

Control Number: 49387



Item Number: 1

Addendum StartPage: 0



# Application for Sale, Transfer, or Merger of a Retail Public Utility

Pursuant to Texas Water Code § 13.301 and 16 Texas Administrative Code § 24.109  
 RECEIVED  
 19 MAR 28 AM 10:22  
 PUBLIC UTILITY COMMISSION  
 FILING CLERK

## Sale, Transfer, or Merger (STM) Application Instructions

- I. **COMPLETE:** In order for the Commission to find the application sufficient for filing, the Applicant should:
  - i. Provide an answer to every question and submit any required attachment applicable to the STM request (i.e., agreements or contracts).
  - ii. Use attachments or additional pages to answer questions as necessary. If you use attachments or additional pages, reference their inclusion in the form.
  - iii. Provide all mapping information as detailed in Part G: Mapping & Affidavits.
- II. **FILE:** Seven (7) copies of the completed application with numbered attachments. One copy should be filed with no permanent binding, staples, tabs, or separators; and 7 copies of the portable electronic storage medium containing the digital mapping data.
  - i. **SEND TO:** Public Utility Commission of Texas, Attention: Filing Clerk, 1701 N. Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 (NOTE: Electronic documents may be sent in advance of the paper copy, however they will not be processed and added to the Commission's on-line Interchange until the paper copy is received and file-stamped in Central Records).
- III. The application will be assigned a docket number, and an administrative law judge (ALJ) will issue an order requiring Commission Staff to file a recommendation on whether the application is sufficient. The ALJ will issue an order after Staff's recommendation has been filed:
  - i. **DEFICIENT (Administratively Incomplete):** Applicants will be ordered to provide information to cure the deficiencies by a certain date, usually 30 days from ALJ's order. *Application is not accepted for filing.*
  - ii. **SUFFICIENT (Administratively Complete):** Applicants will be ordered by the ALJ to give appropriate notice of the application using the notice prepared by Commission Staff. *Application is accepted for filing.*
- IV. Once the Applicants issue notice, a copy of the actual notice sent and an affidavit attesting to notice should be filed in the docket assigned to the application. Recipients of notice may request a hearing on the merits.
 

**HEARING ON THE MERITS:** An affected party may request a hearing within 30 days of notice. In this event, the application may be referred to the State Office of Administrative Hearings (SOAH) to complete this request.
- V. **TRANSACTION TO PROCEED:** at any time following the provision of notice, or prior to 120 days from the last date that proper notice was given. Commission Staff will file a recommendation for the transaction to proceed as proposed or recommend that the STM be referred to SOAH for further investigation. The Applicants will be required to file an update in the docket to the ALJ every 30 days following the approval of the transaction. The transaction must be completed within six (6) months from the ALJ's order (Note: The Applicants may request an extension to the 6 month provision for good cause).
- VI. **FILE:** Seven (7) copies of completed transaction documents and documentation addressing the transfer or disposition of any outstanding deposits. After receiving all required documents from the Applicants, the application will be granted a procedural schedule for final processing. The Applicants are requested to consent in writing to the proposed maps and certificates, or tariff if applicable.
- VII. **FINAL ORDER:** The ALJ will issue a final order issuing or amending the applicable CCNs.

### FAQ:

#### Who can use this form?

Any retail public utility that provides water or wastewater service in Texas.

#### Who is required to use this form?

A retail public utility that is an investor owned utility (IOU) or a water supply corporation (WSC) prior to any STM of a water or sewer system, or utility, or prior to the transfer of a portion of a certificated service area.

### Terms

**Transferor:** Seller

**Transferee:** Purchaser

**CCN:** Certificate of Convenience and Necessity

**STM:** Sale, Transfer, or Merger

**IOU:** Investor Owned Utility

## Application Summary

**Transferor:** Las Lomas Municipal Utility District No. 4A of Kaufman County, formerly known as Las Lomas Municipal Utility District No. 4 of Kaufman County  
(selling entity)

**CCN No.s:** 13121

☐ Sale      ☒ Transfer      ☐ Merger      ☐ Consolidation      ☐ Lease/Rental

**Transferee:** Las Lomas Municipal Utility District No. 4B of Kaufman County  
(acquiring entity)

**CCN No.s:** 13121

☒ Water      ☐ Sewer      ☐ All CCN      ☐ Portion CCN      ☐ Facilities transfer

**County(ies):** Kaufman

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### Please mark the items included in this filing

<input checked="" type="checkbox"/> Contract, Lease, Purchase, or Sale Agreement	Part A: Question 1
<input type="checkbox"/> Tariff including Rate Schedule	Part B: Question 4
<input type="checkbox"/> List of Customer Deposits	Part B: Question 5
<input type="checkbox"/> Partnership Agreement	Part C: Question 7
<input type="checkbox"/> Articles of Incorporation and By-Laws (WSC)	Part C: Question 7
<input type="checkbox"/> Certificate of Account Status	Part C: Question 7
<input checked="" type="checkbox"/> Financial Audit	Part C: Question 10
<input type="checkbox"/> Application Attachment A & B	Part C: Question 10
<input type="checkbox"/> Disclosure of Affiliated Interests	Part C: Question 10
<input type="checkbox"/> Capital Improvement Plan	Part C: Question 10
<input type="checkbox"/> List of Assets to be Transferred	Part D: 11.B
<input type="checkbox"/> Developer Contribution Contracts or Agreements	Part D: 11.D
<input type="checkbox"/> Enforcement Action Correspondence	Part E: Question 18 (Part D: Q12)
<input type="checkbox"/> TCEQ Compliance Correspondence	Part F: Question 22
<input type="checkbox"/> TCEQ Engineering Approvals	Part F: Question 24
<input type="checkbox"/> Purchased Water Supply or Treatment Agreement	Part F: Question 26
<input checked="" type="checkbox"/> Detailed (large scale) Map	Part G: Question 29
<input checked="" type="checkbox"/> General Location (small scale) Map	Part G: Question 29
<input type="checkbox"/> Digital Mapping Data	Part G: Question 29
<input type="checkbox"/> Signed & Notarized Oath	Page 13-14



### Part A: General Information

1. Describe the proposed transaction, including the effect on all CCNs involved, and provide details on the existing or expected land use in the area affected by the proposed transaction. Attach all supporting documentation, such as a contract, a lease, or proposed purchase agreements:

Las Lomas Municipal Utility District No. 4 ("MUD 4") was the original holder of CCN No. 13121. Pursuant to that Order Calling Election to Divide the District and Order Canvassing Returns for Election to Divide, MUD 4 split into Las Lomas Municipal Utility District Nos. 4A, 4B, and 4C. Additionally, in conjunction with the division, MUD 4A retained all contracts, agreements, assets, obligations, and liabilities of MUD 4, including the CCN. Now, as MUD 4B will be the master district, MUD 4A would like to transfer the CCN to MUD 4B. See Order Calling Election and Order Canvassing Election attached hereto.

