod set for corner;

THENCE North 56 degrees 58 minutes 06 seconds West along the Northeastery line of said Windmill Farms Boulevard, for a distance of 652.89 feet to a 1/2 inch iron rod set for corner at the beginning of a curve to the right;

THENCE in a Northwesterly direction, along the Easterly line of said Windmill Farms Boulevard, and along said curve to the right having a central angle of 38 degrees 18 minutes 56 seconds, a radius of 640.00 feet, a chord bearing of North 37 degrees 49 minutes 28 seconds West, a chord distance of 420.06 feet and an arc length of 427.99 feet to a 1/2 inch iron rod set for corner;

THENCE North 18 degrees 40 minutes 00 seconds West along the Easterly line of said Windmill Farms Boulevard, for a distance of 274.07 feet to a 1/2 inch iron rod set for corner;

THENCE North 25 degrees 54 minutes 55 seconds East departing the Easterly line of said Windmill Farms Boulevard, for a distance of 532.72 feet to a 1/2 inch iron rod set for corner, said point being the most Northerly Northwest corner of said 23.14 acre tract;

THENCE North 85 degrees 27 minutes 31 seconds East along the North line of said 23.14 acre tract, for a distance of 254.38 feet to a 1/2 inch iron rod set for corner at the most Northerly Northeast corner of said 23.14 acre tract;

THENCE North 21 degrees 54 minutes 02 seconds West for a distance of 2.56 feet to a 1/2 inch iron rod set for corner at the most Easterly Southeast corner of a called 352.2896 acre tract of land conveyed to Leman Development, Ltd., per Deed recorded in Volume 2034, Page 419 of the Official Public Records of KAUFMAN County, Texas;

THENCE North 01 degrees 46 minutes 16 seconds West along the East line of said 352.2896 acre tract, for a distance of 1783.76 feet to a 1/2 inch iron rod set for corner at the most Easterly Northeast corner of same;

THENCE North 85 degrees 33 minutes 23 seconds West along the North line of said 352.2896 acre tract, for a distance of 1185.10 feet to a 1/2 inch iron rod set for corner at the most Easterly Southeast corner of a called 200 acre tract of land described in said Deed to Leman Development, Ltd. recorded in Volume 2034, Page 419;

THENCE North 04 degrees 26 minutes 37 seconds East along the Easterly line of said 200 acre tract, for a distance of 937.13 feet to a 1/2 inch iron rod set for corner;

THENCE North 69 degrees 56 minutes 29 seconds West along the Northerly line of said 200 acre tract, for a distance of 843.87 feet to a 1/2 inch iron rod set for corner at the beginning of a non-tangent curve to the left;

THENCE in a Northeastery direction, departing the Northerly line of said 200 acre tract,

along said curve to the left having a central angle of 03 degrees 16 minutes 30 seconds, a radius of 560.00 feet, a chord bearing of North 1.1 degrees 30 minutes 02 seconds East, a chord distance of 51.54 feet and an arc length of 51.56 feet to a 1/2 inch iron rod set for corner;

THENCE North 08 degrees 51 minutes 47 seconds East for a distance of 321.18 feet to a 1/2 inch iron rod set for corner at the beginning of a curve to the right;

THENCE in a Northeasterly direction, along said curve to the right having a central angle of 24 degrees 06 minutes 47 seconds, a radius of 1940.00 feet, a chord bearing of North 29 degrees 55 minutes 11 seconds East, a chord distance of 810.45 feet and an arc length of 816.46 to a 1/2 inch iron rod set for corner at the beginning of a curve to the right;

THENCE in a Northeasterly direction, along said curve to the right having a central angle of 17 degrees 21 minutes 29 seconds, a radius of 1162.66 feet, a chord bearing of North 41 degrees 48 minutes 04 seconds East, a chord distance of 350.89 feet and an arc length of 352.23 feet to a 1/2 inch iron rod set for corner at the beginning of a curve to the left;

THENCE in a Northeasterly direction, along said curve to the left having a central angle of 14 degrees 25 minutes 18 seconds, a radius of 1500.00 feet, a chord bearing of North 43 degrees 26 minutes 36 seconds East, a chord distance of 376.56 feet and an arc length of 377.56 to a 1/2 inch iron rod set for corner;

THENCE North 72 degrees 56 minutes 34 seconds West for a distance of 922.54 feet to a 1/2 inch iron rod set for corner;

THENCE North 05 degrees 16 minutes 41 seconds West for a distance of 211.05 feet to a 1/2 inch iron rod set for corner;

THENCE South 44 degrees 46 minutes 45 seconds West for a distance of 614.16 feet to a 1/2 inch iron rod found for corner at the most Westerly Southwest corner of same, said point also being in the center of a dirt road known as County Road No. 218, said point also being at the South corner of a tract of land described in Deed to Forney ISD as recorded in Volume 2348, Page 182 of the Official Public Records of KAUFMAN County, Texas;

THENCE North 44 degrees 45 minutes 46 seconds East along said road, and along the South line of said Forney Independent School District tract, for a distance of 825.80 feet to a 1/2 inch iron rod set for corner at an interior ell corner of same;

THENCE South 45 degrees 20 minutes 09 seconds East along said road, and along the Southwest line of said Forney Independent School District tract, for a distance of 574.19 feet to a 1/2 inch iron rod set for corner at the most Easterly Southwest corner of same;

THENCE North 44 degrees 46 minutes 45 seconds East along said road, and along the Southeast line of said Forney Independent School District tract, passing a 1/2 inch iron rod found at the centerline intersection of said road at a distance of 519.64 feet, and continuing along the Southeast line of said Forney Independent School District tract for a total distance of 2688.58 feet to a 1/2 inch iron rod set for corner in the center of a creek bed, said point also being the most Easterly Southeast corner of said Forney Independent School District tract;

THENCE in a Northwesterly direction, along the Easterly line of said Forney Independent School District tract, and along the meanders of said creek as follows:

South 79 degrees 57 minutes 39 seconds West for a distance of 130.75 feet;  
South 81 degrees 50 minutes 23 seconds West for a distance of 142.75 feet;  
North 67 degrees 59 minutes 41 seconds West for a distance of 123.13 feet;  
South 80 degrees 25 minutes 14 seconds West for a distance of 63.21 feet;  
North 72 degrees 21 minutes 35 seconds West for a distance of 220.30 feet;  
South 66 degrees 57 minutes 49 seconds West for a distance of 67.18 feet;  
North 55 degrees 05 minutes 28 seconds West for a distance of 145.13 feet;  
South 86 degrees 04 minutes 47 seconds West for a distance of 211.78 feet;  
North 66 degrees 49 minutes 18 seconds West for a distance of 168.78 feet;  
North 81 degrees 50 minutes 23 seconds West for a distance of 195.63 feet;  
North 54 degrees 48 minutes 33 seconds West for a distance of 77.42 feet;  
North 85 degrees 33 minutes 50 seconds West for a distance of 77.87 feet;  
North 71 degrees 49 minutes 47 seconds West for a distance of 199.77 feet;  
North 66 degrees 53 minutes 12 seconds West for a distance of 228.16 feet;  
South 43 degrees 21 minutes 21 seconds West for a distance of 58.24 feet;  
North 37 degrees 58 minutes 04 seconds West for a distance of 114.22 feet;  
North 58 degrees 13 minutes 15 seconds West for a distance of 63.49 feet;  
North 65 degrees 28 minutes 27 seconds West for a distance of 131.90 feet;  
North 60 degrees 52 minutes 47 seconds West for a distance of 129.60 feet;  
North 24 degrees 55 minutes 40 seconds West for a distance of 63.45 feet;  
South 42 degrees 37 minutes 02 seconds West for a distance of 68.76 feet;  
North 62 degrees 34 minutes 48 seconds West for a distance of 95.16 feet;  
North 17 degrees 34 minutes 44 seconds West for a distance of 50.58 feet;  
South 87 degrees 20 minutes 44 seconds West for a distance of 116.71 feet;  
North 58 degrees 35 minutes 22 seconds West for a distance of 84.85 feet;  
North 25 degrees 35 minutes 06 seconds East for a distance of 90.15 feet;  
North 64 degrees 22 minutes 20 seconds West for a distance of 128.53 feet;  
South 66 degrees 24 minutes 18 seconds West for a distance of 70.30 feet;  
North 27 degrees 53 minutes 35 seconds West for a distance of 66.98 feet;  
South 85 degrees 27 minutes 50 seconds West for a distance of 71.31 feet;  
North 28 degrees 38 minutes 31 seconds West for a distance of 62.59 feet;  
South 72 degrees 12 minutes 15 seconds West for a distance of 66.27 feet;  
North 15 degrees 57 minutes 26 seconds West for a distance of 53.30 feet;  
North 53 degrees 37 minutes 11 seconds West for a distance of 114.48 feet;  
North 87 degrees 18 minutes 28 seconds West for a distance of 97.06 feet;  
North 25 degrees 08 minutes 53 seconds West for a distance of 155.73 feet;  
South 87 degrees 32 minutes 04 seconds West for a distance of 108.21 feet;  
North 34 degrees 58 minutes 22 seconds West for a distance of 65.36 feet;  
North 55 degrees 45 minutes 46 seconds West for a distance of 188.87 feet to a 1/4 inch iron rod set for corner;

THENCE North 37 degrees 12 minutes 07 seconds East departing said creek and continuing along the Easterly line of said Forney Independent School District tract, for a distance of 262.41 feet to a 1/4 inch iron rod found for corner;

THENCE North 58 degrees 23 minutes 06 seconds West along the Easterly line of said Forney Independent School District tract, for a distance of 1152.27 feet to a 1/4 inch iron rod found for corner in the Southeast line of E. M. Highway 548 (100 foot right-of-way), said point being the most Northerly Northeast corner of said Forney Independent School District tract, said point also being the most Northerly Northwest corner of the above cited Kaufman Land Partners tract recorded in Volume 1973, Page 552;

**THENCE** North 45 degrees 20 minutes 01 seconds East along the Southeast line of said highway, for a distance of 270.21 feet to a 1/2 inch iron rod set for corner at the beginning of a curve to the right;

