



Control Number: 48707



Item Number: 1

Addendum StartPage: 0

48707

PUC DOCKET NO. \_\_\_\_\_

2010 SEP 21 PM 1:47

PETITION BY BLOOMFIELD  
HOMES, L.P. FOR EXPEDITED  
RELEASE FROM WATER CCN  
NO. 10081 HELD BY JOHNSON  
COUNTY SPECIAL UTILITY  
DISTRICT IN TARRANT COUNTY

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§  
§

BEFORE THE  
PUBLIC UTILITY COMMISSION  
OF TEXAS

PUBLIC UTILITY COMMISSION  
FILING CLERK

**PETITION BY BLOOMFIELD HOMES, L.P. FOR EXPEDITED RELEASE  
PURSUANT TO TEXAS WATER CODE SECTION 13.254(A-5)**

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

COMES NOW, Bloomfield Homes, L.P. ("Bloomfield") and files this Petition with the Public Utility Commission of Texas (the "PUC") for expedited release from Certificate of Convenience and Necessity ("CCN") No. 10081, held by Johnson County Special Utility District ("Johnson County SUD") 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 Tarrant County is a county in

<sup>1</sup> TWC § 13.254(a-5).

<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**

Bloomfield owns 280 acres of contiguous property in Tarrant County (the “Property”). Approximately 100.184 acres of the west quadrant of the Property is located within the boundaries of water CCN No. 10081, held by Johnson County SUD. None of the Property receives service from any water or sewer service provider. In support of this Petition, Bloomfield has attached the following exhibits:

1. Affidavit in support of this Petition is attached hereto as **Exhibit A**;
2. General Location Map is attached hereto as **Exhibit B**;
3. Detailed Property Map is attached hereto as **Exhibit C**; and
4. Property records (special warranty deeds including metes and bounds descriptions) are attached hereto as **Exhibit D**.

A portion of the east quadrant of the Property is located within water CCN No. 12311, which is held by the City of Fort Worth. Bloomfield is not requesting expedited release from, or decertification of, the City of Fort Worth’s water CCN in this Petition.

## **III. CONCLUSION AND PRAYER**

Texas Water Code Section 13.254(a-5) entitles Bloomfield to expedited release of the Property described herein and in the attached exhibits from CCN No. 10081. The Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Tarrant 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. Bloomfield respectfully requests that the PUC grant this Petition and


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

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. 10081 from CCN No. 10081.

Respectfully submitted,

WINSTEAD PC

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

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

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

**ATTORNEYS FOR PETITIONER  
BLOOMFIELD HOMES, L.P.**



**CERTIFICATE OF SERVICE**

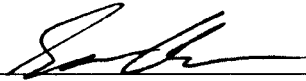
I hereby certify that on this 20th day of September, 2018, a true and correct copy of the Petition by Bloomfield Homes, L.P. for Expedited Release Pursuant to Texas Water Code Section 13.254(a-5) was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

Johnson County Special Utility District  
P.O. Box 509  
Cleburne, Texas 76033-0509

***Via Certified Mail, RRR***

Johnson County Special Utility District  
2849 S HWY 171  
Cleburne, TX 76033

***Via Certified Mail, RRR***

  
\_\_\_\_\_  
Scott W. Eidman

**EXHIBIT A**  
**AFFIDAVIT OF DONALD J. DYKSTRA**

PETITION BY BLOOMFIELD	§	BEFORE THE
HOMES, L.P. FOR EXPEDITED	§	
RELEASE FROM WATER CCN	§	PUBLIC UTILITY COMMISSION
NO. 10081 HELD BY JOHNSON	§	
COUNTY SPECIAL UTILITY	§	OF TEXAS
DISTRICT IN TARRANT COUNTY	§	

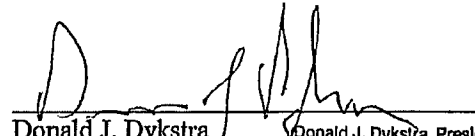
**AFFIDAVIT OF DONALD J. DYKSTRA IN SUPPORT OF PETITION  
FOR EXPEDITED RELEASE FROM WATER CCN NO. 10081 HELD BY  
JOHNSON COUNTY SPECIAL UTILITY DISTRICT PURSUANT TO  
TEXAS WATER CODE SECTION 13.254 (A-5)**

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

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

1. "My name is Donald J. Dykstra, 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 President of Bloomfield Properties, Inc., the General Partner of Bloomfield Homes, L.P., the Petitioner in the above-captioned matter. Bloomfield Homes, L.P., owns approximately 280 acres of land (the "Property"). A portion of the west quadrant of the Property is located within the boundaries of Water CCN No. 10081 issued to Johnson County Special Utility District. The Property is located in Tarrant 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 Johnson County Special Utility District. Bloomfield Homes, L.P., has not requested water service from Johnson County Special Utility District 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. 10081."

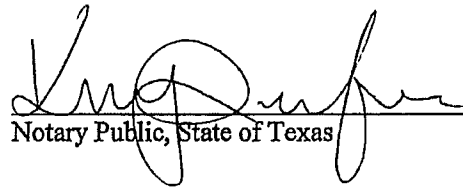
FURTHER AFFIANT SAYETH NOT.

  
Donald J. Dykstra      Donald J. Dykstra, President  
Bloomfield Properties, Inc.  
General Partner

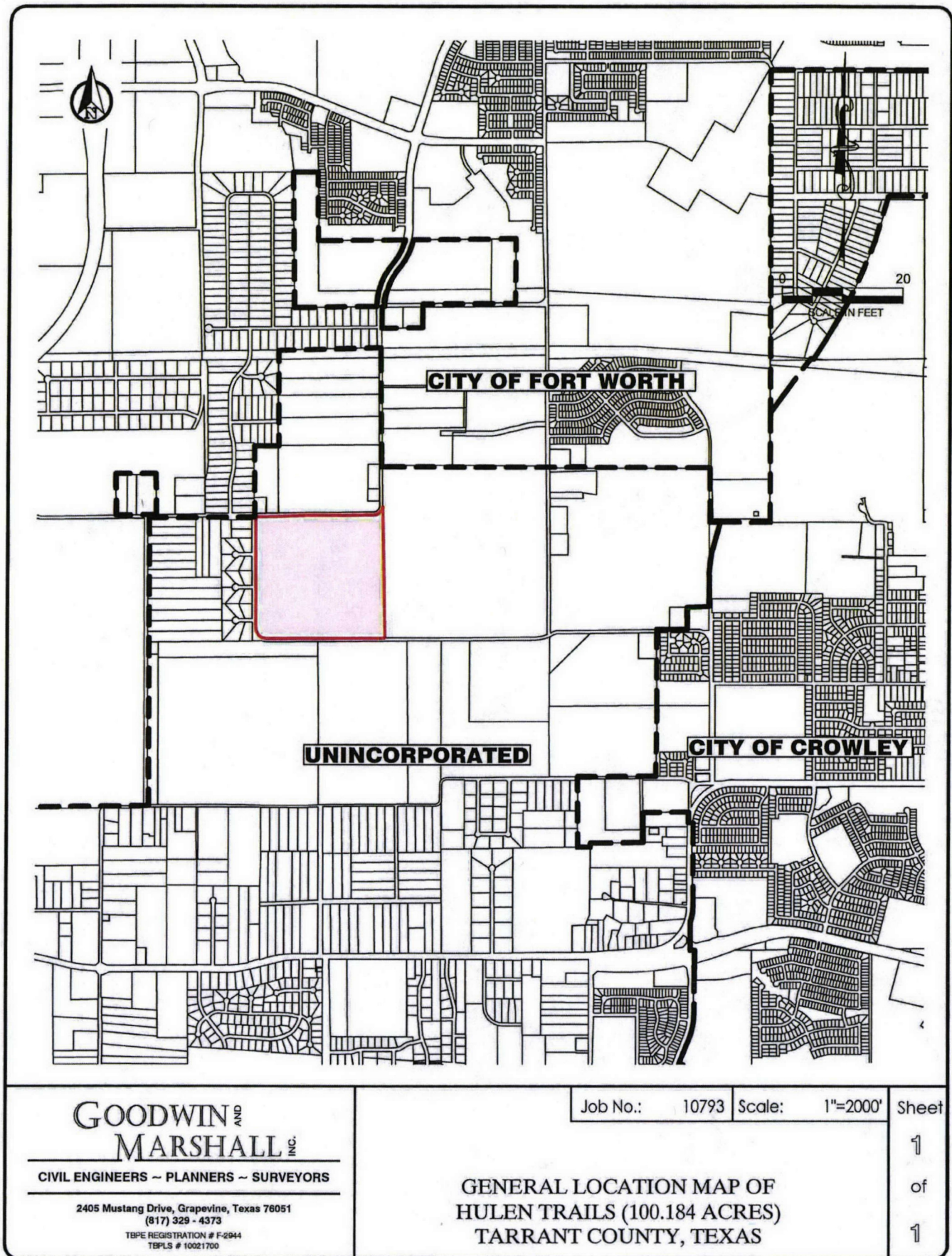
SWORN TO AND SUBSCRIBED TO BEFORE ME by Donald J. Dykstra on  
September 20, 2018