2. The proposed transaction will require (check all applicable):

For Transferee (Purchaser) CCN:

- ☐ Obtaining a NEW CCN for Purchaser  
☐ Transfer all CCN into Purchaser's CCN (Merger)  
☐ Transfer Portion of CCN into Purchaser's CCN  
☒ Transfer all CCN to Purchaser and retain Seller CCN  
☐ Uncertificated area added to Purchaser's CCN

For Transferor (Seller) CCN:

- ☒ Cancellation of Seller's CCN  
☐ Transfer of a Portion of Seller's CCN to Purchaser  
☐ Only Transfer of Facilities. No CCN or Customers  
☐ Only Transfer of Customers. No CCN or Facilities  
☐ Only Transfer CCN Area. No Customers or Facilities

### Part B: Transferor Information

Questions 3 through 5 apply only to the transferor (current service provider or seller)

3. A. Name: Las Lomas Municipal Utility District No. 4A of Kaufman County, formerly known as Las Lomas Municipal Utility District No. 4 of Kaufman County  
(individual, corporation, or other legal entity)

☐ Individual ☐ Corporation ☐ WSC ☒ Other: Municipal Utility District

B. Mailing Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: jbethke@coatsrose.com

- C. Contact Person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title.

Name: Joshua A. Bethke

Title: Attorney

Mailing Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: jbethke@coatsrose.com

4. If the utility to be transferred is an Investor Owned Utility (IOU), for the most recent rate change, attach a copy of the current tariff and complete A through B:

A. Effective date for most recent rates: \_\_\_\_\_

B. Was notice of this increase provided to the Public Utility Commission of Texas (Commission) or a predecessor regulatory authority?

☐ No

☐ Yes

Application or Docket Number: \_\_\_\_\_

**If the transferor is a Water Supply or Sewer Service Corporation, provide a copy of the current tariff.**



5. For the customers that will be transferred following the approval of the proposed transaction, check all that apply:

☒ There are no customers that will be transferred

☐ # of customers without deposits held by the transferor \_\_\_\_\_

☐ # of customers with deposits held by the transferor\* \_\_\_\_\_

\*Attach a list of all customers affected by the proposed transaction that have deposits held, and include a customer indicator (name or account number), date of each deposit, amount of each deposit, and any unpaid interest on each deposit.

### Part C: Transferee Information

Questions 6 through 10 apply only to the transferee (purchaser or proposed service provider)

6. A. Name: Las Lomas Municipal Utility District No. 4B of Kaufman County

(individual, corporation, or other legal entity)  
☐ Individual ☐ Corporation ☐ WSC ☒ Other: Municipal Utility District

B. Mailing Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: jbethke@coatsrose.com

C. Contact Person. Provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title.

Name: Joshua A. Bethke

Title: Attorney

Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: jbethke@coatsrose.com

D. If the transferee is someone other than a municipality, is the transferee current on the Regulatory Assessment Fees (RAF) with the Texas Commission on Environmental Quality (TCEQ)?

☐ No ☐ Yes ☒ N/A

E. If the transferee is an IOU, is the transferee current on the Annual Report filings with the Commission?

☐ No ☐ Yes ☒ N/A

7. The legal status of the transferee is:

☐ Individual or sole proprietorship

☐ Partnership or limited partnership (attach Partnership agreement)

☐ Corporation  
Charter number (as recorded with the Texas Secretary of State): \_\_\_\_\_

☐ Non-profit, member-owned, member controlled Cooperative Corporation [Article 1434(a) Water Supply or Sewer Service Corporation, incorporated under TWC Chapter 67]

Charter number (as recorded with the Texas Secretary of State): \_\_\_\_\_

☐ Articles of Incorporation and By-Laws established (attach)

☐ Municipally-owned utility

☒ District (MUD, SUD, WCID, FWSD, etc.)

☐ County

☐ Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)

☐ Other (please explain): \_\_\_\_\_

**8. If the transferee operates under any d/b/a, provide the name below:**

Name: \_\_\_\_\_

**9. If the transferee's legal status is anything other than an individual, provide the following information regarding the officers, members, or partners of the legal entity applying for the transfer:**

Name: Matthew McDonald

Position: President

Ownership % (if applicable): 0.00%

Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: \_\_\_\_\_

Name: Donald Allard

Position: Vice President

Ownership % (if applicable): 0.00%

Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: \_\_\_\_\_

Name: Terry Durbin

Position: Secretary

Ownership % (if applicable): 0.00%

Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: \_\_\_\_\_

Name: Mike Higgins and Machelie Davenport

Position: Assistant Secretaries

Ownership % (if applicable): 0.00%

Address: 14755 Preston Road, Suite 600, Dallas, Texas 75254

Phone: (972) 788-1600

Email: \_\_\_\_\_

**10. Financial Information**

The transferee Applicant must provide accounting information typically included within a balance sheet, income statement, and statement of cash flows. If the Applicant is an existing retail public utility, this must include historical financial information and projected financial information. However, projected financial information is only required if the Applicant proposes new service connections and new investment in plant, or if requested by Staff. If the Applicant is a new market entrant and does not have its own historical balance sheet, income statement, and statement of cash flows information, then the Applicant should establish a five-year projection taking the historical information of the transferor Applicant into consideration when establishing the projections.

**Historical Financial Information may be shown by providing any combination of the following that includes necessary information found in a balance sheet, income statement, and statement of cash flows:**

1. Completed Appendix A;
2. Documentation that includes all of the information required in Appendix A in a concise format; or
3. Audited financial statements issued within 18 months of the application filing date. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

**Projected Financial Information may be shown by providing any of the following:**

1. Completed Appendix B;
2. Documentation that includes all of the information required in Appendix B in a concise format;
3. A detailed budget or capital improvement plan, which indicates sources and uses of funds required, including improvements to the system being transferred; or
4. A recent budget and capital improvements plan that includes information needed for analysis of the operations test (16 Tex. Admin. Code § 24.11(e)(3)) for the system being transferred and any operations combined with the system. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

**Part D: Proposed Transaction Details**

11. A. Proposed Purchase Price: \$ 0.00

If the transferee Applicant is an investor owned utility (IOU) provide answers to B through D.

B. Transferee has a copy of an inventory list of assets to be transferred (*attach*):

☐ No ☐ Yes ☐ N/A

Total Original Cost of Plant in Service: \$

Accumulated Depreciation: \$

Net Book Value: \$

C. **Customer contributions in aid of construction (CIAC):** Have the customers been billed for any surcharges approved by the Commission or TCEQ to fund any assets currently used and useful in providing utility service? Identify which assets were funded, or are being funded, by surcharges on the list of assets.

☐ No ☐ Yes

Total Customer CIAC: \$

Accumulated Amortization: \$

D. **Developer CIAC:** Did the transferor receive any developer contributions to pay for the assets proposed to be transferred in this application? If so, identify which assets were funded by developer contributions on the list of assets and provide any applicable developer agreements.

☐ No ☐ Yes

Total developer CIAC: \$

Accumulated Amortization: \$

12. A. Are any improvements or construction required to meet the minimum requirements of the TCEQ or Commission and to ensure continuous and adequate service to the requested area to be transferred plus any area currently certified to the transferee Applicant? Attach supporting documentation and any necessary TCEQ approvals, if applicable.

