

EXHIBIT B
SMALL-SCALE (GENERAL LOCATION) MAP

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LEGEND



LANDOWNER:
LGI HOMES - TEXAS, LLC
CALLED 280.000 ACRES TRACT; LGI HOMES-TEXAS, LLC;

WISE COUNTY
DENTON COUNTY

N COUNTY LINE ROAD

BURNS BRANCH ROAD

BRANCH ROAD

DONALD ROAD

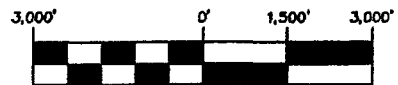
FM 1173

FM 1173

U.S. HIGHWAY 380



SCALE: 1" = 3,000'



JOB NO. 70008-07
DATE AUGUST 2019
DESIGNER AJR
CHECKED DEW, DRAWNSMM
EXHIBIT B

BIG SKY DENTON COUNTY, TEXAS GENERAL LOCATION MAP

Pape-Dawson
ENGINEERS

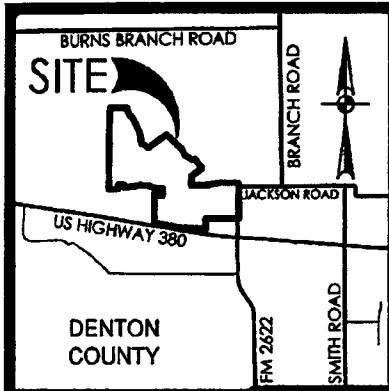
DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
5810 TENNYSON PKWY, STE 425 PLANO, TX 75024 | 214.420.8484
TSP# FIRM REGISTRATION #470 | TSP# FIRM REGISTRATION #10184380

Date: Aug 07, 2019, 8:28am User: E: kshankar
 File: C:\temp\2019\07\07\20190707_001.dwg Plot: C:\Users\kshankar\AppData\Local\Temp\2019\07\07\20190707_001.dwg

THIS DOCUMENT HAS BEEN PROVIDED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN SUBJECTIVELY ALTERED. RELY ONLY ON FINAL HARD COPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

EXHIBIT C
LARGE-SCALE (DETAILED) MAP

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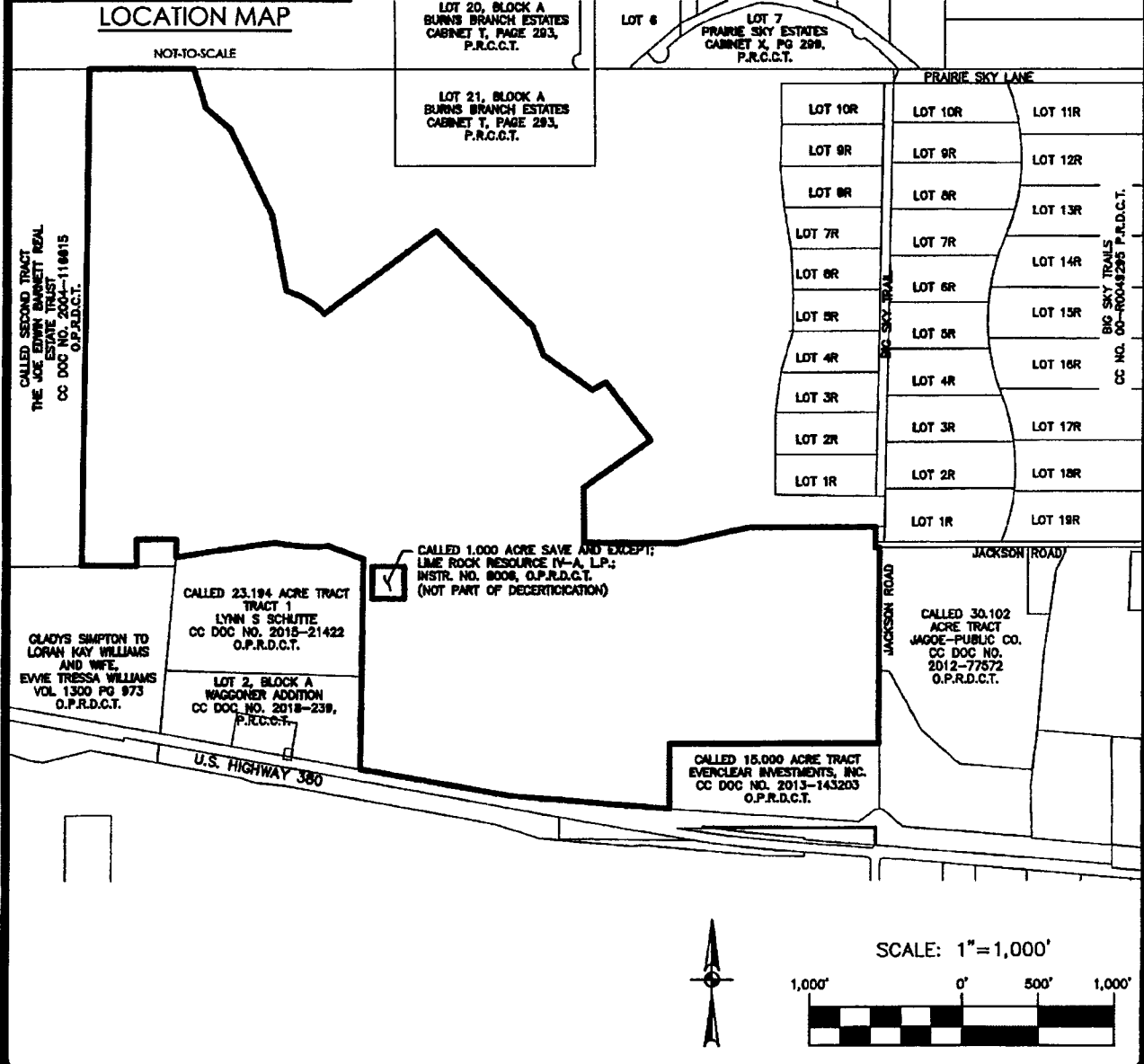
LOCATION MAP

NOT-TO-SCALE

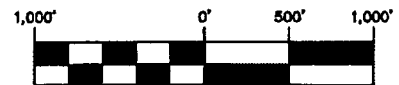
LEGEND



LANDOWNER:
LGI HOMES - TEXAS, LLC
CALLED 280.000 ACRES TRACT; LGI HOMES-TEXAS,
LLC; CC DOC NO. 2018-141332, O.P.R.D.C.T.



SCALE: 1" = 1,000'



JOB NO. 70008-07
DATE AUGUST 2019
DESIGNER AJR
CHECKED DEW, DRAWNSMM
EXHIBIT C

BIG SKY
DENTON COUNTY, TEXAS
DETAILED MAP

PAPE-DAWSON ENGINEERS

DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
5010 TENNYSON PKWY, STE 425 PLANO, TX 75024 | 214.420.8494
T&E FIRM REGISTRATION #470 | T&P&L FIRM REGISTRATION #10184980

Date: Aug 07, 2019, 8:31am User: AJR
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EXHIBIT D
DEED REFERENCE MAP

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EXHIBIT E
PETITIONER'S AFFIDAVIT

11/15/2011 10:00:00 AM

AFFIDAVIT

THE STATE OF TEXAS §

§

COUNTY OF DENTON §

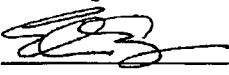
BEFORE ME, the undersigned authority, on this day personally appeared Elaine Torres, whom, being first duly sworn by me, upon his oath stated:

1. My name is Elaine Torres, acting in my capacity as Officer of LGI Homes – Texas, LLC (“Petitioner”). I am of sound mind, more than eighteen (18) years of age, and am capable of making this affidavit.
2. The Petitioner is submitting an Amended Application for Expedited Release from Certificate of Convenience and Necessity for Water Service (“Petition”) with the Public Utility Commission of Texas (“PUC” or “Commission”).
3. The Amended Application is being submitted pursuant to Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code § 24.245(1).
4. The Property (as defined in the Amended Application) is at least 25 contiguous acres in size.
5. The Property is subject to certificate of convenience and necessity (“CCN”) No. 11257 for water service held by Bolivar Water Supply Corporation (the “CCN Holder”), and is located in Denton County, Texas.
6. The Property is not receiving water service from the CCN Holder.
7. The Petitioner owns the Property, as evidenced by the deeds submitted with the Amended Application.

- 8. A copy of the Amended Application shall be mailed to the CCN Holder via certified mail on the day the Amended Application is filed with the Commission.
- 9. The required mapping documents are being submitted to the Commission with the Amended Application.

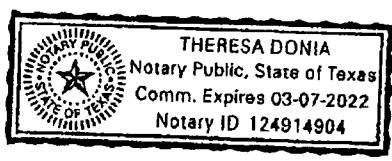
WITNESS MY HAND this 6th day of August, 2019.


LGI Homes – Texas, LLC
A Texas corporation

By: 

THE STATE OF TEXAS §
 §
THE COUNTY OF DENTON §

This instrument was acknowledged before me on the 6th day of August, 2019, by Elaine Torres of LGI Homes – Texas, LLC a Texas corporation.