**THENCE** in a Northeasterly direction, along the Southeast line of said highway, and along said curve to the right having a central angle of 39 degrees 36 minutes 00 seconds, a radius of 1859.86 feet, a chord bearing of North 69 degrees 38 minutes 01 seconds East, a chord distance of 981.53 feet and an arc length of 993.30 feet to a 1/2 inch iron rod found for corner;

**THENCE** North 75 degrees 56 minutes 01 seconds East along the Southeast line of said highway, for a distance of 658.70 feet to a 1/2 inch iron rod set for corner, said point being the most Westerly corner of a tract of land described as Tract 2 in a Deed to Rita Sue Hendrickson, as recorded in Volume 2224, Page 190 of the Official Public Records of KAUFMAN County, Texas;

**THENCE** South 44 degrees 52 minutes 37 seconds East along the Southwest line of said Hendrickson tract, for a distance of 522.50 feet to a 1/2 inch iron rod set for corner at the South corner of same;

**THENCE** North 44 degrees 27 minutes 29 seconds East along the Southeast line of said Hendrickson tract and the Southeast line of a tract of land described in a Deed to Danny R. Anderson, Jr., et al, as recorded in Volume 2543, Page 383 of the Official Public Records of KAUFMAN County, Texas, for a distance of 525.94 feet to a 1/2 inch iron rod found for corner at the most Easterly corner of said Anderson tract said point also being the most Southerly corner of a tract of land described in a Deed to Kaufman Ranch, Inc., as recorded in Volume 1177, Page 947 of the Deed Records of KAUFMAN County, Texas;

**THENCE** North 44 degrees 52 minutes 37 seconds East along the Southeast line of said Kaufman Ranch tract, for a distance of 517.12 feet to a 1/2 inch iron rod set for corner in the Southeast line of the above cited F. M. Highway No. 548;

**THENCE** in a Northeasterly direction, along the Southeast line of said highway, and along a non-tangent curve to the left having a central angle of 13 degrees 01 minutes 10 seconds, a radius of 1959.86 feet, a chord bearing of North 51 degrees 44 minutes 36 seconds East, a chord length of 444.39 feet and an arc length of 448.34 feet to a 1/2 inch iron rod set for corner;

**THENCE** North 45 degrees 14 minutes 01 seconds East along the Southeast line of said highway, for a distance of 3039.52 feet to a 1/2 inch iron rod set for corner in the center of a dirt road, said point being the most Northerly corner of the above cited Kaufman Land Partners tract, said point also being in the Southwest line of a called 79.57 acre tract of land described as the Second Tract in a Deed to Lloyd Colquitt Miller, as recorded in Volume 377, Page 259 of the Deed Records of KAUFMAN County, Texas;

**THENCE** South 45 degrees 08 minutes 06 seconds East along the Northeast line of said Kaufman Land Partners tract and along the centerline of a said dirt road, for a distance of 8051.30 feet to a 1/2 inch iron rod set for corner, said point being the most Southerly corner of a tract of land conveyed to G. L. D. Investments, L.P., as recorded in Volume 1333, Page 296 of the Deed Records of KAUFMAN County, Texas, said point also being the West corner of a tract of land described as the Fourth Tract in a Deed to Beans Creek, Ltd., as recorded in Volume 1182, Page 615 of the Deed Records of KAUFMAN County, Texas;



**THENCE** South 44 degrees 51 minutes 43 seconds East along the Northeast line of said Kaufman Land Partners tract and the Southwest line of said Beans Creek tract, for a distance of 2326.77 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 50 degrees 29 minutes 40 seconds West along the Southwest line of said Beans Creek tract, for a distance of 74.87 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 43 degrees 12 minutes 16 seconds East along the Southwest line of said Beans Creek tract for a distance of 1483.02 feet to a 1/4 inch iron rod set for corner;

**THENCE** North 44 degrees 31 minutes 44 seconds East along the Southwest line of said Beans Creek tract, for a distance of 11.11 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 43 degrees 22 minutes 18 seconds East along the Southwest line of said Beans Creek tract, for a distance of 2658.15 feet to a 1/4 inch iron rod found for corner in County Road No. 239, said point being the most Northerly Northeast corner of Valley View Estates, an Addition to KAUFMAN County, Texas, according to the Plat recorded in Cabinet 1, Page 792 of the Plat Records of KAUFMAN County, Texas;

**THENCE** South 44 degrees 47 minutes 26 seconds West along the Northwest line of said Valley View Estates, passing a 1/4 inch iron rod found at the North corner of Lot 71 at a distance of 17.12 feet, and continuing along said line for a total distance of 3442.34 feet to a 1/4 inch iron rod found for corner, said point being in the Northeast line of a tract of land described as Tract 2 in a Deed to Wylie Musser, as recorded in Volume 1176, Page 807 of the Deed Records of KAUFMAN County, Texas;

**THENCE** North 45 degrees 53 minutes 01 seconds West along the Northeast line of said Musser Tract, for a distance of 969.54 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 45 degrees 31 minutes 14 seconds West along the Northwest line of said Musser tract, for a distance of 3750.75 feet to a 1/4 inch iron rod set for corner, said point being the West corner of a tract of land described in Deed to Estella Briones, as recorded in Volume 1231, Page 809 of the Deed Records of KAUFMAN County, Texas;

**THENCE** South 44 degrees 56 minutes 51 seconds East along the Southwest line of said Briones tract, for a distance of 779.61 feet to a 1/4 inch iron rod set for corner;

**THENCE** North 44 degrees 41 minutes 56 seconds East along the Southeast line of said Briones tract, passing a 1/4 inch iron rod set for reference at a distance of 1322.00 feet, and continuing for a total distance of 1350.55 feet to a point for corner in the center of a creek;

**THENCE** South 01 degrees 49 minutes 47 seconds East along said creek, for a distance of 265.37 feet to a point for corner;

**THENCE** South 18 degrees 03 minutes 17 seconds East along said creek, for a distance of 156.55 feet to a point for corner;

**THENCE** South 16 degrees 10 minutes 06 seconds East along said creek, for a distance of 315.52 feet to a point for corner;

**THENCE** South 44 degrees 30 minutes 01 seconds West passing a 1/4 inch iron rod set for reference at a distance of 50.00 feet, and continuing for a total distance of 2107.18 feet to a 1-1/2 inch iron pipe found for corner in the North line of U. S. Highway No. 80;

**THENCE North 88 degrees 35 minutes 32 seconds West along the North line of said highway, for a distance of 655.79 feet to a concrete highway monument found for corner;**

**THENCE North 48 degrees 32 minutes 24 seconds West along the North line of said highway, for a distance of 67.23 feet to a concrete highway monument found for corner in the East line of said County Road No. 218;**

**THENCE North 88 degrees 26 minutes 57 seconds West along the North line of said highway, for a distance of 48.27 feet to a concrete highway monument found for corner in the West line of said County Road No. 218;**

**THENCE South 49 degrees 27 minutes 14 seconds West along the North line of said highway, for a distance of 74.83 feet to a concrete highway monument found for corner;**

**THENCE North 88 degrees 38 minutes 09 seconds West along the North line of said highway, for a distance of 2558.76 feet to the POINT OF BEGINNING, AND CONTAINING 2870.83 acres of land.**

**SAVE AND EXCEPT THE FOLLOWING TRACTS:**

1. 0.5 acre tract of land excluded from the conveyance of the Third Tract, as described in a Deed from Richard H. Collins, Trustee, to Richard Wolfe, Trustee, as recorded in Volume 680, Page 785 of the Deed Records of KAUFMAN County, Texas.
2. 10 acre tract of land described in a Deed to Lawson Tech, LLP, as recorded in Volume 2490, Page 581 of the Official Public Records of KAUFMAN County, Texas.
3. 20.61 acre tract of land conveyed to Raymond Eggefeld per Deeds recorded in Volume 521, Page 35, Volume 852, Page 96 and Volume 1234, Page 774 of the Deed Records of KAUFMAN County, Texas.

**TRACT: II**

**BEING a tract of land situated in the LEWIS FEARCE SURVEY, ABSTRACT NO. 373 in KAUFMAN County, Texas, and being known as that tract of land described in a Deed to Kaufman Land Partners, LTD., as recorded in Volume 1973, Page 579 of the Official Public Records of KAUFMAN County, Texas, and being more particularly described as follows:**

**BEGINNING at a 12 inch fence corner post found in the Southeastern line of County Road No. 211, said point being the most Northern corner of the above cited Kaufman Land Partners tract;**

**THENCE South 45 degrees 13 minutes 09 seconds East along the Northeastern line of said Kaufman Land Partners tract, for a distance of 1935.85 feet to ½ inch iron rod found for corner;**

**THENCE South 44 degrees 39 minutes 05 seconds West along the Southeast line of said Kaufman Land Partners tract, for a distance of 858.00 feet to a ½ inch iron rod with cap stamped "USA INC PROP COR" set (hereinafter called ½ inch iron rod set) for corner, said point being the most Southern East corner of a tract of land described in a Deed to Countryside CR211, LP, as recorded in Volume 1785, Page 139 of the Official Public Records of KAUFMAN County, Texas;**

**THENCE North 45 degrees 13 minutes 09 seconds West along the Southwesterly line of said Kaufman Land Partners tract and the most Southerly Northeast line of said Countryside CR211 tract, for a distance of 800.00 feet to a 1/4 inch iron rod set for corner;**

**THENCE North 44 degrees 39 minutes 05 seconds East along the most Southerly Northwest line of said Kaufman Land Partners tract and the most Northerly Southeast line of said Countryside CR211 tract, for a distance of 741.98 feet to a 1/4 inch iron rod set for corner;**

**THENCE North 45 degrees 13 minutes 09 seconds West along the most Northerly Southwest line of said Kaufman Land Partners tract and along the most Northerly Northeast line of said Countryside CR211 tract, for a distance of 1135.29 feet to a 1/4 inch iron rod set for corner in the Southerly line of said County Road No. 211;**

**THENCE North 44 degrees 46 minutes 58 seconds East along the Southerly line of said County Road No. 211, for a distance of 108.82 feet to the POINT OF BEGINNING and CONTAINING 18.426 acres of land, more or less.**