☒ No ☐ Yes



**B. If yes, describe the source and availability of funds and provide an estimated timeline for the construction of any planned or required improvements:**

**13. Provide any other information concerning the nature of the transaction you believe should be given consideration:**

**14. Complete the following proposed entries (listed below) as shown in the books of the Transferee (purchaser) after the acquisition. Debits (positive numbers) should equal credits (negative numbers) so that all line items added together equal zero. Additional entries may be made; the following are suggested only, and not intended to pose descriptive limitations:**

Utility Plant in Service: \$ \_\_\_\_\_

Accumulated Depreciation of Plant: \$ \_\_\_\_\_

Cash: \$ \_\_\_\_\_

Notes Payable: \$ \_\_\_\_\_

Mortgage Payable: \$ \_\_\_\_\_

(Proposed) Acquisition Adjustment\*: \$ \_\_\_\_\_

Other (NARUC account name & No.): \_\_\_\_\_

Other (NARUC account name & No.): \_\_\_\_\_

\*Acquisition Adjustments will be subject to review under 16 TAC § 24.31(d) and (e)

**15. A. Explain any proposed billing change (NOTE: If the acquiring entity is an IOU, the IOU may not change the rates charged to the customers through this STM application. Rates can only be changed through the approval of a rate change application.)**

There will be no billing change, because there are no customers at this time.

**B. If transferee is an IOU, state whether or not the transferee intends to file with the Commission, or an applicable municipal regulatory authority, an application to change rates for some or all of its customers as a result of the transaction within the next twelve months. If so, provide details below:**

**Part E: CCN Obtain or Amend Criteria Considerations**

16. Describe, in detail, the anticipated impact or changes in the quality of retail public utility service in the requested area as a result of the proposed transaction:

N/A

17. Describe the transferee's experience and qualifications in providing continuous and adequate service. This should include, but is not limited to: other CCN numbers, water and wastewater systems details, and any corresponding compliance history for all operations.

Transferee will serve as the Master District.

18. Has the transferee been under an enforcement action by the Commission, TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG), or the Environmental Protection Agency (EPA) in the past five (5) years for non-compliance with rules, orders, or state statutes? Attach copies of any correspondence with the applicable regulatory agency(ies)

☒ No ☐ Yes

19. Explain how the environmental integrity or the land will be impacted or disrupted as a result of the proposed transaction.

N/A

20. How will the proposed transaction serve the public interest?

Transferee will serve as the Master District, and it is thus in the public interest that the Master District hold the CCN.

21. List all neighboring water or sewer utilities, cities, districts (including ground water conservation districts), counties, or other political subdivisions (including river authorities) providing the same service within two (2) miles from the outer boundary of the requested area affected by the proposed transaction:

Rose Hill Special Utility District, Talty Water Supply Corporation, City of Terrell, Gastonia Scurry Special Utility District, City of Fomey.

**Part F: TCEQ Public Water System or Sewer (Wastewater) Information**

Complete Part F for EACH Public Water or Sewer system to be transferred subject to approval of the transaction.  
Attach a separate sheet with this information if you need more space for additional systems being transferred.

## 22. A. For Public Water System (PWS):

TCEQ PWS Identification Number: N/A (7 digit ID)Name of PWS: N/A

Date of last TCEQ compliance inspection: \_\_\_\_\_ (attach TCEQ letter)

Subdivisions served: N/A

## B. For Sewer service:

TCEQ Water Quality (WQ) Discharge Permit Number: WQ 00 - 14803001 (8 digit ID)Name of Wastewater Facility: N/AName of Permittee: Las Lomas Municipal Utility District No. 4

Date of last TCEQ compliance inspection: \_\_\_\_\_ (attach TCEQ letter)

Subdivisions served: N/ADate of application to transfer permit submitted to TCEQ: \_\_\_\_\_23. List the number of existing connections, by meter/connection type, to be affected by the proposed transaction:

Water				Sewer	
	Non-metered		2"		Residential
	5/8" or 3/4"		3"		Commercial
	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:				0	Total Sewer Connections: 0

## 24. A. Are any improvements required to meet TCEQ or Commission standards?

☒ No ☐ Yes

## B. Provide details on each required major capital improvement necessary to correct deficiencies to meet the TCEQ or Commission standards (attach any engineering reports or TCEQ approval letters):

Description of the Capital Improvement:	Estimated Completion Date:	Estimated Cost:

## C. Is there a moratorium on new connections?

☒ No ☐ Yes:

## 25. Does the system being transferred operate within the corporate boundaries of a municipality?

☒ No ☐ Yes: \_\_\_\_\_ (name of municipality)

If yes, indicate the number of customers within the municipal boundary.

Water: \_\_\_\_\_ Sewer: \_\_\_\_\_



26. A. Does the system being transferred purchase water or sewer treatment capacity from another source?

☒ No ☐ Yes: If yes, attach a copy of purchase agreement or contract.

Capacity is purchased from: \_\_\_\_\_

Water: \_\_\_\_\_

Sewer: \_\_\_\_\_

B. Is the PWS required to purchase water to meet capacity requirements or drinking water standards?

☐ No ☐ Yes

C. What is the amount of water supply or sewer treatment purchased, per the agreement or contract? What is the percent of overall demand supplied by purchased water or sewer treatment (if any)?

	Amount in Gallons	Percent of demand
Water:		0.00%
Sewer:		0.00%

D. Will the purchase agreement or contract be transferred to the Transferee?

☐ No ☐ Yes:

27. Does the PWS or sewer treatment plant have adequate capacity to meet the current and projected demands in the requested area?

☐ No ☐ Yes:

28. List the name, class, and TCEQ license number of the operator that will be responsible for the operations of the water or sewer utility service:

Name (as it appears on license)	Class	License No.	Water or Sewer

### Part G: Mapping & Affidavits

**ALL applications require mapping information to be filed in conjunction with the STM application.**  
***Read question 29 A and B to determine what information is required for your application.***

29. A. For applications requesting to transfer an entire CCN, without a CCN boundary adjustment, provide the following mapping information with each of the seven (7) copies of the application:

1. A general location (small scale) map identifying the requested area in reference to the nearest county boundary, city, or town. The following guidance should be adhered to:
  - i. If the application requests to transfer certificated service areas for both water and sewer, separate maps must be provided for each.
  - ii. A hand drawn map, graphic, or diagram of the requested area is not considered an acceptable mapping document.

- iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.

- 2. A detailed (large scale) map identifying the requested area in reference to verifiable man-made and natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
  - i. The map must be clearly labeled and the outer boundary of the requested area should be marked in reference to the verifiable man-made or natural landmarks. These verifiable man-made or natural landmarks must be labeled and marked on the map as well.
  - ii. If the application requests an amendment for both water and sewer certificated service area, separate maps need to be provided for each.
  - iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
  - iv. The outer boundary of the requested area should not be covered by any labels, roads, city limits or extraterritorial jurisdiction (ETJ) boundaries.