(SEAL)

  
Notary Public, State of Texas

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



**EXHIBIT C**  
**DETAILED PROPERTY MAP**







**EXHIBIT D**

**DEEDS**

D218204120 9/13/2018 7:59 AM

PGS 8

Fee: \$44.00

Submitter: CSC ERECORDING SOLUTIONS

Electronically Recorded by Tarrant County Clerk in Official Public Records

Lawyer's Title GR# 199979180002*Mary Louise Garcia* Mary Louise Garcia**SPECIAL WARRANTY DEED**

**Notice of confidentiality rights:** If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

**Date:** September 10, 2018, to be effective September 12, 2018

**Grantor:** LIVELY CHILDREN'S 2012 TRUST

**Grantor's Mailing Address:**

6125 Herry Mount Road

Fort Worth, Texas 76107

**Grantee:** BLOOMFIELD HOMES, L.P., a Texas limited partnership

**Grantee's Mailing Address:**

1050 E. Highway 114, Suite 210

Southlake, Texas 76023

**Consideration:** TEN AND NO/100 DOLLARS and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):** An undivided 19.8370% interest in and to the real property described in Exhibit "A" attached hereto and incorporated herein.

**Reservation from Conveyance:** Grantor hereby reserves, for Grantor and Grantor's heirs, beneficiaries, personal representatives, assignees and successors in interest, all of Grantor's interest in the oil, gas, and other minerals that are in and under the Property and that may be produced from it, including existing production and existing leases and the benefits thereof; provided, however, Grantor shall not have any, and hereby disclaims all, rights of ingress and egress over and use of the surface of the Property for the purpose of mining, drilling, exploring, extracting, developing, storing, marketing, transporting, or performing any other action whatsoever with respect to the oil, gas or other minerals. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property, or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled on land other than the Property, but that enter or bottom under the Property.

**Exceptions to Warranty:** The Permitted Exceptions set forth in Exhibit "B" attached hereto and incorporated herein.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the Reservation from Conveyance and the Exceptions to Warranty, grants, sells, and conveys to Grantee the

Grantor with land other than the Entire Tract, or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled on land other than the Entire Tract, but that enter or bottom under the Entire Tract.

**Exceptions to Warranty:** The Permitted Exceptions set forth in Exhibit "B" attached hereto and incorporated herein.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the Reservation from Conveyance and the Exceptions to Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor but not otherwise, except as to the Reservation from Conveyance and the Exceptions to Warranty.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

Brooke Kelly Lively, Trustee  
Brooke Kelly Lively, Trustee of  
Lively Children's 2012 Trust

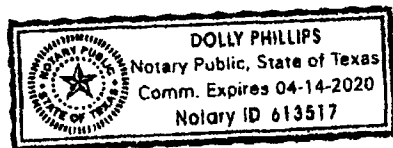
**ACKNOWLEDGMENT**

THE STATE OF TEXAS

§  
§  
§

COUNTY OF TARRANT

The foregoing instrument was acknowledged before me on this 10<sup>th</sup> day of September, 2018, by Brooke Kelly Lively, Trustee of Lively Children's 2012 Trust, on behalf of said trust.



Dolly Phillips  
Notary Public, State of Texas

**EXHIBIT "A"**

**PROPERTY DESCRIPTION**

All that certain lot, tract, or parcel of land, situated in a portion of the Antonio Castello Survey, Abstract No. 271, the W. H. Colthorp Survey, Abstract No. 286, Antonio Fernandes Survey, Abstract No. 506, John Korticky Survey, Abstract No. 914, and the International and Great Northern Railroad Company Survey, Abstract No. 826, Tarrant County, Texas, being all of those certain called 78 1/3 acre, 20 acre, 74 1/2 acre, and 100 acre tracts described in a deed to Crowley 272 Joint Venture recorded in Volume 12621, Page 1596 of the Deed Records of Tarrant County, Texas (DRTCT), and being more completely described as follows, to-wit;

BEGINNING at a 1" iron pipe found for the Northeast corner of said 100 acre tract, the Southeast corner of a called 40.004 acre tract described in a deed to Sharon Lynn Sankary recorded in Instrument No. D204323827 (DRTCT), and being in the West line of said 78 1/3 acre tract.

THENCE North 00 deg. 46 min. 54 sec. West along the West line of said 78 1/3 acre tract, the East line of said 40.004 acre tract, the East line of a called 1.000 acre tract described in a deed to DTH REO Inc. recorded in Instrument No. D215152949 (DRTCT), the East line of a called 2.000 acre tract described in a deed to O. F. Bush, Sr., et al recorded in Volume 4777, Page 308 (DRTCT), and the approximate centerline of West Cleburne Road (County Road No. 1035), a distance of 753.71 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL", hereinafter referred to as P.K. nail set with washer, for the Northwest corner of said 78 1/3 acre tract,

THENCE North 89 deg. 37 min. 03 sec. East departing said centerline and continue along the North line of said 78 1/3 acre tract, the South line of a called 40.006 acre tract described in a deed to Jerry Savelle Ministries, Inc. recorded in Volume 13436, Page 290 (DRTCT), and the South line of Lot 1, Block 1 of Heritage of Faith Christian Center recorded in Cabinet A, Slide 11818 of the Plat Records of Tarrant County, Texas (PRTCT), at 24.44 feet pass a 1/2" iron rod found for the Southwest corner of a said 40.006 acre tract, continue a total distance of 2776.07 feet to a P.K. nail set with washer for the Northeast corner of said 78 1/3 acre tract and being in the approximate centerline of West Old Cleburne Crowley Junction (County Road No. 1079),