### **TRACT: III**

**All that certain lot, tract or parcel of land situated in the S. SMITH SURVEY, ABSTRACT NO. 450, and the J. HEATH SURVEY, ABSTRACT NO. 227, KAUFMAN County, Texas, and being part of those tracts of land described in a Deed to Loman Development, Ltd., as recorded in Volume 2834, Page 419 of the Official Public Records of KAUFMAN County, Texas, and being part of that tract of land described in a Deed to Loman Development, Ltd., as recorded in Volume 1323, Page 281 of the Deed Records of KAUFMAN County, Texas, and being more particularly described as follows:**

**BEGINNING at a 1/4 inch iron rod with plastic cap stamped "USA INC. PROP. COR." set (hereinafter called 1/4 inch iron rod set) for corner in the Easterly right-of-way line of Windmill Farms Boulevard (120 foot right-of-way per Volume 2692, Page 620 of the Official Public Records of KAUFMAN County, Texas), said point also being the most Westerly Northwest corner of a called 23.14 acre tract of land conveyed to Kaufman Land Partners, Ltd., per Deed recorded in Volume 2504, Page 233 of the Official Public Records of KAUFMAN County, Texas;**

**THENCE North 18 degrees 40 minutes 00 seconds West along the Easterly line of said Windmill Farms Boulevard, for a distance of 141.55 feet to a 1/4 inch iron rod set for corner in the East line of Lot 10B, Block AA of Windmill Farms Phase 1A, 1B and 1C, an Addition to KAUFMAN County, Texas, as recorded in Exhibit 2, Page 213 of the Plat Records of KAUFMAN County, Texas;**

**THENCE North 09 degrees 09 minutes 12 seconds East departing the Easterly line of said Windmill Farms Boulevard, and along the East line of said Lot 10B, for a distance of 59.47 feet to a 1/4 inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the Northeast corner of said Lot 10B;**

**THENCE North 76 degrees 44 minutes 18 seconds West along the North line of said Lot**

10B, for a distance of 27.76 feet to a ½ inch iron rod set for corner in the Easterly line of said Windmill Farms Boulevard;

THENCE North 18 degrees 40 minutes 00 seconds West along the Easterly line of said Windmill Farms Boulevard, for a distance of 125.85 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the beginning of a curve to the left;

THENCE in a Northwesterly direction, along the Easterly line of said Windmill Farms Boulevard, and along said curve to the left having a central angle of 28 degrees 57 minutes 18 seconds, radius of 1569.00 feet, a chord bearing of North 33 degrees 08 minutes 39 seconds West, a chord distance of 780.00 feet and an arc length of 788.36 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

THENCE North 47 degrees 37 minutes 18 seconds West along the Easterly line of said Windmill Farms Boulevard, for a distance of 1201.00 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the beginning of a curve to the right;

THENCE in a Northwesterly direction, along the Easterly line of said Windmill Farms Boulevard, and along said curve to the right having a central angle of 61 degrees 52 minutes 01 seconds, a radius of 1140.00 feet, a chord bearing of North 16 degrees 41 minutes 18 seconds West, a chord distance of 1171.02 feet and an arc length of 1230.95 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the Northeast corner of said Windmill Farms Boulevard right-of-way;

THENCE North 75 degrees 45 minutes 17 seconds West along the North line of said Windmill Farms Boulevard right-of-way, for a distance of 128.00 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the Northwest corner of same, said point also being in the East line of Amber Fields, Windmill Farms Phase 2B - Section 2, an Addition to KAUFMAN County, Texas, as recorded in Cabinet 2, Page 545 of the Plat Records of KAUFMAN County, Texas, said point also being at the beginning of a non-tangent curve to the right;

THENCE in a Northeasterly direction, along the Easterly line of said Amber Fields, Windmill Farms Phase 2B - Section 2, and along said curve to the right having a central angle of 02 degrees 28 minutes 44 seconds, a radius of 1260.00 feet, a chord bearing of North 15 degrees 29 minutes 05 seconds East, a chord distance of 54.51 feet and an arc length of 54.51 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the Northeast corner of same, said point also being the Southeast corner of Amber Fields, Windmill Farms Phase 2B - Section 3, an Addition to KAUFMAN County, Texas, as recorded in Cabinet 2, Page 543 of the Plat Records of KAUFMAN County, Texas;

THENCE in a Northwesterly direction, along the Northerly line of said Amber Fields, Windmill Farms Phase 2B - Section 3 and the Northerly line of Amber Fields, Windmill Farms Phase 2B - Section 4, an Addition to KAUFMAN County, Texas, as recorded in Cabinet 2, Page 543 of the Plat Records of KAUFMAN County, Texas, as follows:

North 07 degrees 36 minutes 33 seconds East for a distance of 95.58 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 03 degrees 08 minutes 38 seconds West for a distance of 95.75 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 12 degrees 17 minutes 51 seconds West for a distance of 95.75 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 21 degrees 27 minutes 04 seconds West for a distance of 95.75 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 29 degrees 48 minutes 07 seconds West for a distance of 95.89 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 39 degrees 19 minutes 26 seconds West for a distance of 288.56 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 72 degrees 35 minutes 36 seconds West for a distance of 189.92 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 17 degrees 24 minutes 24 seconds East for a distance of 152.00 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 72 degrees 35 minutes 36 seconds West for a distance of 142.98 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the beginning of a non-tangent curve to the left;

Northwesterly, along said non-tangent curve to the left having a central angle of 106 degrees 59 minutes 35 seconds, a radius of 50.00 feet, a chord bearing of North 55 degrees 58 minutes 00 seconds West, a chord distance of 84.38 feet and an arc length of 93.37 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 72 degrees 35 minutes 36 seconds West for a distance of 25.47 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 17 degrees 24 minutes 24 seconds East for a distance of 125.00 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 72 degrees 35 minutes 00 seconds West for a distance of 479.58 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 67 degrees 57 minutes 59 seconds West for a distance of 76.76 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 69 degrees 42 minutes 44 seconds West for a distance of 76.37 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 54 degrees 14 minutes 47 seconds West for a distance of 103.55 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 58 degrees 33 minutes 38 seconds West for a distance of 89.91 feet to a ½ inch iron

rod with cap stamped "USA INC. PROP. COR." found for corner;

North 64 degrees 17 minutes 12 seconds West for a distance of 89.91 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 70 degrees 00 minutes 46 seconds West for a distance of 89.91 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 75 degrees 44 minutes 28 seconds West for a distance of 89.91 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 81 degrees 27 minutes 54 seconds West for a distance of 89.91 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 35 degrees 52 minutes 19 seconds East for a distance of 253.28 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 24 degrees 10 minutes 24 seconds West for a distance of 178.43 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner;

North 68 degrees 48 minutes 31 seconds West for a distance of 182.61 feet to a ½ inch iron rod with cap stamped "USA INC. PROP. COR." found for corner at the beginning of a non-tangent curve to the left;

Southwesterly, along said non-tangent curve to the left having a central angle of 21 degrees 03 minutes 07 seconds, a radius of 1527.50 feet, a chord bearing of South 31 degrees 42 minutes 19 seconds West, a chord distance of 558.00 feet and an arc length of 561.24 feet to a ½ inch iron rod set for corner at the Northeast corner of Iron Gate Boulevard, (100 foot right-of-way per Honeysuckle Meadows, Windmill Farms Phase 2A-Section 2, an Addition to KAUFMAN County, Texas, as recorded in Exhibit 2, Page 529 of the Plat Records of KAUFMAN County, Texas);

THENCE North 68 degrees 49 minutes 15 seconds West along the North line of said Iron Gate Boulevard, for a distance of 92.50 feet to a ½ inch iron rod set for corner at the corner at the beginning of a non-tangent curve to the right;

THENCE in a Northeasterly direction, along said non-tangent curve to the right having a central angle of 27 degrees 50 minutes 37 seconds, a radius of 1620.00 feet, a chord bearing of North 35 degrees 06 minutes 04 seconds East, a chord distance of 779.53 feet and an arc length of 787.26 feet to a ½ inch iron rod set for corner at the most Easterly Northwest corner of a called 200 acre tract of land described in the above cited Deed to Louann Development, Ltd., recorded in Volume 2034, Page 419;

THENCE South 40 degrees 58 minutes 38 seconds East along the Northerly line of said 200 acre tract, for a distance of 235.44 feet to a ½ inch iron rod set for corner;

THENCE South 75 degrees 34 minutes 45 seconds East along the Northerly line of said 200 acre tract, for a distance of 113.21 feet to a ½ inch iron rod set for corner;

THENCE South 44 degrees 59 minutes 36 seconds East along the Northerly line of said 200

acre tract, for a distance of 96.19 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 77 degrees 40 minutes 46 seconds East along the Northerly line of said 200 acre tract, for a distance of 227.59 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 33 degrees 17 minutes 21 seconds East along the Northerly line of said 200 acre tract, for a distance of 1127.38 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 33 degrees 53 minutes 18 seconds East along the Northerly line of said 200 acre tract, for a distance of 264.94 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 56 degrees 22 minutes 03 seconds East along the Northerly line of said 200 acre tract, for a distance of 503.03 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 69 degrees 56 minutes 29 seconds East along the Northerly line of said 200 acre tract, for a distance of 941.33 feet to a 1/4 inch iron rod set for corner at the Northeast corner of same;

**THENCE** South 04 degrees 26 minutes 37 seconds West along the Easterly line of said 200 acre tract, for a distance of 937.13 feet to a 1/4 inch iron rod set for corner at the most Easterly Southeast corner of same, said point also being in the North line of a called 352.2896 acre tract of land described in the above cited Leaman Development, Ltd., tract recorded in Volume 2034, Page 419;

**THENCE** South 85 degrees 33 minutes 23 seconds East along the Northerly line of said 352.2896 acre tract, for a distance of 1185.10 feet to a 1/4 inch iron rod set for corner at the most Easterly Northeast corner of same;

**THENCE** South 01 degree 46 minutes 16 seconds East along the Easterly line of said 352.2896 acre tract, for a distance of 1783.76 feet to a 1/4 inch iron rod set for corner at the most Easterly Southeast corner of same, said point also being the Northeast corner of the above cited Leaman Development tract recorded in Volume 1323, Page 281;

**THENCE** South 21 degrees 54 minutes 02 seconds East along the Easterly line of said Leaman Development tract recorded in Volume 1323, Page 281, for a distance of 2.66 feet to a 1/4 inch iron rod set for corner, said point being the most Northerly Northeast corner of the above cited 23.14 acre tract of land conveyed to Kaufman Land Partners;

**THENCE** South 85 degrees 27 minutes 31 seconds West along the North line of said 23.14 acre tract, for a distance of 254.38 feet to a 1/4 inch iron rod set for corner at the most Northerly Northwest corner of same;

**THENCE** South 25 degrees 54 minutes 55 seconds West along the Northwesternly line of said 23.14 acre tract, for a distance of 532.72 feet to the POINT OF BEGINNING, AND CONTAINING 113.95 acres of land.