**B.** For applications that are requesting to include area not currently within a CCN, or for applications that require a CCN amendment (any change in a CCN boundary), such as the transfer of only a portion of a certificated service area, provide the following mapping information with each of the seven (7) copies of the application:

- 1. A general location (small scale) map identifying the requested area with enough detail to locate the requested area in reference to the nearest county boundary, city, or town. Please refer to the mapping guidance in part A 1 (above).
- 2. A detailed (large scale) map identifying the requested area with enough detail to accurately locate the requested area in reference to verifiable man-made or natural landmarks such as roads, rivers, or railroads. Please refer to the mapping guidance in part A 2 (above).
- 3. One of the following identifying the requested area:
  - i. A metes and bounds survey sealed or embossed by either a licensed state land surveyor or a registered professional land surveyor. Please refer to the mapping guidance in part A 2 (above);
  - ii. A recorded plat. If the plat does not provide sufficient detail, Staff may request additional mapping information. Please refer to the mapping guidance in part A 2 (above); or
  - iii. Digital mapping data in a shapefile (SHP) format georeferenced in either NAD 83 Texas State Plane Coordinate System (US Feet) or in NAD 83 Texas Statewide Mapping System (Meters). The digital mapping data shall include a single, continuous polygon record. The following guidance should be adhered to:
    - a. The digital mapping data must correspond to the same requested area as shown on the general location and detailed maps. The requested area must be clearly labeled as either the water or sewer requested area.
    - b. A shapefile should include six files (.dbf, .shp, .shx, .sbx, .sbn, and the projection (.prj) file).
    - c. The digital mapping data shall be filed on a data disk (CD or USB drive), clearly labeled, and filed with Central Records. Seven (7) copies of the digital mapping data is also required.

### Part H: Notice Information

The following information will be used to generate the proposed notice for the application.  
**DO NOT provide notice** of the application until it is found sufficient and the Applicants are ordered to provide notice.

30. Complete the following using verifiable man-made or natural landmarks such as roads, rivers, or railroads to describe the requested area (to be stated in the notice documents). Measurements should be approximated from the outermost boundary of the requested area:

The total acreage of the requested area is approximately: 2,896.00

Number of customer connections in the requested area: \_\_\_\_\_

Affected subdivision: \_\_\_\_\_

The closest city or town: City of Terrell

Approximate mileage to closest city or town center: 0

Direction to closest city or town: East

The requested area is generally bounded on the North by: US Hwy 80

on the East by: Spur 557

on the South by: I-20

on the West by: Brushy Creek

31. A copy of the proposed map will be available at: \_\_\_\_\_

32. What effect will the proposed transaction have on an average bill to be charged to the affected customers? Take into consideration the average consumption of the requested area, as well as any other factors that would increase or decrease a customer's monthly bill.

- ☐ All of the customers will be charged the same rates they were charged before the transaction.
- ☐ All of the customers will be charged different rates than they were charged before the transaction.
- ☐ higher monthly bill    ☐ lower monthly bill
- ☐ Some customers will be charged different rates than they were charged before  
(i.e. inside city limit customers)
- ☐ higher monthly bill    ☐ lower monthly bill



**Oath for Transferor (Transferring Entity)**

STATE OF TEXAS

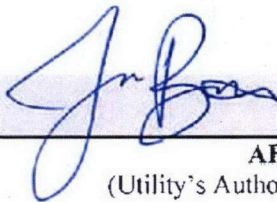
COUNTY OF DALLAS

I, Joshua A. Bethke being duly sworn, file this application for sale,  
transfer,  
merger, consolidation, acquisition, lease, or  
rental, as **authorized representative**

(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

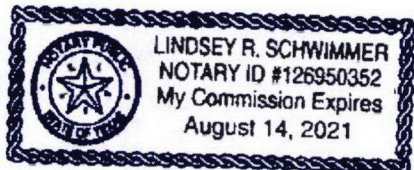
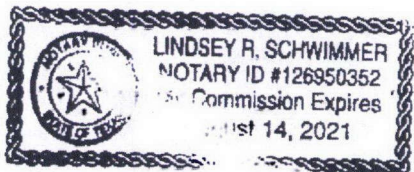
I further state that I have provided to the purchaser or transferee a written disclosure statement about any contributed property as required under Texas Water Code § 13.301(j) and copies of any outstanding enforcement Orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas, or Attorney General and have also complied with the notice requirements in Texas Water Code § 13.301(k).

  
\_\_\_\_\_  
**AFFIANT**  
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

**SUBSCRIBED AND SWORN BEFORE ME,** a Notary Public in and for the State of Texas  
this day the 27<sup>th</sup> of March, 2019

SEAL



  
\_\_\_\_\_  
**NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS**

Lindsey Schwimmer  
\_\_\_\_\_  
**PRINT OR TYPE NAME OF NOTARY**

My commission expires: 8/14/2021



**Oath for Transferee (Acquiring Entity)**

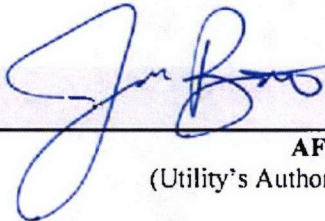
STATE OF TEXAS

COUNTY OF DALLAS

I, Joshua A. Bethke being duly sworn, file this application for sale, transfer, merger, consolidation, acquisition, lease, or rental, as authorized representative  
(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further state that I have been provided with a copy of the 16 TAC § 24.109 Commission rules. I am also authorized to agree and do agree to be bound by and comply with any outstanding enforcement orders of the Texas Commission on Environmental Quality, the Public Utility Commission of Texas or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.



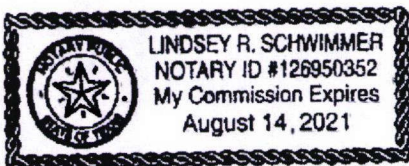
**AFFIANT**

(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas  
this day the 27<sup>th</sup> of March, 2019

SEAL



**NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS**

Lindsey Schwimmer

**PRINT OR TYPE NAME OF NOTARY**

My commission expires: 8/14/2021

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §  
COUNTY OF KAUFMAN §  
LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY §

We, the undersigned officers of the Board of Directors (the "Board") of Las Lomas Municipal Utility District No. 4 of Kaufman County (the "District"), hereby certify as follows:

1. The Board convened in special session, open to the public, on the 20th day of August, 2018, at an established meeting location outside the boundaries of the District, and the roll was called of the members of the Board, to-wit:

Matthew McDonald	President
Donald Allard	Vice President
Terry Durbin	Secretary
Mike Higgins	Assistant Secretary
Machelle Davenport	Assistant Secretary

All members of the Board were present, except: \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

ORDER CALLING ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of said Order, prevailed and carried by the following vote:

AYES: All Present

NOES: None

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate: such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by V.T.C.A. Government Code, Chapter 551.

SIGNED AND SEALED this 20th day of August, 2018.