Notary Public

ATTACHMENT B
Amended Application of Big Sky

P.U.C. DOCKET NO. _____

APPLICATION OF BIG SKY LLC TO AMEND BOLIVAR WATER SUPPLY CORPORATION'S WATER CERTIFICATE OF CONVENIENCE AND NECESSITY IN DENTON BY EXPEDITED RELEASE	§ § § § § §	BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS
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**AMENDED APPLICATION BY BIG SKY LLC FOR EXPEDITED RELEASE
PURSUANT TO TEXAS WATER CODE SECTION 13.254(A-5)**

COMES NOW Big Sky LLC ("Big Sky"), and files this Petition for Streamlined Expedited Release from Certificate of Convenience and Necessity for Water Service pursuant to Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code § 24.245(l), and in support thereof respectfully shows the following:

I.

Big Sky holds fee simple title to approximately 159 acres of land located in Denton County, Texas (the "Property"), as evidenced by the Deeds attached hereto as **Exhibit A**. The Property is more particularly shown on the small-scale (general location) map attached hereto as **Exhibit B**, the large-scale (detailed) map attached hereto as **Exhibit C**, the deed reference map attached hereto as **Exhibit D**, and in the digital data submitted on compact disc. These maps are provided in compliance with 16 Texas Administrative Code § 24.245(m).

II.

The Property is comprised of a tract of land that is at least 25 contiguous acres and is located in Denton County, Texas.

III.

All 159 acres of the Property is subject to certificate of convenience and necessity No. 11257 for water service (the "CCN") held by Bolivar Water Supply Corporation (the "CCN

Holder”). As of the date of this Amended Petition, the Property is not receiving water service from the CCN Holder.

IV.

Big Sky hereby requests that the CCN Subject Property be released from the CCN, including portions of the Property reflected in the deeds attached hereto as **Exhibits A**.

V.

The undersigned certifies that a copy of this Petition has been mailed to the CCN Holder via certified mail on the day that this Amended Petition is filed with the Commission.

VI.


Big Sky’s notarized Affidavit in support of the required information to be included in this Amended Petition pursuant to 16 Texas Administrative Code § 24.245(1)(4)(A) is attached hereto as **Exhibit E**.

WHEREFORE, Big Sky respectfully requests that this Amended Petition be heard and granted in all respects, and that such other orders, acts, procedures, and relief be granted as are proper, necessary, and appropriate to complete the release of the CCN Subject Property from the CCN, as the Commission shall deem proper and necessary.

Date: August 9, 2019

Respectfully submitted,

FOLEY GARDERE
Foley & Lardner LLP
600 Congress Avenue, Ste. 2900
Austin, Texas 78701

By: 
Arthur Val Perkins
Texas State Bar No. 15782600
vperkins@foley.com
Andres Medrano
Texas State Bar No. 24005451
(512) 542-7013/542-7213
amedrano2@foley.com

Attachments:

- Exhibits A – Deed**
- Exhibit B – Small Scale (General Location) Map**
- Exhibit C – Large Scale (Detailed) Map**
- Exhibit D – Deed Reference Map**
- Exhibit E – Petitioner’s Affidavit**

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EXHIBIT A

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Denton County
Juli Luke
County Clerk

Instrument Number: 120750

ERecordings-RP

SPECIAL WARRANTY DEED

Recorded On: October 11, 2018 03:19 PM

Number of Pages: 17

" Examined and Charged as Follows: "

Total Recording: \$90.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 120750
Receipt Number: 20181011000450
Recorded Date/Time: October 11, 2018 03:19 PM
User: Lisa V
Station: Station 37

Record and Return To:

eRx



STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

000040

GF# 20084T

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

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS § **KNOW ALL PERSONS BY THESE PRESENTS:**
 §
COUNTY OF DENTON §

THAT, **BIG SKY TRAILS, LTD**, a Texas limited partnership ("Grantor"), for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable consideration in hand paid to Grantor by **BIG SKY, LLC**, a Texas limited liability company, whose address is 4556 Knoll Ridge Drive, Aledo, Texas 76008 ("Grantee"), the receipt and sufficiency of which consideration is hereby acknowledged, and the further consideration of the execution and delivery by the Grantee of that one certain Promissory Note dated October 11, 2018 (the "Promissory Note") in the principal sum of **\$5,296,000.00**, payable to the order of **HAPPY STATE BANK**, a Texas banking association (the "Lender"), as therein specified, the payment of which Promissory Note is secured by the vendor's lien herein retained, and is additionally secured by a Deed of Trust, Security Agreement, Financing Statement, and Assignment of Rents of even date therewith (the "Deed of Trust") to **PLA Services, Inc.**, as the trustee named therein for the benefit of Lender, and the further consideration of the execution and delivery by the Grantee of a second and inferior lien promissory note of even date herewith in the principal sum of **\$1,800,000.00**, payable to the order of **LEONARD S. ZAK**, ("Lender"), as therein specified, the payment of which note is secured by a second and inferior vendor's lien herein retained, and is additionally secured by a subordinate deed of trust of even date herewith to **DAVID K. MENEFE**, Trustee, has **GRANTED, SOLD AND CONVEYED**, and by these presents does hereby **GRANT, SELL AND CONVEY** unto Grantee, that certain tract of real property (the "Property") situated in Tarrant County, Texas and more particularly described in Exhibit "A" attached hereto and made a part hereof;

This conveyance is made by Grantor and accepted by Grantee, subject to the matters described in Exhibit "B" attached hereto and made part hereof for all purposes, but only to the extent such matters affect the Property (the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, subject to the Permitted Encumbrances, together with all and singular the improvements thereon and the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND**, all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under the Grantor, but not otherwise, subject to the Permitted Encumbrances.

BUT IT IS EXPRESSLY AGREED THAT the vendor's liens retained herein as well as the superior title in and to the Property are retained against the Property and assigned, without recourse, representation or warranty, to Lender until the Promissory Note and the second and inferior promissory note, and all interest thereon, and all sums secured by the lien of the Deed of Trust and the subordinate deed of trust are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.


[Signature Page Follows]

EXECUTED as of this 11th day of October, 2018 and made effective as of October 11, 2018.

GRANTOR:

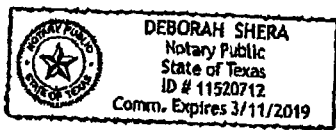
BIG SKY TRAILS, LTD,
a Texas limited partnership

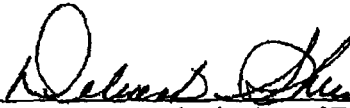
By: **BST Fund I, Inc.**
a Texas corporation
its general partner

By: 
Peter Malin, President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on October 11, 2018, by Peter Malin, the President of **BST Fund I, Inc**, a Texas corporation, the general partner of **BIG SKY TRAILS, LTD**, a Texas limited partnership, on behalf of said limited partnership.




Notary Public in and for the State of Texas

My commission expires:

Printed or Typed Name of Notary

Attachments:

- Exhibit "A" - Legal Description of the Property
- Exhibit "B" - Permitted Encumbrances

EXHIBIT "A"
Legal Description

Tract 1:

All that certain tract or parcel of land lying and being situated in the R. Jowell Survey, Abstract Number 660, being part of a called 464.173 acre tract of land described in the deed to Big Sky Trail, Ltd recorded under Clerk's File Number 97-R0013693, Real Property Records, Denton County, Texas, being all of a called 60' road tract described in the deed to Big Sky Trails, Ltd., recorded in Volume 5431, Page 4070, Real Property Records, Denton County, and being a part of Lot 11R, Block B of Big Sky Trails, recorded in Amending Plat Cabinet S, Page 18, Certificate of Correction recorded in County Clerk Document Number 2004-147706, Real Property Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron pin found at the northwest corner of said 464.173 acre tract, being on the south line of a called Tract One described in a deed to The Joe Edwin Barnett Real Estate Trust recorded under Clerk's File Number 2004-116615, Real Property Records, Denton County, Texas;

THENCE South 89 degrees 57 minutes 58 seconds East with a north line of said 464.173 acre tract and the south line of said Tract One, a distance of 2007.02 feet to 1/2 inch iron pin found at the northwest corner of Lot 21, Block A, Burns Branch Estates, recorded in Cabinet T, Page 293, Plat Records, Denton County, Texas;

THENCE South 00 degrees 07 minutes 40 seconds East with the west line of said Lot 21, a distance of 612.84 feet to a 1/2 inch iron pin found at the southwest corner of said Lot 21;

THENCE South 89 degrees 56 minutes 25 seconds East with the south line of said Lot 21, a distance of 1280.24 feet, to a 1/2 inch iron pin found at the southeast of said Lot 21;

THENCE North 00 degrees 08 minutes 13 seconds West with the east line of said Clark Partnership, Ltd. tract, a distance of 612.31 feet, to a 1/2 inch iron pin found at the north east corner of said Lot 21, said pin being on a north line of said 464.173 acre tract;

THENCE South 89 degrees 58 minutes 24 seconds East with a north line of said 464.137 acre tract, a distance of 1944.59 feet, to 1/2 inch iron pin found for corner on the west line of a 60' private road easement (Big Sky Trail), in Big Sky Trails, an Addition to Denton County, as shown by the Amending Plat thereof recorded in Cabinet S, Page 18, Plat Records, Denton County, Texas;

THENCE South 00 degrees 02 minutes 59 seconds West with the west line of said 60' private road easement (Big Sky Trail), a distance of 90.01 feet, to a 1/2 inch iron pin found at the northeast corner of Lot 10R of said Big Sky Trails;