**TRACT: IV**

**BEING** a tract or parcel of land situated in the S. SMITH SURVEY, ABSTRACT NO. 450,

KAUFMAN County, Texas, and being all of Lot 10-X, Block F of HEATHER HOLLOW, WINDMILL FARMS PHASE 3C-SECTION 2, an Addition to KAUFMAN County, Texas, as recorded in Cabinet 2, Page 698 of the Plat Records of KAUFMAN County, Texas, and also being all of Lot 11-X, Block F of HEATHER HOLLOW, WINDMILL FARMS PHASE 3C-SECTION 2, an Addition to KAUFMAN County, Texas, as recorded in Cabinet 2, Page 695 of the Plat Records of KAUFMAN County, Texas, and being the particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod with cap stamped "USA INC. PROP. COR." found (hereinafter called 1/2 inch iron rod found) for corner at the intersection of the Southeast line of Reeder Road (75 foot right of way per Volume 2090, Page 590 of the Official Public Records of KAUFMAN County, Texas) with the Northeast line of Clear Springs Drive (50 foot right of way per plat), said point being the most Westerly corner of the above cited Lot 11-X;

**THENCE** North 44 degrees 59 minutes 14 seconds East along the Southeast line of said Reeder Road, for a distance of 88.53 feet to a 1/2 inch iron rod found for corner at the most Westerly Northwest corner of said Lot 11-X;

**THENCE** in an Easterly direction, along the North line of said Lot 11-X and Lot 10-X, as follows:

South 81 degrees 33 minutes 40 seconds East for a distance of 136.45 feet to a 1/2 inch iron rod found for corner;

North 55 degrees 51 minutes 52 seconds East for a distance of 138.10 feet to a 1/2 inch iron rod found for corner;

South 83 degrees 43 minutes 42 seconds East for a distance of 1060.89 feet to a 1/2 inch iron rod found for corner;

South 84 degrees 39 minutes 58 seconds East for a distance of 346.55 feet to a 1/2 inch iron rod found for corner;

South 80 degrees 52 minutes 01 seconds East for a distance of 80.51 feet to a 1/2 inch iron rod found for corner;

South 74 degrees 15 minutes 41 seconds East for a distance of 202.00 feet to a 1/2 inch iron rod found for corner;

South 71 degrees 19 minutes 36 seconds East for a distance of 108.94 feet to a 1/2 inch iron rod found for corner;

North 62 degrees 46 minutes 00 seconds East for a distance of 143.11 feet to a 1/2 inch iron rod found for corner;

South 83 degrees 19 minutes 16 seconds East for a distance of 983.28 feet to a 1/2 inch iron rod found for corner in the Westerly line of Iron Gate Boulevard (85 foot right of way per Volume 2090, Page 586 of the Official Public Records of KAUFMAN County, Texas), said point being the Northeast corner of the above cited Lot 10-X;



THENCE in a Southerly direction, along the Westerly line of said Iron Gate Boulevard, and along a non-tangent curve to the right having a central angle of 18 degrees 51 minutes 10 seconds, a radius of 857.50 feet, a chord bearing of South 08 degrees 44 minutes 32 seconds East, a chord distance of 280.88 feet and an arc length of 282.15 feet to a 1/2 inch iron rod with cap stamped "USA INC. ROW MON." found for corner;

THENCE South 00 degrees 41 minutes 03 seconds West along the West line of said Iron Gate Boulevard, for a distance of 681.98 feet to a 1/2 inch iron rod with cap stamped "USA INC. ROW MON." found for corner at the beginning of a curve to the left;

THENCE in a Southerly direction, along the Westerly line of said Iron Gate Boulevard, and along said curve to the left having a central angle of 14 degrees 21 minutes 41 seconds, a radius of 1042.50 feet, a chord bearing of South 16 degrees 29 minutes 47 seconds East, a chord distance of 260.62 feet and an arc length of 261.31 feet to a 1/2 inch iron rod with cap stamped "USA INC. ROW MON." found for corner;

THENCE South 13 degrees 56 minutes 50 seconds East along the Westerly line of said Iron Gate Boulevard, for a distance of 9.83 feet to a 1/2 inch iron rod found for corner in the North line of Guadalupe Drive (80 feet right of way per plat);

THENCE South 76 degrees 19 minutes 22 seconds West for a distance of 23.60 feet to a 1/2 inch iron rod found for corner;

THENCE North 13 degrees 56 minutes 50 seconds West for a distance of 9.83 feet to a 1/2 inch iron rod found for corner at the beginning of a curve to the right;

THENCE in a Northerly direction, along said curve to the right having a central angle of 14 degrees 21 minutes 41 seconds, a radius of 1061.50 feet, a chord bearing of North 06 degrees 29 minutes 47 seconds West, a chord distance of 266.87 feet and an arc length of 267.57 feet to a 1/2 inch iron rod found for corner;

THENCE North 00 degrees 41 minutes 03 seconds East for a distance of 285.92 feet to a 1/2 inch iron rod found for corner;

THENCE in a Westerly direction, along the Southerly line of Lot 18-X and Lot 11-X, as follows:

South 67 degrees 54 minutes 03 seconds West for a distance of 96.23 feet to a 1/2 inch iron rod found for corner;

South 42 degrees 03 minutes 51 seconds West for a distance of 46.64 feet to a 1/2 inch iron rod found for corner at the beginning of a non-tangent curve to the left, said point also being in the Northerly line of Clear Springs Drive;

Northwesterly, along the Northerly line of said Clear Springs Drive, and along the curve to the left having a central angle of 59 degrees 09 minutes 34 seconds, a radius of 58.00 feet, a chord bearing of North 77 degrees 30 minutes 56 seconds West, a chord distance of 49.36 feet and an arc length of 51.63 feet to a 1/2 inch iron rod found for corner at the beginning of another non-tangent curve to the left;

Northwesterly, along the Northerly line of said Clear Springs Drive, and along said curve to the left having a central angle of 28 degrees 00 minutes 48 seconds, a radius of 1775.00 feet, a chord bearing of North 84 degrees 43 minutes 09 seconds West, a chord distance of 859.22 feet and an arc length of 867.84 feet to a 1/4 inch iron rod found for corner at the beginning of a reverse curve to the right;

Northwesterly, along the Northerly line of said Clear Springs Drive, and along said curve to the right having a central angle of 27 degrees 11 minutes 46 seconds, a radius of 475.00 feet, a chord bearing of North 85 degrees 07 minutes 40 seconds West, a chord distance of 223.35 feet and an arc length of 225.46 feet to a 1/4 inch iron rod found for corner;

North 71 degrees 31 minutes 47 seconds West along the Northerly line of said Clear Springs Drive, for a distance of 83.77 feet to a 1/4 inch iron rod found for corner at the beginning of a curve to the left;

Westerly, along the Northerly line of said Clear Springs Drive, and along said curve to the left having a central angle of 38 degrees 37 minutes 29 seconds, a radius of 615.00 feet, a chord bearing of South 89 degrees 09 minutes 29 seconds West, a chord distance of 406.78 feet and an arc length of 414.59 feet to a 1/4 inch iron rod found for corner;

South 69 degrees 58 minutes 44 seconds West along the Northerly line of said Clear Springs Drive, for a distance of 262.36 feet to a 1/4 inch iron rod found for corner at the beginning of a curve to the right;

Southwesterly, along the Northerly line of said Clear Springs Drive, and along said curve to the right having a central angle of 21 degrees 39 minutes 09 seconds, a radius of 375.00 feet, a chord bearing of South 88 degrees 40 minutes 19 seconds West, a chord distance of 140.87 feet and an arc length of 141.72 feet to a 1/4 inch iron rod found for corner;

North 01 degrees 29 minutes 54 seconds East departing the Northerly line of said Clear Springs Drive, for a distance of 120.00 feet to a 1/4 inch iron rod found for corner;

North 80 degrees 47 minutes 20 seconds West for a distance of 68.45 feet to a 1/4 inch iron rod found for corner;

North 43 degrees 27 minutes 06 seconds West for a distance of 33.74 feet to a 1/4 inch iron rod found for corner;

North 44 degrees 32 minutes 54 seconds East for a distance of 80.00 feet to a 1/4 inch iron rod found for corner;

North 41 degrees 42 minutes 41 seconds East for a distance of 83.69 feet to a 1/4 inch iron rod found for corner;

North 37 degrees 55 minutes 47 seconds East for a distance of 84.84 feet to a 1/4 inch iron rod found for corner;

North 44 degrees 11 minutes 07 seconds East for a distance of 89.45 feet to a 1/4 inch iron rod found for corner;

North 25 degrees 42 minutes 23 seconds East for a distance of 80.00 feet to a 1/2 inch iron rod found for corner;

North 64 degrees 17 minutes 37 seconds West for a distance of 130.86 feet to a 1/2 inch iron rod found for corner at the beginning of a non-tangent curve to the left;

Northwesterly, along said curve to the left having a central angle of 187 degrees 36 minutes 18 seconds, a radius of 50.00 feet, a chord bearing of North 55 degrees 55 minutes 17 seconds West, a chord distance of 80.70 feet and an arc length of 93.90 feet to a 1/2 inch iron rod found for corner;

North 65 degrees 28 minutes 09 seconds West for a distance of 129.44 feet to a 1/2 inch iron rod found for corner;

South 24 degrees 31 minutes 51 seconds West for a distance of 80.00 feet to a 1/2 inch iron rod found for corner;

North 89 degrees 20 minutes 12 seconds West for a distance of 126.54 feet to a 1/2 inch iron rod found for corner at the beginning of a non-tangent curve to the left;

Northwesterly, along said curve to the left having a central angle of 92 degrees 13 minutes 47 seconds, a radius of 50.00 feet, a chord bearing of North 45 degrees 27 minutes 06 seconds West, a chord distance of 72.97 feet and an arc length of 80.49 feet to a 1/2 inch iron rod found for corner;

North 01 degrees 34 minutes 00 seconds West for a distance of 130.80 feet to a 1/2 inch iron rod found for corner;

South 88 degrees 26 minutes 00 seconds West for a distance of 65.30 feet to a 1/2 inch iron rod found for corner;

South 44 degrees 32 minutes 54 seconds West for a distance of 73.71 feet to a 1/2 inch iron rod found for corner;

North 18 degrees 49 minutes 47 seconds West for a distance of 195.75 feet to a 1/2 inch iron rod found for corner;

North 72 degrees 04 minutes 25 seconds West for a distance of 180.45 feet to a 1/2 inch iron rod found for corner;

South 54 degrees 49 minutes 58 seconds West for a distance of 90.22 feet to a 1/2 inch iron rod found for corner;

South 37 degrees 15 minutes 42 seconds West for a distance of 96.12 feet to a 1/2 inch iron rod found for corner;

South 44 degrees 32 minutes 54 seconds West for a distance of 90.00 feet to a 1/2 inch iron rod found for corner in the Northeastly line of Clear Springs Drive;

North 45 degrees 27 minutes 06 seconds West along the Northeasterly line of said Clear Springs Drive, for a distance of 200.84 feet to the POINT OF BEGINNING, and CONTAINING 40.188 acres of land, more or less.