Secretary of Directors

President, Board of Directors



**ORDER CALLING ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY  
DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY  
DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY  
DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY  
DISTRICT NO. 4C OF KAUFMAN COUNTY**

**THE STATE OF TEXAS** §

**COUNTY OF KAUFMAN** §

**LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY** §

WHEREAS, Las Lomas Municipal Utility District No. 4 of Kaufman County (the "Original District") was heretofore duly created pursuant to Senate Bill No. 1894, 79th Texas Legislature, Regular Session, codified as Chapter 8138, Texas Special District Local Laws Code, effective June 18, 2005, as a conservation and reclamation district created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, of the Texas Constitution and operating pursuant to Chapters 49 and 54 of the Texas Water Code; and

WHEREAS, at an election held on September 10, 2005, the voters of the Original District confirmed the creation of the Original District and elected five permanent directors; and

WHEREAS, the Original District has no outstanding bounded debt and is not imposing ad valorem taxes; and

WHEREAS, the Board of Directors of the Original District has determined that an election should be conducted in compliance with the provisions of Section 8138.252, to divide the Original District into three districts to be known as "Las Lomas Municipal Utility District No. 4A of Kaufman County" consisting of territory described by metes and bounds in Exhibit "A" attached hereto, "Las Lomas Municipal Utility District No. 4B of Kaufman County" consisting of territory described by metes and bounds in Exhibit "B" attached hereto, and "Las Lomas Municipal Utility District No. 4C of Kaufman County" consisting of territory described by metes and bounds in Exhibit "C" attached hereto (such districts collectively, "Resulting Districts" and individually, "Resulting District"); and

WHEREAS, the Board of Directors wishes to proceed with the ordering of said election.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY AFFIRMATIVELY FINDS THAT:

1. The matters and facts set out in the preamble of this order are hereby found and declared to be true and correct.

2. All prerequisites to adoption of this Order and to the holding of the election called hereby in accordance with law have been met.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY THAT:

**Section 1:** An election shall be held within and for the Original District on Tuesday, November 6, 2018, between the hours of 7:00 a.m. and 7:00 p.m. (unless authorized to close earlier pursuant to Section 41.033, Texas Election Code, as amended), at a location designated by Kaufman County, which the Board of Directors, after duly considering the requirements of the Texas Election Code, finds to be a proper place for conducting such election, at which there shall be submitted the following proposition:

**PROPOSITION I**

SHALL LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY BE DIVIDED INTO THREE DISTRICTS TO BE KNOWN AS LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY CONSISTING OF THE TERRITORY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" OF THE ORDER CALLING ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY ADOPTED BY THE BOARD OF DIRECTORS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY ON AUGUST 20, 2018; LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY CONSISTING OF THE TERRITORY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "B" OF THE ORDER CALLING ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY ADOPTED BY THE BOARD OF DIRECTORS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY ON AUGUST 20, 2018; AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY CONSISTING OF THE TERRITORY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "C" OF THE ORDER CALLING ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY; EACH OF WHICH RESULTING DISTRICTS SHALL SUCCEED TO THE POWERS, RIGHTS, AUTHORITY, PRIVILEGES AND FUNCTIONS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY?

Section 2: The properties and liabilities of the Original District shall be divided between the three Resulting Districts in the following manner: Las Lomas Municipal Utility District No. 4A of Kaufman County shall assume a pro rata share (based on the acreage in such District) of the organizational and administrative costs heretofore incurred by the Original District, shall retain all funds held in the general operating account of the Original District at the time of division, and shall retain all other contracts, agreements, assets, obligations, and liabilities of the Original District, except those assets and obligations allocated to Las Lomas Municipal Utility District No. 4B of Kaufman County or Las Lomas Municipal Utility District No. 4C as provided below.

Las Lomas Municipal Utility District No. 4B of Kaufman County shall assume a pro rata share (based on the acreage in such District) of the organizational and administrative costs heretofore incurred by the Original District. No other contracts, agreements, assets, obligations, or liabilities of the Original District shall transfer to Las Lomas Municipal Utility District No. 4B of Kaufman County.

Las Lomas Municipal Utility District No. 4C of Kaufman County shall assume a pro rata share (based on the acreage in such District) of the organizational and administrative costs heretofore incurred by the Original District. No other contracts, agreements, assets, obligations, or liabilities of the Original District shall transfer to Las Lomas Municipal Utility District No. 4C of Kaufman County.

Section 3: Voting in said election shall be by the use of an electronic voting system or paper ballots which shall offer both English and Spanish ballots and which shall conform to the requirements of the Texas Election Code. The following proposition shall be submitted to the resident electors of the Original District at the November 6, 2018 election:

### **OFFICIAL BALLOT**

#### **LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY**

#### **DIVISION ELECTION**

November 6, 2018

Vote on the proposition by placing an "X" in the square beside the statement indicating the way you wish to vote.

### **PROPOSITION**

☐ **FOR**

**THE DIVISION OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL**

UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS  
MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY.

☐ AGAINST

Section 4: The boundaries of the District are hereby established as and shall constitute one election precinct. Kaufman County shall appoint all election officers as required by law and provided under the District's contract with the County to conduct the election.

Early voting in the election by personal appearance shall begin on the 15th day preceding the election and shall continue through the 4th day preceding the election. Early voting in the election shall be conducted under contract with Kaufman County at the locations and during the hours designated by the County. The clerk for early voting shall be Brenda Samples. The early voting clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is Brenda Samples, P.O. Box 339, Kaufman, Texas 75142.

The early voting clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is the same as above. Kaufman County will designate the times that the early voting polling places will be open for early voting by personal appearance on each day for early voting. Early voting ballots shall be provided to the presiding judge on election day, and the presiding judge and any clerks shall serve as the early voting ballot board and tally the early ballots.

Section 5: The election shall be held and conducted and returns made to this Board of Directors in accordance with the Texas Election Code as modified by Chapter 49, Texas Water Code.

Section 6: The Board of Directors of the Original District hereby appoints Coats Rose, P.C., as the Original District agent for the election.

Section 7: All qualified resident electors of the Original District shall be entitled to vote in the election.

Section 8: Pursuant to the Act, the President and the Secretary of the Board or the Original District's agent is hereby directed to cause notice of this election to be posted within the Original District (at the place where notices of meetings are posted) at least thirty-five (35) days before the date of the election, or the next business day after the thirty-fifth day if the thirty-fifth day is a Saturday, Sunday, or official State holiday and at such other places as notice of the meetings of the Board of Directors of the Original District are required to be posted.

Section 9: If applicable, the rate of pay for judges and clerks of the election shall be determined by Kaufman County, in compliance with the Texas Election Code and pursuant to a contract for election services with the Original District.

Section 10: The President and Secretary are authorized and directed to take any action necessary to carry out the provisions of this order.



PASSED AND APPROVED this 20th day of August, 2018.