THENCE North 89 degrees 56 minutes 52 seconds West, with the north line of said Lot 10R, a distance of 625.00 feet, to a 1/2 inch iron pin found for corner, at the beginning of a curve to the left, said pin being the northwest corner of said Lot 10R, and being an inner oil corner of Lot 11R of said Big Sky Trails;

THENCE with said curve to the left, having a central angle of 25 degrees 46 minutes 38 seconds, a radius of 1984.57 feet, an arc length of 892.85 feet, and a chord bearing South 01 degrees 00 minutes 20 seconds West, a distance of 885.34 feet to a 1/2 inch iron pin found for corner and being the beginning of a curve to the right;

THENCE with said curve to the right, having a central angle of 25 degrees 46 minutes 38 seconds, a radius of 1984.57 feet, an arc length of 892.85 feet, and a chord bearing South 01 degrees 00 minutes 19 seconds West, a distance of 885.34 feet to a 1/2 inch iron pin found for corner and being the beginning of a curve to the left;

THENCE with said curve to the left, having a central angle of 25 degrees 46 minutes 38 seconds, a radius of 1984.57 feet, an arc length of 892.85 feet, and a chord bearing South 01 degrees 00 minutes 19 seconds West, a distance of 885.34 feet to a 1/2 inch iron pin found at the southwest corner of Lot 1R of said Big Sky Trails;

THENCE South 89 degrees 57 minutes 05 seconds East with the south line of said Lot 1R, a distance of 625.00 feet to a ¼ inch iron pin found at the southeast corner of said Lot 1R, said pin being on the west line of said 60' private road easement (Big Sky Trail);

THENCE South 01 degrees 00 minutes 22 seconds West, with the west line of said 60' private road easement (Big Sky Trail), a distance of 335.15 feet, to ¼ inch iron pin found for corner;

THENCE North 89 degrees 57 minutes 07 seconds East, a distance of 29.39 feet to PK nail set for corner, said pin being in Jackson Road an east line of said 464.173 acre tract and at the northwest corner of a called 30.102 acre tract described in a deed to Jagoe-Public Co., recorded under County Clerk's Document Number 2012-77572, Real Property Records, Denton County, Texas;

THENCE South 00 degrees 09 minutes 56 seconds East, with an east line of said 464.173 acre tract and the west line of said 30.102 acre tract in Jackson Road, a distance of 792.92 feet, to a P.K. nail found on an east line of said 464.173 acre tract and a southwest corner of said 30.102 acre tract, said pin also being on the west line of a called 48.01 acre tract described in a deed to Big Sky Trails, Ltd. recorded under County Clerk File Number 98-R0056263 Real Property Records, Denton County, Texas;

THENCE South 00 degrees 09 minutes 58 seconds East with an east line of said 464.173 acre tract and the west line of said 48.01 acre tract in Jackson Road, a distance of 466.44 feet to a ½ inch iron pin found on an east line of said 464.173 acre tract and the west line of said 48.01 acre tract in Jackson Road, said pin also being at the northeast corner of a called 15.000 acre tract described in a deed to Everclear Investments, Inc., recorded under County Clerk's Document Number 2013-143203, Real Property Records, Denton County, Texas;

THENCE North 89 degrees 59 minutes 58 seconds West with the north line of said 15.000 acre tract, a distance of 1380.00 feet to a ¼ inch iron pin found at the northwest corner of said 15.000 acre tract;

THENCE South with the west line of said 15.000 acre tract, a distance of 422.88 feet to a ¼ inch iron pin found at the southwest corner of said 15.000 acre tract and on the north line of U.S. Highway 380;

THENCE North 85 degrees 20 minutes 23 seconds West with the north line of U.S. Highway 380, a distance of 739.76 feet to a brass TxDOT monument found on a west line of said 464.173 acre tract and on an east line of a called 42.25 acre tract described in a deed to Burns Branch, L.P., recorded in Volume 4291, Page 1265, Real Property Records, Denton County, Texas, said pin also being on the north line of U.S. Highway 380;

THENCE North 00 degrees 01 minutes 47 seconds East with a west line of said 464.173 acre tract and the east line of said 42.25 acre tract, a distance of 1504.02 feet to a ¼ inch iron pin found at an inner ell corner of said 464.173 acre tract, being the northeast corner of said 42.25 acre tract;

THENCE North 89 degrees 58 minutes 26 seconds West with a south line of said 464.173 acre tract and the north line of said 42.25 acre tract, a distance of 1228.83 feet to a ¼ inch iron pin found at the northeast corner of a called 60' road tract described in a deed to Big Sky Trails, Ltd. recorded in Volume 5431, Page 4070, Real Property Records, Denton County, Texas said pin also being the northwest corner of a tract described in a deed to Burlington Resources Oil and Gas Company, L.P., recorded under County Clerk's File Number 2003-0166720, Real Property Records, Denton County, Texas;

THENCE South 00 degrees 37 minutes 35 seconds West with the east line of said 60' road tract, a distance of 1317.29 feet to a ¼ inch iron pin found at the southeast corner of said 60' road tract and the north right-of-way of U.S. Highway 380;

THENCE North 80 degrees 07 minutes 02 seconds West with the south line of said 60' road tract and the north right-of-way line of U.S. Highway 380, a distance of 60.79 feet to a found iron pin at the southwest corner of said 60' road tract being the southeast corner of a called 15.12 acre tract, described in a deed to Loran Wade Waggoner and spouse, Mary Catherine Henke-Waggoner, recorded under County Clerk's File Number 2015-36860, Real Property Records, Denton County, Texas;

THENCE North 00 degrees 37 minutes 35 seconds East with the west line of said 60' road tract, the east line of said Waggoner tract, passing at 599.09 feet a ½ inch iron pin found at the southeast corner of a called 23.194 acre Tract 1, described in a deed to Lynn S. Schutte, recorded under County Clerk's Document Number 2015-21422 and continuing along the east line of said Schutte tract, a total distance of 1306.88 feet to a ½ inch iron pin found at the northeast corner of said Schutte tract and on a south line of said 464.173 acre tract;

THENCE North 00 degrees 37 minutes 28 seconds East, a distance of 49.00 feet to a found ¼ inch iron pin; THENCE North 71 degrees 03 minutes 14 seconds West, a distance of 152.83 feet to a found iron pin; THENCE North 69 degrees 44 minutes 59 seconds West, a distance of 93.31 feet to a found iron pin; THENCE North 87 degrees 02 minutes 15 seconds West, a distance of 110.53 feet to a found iron pin; THENCE South 88 degrees 53 minutes 36 seconds West, a distance of 88.65 feet to a found iron pin;

THENCE North 86 degrees 23 minutes 22 seconds West, a distance of 84.54 feet to a found iron pin; THENCE North 79 degrees 36 minutes 36 seconds West, a distance of 67.72 feet to a found iron pin; THENCE South 81 degrees 57 minutes 19 seconds West, a distance of 658.24 feet to a found iron pin;

THENCE South 05 degrees 01 minutes 32 seconds West, a distance of 60.00 feet to a ½ inch iron pin found on a south line of said 464.173 acre tract and the north line of a tract described in a deed to Loran Kay Williams and wife, Bvvie Tressa Williams, recorded in Volume 1300, Page 973, Real Property Records, Denton County, Texas;

THENCE South 89 degrees 58 minutes 17 seconds West with a south line of said 464.173 acre tract and the north line of said Williams tract, a distance of 612.65 feet to a fence post found at the western most southwest corner of said 464.173 acre tract and the southeast corner called Second Tract described in a deed to the Joe Edwin Barnett Real Estate Trust, recorded under County Clerk's Document Number 2004-116615, Real Property Records, Denton County, Texas;

THENCE North 00 degrees 47 minutes 40 seconds East with the western most west line of said 464.173 acre tract and the east line of said second tract, a distance of 3202.18 feet to the POINT OF BEGINNING and CONTAINING in all 388.049 acres of land.

Tract 2:

All that certain tract or parcel of land lying and being situated in the William O. Matthews Survey Abstract Number 891, Denton County, Texas and being the remainder of a 48.01 acre tract as described in a deed to Big Sky Trails, Ltd., recorded under County Clerk's File Number 98-R0056263, Real Property Records of Denton County, Texas, and being more particularly described as follows:

COMMENCING at a PK nail set in Jackson Road at the northwest corner of said 48.01 acre tract, the northwest corner of a called 30.102 acre tract described in a deed to Jagoe-Public Company, recorded under County Clerk's Document Number 2012-77572, Real Property Records, Denton County, Texas, and being on an east line of a called 464.173 acre tract described in the deed to Big Sky Trail, Ltd., recorded under Clerk's File Number 97-R0013693, Real Property Records, Denton County, Texas;

THENCE South 00 degrees 09 minutes 56 seconds East with the east line of said 30.1021 acre tract and an east line of said 464.173 acre tract in Jackson Road, a distance of 792.92 feet to a PK nail found on the west line of said 48.01 acre tract and the western most southwest corner of said 30.102 acre tract, said nail also being on an east line of said 464.173 acre tract;

THENCE South 87 degrees 10 minutes 02 seconds East with a south line of said 30.102 acre tract, a distance of 63.38 feet to a ½ inch iron pin with a yellow plastic cap stamped "10023300" set at an inner ell corner of said 30.102 acre tract;