**TRACT: V**

BEING a tract or parcel of land situated in the S. SMITH SURVEY, ABSTRACT NO. 450 in KAUFMAN County, Texas and being part of a called 352.2896 acre tract of land described in a Deed to Lensen Development, Ltd., is recorded in Volume 2034, Page 419 of the Official Public Records of KAUFMAN County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with 2-inch aluminum cap stamped USA INC. ROW. MON. found for corner at the intersection of the East line of Iron Gate Boulevard (85 foot right-of-way) as dedicated by Volume 2090, Page 516, Official Public Records of KAUFMAN County, Texas with the South line of Roeder Road (100 foot right-of-way) as dedicated by Volume 2090, Page 590, Official Public Records of KAUFMAN County, Texas;

THENCE North 89 degrees 51 minutes 18 seconds East, with the South line of said Roeder Road for a distance of 113.91 feet to a 1/2 inch iron rod with 2-inch aluminum cap stamped "USA INC. R.O.W. MON." found for corner at the beginning of a curve to the right having a central angle of 29 degrees 31 minutes 00 seconds, a radius of 602.50 feet and a chord bearing and distance of South 75 degrees 23 minutes 13 seconds East, 306.96 feet;

THENCE in an Easterly direction with said curve and the South line of said Roeder Road for an arc distance of 310.38 feet to a 1/2 inch iron rod with 2-inch aluminum cap stamped "USA INC. R.O.W. MON." found for corner at the beginning of a curve to the left having a central angle of 15 degrees 20 minutes 47 seconds, a radius of 717.50 feet and a chord bearing and distance of South 68 degrees 18 minutes 06 seconds East, 191.60 feet;

THENCE in an Easterly direction with said curve and the South line of said Roeder Road for an arc distance of 192.18 feet to a 1/2 inch iron rod with 2-inch aluminum cap stamped "USA INC. R.O.W. MON." found for corner at the beginning of a curve to the right having a central angle of 04 degrees 00 minutes 08 seconds, a radius of 5180.00 feet and a chord bearing and distance of South 73 degrees 58 minutes 25 seconds East, 361.75 feet;

THENCE in an Easterly direction with said curve and the South line of said Roeder Road for an arc distance of 361.83 feet to a 1/2 inch iron rod with 2-inch aluminum cap stamped "USA INC. R.O.W. MON." set for corner;

THENCE South 17 degrees 33 minutes 26 seconds West, departing the South line of said Roeder Road for a distance of 102.44 feet to a 1/2 inch iron rod set with red plastic cap stamped "USA INC. PROF. COR." set (hereinafter called 1/2 inch iron rod set) for corner;

THENCE South 33 degrees 46 minutes 43 seconds West for a distance of 102.36 feet to a 1/2 inch iron rod set for corner at the beginning of a non-tangent curve to the left having a central angle of 20 degrees 50 minutes 10 seconds, a radius of 525.00 feet and a chord bearing and distance of South 38 degrees 49 minutes 10 seconds West, 189.87 feet;

**THENCE** in a Southerly direction with said curve for an arc distance of 190.92 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 49 degrees 14 minutes 14 seconds West for a distance of 20.17 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 39 degrees 18 minutes 40 seconds West for a distance of 101.52 feet to a 1/4 inch iron rod set for corner;

**THENCE** South 49 degrees 14 minutes 14 seconds West for a distance of 120.96 feet to a 1/4 inch iron rod with 2-inch aluminum cap stamped "USA INC. R.O.W. MON." set for corner in the Northeast line of said Iron Gate Boulevard, mid point being at the beginning of a non-tangent curve to the left having a central angle of 19 degrees 21 minutes 11 seconds, a radius of 962.50 feet and a chord bearing and distance of North 47 degrees 51 minutes 17 seconds West, 316.84 feet;

**THENCE** in a Northwesterly direction with said curve and the Northeast line of said Iron Gate Boulevard for an arc distance of 318.35 feet to a 1/4 inch iron rod with 2-inch aluminum cap stamped "USA INC. R.O.W. MON." found for corner at the beginning of a curve to the right having a central angle of 51 degrees 43 minutes 28 seconds, a radius of 707.50 feet and a chord bearing and distance of North 31 degrees 10 minutes 08 seconds West, 628.32 feet;

**THENCE** in a Northwesterly direction with said curve and the Northeast line of said Iron Gate Boulevard for an arc distance of 651.83 feet to the POINT OF BEGINNING and CONTAINING 8.665 acres of land.

**TRACT: VI**

Being Lot 1 in Block BB of WINDMILL FARMS PHASE 1A, 1B & 1C, an Addition to Kaufman County, Texas, according to the Plat thereof recorded in Cabinet 2, Envelope 213, Plat Records, KAUFMAN County, Texas.

**EXHIBIT "A"**

All that certain lot, tract or parcel of land situated in the S. Sixth Survey, Abstract No. 450, Kaufman County, Texas, and being part of a called 2870.83 acre tract of land described as Tract 1 in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod with plastic cap stamped "USA INC." set (hereinafter called 1/2" iron rod set) for corner in an interior Northwest line of the above cited 2870.83 acre tract, said point being the most Westerly-Northwest corner of a called 3.940 acre tract of land described as Tract Four in a Deed to 130 Windmill Farms, LLC, as recorded in Volume 3235, Page 65 of the Official Public Records of Kaufman County, Texas, said point also being North 44 degrees 45 minutes 46 seconds East a distance of 613.66 feet from a 1/2" iron rod found at the most Westerly Southwest corner of a tract of land described in a Deed to Forney Independent School District, as recorded in Volume 2348, Page 182 of the Official Public Records of Kaufman County, Texas;

**THENCE** North 44 degrees 45 minutes 46 seconds East along an interior Northwest line of said 2870.83 acre tract and the most Westerly Southeast line of said Forney Independent School District tract, for a distance of 210.14 feet to a 1/2" iron rod found for corner;

**THENCE** South 45 degrees 20 minutes 09 seconds East along an interior Northeast line of said 2870.83 acre tract and the most Easterly Southwest line of said Forney Independent School District tract, for a distance of 421.14 feet to a 1/2" iron rod set for corner, said point being the most Westerly Northeast corner of the above cited 3.940 acre tract;

**THENCE** in a Northwesterly direction, along the most Westerly North line of said 3.940 acre tract and along a non-tangent curve to the right having a central angle of 15 degrees 37 minutes 44 seconds, a radius of 1150.00 feet, a chord bearing of North 74 degrees 28 minutes 08 seconds West, a chord distance of 312.72 feet and an arc length of 313.69 feet to a 1/2" iron rod set for corner;

**THENCE** North 66 degrees 39 minutes 17 seconds West continuing along the most Westerly North line of said 3.940 acre tract for a distance of 159.24 feet to the POINT OF BEGINNING, and containing 1.145 acres of land, more or less.

**EXHIBIT "A"**

All that certain lot, tract or parcel of land situated in the J.B. Deavenport Survey, Abstract No. 132, Kaufman County, Texas, and being part of a called 2870.83 acre tract of land described as Tract I in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod with plastic cap stamped "USA INC." set (hereinafter called 1/2" iron rod set) for corner in an interior Northwest line of the above called 2870.83 acre tract, said point being the most Easterly Northwest corner of a called 3,940 acre tract of land described as Tract Four in a Deed to 130 Windmill Farms, LLC, as recorded in Volume 3235, Page 65 of the Official Public Records of Kaufman County, Texas, said point also being North 44 degrees 46 minutes 45 seconds East a distance of 138.56 feet from a 1/2" iron rod found at the most Easterly Southwest corner of a tract of land described in a Deed to Forney Independent School District, as recorded in Volume 2348, Page 182 of the Official Public Records of Kaufman County, Texas;

**THENCE** North 44 degrees 46 minutes 45 seconds East along an interior Northwest line of said 2870.83 acre Tract and the Southeast line of said Forney Independent School District tract, for a distance of 516.27 feet to a 1/2" iron rod set for corner;

**THENCE** South 00 degrees 01 minutes 31 seconds East departing an interior Northwest line of said 2870.83 acre tract and the Southeast line of said Forney Independent School District tract, for a distance of 289.88 feet to a 1/2" iron rod set for corner in the most Easterly North line of the above cited 3,940 acre tract;

**THENCE** South 69 degrees 16 minutes 23 seconds West along the most Easterly North line of said 3,940 acre tract, for a distance of 9.42 feet to a 1/2" iron rod set for corner at the beginning of a curve to the right;

**THENCE** in a Southwesterly direction, continuing along the most Easterly North line of said 3,940 acre tract, and along said curve to the right having a central angle of 18 degrees 08 minutes 01 seconds, a radius of 1150.00 feet, a chord bearing of South 76 degrees 20 minutes 23 seconds West, a chord distance of 362.45 feet and an arc length of 363.97 feet to the POINT OF BEGINNING, and containing 1.297 acres of land, more or less.