/s/ Matt McDonald  
President, Board of Directors

ATTEST:

/s/ Terry Durbin  
Secretary, Board of Directors

(DISTRICT SEAL)

**EXHIBIT "A"**

**LAS LOMAS MUNICIPAL UTILITY DISTRICT No. 4A  
OF KAUFMAN COUNTY  
DESCRIPTION**

**TRACT 1**

**BEING A TRACT OF LAND SITUATED IN THE BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373 IN KAUFMAN COUNTY, TEXAS, AND BEING PART OF A CALLED 1012.488 ACRE TRACT OF LAND DESCRIBED IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHERN MOST NORTHWEST CORNER OF SAID AP DUPONT TRACT;**

**THENCE SOUTH 88 DEGREES 06 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID AP DUPONT TRACT, A DISTANCE OF 781.53 FEET TO A POINT;**

**THENCE SOUTH 00 DEGREES 51 MINUTES 17 SECONDS EAST, DEPARTING SAID NORTH LINE AND OVER AND ACROSS SAID AP DUPONT TRACT, A DISTANCE OF 1,336.61 FEET TO A POINT ON THE FORNEY ONE MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE FOR THE POINT OF BEGINNING;**

**THENCE SOUTH 00 DEGREES 51 MINUTES 17 SECONDS EAST, A DISTANCE OF 8,245.69 FEET, TO A POINT ON THE TALTY ONE-HALF MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE;**

**THENCE, ALONG THE TALTY ETJ LINE THE FOLLOWING COURSES AND DISTANCES:**

**NORTHWESTERLY, ALONG A NON-TANGENT CURVE TO THE LEFT WHICH HAS A CHORD THAT BEARS NORTH 54 DEGREES 08 MINUTES 40 SECONDS WEST FOR 1,157.06 FEET, A CENTRAL ANGLE OF 25 DEGREES 19 MINUTES 01 SECOND AND A RADIUS OF 2,640.00 FEET FOR AN ARC DISTANCE OF 1,166.53 FEET TO THE END OF SAID CURVE;**

**NORTH 44 DEGREES 48 MINUTES 35 SECONDS WEST, A DISTANCE OF 1,272.29 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT;**

**NORTHWESTERLY, ALONG THE TANGENT CURVE TO THE LEFT WHICH HAS A CHORD THAT BEARS NORTH 62 DEGREES 23 MINUTES 35 SECONDS WEST FOR 1,595.03 FEET, A CENTRAL ANGLE OF 35 DEGREES 09 MINUTES 58 SECONDS AND A RADIUS OF 2,640.00 FEET, FOR AN ARC DISTANCE OF 1,620.34 FEET TO A POINT ON THE SOUTHEAST LINE OF EMERALD RANCH ESTATES, AN ADDITION TO KAUFMAN COUNTY ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2, SLIDE 464 OF THE MAP RECORDS OF KAUFMAN COUNTY, TEXAS;**

**THENCE NORTH 45 DEGREES 17 MINUTES 02 SECONDS EAST, ALONG SAID SOUTHEAST LINE, A DISTANCE OF 799.31 FEET, TO THE EAST CORNER OF SAID EMERALD RANCH ESTATES;**

**THENCE NORTH 44 DEGREES 18 MINUTES 26 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID EMERALD RANCH ESTATES, A DISTANCE OF 111.69 FEET, TO A POINT ON THE FORNEY ONE MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE;**

**THENCE ALONG THE FORNEY ETJ LINE THE FOLLOWING COURSES AND DISTANCES:**

**NORTH 41 DEGREES 19 MINUTES 32 SECONDS EAST, A DISTANCE OF 564.67 FEET, TO A POINT FOR CORNER;**

**NORTH 36 DEGREES 23 MINUTES 56 SECONDS EAST, A DISTANCE OF 1,500.08 FEET, TO A POINT FOR CORNER;**

**NORTH 26 DEGREES 19 MINUTES 28 SECONDS EAST, A DISTANCE OF 2,088.36 FEET, TO A POINT FOR CORNER;**

**NORTH 14 DEGREES 03 MINUTES 45 SECONDS EAST, A DISTANCE OF 1,834.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 10,622,684 SQUARE FEET, OR 243.863 ACRES OF LAND, MORE OF LESS.**

## **TRACT 2**

**BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373 IN KAUFMAN COUNTY, TEXAS, AND BEING PART OF A CALLED 3658.883 ACRE TRACT OF LAND DESCRIBED IN A DEED TO SPEZIA INVESMENTS, LLLP RECORDED IN VOLUME 2908, PAGE 247 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHERN MOST NORTHWEST CORNER OF SAID SPEZIA INVESMENTS TRACT;**

**THENCE SOUTH 88 DEGREES 06 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID SPEZIA INVESTMENTS TRACT, A DISTANCE OF 781.53 FEET TO A POINT;**

**THENCE SOUTH 00 DEGREES 51 MINUTES 17 SECONDS EAST, DEPARTING SAID NORTH LINE AND OVER AND ACROSS SAID SPEZIA INVESMENTS TRACT, A DISTANCE OF 1,336.61 FEET TO A POINT ON THE FORNEY ONE MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE;**

**THENCE ALONG THE FORNEY ETJ LINE THE FOLLOWING COURSES AND DISTANCES:**

**SOUTH 14 DEGREES 03 MINUTES 45 SECONDS WEST, A DISTANCE OF 1,834.66 FEET TO A POINT FOR CORNER;**

**SOUTH 26 DEGREES 19 MINUTES 28 SECONDS WEST, A DISTANCE OF 2,088.36 FEET, TO A POINT FOR CORNER;**

**SOUTH 36 DEGREES 23 MINUTES 56 SECONDS WEST, A DISTANCE OF 1,500.08 FEET, TO A POINT FOR CORNER;**

**SOUTH 41 DEGREES 19 MINUTES 32 SECONDS WEST, A DISTANCE OF 564.67 FEET, TO A POINT ON THE NORTHEAST LINE OF EMERALD RANCH ESTATES, AN ADDITION TO KAUFMAN COUNTY ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2, SLIDE 464 OF THE MAP RECORDS OF KAUFMAN COUNTY, TEXAS;**

**THENCE NORTH 44 DEGREES 18 MINUTES 26 SECONDS WEST, ALONG THE NORTHEAST BOUNDARY OF SAID EMERALD RANCH ESTATES TRACT AND THE NORTHWEST BOUNDARY OF SAID SPEZIA INVESMENTS TRACT, A DISTANCE OF 1,471.36 FEET FOR THE NORTH CORNER OF SAID EMERALD RANCH AND THE SOUTH CORNER OF A CALLED 108.73 ACRE TRACT DESCRIBED IN A DEED TO COUNTRYSIDE HELMS TRAIL, L.P., RECORDED IN VOLUME 1838, PAGE 286 OF SAID DEED RECORDS;**

**THENCE NORTH 45 DEGREES 06 MINUTES 03 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID 108.73 ACRE TRACT AND A CALLED 18.425 ACRE TRACT OF LAND DESCRIBED IN A DEED TO**

**KAUFMAN LAND PARTNERS, LTD., RECORDED IN VOLUME 1973, PAGE 579 OF SAID DEED RECORDS, A DISTANCE OF 2,874.06 FEET FOR THE EAST CORNER OF SAID 18.425 ACRE TRACT;**

**THENCE NORTH 44 DEGREES 45 MINUTES 10 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID 18.425 ACRE TRACT AND THE MOST WESTERLY NORTHWEST LINE OF SAID SPEZIA INVESMENTS TRACT, A DISTANCE OF 1954.78 FEET TO THE APPROXIMATE CENTER OF HELMS TRAIL (UNDEDICATED PUBLIC ROAD) FOR THE NORTH CORNER OF SAID 18.425 ACRE TRACT;**