THENCE South 29 degrees 37 minutes 39 seconds East with a south line of said 30.102 acre tract, a distance of 437.29 feet to a ½ inch iron pin with a yellow plastic cap stamped "10023300" set at an angle point on a south line of said 30.102 acre tract;

THENCE South 48 degrees 56 minutes 24 seconds East with a south line of said 30.102 acre tract, a distance of 331.33 feet to a ¼ inch iron pin found at an angle point on a south line of said 30.102 acre tract;

THENCE South 85 degrees 19 minutes 44 seconds East, a distance of 477.68 feet to a metal fence post found on the east line of said 48.01 acre tract and on the west line of a called 10.01 acre tract described in a deed to Hilario Hernandez and wife, Sanjuana Hernandez and Manuel Hernandez and wife, Nidia Hernandez, recorded under County Clerk's File Number 00-R0080719, Real Property Records, Denton County, Texas;

THENCE South 06 degrees 43 minutes 13 seconds West with the east line of said 48.01 acre tract and the west line of said 10.01 acre tract, a distance of 93.32 feet to a ½ inch iron pin found on the east line of said 48.01 acre tract and the west line of said 10.01 acre tract;

THENCE South 01 degrees 30 minutes 06 seconds East with the east line of said 48.01 acre tract and the west line of said 10.01 acre tract, a distance of 343.13 feet to a ½ inch iron pin found on the east line of said 48.01 acre tract and the north right-of-way line of U.S. Highway 380;

THENCE North 85 degrees 20 minutes 52 seconds West with the north right-of-way line of U.S. Highway 380, a distance of 849.69 feet to a brass TxDOT monument found for corner;

THENCE North 49 degrees 38 minutes 34 seconds West with the north right-of-way line of U.S. Highway 380, a distance of 174.18 feet to a brass TxDOT monument found for corner;

THENCE North 88 degrees 50 minutes 46 seconds West with the north right-of-way line of U.S. Highway 380, a distance of 21.00 feet to a PK nail found in Jackson Road on the west line of said 48.01 acre tract and the east line of a called 15.00 acre tract described in a deed to Everclear Investments, Inc. recorded under County Clerk's Document Number 2013-143203, Real Property Records, Denton County, Texas;

THENCE North 00 degrees 10 minutes 26 seconds West with the west line of said 48.01 acre tract and the east line of said 15.00 acre tract in Jackson Road, a distance of 426.83 feet to a ½ inch iron pin found on the west line of said 48.01 acre tract and at the northeast corner of said 15.00 acre tract, said pin also being on an east line of said 464.173 acre tract;

THENCE North 00 degrees 09 minutes 58 seconds East with the west line of said 48.01 acre tract and an east line of said 464.173 acre tract, distance of 466.44 feet to the POINT OF BEGINNING and CONTAINING in all 13.020 acres of land.

EXHIBIT "B"

PERMITTED ENCUMBRANCES

1. Restrictive Covenants recorded in/under Clerk's File No(s). 97R0013693 and 97R0030546, and in Volume 4291, Page 1265, and 2018- 120542 Real Property Records, Denton County, Texas.
2. Rights of tenants, as tenants only, under unrecorded rental or lease agreements.
3. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records.
4. Rights of the public to any portion of the Land lying within the area commonly known as Jackson Road; and U.S. Highway 380.
5. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated April 10, 1937, recorded April 12, 1937 at Volume 266, Page 49 of the Official Records of Denton County, Texas, which document contains the following language "...one-half of all royalties payable under any leases made by grantee, his heirs and assigns, for oil, gas, or other minerals...". Reference to which instrument is here made for particulars.
6. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated December 21, 1938, recorded January 14, 1939 at Volume 275, Page 84 of the Official Records of Denton County, Texas, which document contains the following language "...1/8th of all oil, gas or other minerals...". Reference to which instrument is here made for particulars.
7. Easement(s) and rights incidental thereto, as granted in a document:

Granted to:	Delhi Gas Pipeline Corporation
Purpose:	As provided in said document
Recording Date:	September 5, 1973
Recording No:	Volume 684, Page 524, Real Property Records, Denton County, Texas
Affects:	As therein described

As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.
8. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated January 25, 1923, recorded February 3, 1923 at Volume 186, Page 113 of the Official Records of Denton County, Texas, which document contains the following language "...one-half undivided interest in and to all oil, gas or other minerals...". Reference to which instrument is here made for particulars.
9. Easement(s) and rights incidental thereto, as granted in a document:

Granted to:	Denton County Electric Cooperative, Inc.
Purpose:	As provided in said document
Recording Date:	January 16, 1954
Recording No:	Volume 403, Page 245, Real Property Records, Denton County, Texas
Affects:	As therein described

As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.
10. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated February 15, 1955, by and between Gladys Simpson, as Lessor, and J.E. Allen, et al, as Lessee, recorded February 17,

1955 at Volume 405, Page 221 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.

11. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated April 2, 1964, by and between Gladys Simpson, as Lessor, and Coke L. Gage, as Lessee, recorded June 18, 1964 at Volume 509, Page 636 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.
12. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Denton County Electric Cooperative, Inc.
Purpose: As provided in said document
Recording Date: November 2, 1953
Recording No: Volume 401, Page 126, Real Property Records, Denton County, Texas
Affects: As therein described

As affected by Agreement Defining Area Embraced Within Easements of Denton County Electric Cooperative, Inc., dated September 17, 1998, executed by Denton County Electric Cooperative, Inc., filed October 28, 1998 and recorded in Volume 4206, Page 90, Real Property Records, Denton County, Texas.

As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.
13. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Denton County Electric Cooperative, Inc.
Purpose: As provided in said document
Recording Date: March 25, 1954
Recording No: Volume 404, Page 7, Real Property Records, Denton County, Texas
Affects: As therein described

As affected by Agreement Defining Area Embraced Within Easements of Denton County Electric Cooperative, Inc., dated September 17, 1998, executed by Denton County Electric Cooperative, Inc., filed October 28, 1998 and recorded in Volume 4206, Page 90, Real Property Records, Denton County, Texas.

As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.
14. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated July 17, 1967, recorded July 18, 1967 at Volume 553, Page 375 of the Official Records of Denton County, Texas, which document contains the following language "...an undivided one-half (1/2) interest in and to all of the oil, gas and other minerals...". Reference to which instrument is here made for particulars.
15. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated April 19, 1996, recorded April 24, 1996 at under Clerk's File No. 96-R0027538 of the Official Records of Denton County, Texas, which document contains the following language "...an undivided one-half (1/2) of all of the interest owned by Myrtle K. Harrington, deceased, in oil, gas and other minerals... and an undivided one-half (1/2) of all of the nonparticipating royalty in oil, gas and other minerals owned by Myrtle K. Harrington, deceased...". Reference to which instrument is here made for particulars.
16. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated October 10, 1972, by and between Mercantile National Bank at Dallas, Myrtle Kathryn Harrington and William Mark Harrington, Independent Executors of the Estate of William Oran Harrington, deceased, as Lessor, and Panther Drilling Company, as Lessee, recorded November 21, 1973 at Volume 660, Page 117 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.

As affected by Affidavit of Nonproduction filed October 17, 2002 in Volume 5194, Page 2309, Real Property Records, Denton County, Texas.

17. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated March 17, 1964, by and between Gladys Simpson, et al, as Lessor, and Coke L. Gage, as Lessee, recorded June 18, 1964 at Volume 509, Page 638 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.

As affected by Affidavit of Nonproduction filed October 17, 2002 in Volume 5194, Page 2309, Real Property Records, Denton County, Texas.

As affected by Amendment to Oil, Gas and Mineral Lease filed December 29, 2004 under Clerk's File No. 2004-165861, Real Property Records, Denton County, Texas.

18. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated April 18, 2005, recorded April 26, 2005 at under Clerk's File No. 2005-48029 of the Official Records of Denton County, Texas, which document contains the following language "The mineral interests, royalty interests, non-participation royalty interests, right to take such royalties in kind, or other interests in production of oil, gas or other hydrocarbon minerals...". Reference to which instrument is here made for particulars.
19. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated April 18, 2005, recorded April 26, 2005 at under Clerk's File No. 2005-48030 of the Official Records of Denton County, Texas, which document contains the following language "The mineral interests, royalty interests, non-participation royalty interests, right to take such royalties in kind, or other interests in production of oil, gas or other hydrocarbon minerals...". Reference to which instrument is here made for particulars.
20. Matters contained in that certain document
Entitled: Right of Way Agreement
Dated: June 18, 2003
Executed by: Big Sky Trail, Ltd., a Texas limited partnership; and Dynegy Midstream Services Limited Partnership
Recording Date: August 26, 2003
Recording No: Volume 5404, Page 6124, Real Property Records, Denton County, Texas
Reference is hereby made to said document for full particulars.
As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.
21. Matters contained in that certain document
Entitled: Right of Way Agreement
Dated: April 15, 2004
Executed by: Big Sky Trail, Ltd., a Texas limited partnership; and Dynegy Midstream Services Limited Partnership
Recording Date: May 24, 2004
Recording No: under Clerk's File No. 2004-67135, Real Property Records, Denton County, Texas
Reference is hereby made to said document for full particulars.
As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.
22. Matters contained in that certain document
Entitled: Right of Way Agreement
Dated: June 10, 2005
Executed by: Big Sky Trail, Ltd., a Texas limited partnership; Burns Branch, L.P., a Texas limited

partnership; and Dynegy Midstream Services Limited Partnership
Recording Date: July 5, 2005
Recording No: under Clerk's File No. 2005-80267, Real Property Records, Denton County, Texas

Reference is hereby made to said document for full particulars.
As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

23. Matters contained in that certain document
Entitled: Right of Way Agreement
Dated: November 29, 2011
Executed by: Big Sky Trail, Ltd., a Texas limited partnership; and Targa Midstream Services LLC
Recording Date: January 17, 2012
Recording No: under Clerk's File No. 2012-4619, Real Property Records, Denton County, Texas

Reference is hereby made to said document for full particulars.
As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

24. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated August 30, 2000, by and between Big Sky Trails, Ltd., as Lessor, and L. Frank Pitts, d/b/a Pitts Oil Company and Fagadan Energy Corporation, as Lessee, as evidenced in a memorandum thereof recorded September 11, 2000 at Volume 4671, Page 674 of the Official Records of Denton County, Texas.