THENCE South 00 deg. 34 min. 39 sec. East along the East line of said 78 1/3 acre tract, the East line of said 20 acre tract, the East line of said 74 1/2 acre tract, and said approximate centerline, a distance of 2837.06 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL", hereinafter referred to as 1/2" capped iron rod set, for the Southeast corner of said 74 1/2 acre tract and being the projected centerline of said West Old Cleburne Crowley Junction and West Cleburne Crowley Road (County Road No. 1018),

THENCE South 89 deg. 39 min. 30 sec. West along the South line of said 74 1/2 acre tract, the

South line of said 100 acre tract, and along the approximate centerline of said West Cleburne Crowley Road, a distance of 4878.91 feet to a 1/2" capped iron rod set for the Southwest corner of said 100 acre tract,

THENCE North 00 deg. 28 min. 21 sec. West along the West line of said 100 acre tract and along said centerline, a distance of 2060.33 feet to a P.K. nail set with washer for the Northwest corner of said 100 acre tract, from which a 1/2" capped iron rod found stamped "4277" for the Northeast corner of Lot 21 of Garden Arbors Estates recorded in Cabinet A, Slide 6031 (PRTCT) bears South 30 deg. 28 min. 19 sec. West - 58.34 feet,

THENCE North 89 deg. 05 min. 03 sec. East along the North line of said 100 acre tract and along said centerline, a distance of 2101.76 feet to the POINT OF BEGINNING, containing 12,222,802 square feet or 280.597 acres of land, more or less.

**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Standby fees, taxes, and assessments by any taxing authority for the year 2018 and subsequent years, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.
2. Any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements.
3. Rights of those certain tenants currently residing on the one-acre leasehold homestead tract in the I&GN RR Co. Survey, Abstract 826, and located at 10700 Old Cleburne-Crowley Road, pursuant to that certain lease (the "Lease") dated July 1, 2016, including such tenants' right to renew and extend their Lease until such time that Grantee needs to use such tract for its development.
4. Rights of that certain tenant pursuant to that certain Farm and Grazing Lease dated July 1, 2016 between Crowley 272 Joint Venture and Crowley 69 Joint Venture, as lessor, and Jackson Land and Cattle Company, as lessee.
5. Matters contained in that certain document

Entitled: Affidavit of Use, Occupancy, Possession and Non-Production  
Executed by: Jack Cospier  
Recording Date: July 11, 2006  
Recording No: under Clerk's File No. D206209314, as affected by Corroborating Affidavit recorded under Clerk's File No. and D206209315, Real Property Records Tarrant County, Texas. Noted and shown on survey dated April 21, 2018, last revised September 6, 2018 by Goodwin and Marshall, Inc., prepared by John N. Rogers, R.P.L.S. No. 6372 (the "Survey").

6. Matters contained in that certain document

Entitled: Right-of-Way Agreement  
Dated: August 8, 2005  
Executed by: and between Crowley 272 Joint Venture and Energy Transfer Fuel, L.P.  
Recording Date: September 6, 2005  
Recording No: under Clerk's File No. D205263454, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

7. Matters contained in that certain document

Entitled: Right-of-Way Agreement  
Dated: December 8, 2006  
Executed by: and between Crowley 272 Joint Venture and Texport Gathering, LLC  
Recording Date: January 19, 2007  
Recording No: under Clerk's File No. D207021699, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

8. Matters contained in that certain document

Entitled: Right-of-Way Easement  
Dated: November 18, 1977  
Executed by: and between Martha Morehead Kelly, Joan Kelly Ryan, Raymond B. Kelly, Jr. and Gordon B. Kelly; AND Tarrant County, State of Texas  
Recording Date: November 18, 1977  
Recording No: Volume 6364, Page 832, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

9. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Texas Electric Service Company  
Purpose: As provided in said document  
Recording Date: May 5, 1937  
Recording No: Volume 1328, Page 384, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

10. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: City of Fort Worth  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082267, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

11. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Walton Development & Management TX, LLC  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082268, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.



12. Rights of the public to any portion of the Land lying within the area commonly known as  
West Cleburne Crowley Road (CR1018), West Cleburne Road (CR 1035), and West Old  
Cleburne Crowley Junction (CR 1079)

13. Any rights, interests, or claims which may exist or arise by reason of the following  
matters disclosed by the Survey,

Dated: April 21, 2018, last revised September 6, 2018

Prepared by: John N. Rogers, Registered Professional Land Surveyor Number 6372

Matters shown: Portion of subject property lies within a flood zone  
Rights of third parties in and to AT&T Risers, gas lines outside of  
easement, telephone junction box, overhead electric, and power  
poles

14. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident  
thereto, contained in instrument dated July 3, 2018, recorded July 9, 2018 at County  
Clerk's File No. D218149384, Real Property Records, Tarrant County, Texas.

D218204119 9/13/2018 7:59 AM PGS 8 Fee: \$44.00 Submitter: CSC RECORDING SOLUTIONS

Electronically Recorded by Tarrant County Clerk in Official Public Records

*Mary Louise Garcia* Mary Louise GarciaLawyers Title GF# 1949731800002 SPECIAL WARRANTY DEED

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

**Date:** September 10, 2018, to be effective September 12, 2018

**Grantor:** TASTY PIES PROPERTIES, LLC, a Texas limited liability company

**Grantor's Mailing Address:** 1617 Western Ave.  
Fort Worth, Texas 76107

**Grantee:** BLOOMFIELD HOMES, L.P., a Texas limited partnership

**Grantee's Mailing Address:** 1050 E. Highway 114, Suite 210  
Southlake, Texas 76023

**Consideration:** TEN AND NO/100 DOLLARS and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):** An undivided 19.8370% interest in and to the real property described in Exhibit "A" attached hereto and incorporated herein, together with all improvements, fixtures and personal property situated thereon, and all rights and appurtenances pertaining thereto, including any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way (such real property, improvements, fixtures, personal property, rights and appurtenances being collectively referred to herein as the "Property").

**Reservation from Conveyance:** Grantor hereby reserves, for Grantor and Grantor's heirs, beneficiaries, personal representatives, assignees and successors in interest, all of Grantor's interest in the oil, gas, and other minerals that are in and under the 280.597 acres of land, more or less, described in Exhibit "A", including all mineral rights, titles and interests of Grantor in and to adjacent streets, alleys and rights-of-way (such 280.597 acres and mineral rights, titles and interests being collectively referred to herein as the "Entire Tract") and that may be produced from the Entire Tract, including existing production and existing leases and the benefits thereof; provided, however, Grantor shall not have any, and hereby disclaims all, rights of ingress and egress over and use of the surface of the Entire Tract for the purpose of mining, drilling, exploring, extracting, developing, storing, marketing, transporting, or performing any other action whatsoever with respect to the oil, gas or other minerals. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by

Grantor with land other than the Entire Tract, or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled on land other than the Entire Tract, but that enter or bottom under the Entire Tract.

**Exceptions to Warranty:** The Permitted Exceptions set forth in Exhibit "B" attached hereto and incorporated herein.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the Reservation from Conveyance and the Exceptions to Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor but not otherwise, except as to the Reservation from Conveyance and the Exceptions to Warranty.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

TASTY PIES PROPERTIES, LLC,  
a Texas limited liability company

By: 

Jon M. Kelly  
Manager/Member

**ACKNOWLEDGMENT**

THE STATE OF TEXAS

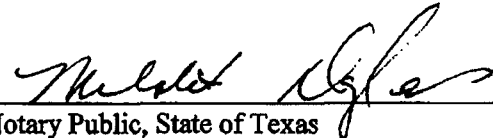
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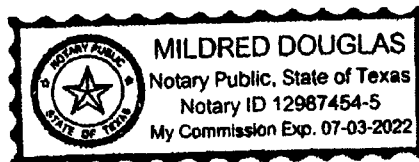
COUNTY OF TARRANT

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The foregoing instrument was acknowledged before me on this 10<sup>th</sup> day of September, 2018, by Jon M. Kelly, Manager/Member of Tasty Pies Properties, LLC, a Texas limited liability company, on behalf of said company.