**THENCE NORTH 45 DEGREES 20 MINUTES 58 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF HELMS TRAIL, A DISTANCE OF 3095.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 245.136 ACRES OF LAND, MORE OF LESS.**

### **TRACT 3**

**BEING A 123.853 ACRE TRACT OF LAND SITUATED IN THE JOHN HEATH SURVEY, ABSTRACT NUMBER 227, IN KAUFMAN COUNTY, TEXAS AND BEING ALL OF A 10.599 ACRE TRACT OF LAND DESCRIBED BY DEED TO OLEN DAVIS RECORDED IN VOLUME 1566, PAGE 114 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS (DRKCT) AND BEING ALL OF 113.474 ACRE TRACT OF LAND DESCRIBED BY DEED TO OLEN T. DAVIS & ASSOCIATES, INC. RECORDED IN VOLUME 1068, PAGE 469 (DRKCT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A 5/8 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID 10.599 ACRE TRACT OF LAND AND BEING LOCATED IN THE CENTER OF A ROCK TOP ROAD KNOWN AS COUNTY ROAD NO. 211 (HELMS TRAIL) WHICH IS FENCED APPROXIMATELY 45' IN WIDTH, SAID POINT ALSO BEING LOCATED IN THE SOUTH LINE OF THE TEXAS & PACIFIC RAILWAY RIGHT-OF-WAY (100' WIDE);**

**THENCE ALONG THE CENTER OF SAID COUNTY ROAD 211 (HELMS TRAIL) AND THE SOUTHEASTERLY LINE OF SAID 113.474 ACRE TRACT OF LAND AS FOLLOWS:**

**SOUTH 42°04'26" WEST A PASSING DISTANCE OF 140.57 TO THE NORTHEAST CORNER OF SAID 113.474 ACRE TRACT OF LAND, IN ALL A TOTAL DISTANCE OF 499.10 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;**

**SOUTH 41°28'25" WEST A DISTANCE OF 732.40 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;**

**SOUTH 41°14'24" WEST A DISTANCE OF 840.20 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;**

**SOUTH 40°52'03" WEST A DISTANCE OF 1,138.96 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHERLY CORNER OF SAID 113.474 ACRE TRACT OF LAND;**

**THENCE DEPARTING THE CENTER OF SAID COUNTY ROAD 211 (HELMS TRAIL) AND FOLLOWING THE SOUTHWESTERLY LINE OF SAID 113.474 ACRE TRACT OF LAND, NORTH 48°37'23" WEST A PASSING DISTANCE OF 27.33 FEET TO A 5/8 INCH IRON PIPE FOUND AT THE BASE OF A FENCE POST, IN ALL A TOTAL DISTANCE OF 3,373.09 TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 10.599 ACRE TRACT OF LAND AND BEING LOCATED IN THE SOUTH LINE OF SAID TEXAS & PACIFIC RAILWAY RIGHT-OF-WAY;**

**THENCE ALONG THE SOUTH LINE OF SAID TEXAS & PACIFIC RAILWAY RIGHT-OF-WAY, NORTH 87°45'00" EAST A DISTANCE OF 4,653.28 FEET TO THE POINT OF BEGINNING; CONTAINING WITHIN THESE METES AND BOUNDS 123.853 ACRES OR 5,395,049 SQUARE FEET OF LAND MORE OR LESS ALL ACCORDING TO THAT SURVEY PREPARED BY A.J. BEDFORD GROUP, INC., DATED MARCH 15,**

2005 AND SIGNED BY AUSTIN J. BEDFORD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4132; TO WHICH REFERENCE FOR ALL PURPOSES IS HEREBY MADE.

**NOTE:**

***THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.***

## **EXHIBIT "B"**

### **LAS LOMAS MUNICIPAL UTILITY DISTRICT No. 4B OF KAUFMAN COUNTY DESCRIPTION**

#### **TRACT 1**

BEING A TRACT OF LAND SITUATED IN THE J. R. LEATH SURVEY, ABSTRACT NO. 305, THE W. C. MOODY SURVEY, ABSTRACT NO. 321, THE RICHARD MEAD SURVEY, ABSTRACT NO. 326, THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373, THE WILLIAM SIMPSON SURVEY, ABSTRACT NO. 453, THE J. W. WARD SURVEY, ABSTRACT NO. 596, AND THE T. A. WALDROP SURVEY, ABSTRACT NO. 597 IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 1012.488 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, PART OF A CALLED 1406.504 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN SAID DEED, ALL OF A CALLED 57.77 ACRE TRACT OF LAND DESCRIBED AS TRACT 5 IN SAID DEED, ALL OF A CALLED 38.410 ACRE TRACT OF LAND DESCRIBED AS TRACT 6A IN SAID DEED, ALL OF A CALLED 46.324 ACRE TRACT OF LAND DESCRIBED AS TRACT 6B IN SAID DEED, ALL OF A CALLED 146.491 ACRE TRACT OF LAND DESCRIBED AS TRACT 6C IN SAID DEED, ALL OF A CALLED 418.350 ACRE TRACT OF LAND DESCRIBED AS TRACT 6D IN SAID DEED, ALL OF A CALLED 210.082 ACRE TRACT OF LAND DESCRIBED AS TRACT 7 IN SAID DEED, ALL OF A CALLED 3.09 ACRE TRACT OF LAND DESCRIBED AS TRACT 8 IN SAID DEED, ALL OF A CALLED 20.575 ACRE TRACT OF LAND DESCRIBED AS TRACT 9 IN SAID DEED, ALL OF A CALLED 242.39 ACRE TRACT OF LAND DESCRIBED AS TRACT 10 IN SAID DEED, AND ALL OF A CALLED 55.848 ACRE TRACT OF LAND DESCRIBED AS TRACT 11 IN SAID DEED, ALL OF A CALLED 40.186 ACRE TRACT OF LAND DESCRIBED IN A DEED AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2489, PAGE 481 OF SAID DEED RECORDS, ALL OF A CALLED 20.000 ACRE TRACT DESCRIBED IN A DEED TO THE TEXAS VETERANS LAND BOARD RECORDED IN VOLUME 1070, PAGE 332 AND IN A CONTRACT OF SALE BETWEEN THE TEXAS VETERANS LAND BOARD AND MELVIN EARL DUKE RECORDED IN VOLUME 1070, PAGE 336 OF SAID DEED RECORDS, AND ALL OF A CALLED 20.000 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT A. BROOKS AND BARBARA M. BROOKS RECORDED IN VOLUME 1277, PAGE 618 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWEST RIGHT-OF-WAY LINE OF SPUR 557 (VARIABLE RIGHT-OF-WAY) FOR THE MOST EASTERLY CORNER OF SAID 1012.488 ACRE TRACT (TRACT 1) AND THE NORTHWEST CORNER OF A CALLED 131.36 ACRE TRACT OF LAND DESCRIBED AS TRACT V IN A DEED TO 148/I-20 TERRELL PARTNERSHIP, LTD., RECORDED IN VOLUME 1939, PAGE 341 OF SAID DEED RECORDS;