25. Matters contained in that certain document
Entitled: Right of Way Agreement
Dated: June 1, 2001
Executed by: Big Sky Trail, Ltd., a Texas limited partnership; and Dynegy Midstream Services Limited Partnership
Recording Date: August 29, 2001
Recording No: Volume 4911, Page 3081, Real Property Records, Denton County, Texas; as affected by Correction filed May 24, 2004 under Clerk's File No. 2004-67134, Real Property Records, Denton County, Texas.

Reference is hereby made to said document for full particulars.

As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

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

Granted to: Burlington Resources Oil and Gas Company, L.P.
Purpose: As provided in said document
Recording Date: October 3, 2003
Recording No: Volume 5431, Page 4081, Real Property Records, Denton County, Texas Affects:
As therein described

As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

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

Granted to: Devon Energy Operating Company, L.P.
Purpose: As provided in said document
Recording Date: March 3, 2004
Recording No: under Clerk's File No. 2004-27006, Real Property Records, Denton County, Texas

Affects: As therein described

As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

28. Matters contained in that certain document
Entitled: Right of Way Agreement
Dated: September 30, 2004
Executed by: Big Sky Trails, Ltd., a Texas limited partnership; and Dynegy Midstream Services Limited Partnership
Recording Date: January 11, 2005
Recording No: under Clerk's File No. 2005-4194, Real Property Records, Denton County, Texas

Reference is hereby made to said document for full particulars.
As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

29. Matters contained in that certain document
Entitled: Surface Use Agreement
Dated: April 18, 2005
Executed by: Burns Branch, LP, a Texas limited partnership; and MAP2003-NET, an Oklahoma general partnership
Recording Date: April 26, 2005
Recording No: under Clerk's File No. 2005-48027, Real Property Records, Denton County, Texas

Reference is hereby made to said document for full particulars.
As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

30. Matters contained in that certain document
Entitled: Surface Use Agreement
Dated: April 18, 2005
Executed by: Big Sky Trails, Ltd., a Texas limited partnership; and MAP2003-NET, an Oklahoma general partnership
Recording Date: April 26, 2005
Recording No: under Clerk's File No. 2005-48028, Real Property Records, Denton County, Texas

Reference is hereby made to said document for full particulars.

As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

31. Matters contained in that certain document
Entitled: Road Access Easement Agreement
Dated: July 27, 2005
Executed by: Burns Branch, L.P., a Texas limited partnership; and Big Sky Trails, Ltd., a Texas limited partnership
Recording Date: August 3, 2005
Recording No: under Clerk's File No. 2005-95454, Real Property Records, Denton County, Texas

Reference is hereby made to said document for full particulars.
As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

32. Any rights, liens, claims or equities, if any, in favor of Big Sky Municipal Utility District of Denton County:

33. The following as set out on Plat recorded in Cabinet S, Page 18, Plat Records, Denton County, Texas:
40' Mutual Access Easement.
- Reference is hereby made to said document for full particulars.
- As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.
34. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated April 9, 1962, recorded May 7, 1962 at Volume 481, Page 4 of the Official Records of Denton County, Texas, which document contains the following language "...an undivided one-half (½) of all minerals, including, but not limited to, all gas, oils, sulphur, uranium, sand, gravel and ore of all kinds...". Reference to which instrument is here made for particulars.
35. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated March 5, 1999, recorded March 8, 1999 at Volume 4291, Page 1265 of the Official Records of Denton County, Texas, which document contains the following language "All oil, gas or other minerals...". Reference to which instrument is here made for particulars. s).
36. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated July 28, 2003, recorded October 3, 2003 at Volume 5431, Page 4070 of the Official Records of Denton County, Texas, which document contains the following language "...all oil, gas, and other minerals...". Reference to which instrument is here made for particulars.
37. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated June 2, 1998, recorded June 29, 1998 at Volume 4122, Page 28 of the Official Records of Denton County, Texas, which document contains the following language "All of Grantor's interest in and to all oil, gas, and other minerals...". Reference to which instrument is here made for particulars.
38. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated April 20, 2004, recorded August 25, 2004 at under Clerk's File No. 2004-113341 of the Official Records of Denton County, Texas, which document contains the following language "...an undivided five percent (5%) of the royalty interest in and to all of the oil, gas and other minerals...". Reference to which instrument is here made for particulars.
39. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated October 11, 1971, by and between Clifford W. Balthrop and Myrtle Balthrop, as Lessor, and Natural Gas Finders, Inc., as Lessee, recorded December 20, 1971 at Volume 635, Page 304 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.
40. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 1, 2000, by and between Kay Williams and Tressa Williams, as Lessor, and Multifibrands, Ltd. Co., as Lessee, recorded November 2, 2000 at Volume 4709, Page 1621 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.
41. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated December 1, 2000, by and between Jamie Lou Harrington Appleton, Independent Executrix of the Estate of Myrtle Kathryn Harrington, deceased, as Lessor, and L. Frank Pitts, d/b/a Pitts Oil Company and Pagadan Energy Corporation, as Lessee, as evidenced in a memorandum thereof recorded January 4, 2001 at Volume 4747, Page 2642 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.

As affected by corrective instrument filed February 8, 2001 in Volume 4771, Page 1179, Real Property Records, Denton County, Texas; and

As affected by Amendment to Oil and Gas Lease filed December 19, 2003 under Clerk's File No. 2003-203986, Real Property Records, Denton County, Texas.

42. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated June 25, 2001, by and between Big Sky Trails, Ltd., as Lessor, and L. Frank Pitts, d/b/a Pitts Oil Company and Fagadau Energy Corporation, as Lessee, as evidenced in a memorandum thereof recorded July 9, 2001 at Volume 4874, Page 2366 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.
43. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated October 11, 2001, by and between Big Sky Trails, Ltd., as Lessor, and Fagadau Energy Corporation, as Lessee, as evidenced in a memorandum thereof recorded October 15, 2001 at Volume 4943, Page 261 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.
44. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated October 19, 2001, by and between Jamie Lou Harrington Appleton, Independent Executrix of the Estate of Myrtle Kathryn Harrington, deceased, as Lessor, and L. Frank Pitts, d/b/a Pitts Oil Company and Fagadau Energy Corporation, as Lessee, recorded November 7, 2001 at Volume 4960, Page 448 of the Official Records of Denton County, Texas. Reference to which instrument is here made for particulars.

As affected by Amendment to Oil and Gas Lease filed September 30, 2004 under Clerk's File No. 2004-128392, Real Property Records, Denton County, Texas.

45. Easement(s) and rights incidental thereto, as granted in a document:
 Granted to: Denton County Electric Cooperative, Inc.
 Purpose: As provided in said document
 Recording Date: November 3, 1953
 Recording No: Volume 401, Page 131, Real Property Records, Denton County, Texas Affects: As therein described

As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

46. Easement(s) and rights incidental thereto, as granted in a document:
 Granted to: Clark Partnership, Ltd., a Texas limited partnership
 Purpose: As provided in said document
 Recording Date: August 4, 2000
 Recording No: Volume 4646, Page 2780, Real Property Records, Denton County, Texas; as affected by corrective instrument filed June 22, 2001 in Volume 4864, Page 1621, Real Property Records, Denton County, Texas
 Affects: As therein described

As noted & shown on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

47. Matters contained in that certain document
 Entitled: Surface Use Agreement
 Dated: June 3, 2004
 Executed by: Gerald Hess Operating Company; and Kay Williams and Tressa Williams Recording
 Date: November 5, 2004
 Recording No: under Clerk's File No. 2004-144061, Real Property Records, Denton County, Texas

Reference is hereby made to said document for full particulars.

As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

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

Granted to: Jago-Public Company, a Texas corporation
Purpose: As provided in said document
Recording Date: July 18, 2012
Recording No: under Clerk's File No. 2012-77571, Real Property Records, Denton County, Texas
Affects: As therein described

As noted on Survey dated February 22, 2016, Job No. 36327, as performed by Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

49. Matters contained in that certain document

Entitled: Surface Use and Easement Agreement
Dated: February 16, 2017
Executed by: Burlington Resources Oil & Gas Company LP., Recording Date: March 27, 2017
Recording No: under Clerk's File No. 2017-34841, Real Property Records, Denton County, Texas
Reference is hereby made to said document for full particulars.

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

Job No.: 36327
Dated: February 22, 2016
Prepared by: Brad G. Shelton, Registered Professional Land Surveyor Number 5452, of Metroplex Surveying, Inc.