  
Notary Public, State of Texas



**EXHIBIT "A"**

**PROPERTY DESCRIPTION**

All that certain lot, tract, or parcel of land, situated in a portion of the Antonio Castello Survey, Abstract No. 271, the W. H. Colthorp Survey, Abstract No. 286, Antonio Fernandes Survey, Abstract No. 506, John Korticky Survey, Abstract No. 914, and the International and Great Northern Railroad Company Survey, Abstract No. 826, Tarrant County, Texas, being all of those certain called 78 1/3 acre, 20 acre, 74 1/2 acre, and 100 acre tracts described in a deed to Crowley 272 Joint Venture recorded in Volume 12621, Page 1596 of the Deed Records of Tarrant County, Texas (DRTCT), and being more completely described as follows, to-wit;

BEGINNING at a 1" iron pipe found for the Northeast corner of said 100 acre tract, the Southeast corner of a called 40.004 acre tract described in a deed to Sharon Lynn Sankary recorded in Instrument No. D204323827 (DRTCT), and being in the West line of said 78 1/3 acre tract.

THENCE North 00 deg. 46 min. 54 sec. West along the West line of said 78 1/3 acre tract, the East line of said 40.004 acre tract, the East line of a called 1.000 acre tract described in a deed to DTH REO Inc. recorded in Instrument No. D215152949 (DRTCT), the East line of a called 2.000 acre tract described in a deed to O. F. Bush, Sr., et al recorded in Volume 4777, Page 308 (DRTCT), and the approximate centerline of West Cleburne Road (County Road No. 1035), a distance of 753.71 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL", hereinafter referred to as P.K. nail set with washer, for the Northwest corner of said 78 1/3 acre tract,

THENCE North 89 deg. 37 min. 03 sec. East departing said centerline and continue along the North line of said 78 1/3 acre tract, the South line of a called 40.006 acre tract described in a deed to Jerry Savelle Ministries, Inc. recorded in Volume 13436, Page 290 (DRTCT), and the South line of Lot 1, Block 1 of Heritage of Faith Christian Center recorded in Cabinet A, Slide 11818 of the Plat Records of Tarrant County, Texas (PRTCT), at 24.44 feet pass a 1/2" iron rod found for the Southwest corner of a said 40.006 acre tract, continue a total distance of 2776.07 feet to a P.K. nail set with washer for the Northeast corner of said 78 1/3 acre tract and being in the approximate centerline of West Old Cleburne Crowley Junction (County Road No. 1079),

THENCE South 00 deg. 34 min. 39 sec. East along the East line of said 78 1/3 acre tract, the East line of said 20 acre tract, the East line of said 74 1/2 acre tract, and said approximate centerline, a distance of 2837.06 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL", hereinafter referred to as 1/2" capped iron rod set, for the Southeast corner of said 74 1/2 acre tract and being the projected centerline of said West Old Cleburne Crowley Junction and West Cleburne Crowley Road (County Road No. 1018),

THENCE South 89 deg. 39 min. 30 sec. West along the South line of said 74 1/2 acre tract, the

South line of said 100 acre tract, and along the approximate centerline of said West Cleburne Crowley Road, a distance of 4878.91 feet to a 1/2" capped iron rod set for the Southwest corner of said 100 acre tract,

THENCE North 00 deg. 28 min. 21 sec. West along the West line of said 100 acre tract and along said centerline, a distance of 2060.33 feet to a P.K. nail set with washer for the Northwest corner of said 100 acre tract, from which a 1/2" capped iron rod found stamped "4277" for the Northeast corner of Lot 21 of Garden Arbors Estates recorded in Cabinet A, Slide 6031 (PRTCT) bears South 30 deg. 28 min. 19 sec. West - 58.34 feet,

THENCE North 89 deg. 05 min. 03 sec. East along the North line of said 100 acre tract and along said centerline, a distance of 2101.76 feet to the POINT OF BEGINNING, containing 12,222,802 square feet or 280.597 acres of land, more or less.

**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Standby fees, taxes, and assessments by any taxing authority for the year 2018 and subsequent years, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.
2. Any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements.
3. Rights of those certain tenants currently residing on the one-acre leasehold homestead tract in the I&GN RR Co. Survey, Abstract 826, and located at 10700 Old Cleburne-Crowley Road, pursuant to that certain lease (the "Lease") dated July 1, 2016, including such tenants' right to renew and extend their Lease until such time that Grantee needs to use such tract for its development.
4. Rights of that certain tenant pursuant to that certain Farm and Grazing Lease dated July 1, 2016 between Crowley 272 Joint Venture and Crowley 69 Joint Venture, as lessor, and Jackson Land and Cattle Company, as lessee.
5. Matters contained in that certain document

Entitled: Affidavit of Use, Occupancy, Possession and Non-Production

Executed by: Jack Cosper

Recording Date: July 11, 2006

Recording No: under Clerk's File No. D206209314, as affected by Corroborating Affidavit recorded under Clerk's File No. and D206209315, Real Property Records Tarrant County, Texas. Noted and shown on survey dated April 21, 2018, last revised September 6, 2018 by Goodwin and Marshall, Inc., prepared by John N. Rogers, R.P.L.S. No. 6372 (the "Survey").

6. Matters contained in that certain document

Entitled: Right-of-Way Agreement

Dated: August 8, 2005

Executed by: and between Crowley 272 Joint Venture and Energy Transfer Fuel, L.P.

Recording Date: September 6, 2005

Recording No: under Clerk's File No. D205263454, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

7. Matters contained in that certain document

Entitled: Right-of-Way Agreement  
Dated: December 8, 2006  
Executed by: and between Crowley 272 Joint Venture and Texport Gathering, LLC  
Recording Date: January 19, 2007  
Recording No: under Clerk's File No. D207021699, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

8. Matters contained in that certain document

Entitled: Right-of-Way Easement  
Dated: November 18, 1977  
Executed by: and between Martha Morehead Kelly, Joan Kelly Ryan, Raymond B. Kelly, Jr. and Gordon B. Kelly; AND Tarrant County, State of Texas  
Recording Date: November 18, 1977  
Recording No: Volume 6364, Page 832, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

9. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Texas Electric Service Company  
Purpose: As provided in said document  
Recording Date: May 5, 1937  
Recording No: Volume 1328, Page 384, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

10. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: City of Fort Worth  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082267, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

11. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Walton Development & Management TX, LLC  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082268, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.



12. Rights of the public to any portion of the Land lying within the area commonly known as West Cleburne Crowley Road (CR1018), West Cleburne Road (CR 1035), and West Old Cleburne Crowley Junction (CR 1079)

13. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by the Survey,

Dated: April 21, 2018, last revised September 6, 2018

Prepared by: John N. Rogers, Registered Professional Land Surveyor Number 6372

Matters shown: Portion of subject property lies within a flood zone  
Rights of third parties in and to AT&T Risers, gas lines outside of easement, telephone junction box, overhead electric, and power poles

14. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated July 3, 2018, recorded July 9, 2018 at County Clerk's File No. D218149384, Real Property Records, Tarrant County, Texas.