**EXHIBIT "A"**

All that certain lot, tract or parcel of land situated in the J.B. Davenport Survey, Abstract No. 132, Kaufman County, Texas, and being part of a called 2870.83 acre tract of land described as Tract 1 in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod with plastic cap stamped "UBA INC." set (hereinafter called 1/2" iron rod set) for corner in an interior Northwest line of the above cited 2870.83 acre tract, said point being North 44 degrees 46 minutes 45 seconds East a distance of 1329.68 feet from a 1/2" iron rod found at the most Easterly Southwest corner of a tract of land described in a Deed to Forney Independent School District, as recorded in Volume 2348, Page 182 of the Official Public Records of Kaufman County, Texas;

**THENCE** North 44 degrees 46 minutes 45 seconds East along an interior Northwest line of said 2870.83 acre tract and the Southeast line of said Forney Independent School District tract for a distance of 1325.90 feet to a 1/2" iron rod found for corner in the center of a creek bed, said point being the most Easterly Southeast corner of said Forney Independent School District tract;

**THENCE** South 45 degrees 13 minutes 15 seconds East for a distance of 55.00 feet to a 1/2" iron rod set for corner;

**THENCE** South 44 degrees 46 minutes 45 seconds West for a distance of 449.72 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;

**THENCE** in a Southwesterly direction, along said curve to the left having a central angle of 25 degrees 52 minutes 45 seconds, a radius of 1560.00 feet, a chord bearing of South 31 degrees 30 minutes 23 seconds West, a chord distance of 698.64 feet and an arc length of 704.61 feet to a 1/2" iron rod set for corner;

**THENCE** North 87 degrees 56 minutes 42 seconds West for a distance of 287.82 feet to the POINT OF BEGINNING, and containing 2.700 acres of land, more or less.



**SAVE AND EXCEPT**

**EXHIBIT "A"**

**A tract of land in the S. Smith Survey, Abstract No. 450, Kaufman County, Texas, and being a portion of a 127.870 acre tract of land conveyed to Kaufman Land Partners, LTD by Deed recorded in Volume 1973, Page 552, Deed Records, Kaufman County, Texas, and being more particularly described as follows:**

**BEGINNING at a 12" pine post at fence corner for the north property corner of said 127.870 acres tract and also being the east property corner of W.R. Evans, III 125 acre tract and being the north property corner of this tract;**

**THENCE S 45° 05' 37" W, along the fenced northwest property line of said 127.870 acres tract and the southeast property line of said 125.00 acre tract, a distance of 417.46 feet to a set 5/8" iron pin for the west property corner of this tract;**

**THENCE S 45° 58' 30" E, a distance of 417.46 feet to set 5/8" iron pin for the south property corner of this tract;**

**THENCE N 45° 05' 37" E, a distance of 417.46 feet to a set 5/8" iron pin in the fenced northeast property line of said 127.870 acre tract and in the southwest property line of Clifford J. Spratlin & Helen C. Spratlin Stone 244.509 acre tract for the east property corner of this tract;**

**THENCE N 45° 58' 30" W, along the fenced northeast property line of said 127.870 acre tract and the southwest property line of said 244.509 acre tract, a distance of 417.46 feet to the Point of Beginning and containing 4.00 acres of land.**

**TRACT ONE:**

All that certain lot, tract or parcel of land situated in the S. Smith Survey, Abstract No. 450, Kaufman County, Texas, and being part of a called 113.95 acre tract of land described as Tract I in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas, and being more particularly described as follow:

**BEGINNING** at a 1/2" iron rod with plastic cap stamped "USA INC. PROP. COR." found (hereinafter called 1/2" iron rod found) for corner at the most Northerly Northwest corner of the above cited 113.95 acre tract, said point also being an interior corner of a called 52.982 acre tract of land described as Tract I in a Deed to Liberty Bankers Life Insurance Company, as recorded in Volume 3024, Page 540 of the Official Public Records of Kaufman County, Texas;

**THENCE** South 40 degrees 58 minutes 38 seconds East along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 52.982 acre tract, passing a 1/2" iron rod found for the most Northerly Southeast corner of said 52.982 acre tract and the most Westerly corner of a called 66.258 acre tract described as Tract II in said Deed to Liberty Bankers Life Insurance Company recorded in Volume 3024, Page 540 at a distance of 191.41 feet, and continuing along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a total distance of 235.44 feet to a 1/4" iron rod found for corner;

**THENCE** South 75 degrees 34 minutes 45 seconds East along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a distance of 113.21 feet to a 1/8" iron rod found for corner;

**THENCE** South 44 degrees 59 minutes 36 seconds East along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a distance of 90.19 feet to a 1/2" iron rod found for corner;

**THENCE** South 77 degrees 40 minutes 46 seconds East along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a distance of 227.59 feet to a 1/2" iron rod found for corner;

**THENCE** South 53 degrees 17 minutes 21 seconds East (Directional Control Line) along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a distance of 1127.38 feet to a 1/2" iron rod found for corner;

**THENCE** South 33 degrees 55 minutes 18 seconds East along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a distance of 264.94 feet to a 1/2" iron rod found for corner;

**THENCE South 56 degrees 22 minutes 03 seconds East along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a distance of 503.03 feet to a 1/2" iron rod found for corner;**

**THENCE South 69 degrees 56 minutes 29 seconds East along the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, for a distance of 59.71 feet to a 1/2" iron rod with plastic cap stamped "USA INC." set (hereinafter called 1/2" iron rod set) for corner, said point being at the beginning of a non-tangent curve to the right;**

**THENCE in Southwesterly direction, departing the Northeasterly line of said 113.95 acre tract and the Southwesterly line of said 66.258 acre tract, and along said non-tangent curve to the right having a central angle of 06 degrees 09 minutes 27 seconds, a radius of 1440.00 feet, a chord bearing of South 30 degrees 33 minutes 14 seconds West, a chord distance of 154.68 feet and an arc length of 154.75 feet to a 1/2" iron rod set for corner;**

**THENCE South 33 degrees 37 minutes 57 seconds West for a distance of 203.20 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;**

**THENCE in a Southwesterly direction, along said curve to the left having a central angle of 16 degrees 54 minutes 31 seconds, a radius of 1260.00 feet, a chord bearing of South 25 degrees 10 minutes 42 seconds West, a chord distance of 370.49 feet and an arc length of 371.84 feet to a 1/2" iron rod found for corner at the Southeast corner of Amber Fields, Windmill Farms Phase 2B - Section 3, an Addition to Kaufman County, Texas, as recorded in Cabinet 2, Page 542 of the Plat Records of Kaufman County, Texas;**

**THENCE in a Northwesterly direction, along the Northerly line of said Amber Fields, Windmill Farms Phase 2B - Section 3 and the Northerly line of Amber Fields, Windmill Farms Phase 2B - Section 4, an Addition to Kaufman County, Texas, as recorded in Cabinet 2, Page 543 of the Plat Records of Kaufman County, Texas, as follows:**

**North 07 degrees 36 minutes 33 seconds East for a distance of 95.58 feet to a 1/2" iron rod found for corner;**

**North 03 degrees 08 minutes 38 seconds West for a distance of 95.75 feet to a 1/2" iron rod found for corner;**

**North 12 degrees 17 minutes 51 seconds West for a distance of 95.75 feet to a 1/2" iron rod found for corner;**

**North 21 degrees 27 minutes 04 seconds West for a distance of 95.75 feet to a 1/2" iron rod found for corner;**

**North 29 degrees 40 minutes 07 seconds West for a distance of 95.89 feet to a 1/2" iron rod found for corner;**

**North 39 degrees 19 minutes 26 seconds West for a distance of 288.56 feet to a 1/2" iron rod found for corner;**

**North 72 degrees 35 minutes 36 seconds West for a distance of 189.92 feet to a 1/2" iron rod**

**found for corner;**

**North 17 degrees 24 minutes 24 seconds East for a distance of 152.00 feet to a ½" iron rod found for corner;**

**North 72 degrees 35 minutes 36 seconds West for a distance of 142.98 feet to a ½" iron rod found for corner at the beginning of a non-tangent curve to the left;**

**Northwesterly, along said non-tangent curve to the left having a central angle of 106 degrees 59 minutes 35 seconds, a radius of 50.00 feet, a chord bearing of North 55 degrees 58 minutes 00 seconds West, a chord distance of 80.38 feet and an arc length of 93.37 feet to a ½" iron rod found for corner;**

**North 72 degrees 35 minutes 36 seconds West for a distance of 25.47 feet to a ½" iron rod found for corner;**

**North 17 degrees 24 minutes 24 seconds East for a distance of 125.00 feet to a ½" iron rod found for corner;**

**North 72 degrees 35 minutes 00 seconds West for a distance of 479.58 feet to a ½" iron rod found for corner;**

**North 67 degrees 57 minutes 59 seconds West for a distance of 76.76 feet to a ½" iron rod found for corner;**

**North 60 degrees 42 minutes 44 seconds West for a distance of 76.37 feet to a ½" iron rod found for corner;**

**North 54 degrees 14 minutes 47 seconds West for a distance of 103.55 feet to a ½" iron rod found for corner;**

**North 58 degrees 33 minutes 38 seconds West for a distance of 89.91 feet to a ½" iron rod found for corner;**

**North 64 degrees 17 minutes 12 seconds West for a distance of 89.91 feet to a ½" iron rod found for corner;**

**North 70 degrees 00 minutes 46 seconds West for a distance of 89.91 feet to a ½" iron rod found for corner;**

**North 75 degrees 44 minutes 20 seconds West for a distance of 89.91 feet to a ½" iron rod found for corner;**

**North 81 degrees 27 minutes 54 seconds West for a distance of 89.91 feet to a ½" iron rod found for corner;**

**North 35 degrees 52 minutes 19 seconds East for a distance of 253.28 feet to a 1/2" iron rod found for corner;**

**North 24 degrees 10 minutes 24 seconds West for a distance of 178.43 feet to a ½" iron rod**

found for corner;

North 68 degrees 48 minutes 31 seconds West for a distance of 182.61 feet to a 1/2" iron rod found for corner at the beginning of a non-tangent curve to the left;