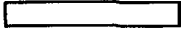
Matters shown: 1) Rights of third parties in and to gravel roads throughout property, and extending outside of the property boundary lines; 2) Well sites and associated equipment located throughout property; 3) Encroachment/protrusions of fencing along property lines.

51. Memorandum of Settlement Agreement dated effective as of August 30, 2017, recorded October 11, 2018 at 2018-120591, Real Property Records, Denton County, Texas.

52. Restrictive Covenant dated October 11, 2018, recorded October 11, 2018 at 2018-120592, Real Property Records, Denton County, Texas.

EXHIBIT B
SMALL-SCALE (GENERAL LOCATION) MAP

LEGEND



LANDOWNER:
 BIG SKY, LLC
 147.389 ACRES TRACT OF LAND; REMAINDER OF CALLED 388.049 ACRE
 TRACT;
 TRACT 1; BIG SKY, LLC; CC DOC NO. 2018-120750, O.P.R.D.C.T.
 CALLED 13.020 ACRE TRACT; TRACT 2; BIG SKY, LLC;
 CC DOC NO. 2018-120750 O.R.P.D.C.T.

WISE COUNTY
 DENTON COUNTY

N COUNTY LINE ROAD

BURNS BRANCH ROAD

BRANCH ROAD

DONALD ROAD

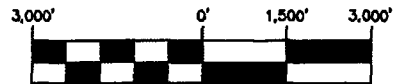
U.S. HIGHWAY 380

FM 1173

FM 1173



SCALE: 1" = 3,000'



JOB NO. 70008-07
 DATE AUGUST 2019
 DESIGNER AJR
 CHECKED DEW DRAWN SMM
 EXHIBIT B

BIG SKY
 DENTON COUNTY, TEXAS
 GENERAL LOCATION MAP

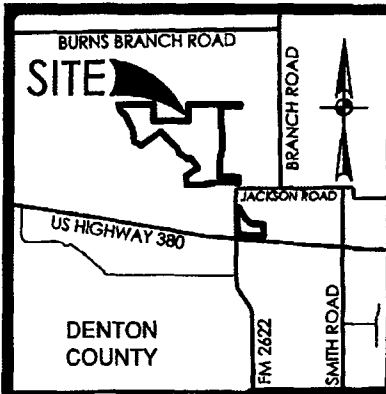
PAPE-DAWSON
ENGINEERS

DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
 6610 TENNYSON PKWY, STE 425 PLANO, TX 75024 | 214.420.8484
 T&PE P&E REGISTRATION #479 | T&PE P&E REGISTRATION #10194380

Date: Aug 07, 2019, 8:30am User: B. Nohrman
 File: S:\Projects\2019\07\2019_07_07_Big_Sky_Location_Map.dwg

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INCOMPLETELY REPRODUCED. RELY ONLY ON ORIGINAL MATERIALS BEARING THE CONTRACTOR'S ORIGINAL SIGNATURE AND SEAL.

EXHIBIT C
LARGE-SCALE (DETAILED) MAP



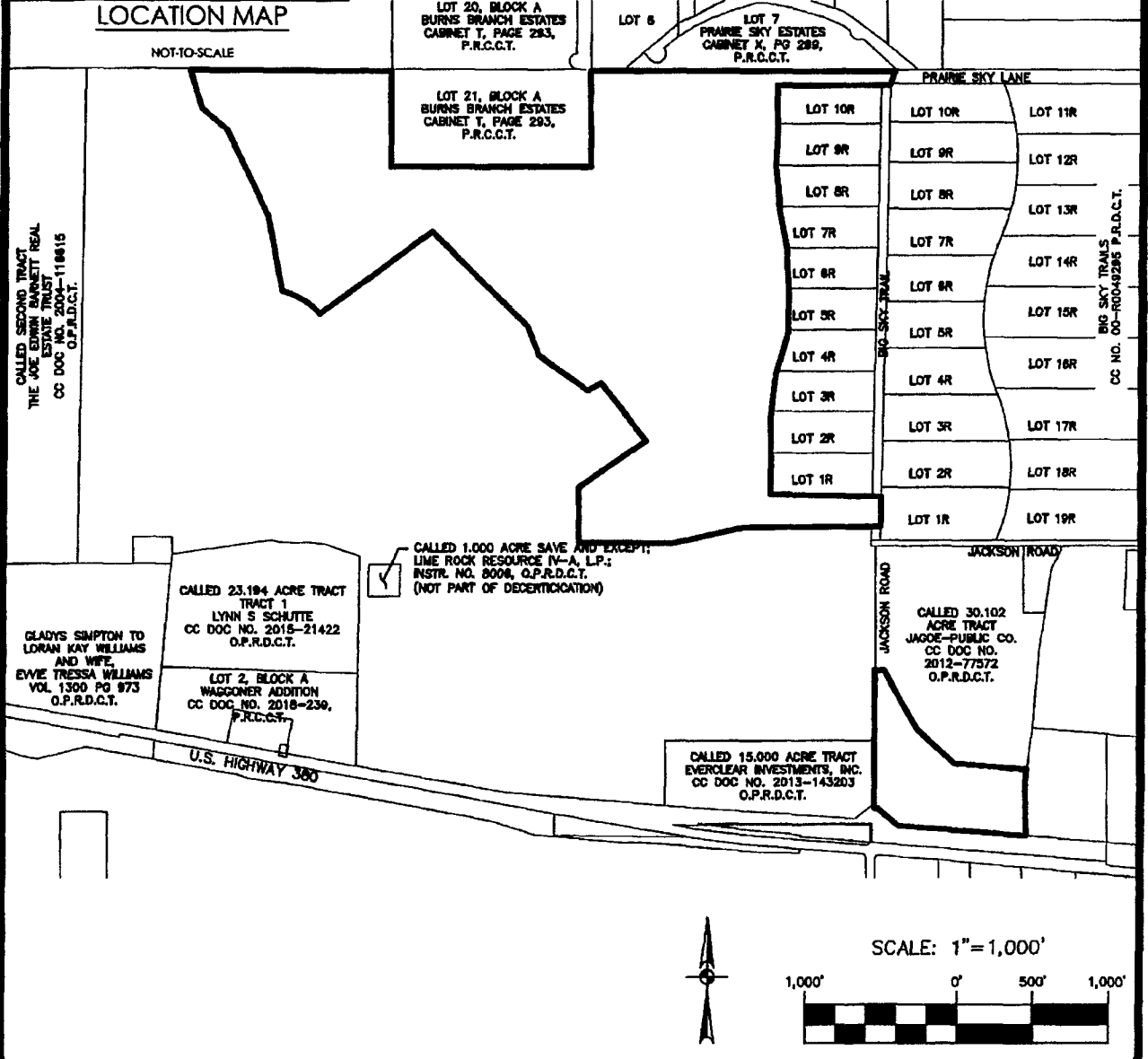
LEGEND



LANDOWNER:
 BIG SKY, LLC
 147.389 ACRES TRACT OF LAND; REMAINDER OF CALLED
 388.049 ACRE TRACT;
 TRACT 1; BIG SKY, LLC; CC DOC NO. 2018-120750, O.P.R.D.C.T.
 CALLED 13,020 ACRE TRACT; TRACT 2; BIG SKY, LLC.;
 CC DOC NO. 2018-120750 O.R.P.D.C.T.

LOCATION MAP

NOT-TO-SCALE



CALLLED SECOND TRACT
 THE JOE DUNN TRUST REAL
 CC DOC NO. 2004-118815
 O.P.R.D.C.T.

LOT 20, BLOCK A
 BURNS BRANCH ESTATES
 CABINET T, PAGE 283,
 P.R.C.C.T.

LOT 6
 LOT 7
 PRAIRIE SKY ESTATES
 CABINET X, PG 289,
 P.R.C.C.T.

LOT 21, BLOCK A
 BURNS BRANCH ESTATES
 CABINET T, PAGE 293,
 P.R.C.C.T.

PRAIRIE SKY LANE
 LOT 10R LOT 10R LOT 11R
 LOT 9R LOT 9R LOT 12R
 LOT 8R LOT 8R LOT 13R
 LOT 7R LOT 7R LOT 14R
 LOT 6R LOT 6R LOT 15R
 LOT 5R LOT 5R LOT 16R
 LOT 4R LOT 4R LOT 17R
 LOT 3R LOT 3R LOT 18R
 LOT 2R LOT 2R LOT 18R
 LOT 1R LOT 1R LOT 19R
 BIG SKY TRACT'S
 CC NO. 00-RO-04285 P.R.D.C.T.

CALLLED 1,000 ACRE SAVE AND EXCEPT
 LIME ROCK RESOURCE IV-A, L.P.:
 INSTR. NO. 8008, O.P.R.D.C.T.
 (NOT PART OF DECENTIGATION)

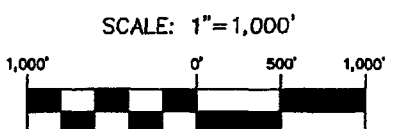
GLADYS SIMPTON TO
 LORAN KAY WILLIAMS
 AND WIFE,
 EVIE TRESSA WILLIAMS
 VOL. 1300 PG 973
 O.P.R.D.C.T.

CALLLED 23.194 ACRE TRACT
 TRACT 1
 LYNN S SCHUTTE
 CC DOC NO. 2015-21422
 O.P.R.D.C.T.