D218204118 9/13/2018 7:59 AM PGS 8 Fee: \$44.00 Submitter: CSC ERECORDING SOLUTIONS  
Electronically Recorded by Tarrant County Clerk in Official Public Records

*Mary Louise Garcia* Mary Louise Garcia

Lawyers Title GF# 1949731800002

### SPECIAL WARRANTY DEED

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

**Date:** September 5, 2018, to be effective September 12, 2018

**Grantor:** ROCKY MOUNTAIN PROPERTIES, LLC, a Texas limited liability company

**Grantor's Mailing Address:** Suite 2000, Burnett Plaza  
801 Cherry Street, Unit #46  
Fort Worth, Texas 76102

**Grantee:** BLOOMFIELD HOMES, L.P., a Texas limited partnership

**Grantee's Mailing Address:** 1050 E. Highway 114, Suite 210  
Southlake, Texas 76023

**Consideration:** TEN AND NO/100 DOLLARS and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):** An undivided 39.675% interest in and to the real property described in Exhibit "A" attached hereto and incorporated herein, together with all improvements, fixtures and personal property situated thereon, and all rights and appurtenances pertaining thereto, including any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way (such real property, improvements, fixtures, personal property, rights and appurtenances being collectively referred to herein as the "Property").

**Reservation from Conveyance:** Grantor hereby reserves, for Grantor and Grantor's heirs, beneficiaries, personal representatives, assignees and successors in interest, all of Grantor's interest in the oil, gas, and other minerals that are in and under the 280.597 acres of land, more or less, described in Exhibit "A", including all mineral rights, titles and interests of Grantor in and to adjacent streets, alleys and rights-of-way (such 280.597 acres and mineral rights, titles and interests being collectively referred to herein as the "Entire Tract") and that may be produced from the Entire Tract, including existing production and existing leases and the benefits thereof; provided, however, Grantor shall not have any, and hereby disclaims all, rights of ingress and egress over and use of the surface of the Entire Tract for the purpose of mining, drilling, exploring, extracting, developing, storing, marketing, transporting, or performing any other action whatsoever with respect to the oil, gas or other minerals. Nothing herein, however,

restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Entire Tract, or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled on land other than the Entire Tract, but that enter or bottom under the Entire Tract.

**Exceptions to Warranty:** The Permitted Exceptions set forth in Exhibit "B" attached hereto and incorporated herein.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the Reservation from Conveyance and the Exceptions to Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor but not otherwise, except as to the Reservation from Conveyance and the Exceptions to Warranty.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

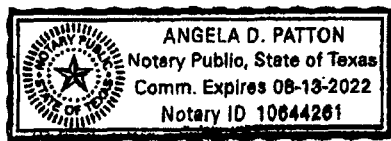
ROCKY MOUNTAIN PROPERTIES, LLC,  
a Texas limited liability company

By: RB Kelly, III  
Raymond B. Kelly, III  
President

**ACKNOWLEDGMENT**

THE STATE OF TEXAS       §  
                                     §  
COUNTY OF TARRANT     §

The foregoing instrument was acknowledged before me on this the 10th day of September, 2018, by Raymond B. Kelly, III, Rocky Mountain Properties, LLC, a Texas limited liability company, on behalf of said company.



Angela D. Patton  
Notary Public, State of Texas

**EXHIBIT "A"**

**PROPERTY DESCRIPTION**

All that certain lot, tract, or parcel of land, situated in a portion of the Antonio Castello Survey, Abstract No. 271, the W. H. Colthorp Survey, Abstract No. 286, Antonio Fernandes Survey, Abstract No. 506, John Korticky Survey, Abstract No. 914, and the International and Great Northern Railroad Company Survey, Abstract No. 826, Tarrant County, Texas, being all of those certain called 78 1/3 acre, 20 acre, 74 1/2 acre, and 100 acre tracts described in a deed to Crowley 272 Joint Venture recorded in Volume 12621, Page 1596 of the Deed Records of Tarrant County, Texas (DRTCT ), and being more completely described as follows, to-wit;

BEGINNING at a 1" iron pipe found for the Northeast corner of said 100 acre tract, the Southeast corner of a called 40.004 acre tract described in a deed to Sharon Lynn Sankary recorded in Instrument No. D204323827 (DRTCT), and being in the West line of said 78 1/3 acre tract.

THENCE North 00 deg. 46 min. 54 sec. West along the West line of said 78 1/3 acre tract, the East line of said 40.004 acre tract, the East line of a called 1.000 acre tract described in a deed to DTH REO Inc. recorded in Instrument No. D215152949 (DRTCT), the East line of a called 2.000 acre tract described in a deed to O. F. Bush, Sr., et al recorded in Volume 4777, Page 308 (DRTCT), and the approximate centerline of West Cleburne Road (County Road No. 1035), a distance of 753.71 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL", hereinafter referred to as P.K. nail set with washer, for the Northwest corner of said 78 1/3 acre tract,

THENCE North 89 deg. 37 min. 03 sec. East departing said centerline and continue along the North line of said 78 1/3 acre tract, the South line of a called 40.006 acre tract described in a deed to Jerry Savelle Ministries, Inc. recorded in Volume 13436, Page 290 (DRTCT), and the South line of Lot 1, Block 1 of Heritage of Faith Christian Center recorded in Cabinet A, Slide 11818 of the Plat Records of Tarrant County, Texas (PRTCT ), at 24.44 feet pass a 1/2" iron rod found for the Southwest corner of a said 40.006 acre tract, continue a total distance of 2776.07 feet to a P.K. nail set with washer for the Northeast corner of said 78 1/3 acre tract and being in the approximate centerline of West Old Cleburne Crowley Junction (County Road No. 1079),

THENCE South 00 deg. 34 min. 39 sec. East along the East line of said 78 1/3 acre tract, the East line of said 20 acre tract, the East line of said 74 1/2 acre tract, and said approximate centerline, a distance of 2837.06 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL", hereinafter referred to as 1/2" capped iron rod set, for the Southeast corner of said 74 1/2 acre tract and being the projected centerline of said West Old Cleburne Crowley Junction and West Cleburne Crowley Road (County Road No. 1018),

THENCE South 89 deg. 39 min. 30 sec. West along the South line of said 74 1/2 acre tract, the South line of said 100 acre tract, and along the approximate centerline of said West Cleburne Crowley Road, a distance of 4878.91 feet to a 1/2" capped iron rod set for the Southwest corner of said 100 acre tract,

THENCE North 00 deg. 28 min. 21 sec. West along the West line of said 100 acre tract and along said centerline, a distance of 2060.33 feet to a P.K. nail set with washer for the Northwest corner of said 100 acre tract, from which a 1/2" capped iron rod found stamped "4277" for the Northeast corner of Lot 21 of Garden Arbors Estates recorded in Cabinet A, Slide 6031 (PRTCT) bears South 30 deg. 28 min. 19 sec. West - 58.34 feet,

THENCE North 89 deg. 05 min. 03 sec. East along the North line of said 100 acre tract and along said centerline, a distance of 2101.76 feet to the POINT OF BEGINNING, containing 12,222,802 square feet or 280.597 acres of land, more or less.