Southwesterly, along said non-tangent curve to the left having a central angle of 21 degrees 03 minutes 07 seconds, a radius of 1527.50 feet, a chord bearing of South 31 degrees 42 minutes 19 seconds West, a chord distance of 558.09 feet and an arc length of 561.24 feet to a 1/2" iron rod found for corner at the Northeast corner of Iron Gate Boulevard, (100' right-of-way per Honeysuckle Meadows, Windmill Farms Phase 2A - Section 2, an Addition to Kaufman County, Texas, as recorded in Cabinet 2, Page 529 of the Plat Records of Kaufman County, Texas, said point also being the most Westerly Southeast corner of said 113.95 acre tract;

THENCE North 68 degrees 49 minutes 15 seconds West along the most Westerly South line of said 113.95 acre tract, and along the North line of said Iron Gate Boulevard, for a distance of 92.50 feet to a 1/2" iron rod found for corner at the most Westerly Southwest corner of said 113.95 acre tract, said point being at the beginning of a non-tangent curve to the right, said point also being the most Southerly Southeast corner of said 52.982 acre tract;

THENCE in a Northeasterly direction, along the Westerly line of said 113.95 acre tract and the Easterly line of said 52.982 acre tract, and along said non-tangent curve to the right having a central angle of 27 degrees 50 minutes 37 seconds, a radius of 1628.00 feet, a chord bearing of North 35 degrees 06 minutes 04 seconds East, a chord distance of 779.53 feet and an arc length of 787.26 feet to the POINT OF BEGINNING, and containing 22.242 acres of land, more less.

#### TRACT TWO:

All that certain lot, tract or parcel of land situated in the S. Smith Survey, Abstract No. 450, Kaufman County, Texas, and being part of a called 2870.83 acre tract of land described as Tract I in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas, and being more particularly described as follow:

BEGINNING at a 1/2 iron rod with plastic cap stamped "USA INC." found (hereinafter called 1/2" iron rod found) for corner at Westerly corner of the above cited 2870.83 acre tract, said point also being the common Northerly corner of a called 52.982 acre tract of land described as Tract I and a called 66.258 acre tract of land described as Tract II in a Deed to Liberty Bankers Life Insurance Company, as recorded in Volume 3024, Page 540 of the Official Public Records of Kaufman County, Texas, said point also being the most Southerly corner of a tract of land conveyed to Forney Independent School District, per Deed recorded in Volume 2348, Page 182 of the Official Public Records of Kaufman County, Texas, said point also being in the center of a dirt road known as County Road No. 218;

THENCE North 44 degrees 45 minutes 46 seconds East along said road, and along an interior Northwest line of said 2870.83 acre tract and the Southeast line of said Forney

Independent School District tract, for a distance of 508.24 feet to a 1/2" iron rod with plastic cap stamped "USA INC." set (hereinafter called 1/2" iron rod set) for corner;

THENCE South 66 degrees 39 minutes 17 seconds East departing said road and the Northwest line of said 2870.83 acre tract, for a distance of 198.47 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;

THENCE in a Southeasterly direction, along said curve to the left having a central angle of 09 degrees 34 minutes 49 seconds, a radius of 1250.00 feet, a chord bearing of South 71 degrees 26 minutes 41 seconds East, a chord distance of 208.76 feet and an arc length of 209.01 feet to a 1/2" iron rod set for corner;

THENCE South 04 degrees 47 minutes 03 seconds East for a distance of 570.42 feet to a 1/2" iron rod set for corner;

THENCE North 84 degrees 30 minutes 35 seconds East for a distance of 26.11 feet to a 1/2" iron rod set for corner in an interior Southeast line of said 2870.83 acre tract, said point also being in the most Easterly Northwest line of the above cited 66.258 acre tract;

THENCE South 44 degrees 46 minutes 45 seconds West along an interior Southeast line of said 2870.83 acre tract and the most Easterly Northwest line of said 66.258 acre tract, for a distance of 320.81 feet to a 1/2" iron rod found for corner;

THENCE North 45 degrees 28 minutes 08 seconds West along an interior Southwest line of said 2870.83 acre tract and the Northeast line of said 66.258 acre tract, for a distance of 823.81 feet to the POINT OF BEGINNING, and containing 9.959 acres of land, more less.

### TRACT THREE:

All that certain lot, tract or parcel of land situated in the S. Smth Survey, Abstract No. 450, and the J.B. Davenport Survey, Abstract No. 132, Kaufman County, Texas, and being part of a called 2870.83 acre tract of land described as Tract I in a Deed to EQK Windmill Farms, LLC, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas, and being more particularly described as follow:

BEGINNING at a 1/2 iron rod with plastic cap stamped "USA INC." found (hereinafter called 1/2" iron rod found) for corner at an interior corner of the above cited 2870.83 acre tract, said point being the most Easterly Northeast corner of a called 66.258 acre tract of land described as Tract II in a Deed to Liberty Bankers Life Insurance Company, as recorded in Volume 3024, Page 540 of the Official Public Records of Kaufman County, Texas;

THENCE North 72 degrees 56 minutes 34 seconds West along an interior line of said 2870.83 acre tract, and along the Northerly line of said 66.258 acre tract, for a distance of 922.54 feet to a 1/2" iron rod found for corner in an interior corner of said 2870.83 acre tract;

THENCE North 05 degrees 16 minutes 41 seconds West along an interior line of said 2870.83 acre tract, and along the most Northerly East line of said 66.258 acre tract, for a

distance of 23.54 feet to a 1/2" iron rod with plastic cap stamped "USA INC." set (hereinafter called 1/2" iron rod set) for corner;

THENCE North 84 degrees 30 minutes 35 seconds East departing an interior line of said 2870.83 acre tract, for a distance of 1086.15 feet to a point for corner at the beginning of a non-tangent curve to the right;

THENCE in a Southwesterly direction, along said non-tangent curve to the right having a central angle of 22 degrees 24 minutes 33 seconds, a radius of 1440.00 feet, a chord bearing of South 23 degrees 30 minutes 51 seconds West, a chord distance of 559.62 feet and an arc length of 563.20 feet to a 1/2" iron rod set for corner;

THENCE South 34 degrees 43 minutes 08 seconds West for a distance of 890.22 feet to a 1/2" iron rod set for corner at the beginning of a curve to the left;

THENCE in a Southwesterly direction, along said curve to the left having a central angle of 20 degrees 11 minutes 06 seconds, a radius of 1560.00 feet, a chord bearing of South 24 degrees 37 minutes 35 seconds West, a chord distance of 546.74 feet and an arc length of 549.58 feet to a 1/2" iron rod set for corner at the beginning of a reverse curve to the right;

THENCE in a Southwesterly direction, along said reverse curve to the right having a central angle of 07 degrees 09 minutes 01 seconds, a radius of 1440.00 feet, a chord bearing of South 18 degrees 06 minutes 33 seconds West, a chord distance of 179.59 feet and an arc length of 179.70 feet to a 1/2" iron rod set for corner in an interior West line of said 2870.83 acre tract, and the Easterly line of said 66.258 acre tract;

THENCE along an interior West line of said 2870.83 acre tract, and the Easterly line of said 66.258 acre tract as follows:

North 08 degrees 51 minutes 47 seconds East for a distance of 225.29 feet to a 1/2" iron rod found for corner at the beginning of a curve to the right;

Northeasterly, along said curve to the right having a central angle of 24 degrees 06 minutes 47 seconds, a radius of 1940.00 feet, a chord bearing of North 20 degrees 55 minutes 11 seconds East, a chord distance of 810.45 feet and an arc length of 816.46 feet to a 1/2" iron rod found for corner at the beginning of a compound curve to the right;

Northeasterly, along said compound curve to the right having a central angle of 17 degrees 21 minutes 29 seconds, a radius of 1162.66 feet, a chord bearing of North 41 degrees 48 minutes 04 seconds East, a chord distance of 350.89 feet and an arc length of 352.23 feet to a 1/2" iron rod found for corner at the beginning of a reverse curve to the left;

Northeasterly, along said reverse curve to the left having a central angle of 14 degrees 25 minutes 18 seconds, a radius of 1500.00 feet, a chord bearing of North 43 degrees 26 minutes 36 seconds East, a chord distance of 376.56 feet and an arc length of 377.56 feet to the POINT OF BEGINNING, and containing 8.676 acres of land, more or less.

**TRACT FOUR:**

**BEING** a tract of land situated in the S. Smith Survey, Abstract No. 450 and the J.B.



Davenport Survey, Abstract No. 132, Kaufman County, Texas being part of a called 2870.83 acre tract of land described as Tract I in Deed to EQK Windmill Farms, LLC, a Nevada limited liability company, as recorded in Volume 3024, Page 582 of the Official Public Records of Kaufman County, Texas and being more particularly described as follows:

**BEGINNING** at a point for corner in the Northwestern line of said called 2870.83 acre tract of land and the Southeastern line of a tract of land described in Deed to Forney I.S.D. as recorded in Volume 2348, Page 182 of the Official Public Records of Kaufman County, Texas, said point also being North 44 degrees 45 minutes 46 seconds East for a distance of 508.24 feet from the West corner of said called 2870.83 acre tract of land, same being the South corner of said Forney I.S.D. tract;

**THENCE** North 44 degrees 45 minutes 46 seconds East, along the Northwestern line of said called 2870.83 acre tract of land and the Southeastern line of said Forney I.S.D. tract, for a distance of 107.42 feet to a point for corner

**THENCE** South 66 degrees 39 minutes 17 seconds East, departing the Northwest line of said called 2870.83 acre tract of land and the Southeastern line of said Forney I.S.D. tract, for a distance of 159.24 feet to a point for the beginning of a curve to the left;

**THENCE** in an Easterly direction, along said curve to the left having a central angle of 15 degrees 37 minutes 44 seconds, a radius of 1150.00 feet, a chord bearing of South 74 degrees 28 minutes 06 seconds East, a chord distance of 312.72 feet and an arc length of 313.69 feet to a point for corner in the Northwestern line of said called 2870.83 acres of land, said point also being in the Southeastern line of said called Forney I.S.D. tract;