LOT 2, BLOCK A
 WAGGONER ADDITION
 CC DOC NO. 2018-230,
 P.R.C.C.T.

CALLLED 30.102
 ACRE TRACT
 JAGOE-PUBLIC CO.
 CC DOC NO.
 2012-77572
 O.P.R.D.C.T.

CALLLED 15,000 ACRE TRACT
 EVERCLEAR INVESTMENTS, INC.
 CC DOC NO. 2013-143203
 O.P.R.D.C.T.



Code: Aug 07, 2019, 8:37 am User: B. Holscher
 File: W:\Projects\2019\07\2019_07_20_08_37_13.dwg CAL: 4.4 E:\GABBA\190222 Big Sky Location Map.dwg

JOB NO. 70008-07
 DATE AUGUST 2019
 DESIGNER AJR
 CHECKED DEW DRAWN SMM
 EXHIBIT C

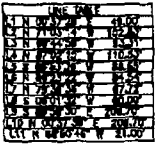
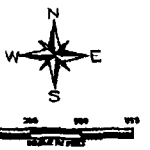
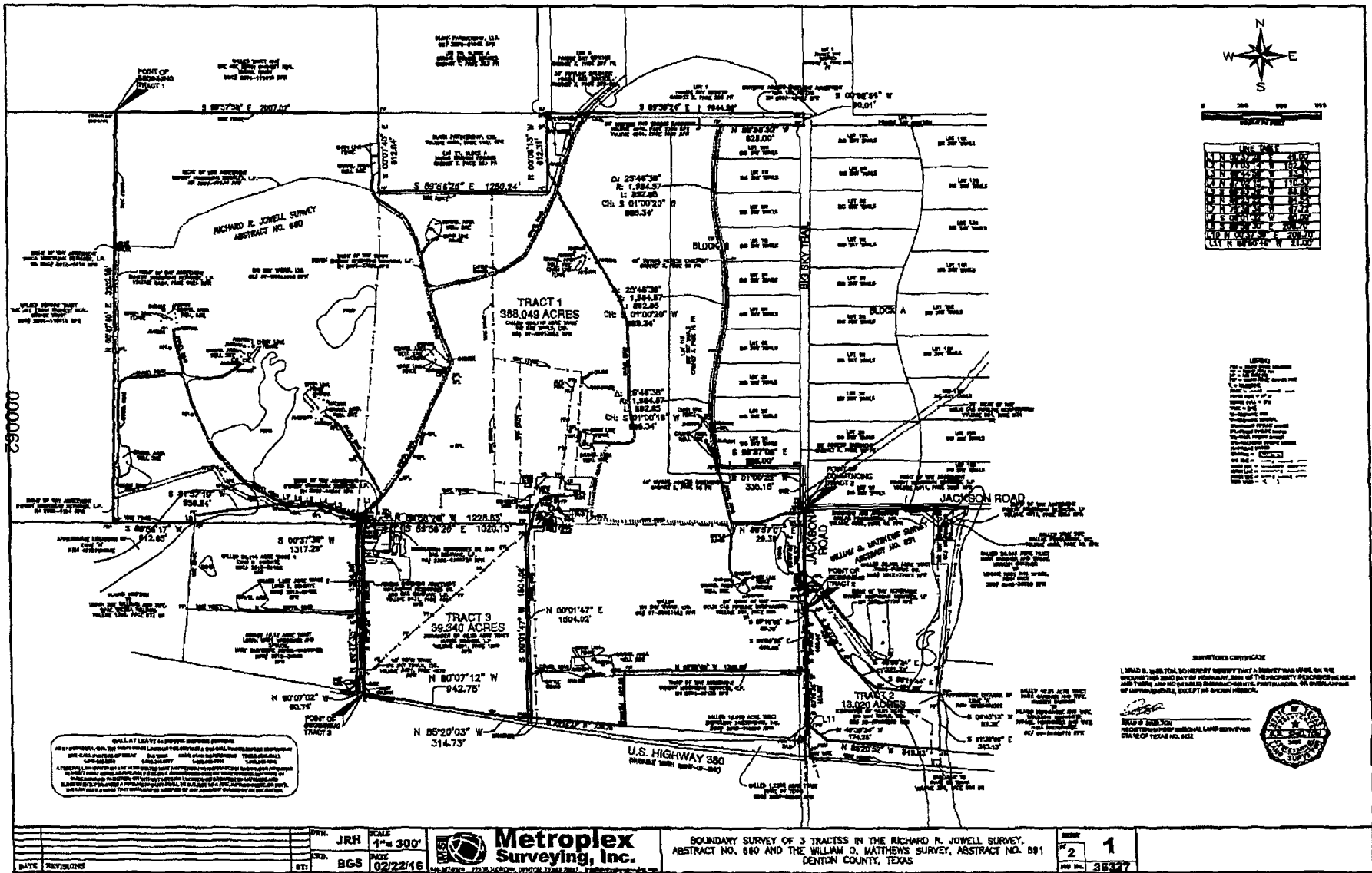
BIG SKY
 DENTON COUNTY, TEXAS
 DETAILED MAP

PAPE-DAWSON ENGINEERS
 DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
 5010 TENNYSON PKWY, STE 405 PLANO, TX 75024 | 214.420.8400
 TPE FIRM REGISTRATION 6470 | TPEL FIRM REGISTRATION 610184200

THIS DOCUMENT HAS BEEN PRODUCED FROM MATERIAL THAT WAS STORED AND/OR TRANSMITTED ELECTRONICALLY AND MAY HAVE BEEN INAPPROPRIATELY ALIGNED. RELY ONLY ON FINAL HARD COPY MATERIALS BEARING THE CONSULTANT'S ORIGINAL SIGNATURE AND SEAL.

EXHIBIT D
DEED REFERENCE MAP

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- LEGEND**
- 1. Surveyed
 - 2. Unsurveyed
 - 3. Easement
 - 4. Encroachment
 - 5. Right-of-Way
 - 6. Boundary
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 - 95. Easement
 - 96. Encroachment
 - 97. Right-of-Way
 - 98. Boundary
 - 99. Easement
 - 100. Encroachment

SURVEYOR'S CERTIFICATE

I, **DAVID B. BRYANT**, DO HEREBY CERTIFY THAT A SURVEY WAS MADE ON ME
 SHOWING THE BOUNDARIES OF THE PROPERTY DESCRIBED HEREIN
 AND THAT THE SAID BOUNDARIES CORRECTLY REPRESENT THE BOUNDARIES
 OF THE SAID PROPERTY, EXCEPT AS OTHERWISE NOTED.

David B. Bryant
 REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF TEXAS NO. 852



CALL AT LEAST 48 HOURS BEFORE THE DATE OF THE SURVEY.
 ALL INFORMATION ON THIS SURVEY IS BASED ON THE RECORDS OF THE PUBLIC RECORDS OF DENTON COUNTY, TEXAS, AND THE RECORDS OF THE PUBLIC RECORDS OF DENTON COUNTY, TEXAS, AND THE RECORDS OF THE PUBLIC RECORDS OF DENTON COUNTY, TEXAS. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY DESCRIBED HEREIN.

DATE: 02/22/16		 Metroplex Surveying, Inc. 1111 W. 12th Street, Suite 100, Denton, TX 76205 Phone: 940.383.1111 Fax: 940.383.1112	BOUNDARY SURVEY OF 3 TRACTS IN THE RICHARD R. JOWELL SURVEY, ABSTRACT NO. 680 AND THE WILLIAM O. MATTHEWS SURVEY, ABSTRACT NO. 881 DENTON COUNTY, TEXAS		SHEET 2 OF 1 PLAN NO. 36327
BY: JRH	SCALE: 1" = 300'		DATE: 02/22/16		
BY: BGS					

EXHIBIT E
PETITIONER'S AFFIDAVIT

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AFFIDAVIT

THE STATE OF TEXAS §

 §

COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared Tommy Cansler, whom, being first duly sworn by me, upon his oath stated:

1. My name is Tommy Cansler, acting in my capacity as Member of Big Sky LLC (“Petitioner”). I am of sound mind, more than eighteen (18) years of age, and am capable of making this affidavit.
2. The Petitioner is submitting an Amended Application for Expedited Release from Certificate of Convenience and Necessity for Water Service (“Petition”) with the Public Utility Commission of Texas (“PUC” or “Commission”).
3. The Amended Application is being submitted pursuant to Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code § 24.245(l).
4. The Property (as defined in the Amended Application) is at least 25 contiguous acres in size.
5. The Property is subject to certificate of convenience and necessity (“CCN”) No. 11257 for water service held by Bolivar Water Supply Corporation (the “CCN Holder”), and is located in Denton County, Texas.
6. The Property is not receiving water service from the CCN Holder.
7. The Petitioner owns the Property, as evidenced by the deeds submitted with the Amended Application.

8. A copy of the Amended Application shall be mailed to the CCN Holder via certified mail on the day the Amended Application is filed with the Commission.
9. The required mapping documents are being submitted to the Commission with the Amended Application.

WITNESS MY HAND this 8th day of August, 2019.