**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Standby fees, taxes, and assessments by any taxing authority for the year 2018 and subsequent years, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.
2. Any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements.
3. Rights of those certain tenants currently residing on the one-acre leasehold homestead tract in the I&GN RR Co. Survey, Abstract 826, and located at 10700 Old Cleburne-Crowley Road, pursuant to that certain lease (the "Lease") dated July 1, 2016, including such tenants' right to renew and extend their Lease until such time that Grantee needs to use such tract for its development.
4. Rights of that certain tenant pursuant to that certain Farm and Grazing Lease dated July 1, 2016 between Crowley 272 Joint Venture and Crowley 69 Joint Venture, as lessor, and Jackson Land and Cattle Company, as lessee.
5. Matters contained in that certain document

Entitled: Affidavit of Use, Occupancy, Possession and Non-Production

Executed by: Jack Cosper

Recording Date: July 11, 2006

Recording No: under Clerk's File No. D206209314, as affected by Corroborating Affidavit recorded under Clerk's File No. and D206209315, Real Property Records Tarrant County, Texas. Noted and shown on survey dated April 21, 2018, last revised September 6, 2018 by Goodwin and Marshall, Inc., prepared by John N. Rogers, R.P.L.S. No. 6372 (the "Survey").

6. Matters contained in that certain document

Entitled: Right-of-Way Agreement

Dated: August 8, 2005

Executed by: and between Crowley 272 Joint Venture and Energy Transfer Fuel, L.P.

Recording Date: September 6, 2005

Recording No: under Clerk's File No. D205263454, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

7. Matters contained in that certain document

Entitled: Right-of-Way Agreement  
Dated: December 8, 2006  
Executed by: and between Crowley 272 Joint Venture and Texport Gathering, LLC  
Recording Date: January 19, 2007  
Recording No: under Clerk's File No. D207021699, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

8. Matters contained in that certain document

Entitled: Right-of-Way Easement  
Dated: November 18, 1977  
Executed by: and between Martha Morehead Kelly, Joan Kelly Ryan, Raymond B. Kelly, Jr. and Gordon B. Kelly; AND Tarrant County, State of Texas  
Recording Date: November 18, 1977  
Recording No: Volume 6364, Page 832, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

9. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Texas Electric Service Company  
Purpose: As provided in said document  
Recording Date: May 5, 1937  
Recording No: Volume 1328, Page 384, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

10. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: City of Fort Worth  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082267, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

11. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Walton Development & Management TX, LLC  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082268, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.



12. Rights of the public to any portion of the Land lying within the area commonly known as  
West Cleburne Crowley Road (CR1018), West Cleburne Road (CR 1035), and West Old  
Cleburne Crowley Junction (CR 1079)

13. Any rights, interests, or claims which may exist or arise by reason of the following  
matters disclosed by the Survey,

Dated: April 21, 2018, last revised September 6, 2018

Prepared by: John N. Rogers, Registered Professional Land Surveyor Number 6372

Matters shown: Portion of subject property lies within a flood zone  
Rights of third parties in and to AT&T Risers, gas lines outside of  
easement, telephone junction box, overhead electric, and power  
poles

14. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident  
thereto, contained in instrument dated July 3, 2018, recorded July 9, 2018 at County  
Clerk's File No. D218149384, Real Property Records, Tarrant County, Texas.

1949731800002  
Lawyers Title GF# \_\_\_\_\_

**SPECIAL WARRANTY DEED**

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

**Date:** September 10, 2018, to be effective September 12, 2018

**Grantor:** CROWLEY 272 JOINT VENTURE, a Texas joint venture

**Grantor's Mailing Address:** Suite 2000, Burnett Plaza  
801 Cherry Street, Unit #46  
Fort Worth, Texas 76102

**Grantee:** BLOOMFIELD HOMES, L.P., a Texas limited partnership

**Grantee's Mailing Address:** 1050 E. Highway 114, Suite 210  
Southlake, Texas 76023

**Consideration:** TEN AND NO/100 DOLLARS and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):** An undivided 20.651% interest in and to the real property described in Exhibit "A" attached hereto and incorporated herein, together with all improvements, fixtures and personal property situated thereon, and all rights and appurtenances pertaining thereto, including any right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way (such real property, improvements, fixtures, personal property, rights and appurtenances being collectively referred to herein as the "Property").

**Reservation from Conveyance:** Grantor hereby reserves, for Grantor and Grantor's heirs, beneficiaries, personal representatives, assignees and successors in interest, all of Grantor's interest in the oil, gas, and other minerals that are in and under the 280.597 acres of land, more or less, described in Exhibit "A", including all mineral rights, titles and interests of Grantor in and to adjacent streets, alleys and rights-of-way (such 280.597 acres and mineral rights, titles and interests being collectively referred to herein as the "Entire Tract") and that may be produced from the Entire Tract, including existing production and existing leases and the benefits thereof; provided, however, Grantor shall not have any, and hereby disclaims all, rights of ingress and egress over and use of the surface of the Entire Tract for the purpose of mining, drilling, exploring, extracting, developing, storing, marketing, transporting, or performing any other action whatsoever with respect to the oil, gas or other minerals. Nothing herein, however,

restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Entire Tract, or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled on land other than the Entire Tract, but that enter or bottom under the Entire Tract.

**Exceptions to Warranty:** The Permitted Exceptions set forth in Exhibit "B" attached hereto and incorporated herein.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the Reservation from Conveyance and the Exceptions to Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor but not otherwise, except as to the Reservation from Conveyance and the Exceptions to Warranty.

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

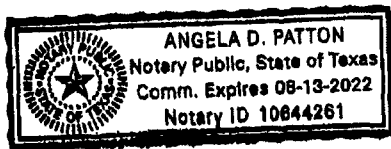
CROWLEY 272 JOINT VENTURE,  
a Texas joint venture

By: RB Kelly, III  
Raymond B. Kelly, III  
Managing Venturer

**ACKNOWLEDGMENT**

THE STATE OF TEXAS       §  
                                     §  
COUNTY OF TARRANT     §

The foregoing instrument was acknowledged before me on this the 10th day of September, 2018, by Raymond B. Kelly, III, Managing Venturer of Crowley 272 Joint Venture, a Texas joint venture, on behalf of said joint venture.



Angela D. Patton  
Notary Public, State of Texas

**EXHIBIT "A"**

**PROPERTY DESCRIPTION**

All that certain lot, tract, or parcel of land, situated in a portion of the Antonio Castello Survey, Abstract No. 271, the W. H. Colthorp Survey, Abstract No. 286, Antonio Fernandes Survey, Abstract No. 506, John Korticky Survey, Abstract No. 914, and the International and Great Northern Railroad Company Survey, Abstract No. 826, Tarrant County, Texas, being all of those certain called 78 1/3 acre, 20 acre, 74 1/2 acre, and 100 acre tracts described in a deed to Crowley 272 Joint Venture recorded in Volume 12621, Page 1596 of the Deed Records of Tarrant County, Texas (DRTCT), and being more completely described as follows, to-wit;

BEGINNING at a 1" iron pipe found for the Northeast corner of said 100 acre tract, the Southeast corner of a called 40.004 acre tract described in a deed to Sharon Lynn Sankary recorded in Instrument No. D204323827 (DRTCT), and being in the West line of said 78 1/3 acre tract.