**THENCE** South 45 degrees 20 minutes 09 seconds East, along the Northwestern line of said called 2870.83 acre tract of land and the Southeastern line of said Forney I.S.D. tract, for a distance of 153.85 feet to a point for corner;

**THENCE** North 44 degrees 46 minutes 45 seconds East, continuing along the Northwestern line of said called 2870.83 acre tract of land and the Southeastern line of said Forney I.S.D. tract, for a distance of 138.56 feet to a point for the beginning of a non-tangent curve to the left;

**THENCE** in an Easterly direction, departing the Northwestern line of said called 2870.83 acre tract of land and the Southeastern line of said Forney I.S.D. tract, along said non-tangent curve to the left having a central angle of 18 degrees 08 minutes 01 seconds, a radius of 1150.00 feet, a chord bearing of North 78 degrees 30 minutes 23 seconds East, a chord distance of 362.45 feet and an arc length of 363.97 feet to a point for corner;

**THENCE** North 69 degrees 16 minutes 23 seconds East for a distance of 171.99 feet to a point for the beginning of a curve to the right;

**THENCE** in an Easterly direction, along said curve to the right having a central angle of 20 degrees 42 minutes 06 seconds, a radius of 1550.00 feet, a chord bearing of North 79 degrees 37 minutes 26 seconds East, a chord distance of 556.99 feet and an arc length of 560.03 feet to a point for corner;

**THENCE** South 00 degrees 01 minutes 31 seconds East for a distance of 100.00 feet to a point for the beginning of a non-tangent curve to the left;

**THENCE** in a Westerly direction, along said non-tangent curve to the left having a central angle of 20 degrees 42 minutes 06 seconds a radius of 1450.00 feet a chord bearing of South 79 degrees 37 minutes 26 seconds West, a chord distance of 521.06 feet and an arc length of

**523.90 feet to a point for corner;**

**THENCE South 69 degrees 16 minutes 23 seconds West for a distance of 171.99 feet to a point for the beginning of a curve to the right;**

**THENCE in a Westerly direction, along said curve to the right having a central angle of 44 degrees 04 minutes 21 seconds a radius of 1250.00 feet, a chord bearing of North 88 degrees 41 minutes 27 seconds West, a chord distance of 937.98 feet and an arc length of 961.51 feet to a point for corner;**

**THENCE North 66 degrees 39 minutes 17 seconds West for a distance of 198.47 feet to the POINT OF BEGINNING, and containing 3.940 acres of land, more or less.**

**TRACT 1:**

**A tract of land, in the D. HARRIS SURVEY, ABSTRACT NO. 199, Kaufman County, Texas, being a portion of a 808.127-acre tract of land conveyed to Kaufman Land Partners, LTD by deed recorded in Volume 1973, Page 552 Real Property Records, Kaufman County, Texas, and being more particularly described as follows:**

**BEGINNING at a set iron pin in the northeast line of said 808.127-acre tract, being S 44 deg. 24 min. 54 sec. E, a distance of 6536.50 feet from a found iron pin at the north property corner of said 808.127 acres tract of land;**

**THENCE S 44 deg. 24 min. 54 sec. E, along the northeast property line of said 808.127 acres tract of land, a distance of 550.00 feet to a set iron pin for the southeast corner of this tract**

**THENCE S 85 deg. 34 min. 09 sec. W a distance of 670.17 feet to a set iron pin for the southwest corner of this tract;**

**THENCE N 04 deg. 25 min. 51. sec., W, a distance of 421.42 feet to a set iron pin in the south row line of LoneStar Pipeline (Atmos) for the northwest corner of this tract;**

**THENCE S 85 deg. 34 min. 09 sec. E, along the south row line of said, LoneStar Pipeline (Atmos), a distance of 316.75 feet to the Point of Beginning and containing 4.774 acres of land, acre or less.**

**TRACT 2:**

A tract of land in the S. SMITH SURVEY, ABSTRACT NO. 450, Kaufman County, Texas, being a portion of a 215.683-acre tract of land conveyed to Kaufman Land Partners, LTD by deed recorded in Volume 1973, Page 552, Real Property Records, Kaufman County, Texas, and being more particularly described as follows:

COMMENCING at a found  $\frac{1}{2}$ " iron pin with cap for the southwest property corner of said 215.603-acre tract and also being the northwest property corner of the Forney Independent School District, 245.488-acre tract and being in the southeast row line of F.M. 548 and being the southwest corner of a proposed access road;

THENCE S 57 deg. 39 min. 32 sec. E, along proposed access road at 1151.93 feet pass a found  $\frac{1}{2}$ " pin with cap for an inner west property corner of said 215.683 acre tract and an ell corner of said 245.488-acre tract and in all a total distance of 2767.07 feet to a set iron point for the southwest corner of said easement;

THENCE S 02 deg. 10 min. 15 sec. E, a distance of 72.02 feet to a set iron point for the southwest corner and Point of Beginning of the following described tract of land:

THENCE N 02 deg. 10 min. 56 sec. W, a distance of 417.42 feet to a set iron pin for the northwest corner of this tract;

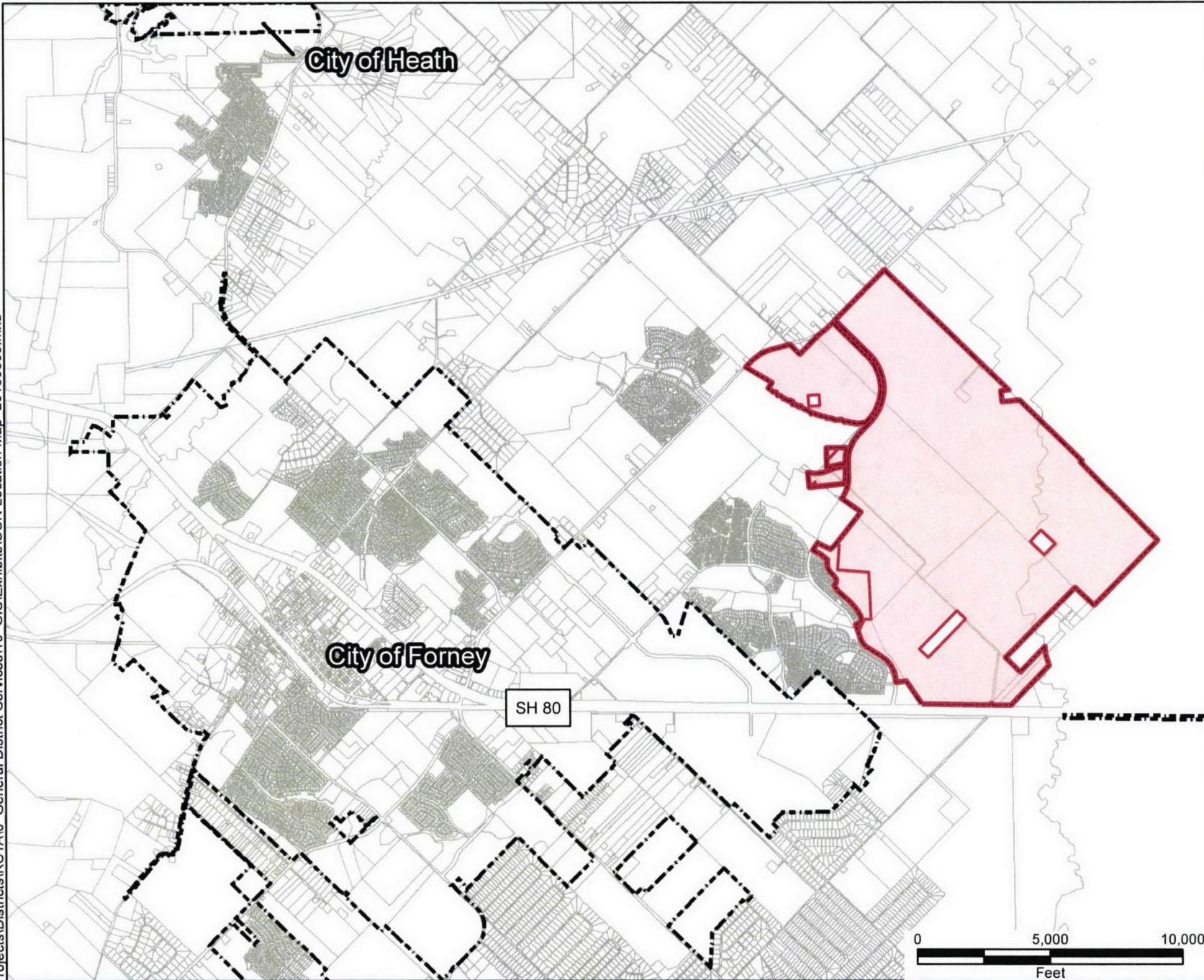
THENCE N 87 deg. 49 min. 04 sec. E, a distance of 417.42 feet to a set iron pin for the northeast corner of this tract;

THENCE S 02 deg. 10 min. 56 sec. E, a distance of 417.42 feet to a set iron pin in the north row line of Lonestar Pipeline (Atmos) and the southeast corner of this tract;

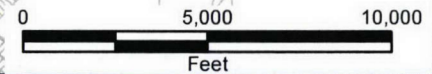
THENCE S 87 deg. 49 min. 04 sec. W, along the north row line of Lonestar Pipeline (Atmos), a distance of 417.42 feet to the Point of Beginning and containing 4.00 acres of land, more or less.

INST # 2011-0000635  
Filed for record in Kaufman County  
On: 1/12/11 at 11:40 AM

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Disclaimer:  
Every effort has been made to ensure the accuracy of the basemap data. BGE, Inc. assumes no liability or damages due to errors or omissions.



Overall Exhibit

Date: June 2018 Job No: 2984-00

# EQK Bridgeview Plaza 2807 Acres General Location Map

**BGE, Inc.**  
2595 Dallas Parkway, Suite 101  
Frisco, TX 75034  
Tel: 972-464-4800 Fax: 972-464-4899

**OVERSIZED MAP(s) or DOCUMENT(s)**

**TO VIEW**

**OVERSIZED MAP(s) or DOCUMENT(s)**

**PLEASE CONTACT  
CENTRAL RECORDS  
512.936.7180**

**Thank you**

**CD ATTACHED**

**TO VIEW PLEASE CONTACT  
CENTRAL RECORDS  
AT 512-936-7180**