Big Sky LLC

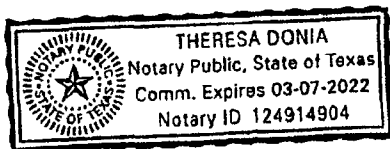
By: 


THE STATE OF TEXAS §

§

THE COUNTY OF DENTON §

This instrument was acknowledged before me on the 8th day of August, 2019, by Tommy Cansler of Big Sky LLC.




Notary Public

item 12

RECEIVED

PETITION OF LGI HOMES – TEXAS, §
LLC, BIG SKY LLC, AND MINDY L. §
KOEHNE (TRUSTEE) TO AMEND §
BOLIVER WATER SUPPLY §
CORPORATION’S WATER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN DENTON §
COUNTY BY EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION
OF TEXAS

COMMISSION STAFF’S RESPONSE TO PETITIONERS’ MOTION TO SEVER

COMES NOW the Staff of the Public Utility Commission of Texas (Staff), representing the public interest, and in response to Petitioners’ Motion to Sever files this Commission Staff’s Response to Petitioners’ Motion to Sever. In support thereof, Staff shows the following:

I. BACKGROUND

On April 10, 2019, LGI Homes-Texas LLC, Big Sky LLC, and Mindy L. Keohne (Petitioners) filed a petition for expedited release of a 440-acre tract of land within Bolivar Water Supply Corporation’s water certificate of convenience and necessity No. 11257 in Denton County, under Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(l).

On August 9, 2019, Petitioners filed a motion to sever into two separate applications for LGI Homes — Texas, LLC ("LGI") and Big Sky LLC ("Big Sky"), respectively.

Pursuant to 16 Tex Admin Code § 22.78, a “responsive pleading, if made, shall be filed by a party within five working days after receipt of the pleading to which the response was made.” This pleading is therefore timely filed.

II. STAFF’S RESPONSE

Staff has reviewed the Petitioners’ motion and is unopposed to the motion.

III. CONCLUSION

Staff respectfully requests an order consistent with its recommendation.

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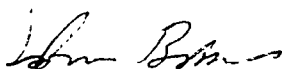
Dated: August 15, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Rachelle Nicolette Robles
Managing Attorney

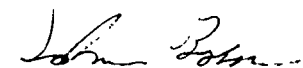


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(512) 936-7235
(512) 936-7268 (facsimile)
Joshua.Barron@puc.texas.gov

DOCKET NO. 49433

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on August 15, 2019, in accordance with 16 TAC § 22.74.



Joshua Adam Barron

Item 13

DOCKET NO. 49433

RECEIVED
2019 SEP 10 11:10:10
PUBLIC UTILITY COMMISSION
OF TEXAS

PETITION OF LGI HOMES – TEXAS, §
LLC, BIG SKY LLC, AND MINDY L. §
KOEHNE (TRUSTEE) TO AMEND §
BOLIVER WATER SUPPLY §
CORPORATION’S WATER §
CERTIFICATE OF CONVENIENCE §
AND NECESSITY IN DENTON §
COUNTY BY EXPEDITED RELEASE §

PUBLIC UTILITY COMMISSION
OF TEXAS

**COMMISSION STAFF’S THIRD RECOMMENDATION ON ADMINISTRATIVE
COMPLETENESS AND PROPOSED NOTICE**

COMES NOW the Staff (Staff) of the Public Utility Commission of Texas (Commission), representing the public interest, and files this Third Recommendation on Administrative Completeness and Proposed Notice, and would show the following:

I. BACKGROUND

On April 10, 2019, LGI Homes-Texas LLC, Big Sky LLC, and Mindy L. Koehne (Petitioners) filed a petition for expedited release of a 440-acre tract of land within Bolivar Water Supply Corporation’s water certificate of convenience and necessity No. 11257 in Denton County, under Texas Water Code § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(I).

On July 11, 2019, the Administrative Law Judge (ALJ) issued Order No. 3, establishing a deadline of August 9, 2019 for the petitioner to supplement the petition to cure the deficiencies listed in Staff’s July 9, 2019 Recommendation. Order No. 3 also established a deadline of September 9, 2019 for Staff to file a supplemental recommendation regarding administrative completeness and proposed notice, along with a proposed procedural schedule, if appropriate.

On August 9, 2019, petitioner filed a motion to sever. On August 15, 2019, Staff filed a response to the petitioner’s motion to sever stating that it was unopposed to the motion.

15

II. ADMINISTRATIVE COMPLETENESS

As detailed in the attached memorandum from Nabaraj Pokharel in the Commission's Infrastructure Division, Staff has reviewed the application and supplemental documentation filed on August 9, 2019 and recommends that it be found administratively complete. Additionally, Staff recommends that the application be severed into two dockets: one for LGI Homes and one for Big Sky.

III. NOTICE

Under 16 TAC § 24.245(1)(4)(A)(vi), the landowner must provide proof that a copy of the petition was mailed to the current CCN holder via certified mail on the day that the landowner submits the petition with the Commission. The applicant provided an affidavit attached to its application stating that a copy of the petition shall be mailed to the current CCN holder via certified mail on the day that the landowner submits the petition with the Commission. Accordingly, Staff recommends that the notice issued by found sufficient.

IV. COMMENTS ON PROCEDURAL SCHEDULE

In accordance with Staff's administrative completeness recommendation, Staff proposes that the below procedural schedule be used. Under TWC § 13.254(a-6), there is an expedited statutory deadline of 60 days for approval that begins once the ALJ issues an order finding an

application administratively complete. Therefore, Staff requests that the ALJ issue a procedural schedule consistent with the schedule outlined below:

Event	Date
Order finding the petition administratively complete	Date of order
Deadline for Petitioner or intervenors to file a response to the petition	Seven days from the date of the order deeming the petition administratively complete
Deadline for Staff's final recommendation	Seven days from the deadline for Petitioner or intervenors to file a response
Deadline for Petitioner to file a reply to Staff's final recommendation	Seven days from the deadline for Staff to file its final recommendation
Sixty-day deadline for approval	Sixty days from the order deeming the petition administratively complete

V. CONCLUSION

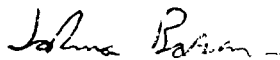
Staff respectfully requests an order consistent with its recommendation.

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

Margaret Uhlig Pemberton
Division Director

Rachelle Nicolette Robles
Managing Attorney

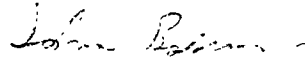


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(512) 936-7268 (facsimile)
Joshua.Barron@puc.texas.gov

DOCKET NO. 49433

CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on September 9, 2019, in accordance with 16 TAC § 22.74.



Joshua Adam Barron

PUC Interoffice Memorandum

To: Joshua Barron, Attorney
Legal Division

Thru: Heidi Graham, Manager
Infrastructure Division

From: Nabaraj Pokharel, Engineering Specialist
Infrastructure Division

Date: September 6, 2019

Subject: *Docket No. 49433: Petition of LGI Homes - Texas, LLC, Big Sky LLC, and Mindy L. Koehne (Trustee) to amend Bolivar Water Supply Corporation's Water Certificate of Convenience and Necessity in Denton County by Expedited Release*

On April 10, 2019, LGI Homes — Texas, LLC ("LGI"), Big Sky LLC ("Big Sky"), and Mindy L. Koehne ("Trustee") (collectively, Petitioners) filed an application for expedited release from Bolivar Water Supply Corporation's water Certificate of Convenience and Necessity (CCN) No. 11257 in Denton County, under Texas Water Code (TWC) § 13.254(a-5) and 16 Texas Administrative Code (TAC) § 24.245(l). The Petitioner asserts that the land is at least 25 contiguous acres, is not receiving water service, and is located in Denton County which is a qualifying county.

In Order No. 2 issued on May 13, 2019, the Administrative Law Judge (ALJ) found the petition administratively incomplete and allowed the Petitioners to cure the deficiencies by identifying each tract of land, including acreage and the corresponding owners. On May 28, 2019, the Petitioners filed supplemental documentation and one of the tracts of land identified was less than 25 acres. Therefore, the petition did not comply with 16 Texas Administrative Code §24.245(l). In Order number 3, issued on July 11, 2019, the ALJ found the petition administratively incomplete and allowed the Petitioners to cure the deficiencies.

On August 9, 2019, Petitioners filed a supplemental documentation requesting that this application be severed into two separate applications, one for LGI and one for Big Sky. Petitioners also withdrew their request for the one acre lot owned by Mindy L. Koehne. In addition, Petitioners requested that the application for LGI remain under the same docket number 49433 and that the application for Big Sky be assigned a new docket number.

The Petitioners submitted adequate maps delineating the requested area for expedited release with enough detail to confirm the accurate positioning of their digital data pursuant to 16 TAC § 24.257. The map and digital data are sufficient for determining the locations of the requested release areas within Bolivar Water Supply Corporation's certificated area. Staff was able to confirm the acreage of the subject properties and determined that the requested areas are located within the subject property.

Furthermore, the Petitioners provided warranty deeds confirming the Petitioners' ownership of the tracts of land within the subject property. In addition, the Petitioners submitted a sworn affidavit attesting that the properties were not receiving water from the CCN holder. The area being requested for expedited release is approximately 280 acres.

The petition also included a statement with affidavit that copy of notice has been sent via certified mail to Bolivar Water Supply Corporation, the current holder of water CCN No. 11257, on the date the petition was filed with the Commission.

Staff has reviewed the information provided by the Petitioners and recommends the application be deemed administratively complete and accepted for filing and that the Big Sky application be assigned a new docket number.