THENCE North 00 deg. 46 min. 54 sec. West along the West line of said 78 1/3 acre tract, the East line of said 40.004 acre tract, the East line of a called 1.000 acre tract described in a deed to DTH REO Inc. recorded in Instrument No. D215152949 (DRTCT), the East line of a called 2.000 acre tract described in a deed to O. F. Bush, Sr., et al recorded in Volume 4777, Page 308 (DRTCT), and the approximate centerline of West Cleburne Road (County Road No. 1035), a distance of 753.71 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL", hereinafter referred to as P.K. nail set with washer, for the Northwest corner of said 78 1/3 acre tract,

THENCE North 89 deg. 37 min. 03 sec. East departing said centerline and continue along the North line of said 78 1/3 acre tract, the South line of a called 40.006 acre tract described in a deed to Jerry Savelle Ministries, Inc. recorded in Volume 13436, Page 290 (DRTCT), and the South line of Lot 1, Block 1 of Heritage of Faith Christian Center recorded in Cabinet A, Slide 11818 of the Plat Records of Tarrant County, Texas (PRTCT), at 24.44 feet pass a 1/2" iron rod found for the Southwest corner of a said 40.006 acre tract, continue a total distance of 2776.07 feet to a P.K. nail set with washer for the Northeast corner of said 78 1/3 acre tract and being in the approximate centerline of West Old Cleburne Crowley Junction (County Road No. 1079),

THENCE South 00 deg. 34 min. 39 sec. East along the East line of said 78 1/3 acre tract, the East line of said 20 acre tract, the East line of said 74 1/2 acre tract, and said approximate centerline, a distance of 2837.06 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL", hereinafter referred to as 1/2" capped iron rod set, for the Southeast corner of said 74 1/2 acre tract and being the projected centerline of said West Old Cleburne Crowley Junction and West Cleburne Crowley Road (County Road No. 1018),

THENCE South 89 deg. 39 min. 30 sec. West along the South line of said 74 1/2 acre tract, the South line of said 100 acre tract, and along the approximate centerline of said West Cleburne Crowley Road, a distance of 4878.91 feet to a 1/2" capped iron rod set for the Southwest corner of said 100 acre tract,

THENCE North 00 deg. 28 min. 21 sec. West along the West line of said 100 acre tract and along said centerline, a distance of 2060.33 feet to a P.K. nail set with washer for the Northwest corner of said 100 acre tract, from which a 1/2" capped iron rod found stamped "4277" for the Northeast corner of Lot 21 of Garden Arbors Estates recorded in Cabinet A, Slide 6031 (PRTCT) bears South 30 deg. 28 min. 19 sec. West - 58.34 feet,

THENCE North 89 deg. 05 min. 03 sec. East along the North line of said 100 acre tract and along said centerline, a distance of 2101.76 feet to the POINT OF BEGINNING, containing 12,222,802 square feet or 280.597 acres of land, more or less.

**EXHIBIT "B"**

**PERMITTED EXCEPTIONS**

1. Standby fees, taxes, and assessments by any taxing authority for the year 2018 and subsequent years, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.
2. Any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements.
3. Rights of those certain tenants currently residing on the one-acre leasehold homestead tract in the I&GN RR Co. Survey, Abstract 826, and located at 10700 Old Cleburne-Crowley Road, pursuant to that certain lease (the "Lease") dated July 1, 2016, including such tenants' right to renew and extend their Lease until such time that Grantee needs to use such tract for its development.
4. Rights of that certain tenant pursuant to that certain Farm and Grazing Lease dated July 1, 2016 between Crowley 272 Joint Venture and Crowley 69 Joint Venture, as lessor, and Jackson Land and Cattle Company, as lessee.
5. Matters contained in that certain document

Entitled: Affidavit of Use, Occupancy, Possession and Non-Production

Executed by: Jack Coper

Recording Date: July 11, 2006

Recording No: under Clerk's File No. D206209314, as affected by Corroborating Affidavit recorded under Clerk's File No. and D206209315, Real Property Records Tarrant County, Texas. Noted and shown on survey dated April 21, 2018, last revised September 6, 2018 by Goodwin and Marshall, Inc., prepared by John N. Rogers, R.P.L.S. No. 6372 (the "Survey").

6. Matters contained in that certain document

Entitled: Right-of-Way Agreement

Dated: August 8, 2005

Executed by: and between Crowley 272 Joint Venture and Energy Transfer Fuel, L.P.

Recording Date: September 6, 2005

Recording No: under Clerk's File No. D205263454, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

7. Matters contained in that certain document

Entitled: Right-of-Way Agreement  
Dated: December 8, 2006  
Executed by: and between Crowley 272 Joint Venture and Texport Gathering, LLC  
Recording Date: January 19, 2007  
Recording No: under Clerk's File No. D207021699, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

8. Matters contained in that certain document

Entitled: Right-of-Way Easement  
Dated: November 18, 1977  
Executed by: and between Martha Morehead Kelly, Joan Kelly Ryan, Raymond B. Kelly, Jr. and Gordon B. Kelly; AND Tarrant County, State of Texas  
Recording Date: November 18, 1977  
Recording No: Volume 6364, Page 832, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

9. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Texas Electric Service Company  
Purpose: As provided in said document  
Recording Date: May 5, 1937  
Recording No: Volume 1328, Page 384, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

10. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: City of Fort Worth  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082267, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.

11. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Walton Development & Management TX, LLC  
Purpose: As provided in said document  
Recording Date: April 18, 2018  
Recording No: under Clerk's File Number D218082268, Real Property Records Tarrant County, Texas. Noted and shown on the Survey.



12. Rights of the public to any portion of the Land lying within the area commonly known as West Cleburne Crowley Road (CR1018), West Cleburne Road (CR 1035), and West Old Cleburne Crowley Junction (CR 1079)

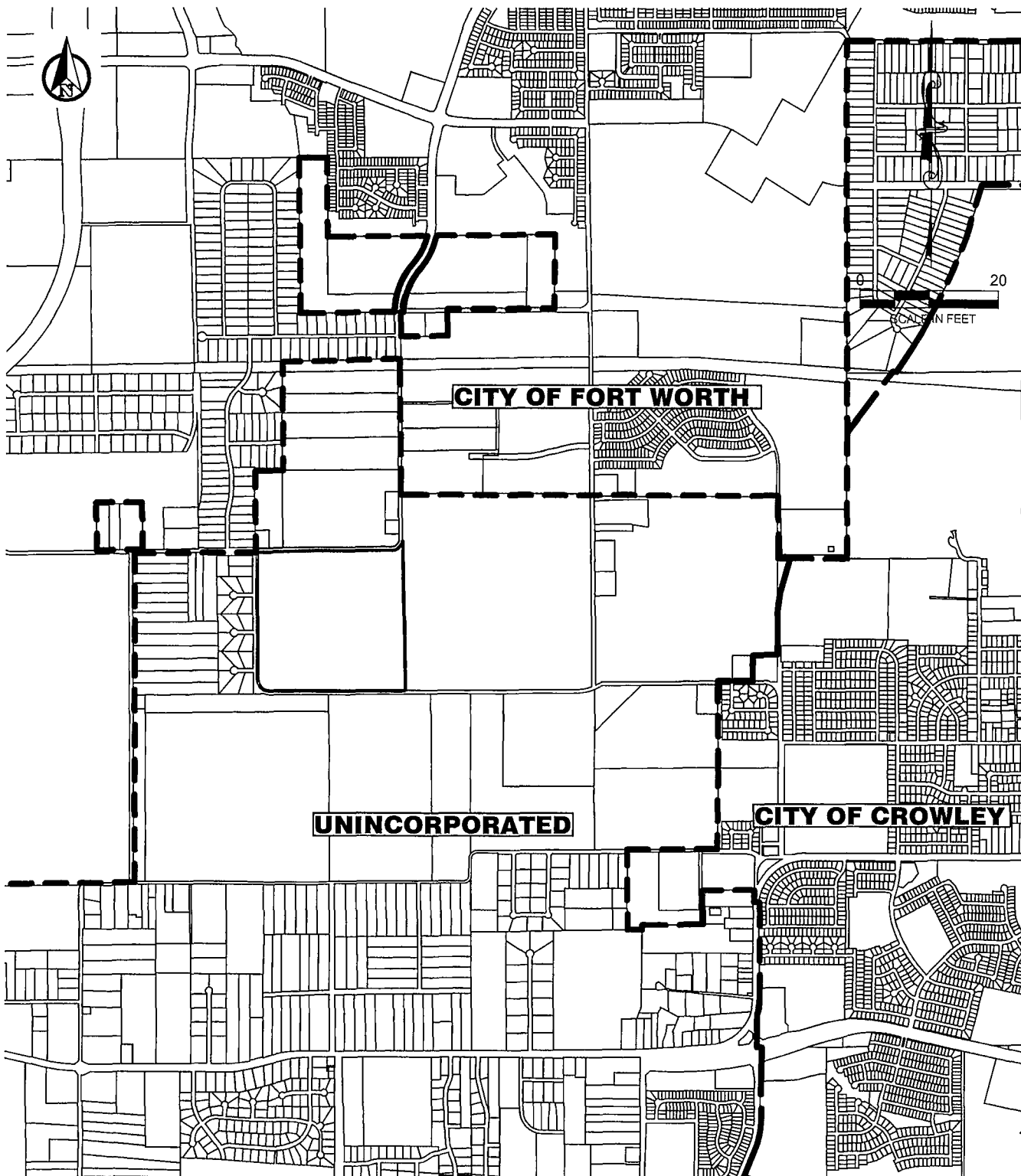
13. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by the Survey,

Dated: April 21, 2018, last revised September 6, 2018

Prepared by: John N. Rogers, Registered Professional Land Surveyor Number 6372

Matters shown: Portion of subject property lies within a flood zone  
Rights of third parties in and to AT&T Risers, gas lines outside of easement, telephone junction box, overhead electric, and power poles

14. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated July 3, 2018, recorded July 9, 2018 at County Clerk's File No. D218149384, Real Property Records, Tarrant County, Texas.



**GOODWIN**  
AND  
**MARSHALL** INC.

CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS

2405 Mustang Drive, Grapevine, Texas 76051  
(817) 329 - 4373

TBPE REGISTRATION # F-2944  
TBPLS # 10021700

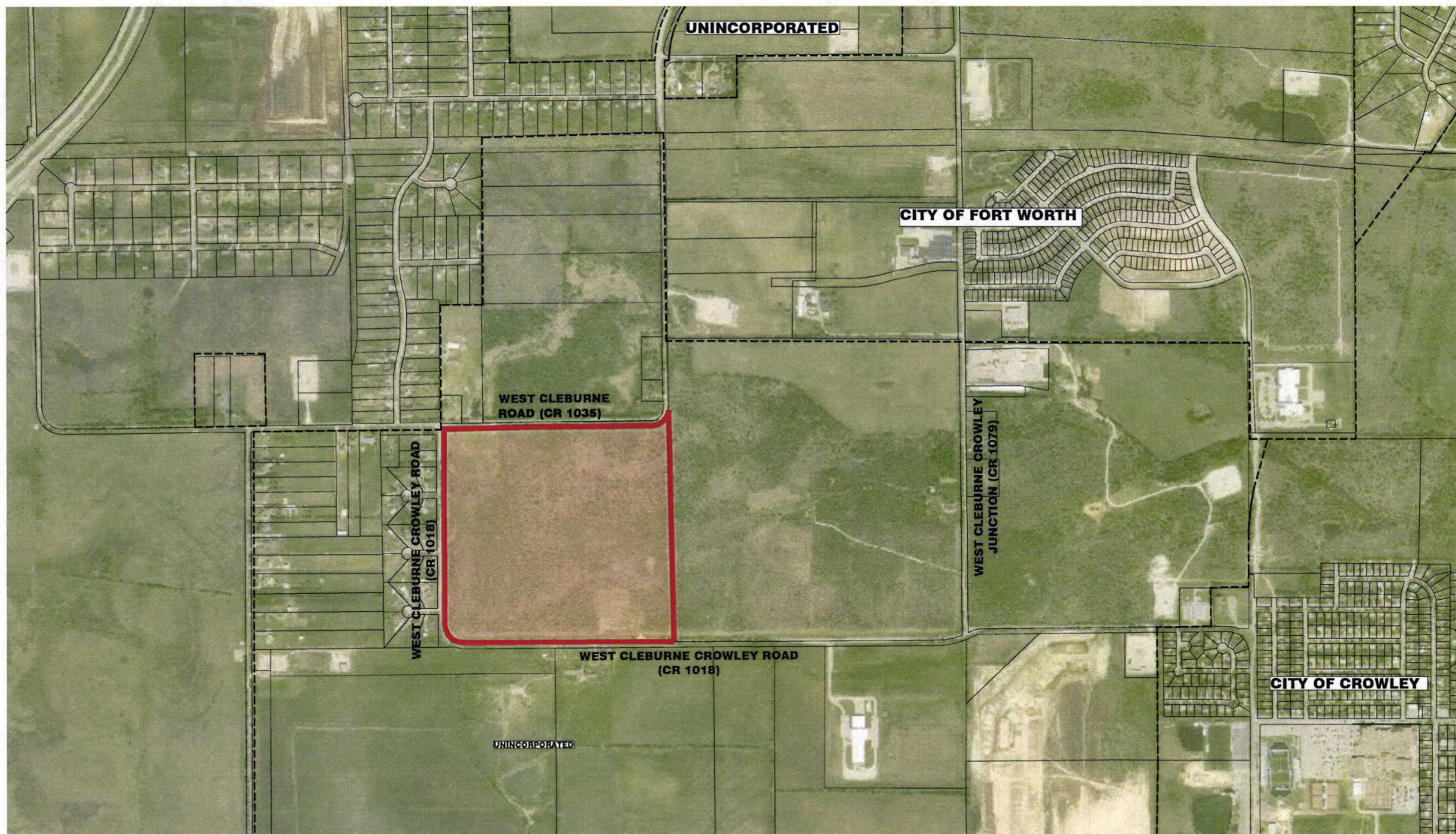
Job No.: 10793 Scale: 1"=2000'

Sheet

1  
of  
1

GENERAL LOCATION MAP OF  
HULEN TRAILS (100.184 ACRES)  
TARRANT COUNTY, TEXAS





GRAPHIC SCALE  
0 400 800 1200  
1"=400'

PREPARED BY:  
**GOODWIN & MARSHALL**  
CIVIL ENGINEERS - PLANNERS - SURVEYORS

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(817) 328-4273  
TXPE REGISTRATION # F-2044  
10/15/12 & 10/01/16

**DETAILED MAP EXHIBIT**  
OF  
**HULEN TRAILS (100.184 ACRES)**  
SITUATED IN  
TARRANT COUNTY, TEXAS

SHEET 1 of 1



**OVERSIZED DOCUMENT(S)**

**TO VIEW**

**OVERSIZED DOCUMENT(S)**

**PLEASE GO TO**

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