THENCE SOUTH 45 DEGREES 16 MINUTES 35 SECONDS WEST, ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 1 AND THE NORTHWEST LINES OF SAID TRACT V AND A CALLED 120.00 ACRE TRACT OF LAND DESCRIBED AS TRACT IV IN SAID DEED TO 148/I-20 TERRELL PARTNERSHIP, LTD., A DISTANCE OF 2141.57 FEET TO A POINT FOR THE MOST WESTERLY CORNER OF SAID TRACT IV;

THENCE SOUTH 45 DEGREES 02 MINUTES 34 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID TRACT IV, A DISTANCE OF 99.72 FEET TO A POINT FOR A RE-ENTRANT CORNER IN SAID TRACT 1 AND THE NORTH CORNER OF A CALLED 80.083 ACRE TRACT OF LAND DESCRIBED IN A DEED TO C. L. HAMILTON, JR., RECORDED IN VOLUME 528, PAGE 759 OF SAID DEED RECORDS;

THENCE SOUTH 45 DEGREES 05 MINUTES 40 SECONDS WEST, CONTINUING ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 1 AND ALONG THE NORTHWEST LINE OF SAID HAMILTON TRACT, A DISTANCE OF 1795.83 FEET TO A POINT IN THE NORTHEAST LINE OF A CALLED 288.239 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO AP TERRELL LIMITED PARTNERSHIP RECORDED IN VOLUME 2324, PAGE 267 OF SAID DEED RECORDS FOR THE WEST CORNER OF SAID HAMILTON TRACT AND A RE-ENTRANT CORNER OF SAID TRACT 1;

THENCE NORTH 44 DEGREES 23 MINUTES 07 SECONDS WEST, CONTINUING ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 1 AND THE NORTHEAST LINE OF SAID 288.239 ACRE TRACT, A DISTANCE OF 99.93 FEET TO A POINT FOR THE MOST NORTHERLY CORNER OF SAID 288.239 ACRE TRACT;

THENCE SOUTH 45 DEGREES 29 MINUTES 35 SECONDS WEST, ALONG THE COMMON LINE BETWEEN SAID TRACT 1 AND SAID 288.239 ACRE TRACT, A DISTANCE OF 6060.97 FEET TO A POINT FOR AN ANGLE POINT;

THENCE SOUTH 45 DEGREES 28 MINUTES 26 SECONDS WEST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 1601.11 FEET TO A POINT FOR THE WEST CORNER OF SAID 288.239 ACRE TRACT AND THE NORTH CORNER OF SAID TRACT 9;

THENCE SOUTH 44 DEGREES 25 MINUTES 44 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID TRACT 9 AND THE SOUTHWEST LINE OF SAID 288.239 ACRE TRACT, A DISTANCE OF 898.56 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 20 (VARIABLE RIGHT-OF-WAY) FOR THE SOUTH CORNER OF SAID 288.239 ACRE TRACT AND THE EAST CORNER OF SAID TRACT 9;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 20 THE FOLLOWING COURSES AND DISTANCES:

SOUTH 63 DEGREES 04 MINUTES 03 SECONDS WEST, A DISTANCE OF 631.14 FEET TO A POINT FOR CORNER;

SOUTH 75 DEGREES 45 MINUTES 02 SECONDS WEST, A DISTANCE OF 1122.84 FEET TO A POINT FOR CORNER;

SOUTH 77 DEGREES 15 MINUTES 22 SECONDS WEST, A DISTANCE OF 2160.34 FEET TO A POINT FOR CORNER;

SOUTH 87 DEGREES 10 MINUTES 56 SECONDS WEST, A DISTANCE OF 406.08 FEET TO A POINT FOR CORNER;

SOUTH 77 DEGREES 15 MINUTES 22 SECONDS WEST, A DISTANCE OF 1593.39 FEET TO A POINT FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID TRACT 1;

THENCE NORTH 44 DEGREES 55 MINUTES 22 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID TRACT 1, A DISTANCE OF 1236.59 FEET TO THE WEST CORNER THEREOF AND THE SOUTH CORNER OF A CALLED 226.262 ACRE TRACT OF LAND DESCRIBED IN A DEED TO STEPHEN EDWARD CUMMINGS AND WIFE TAMARA CANNON CUMMINGS RECORDED IN VOLUME 1105, PAGE 405 OF SAID DEED RECORDS;

THENCE NORTH 44 DEGREES 40 MINUTES 05 SECONDS EAST, ALONG THE MOST SOUTHERLY NORTHWEST LINE OF SAID TRACT 1 AND THE SOUTHEAST LINE OF SAID CUMMINGS TRACT, A DISTANCE OF 2494.90 FEET TO A POINT IN THE APPROXIMATE CENTER OF BIG BRUSHY CREEK;

THENCE ALONG THE APPROXIMATE CENTER OF BIG BRUSHY CREEK THE FOLLOWING COURSES AND DISTANCES:

NORTH 06 DEGREES 12 MINUTES 18 SECONDS WEST, A DISTANCE OF 345.93 FEET;

NORTH 09 DEGREES 55 MINUTES 23 SECONDS WEST, A DISTANCE OF 554.42 FEET;

NORTH 08 DEGREES 46 MINUTES 10 SECONDS WEST, A DISTANCE OF 381.09 FEET;

NORTH 05 DEGREES 35 MINUTES 18 SECONDS EAST, A DISTANCE OF 162.78 FEET;

NORTH 22 DEGREES 31 MINUTES 18 SECONDS WEST, A DISTANCE OF 166.93 FEET;

NORTH 09 DEGREES 47 MINUTES 43 SECONDS WEST, A DISTANCE OF 320.94 FEET;

NORTH 05 DEGREES 05 MINUTES 10 SECONDS WEST, A DISTANCE OF 140.62 FEET;

NORTH 23 DEGREES 45 MINUTES 30 SECONDS EAST, A DISTANCE OF 76.71 FEET;

NORTH 11 DEGREES 46 MINUTES 42 SECONDS WEST, A DISTANCE OF 70.46 FEET;

NORTH 03 DEGREES 51 MINUTES 18 SECONDS WEST, A DISTANCE OF 166.62 FEET;

NORTH 13 DEGREES 06 MINUTES 48 SECONDS WEST, A DISTANCE OF 273.76 FEET;

NORTH 12 DEGREES 55 MINUTES 02 SECONDS EAST, A DISTANCE OF 79.03 FEET;



NORTH 05 DEGREES 00 MINUTES 55 SECONDS WEST, A DISTANCE OF 192.13 FEET;  
NORTH 07 DEGREES 15 MINUTES 15 SECONDS EAST, A DISTANCE OF 69.36 FEET;  
NORTH 05 DEGREES 47 MINUTES 42 SECONDS WEST, A DISTANCE OF 88.93 FEET;  
NORTH 19 DEGREES 00 MINUTES 10 SECONDS EAST, A DISTANCE OF 143.40 FEET;  
NORTH 07 DEGREES 53 MINUTES 29 SECONDS EAST, A DISTANCE OF 76.28 FEET;  
NORTH 18 DEGREES 45 MINUTES 36 SECONDS EAST, A DISTANCE OF 63.08 FEET;  
NORTH 09 DEGREES 31 MINUTES 32 SECONDS EAST, A DISTANCE OF 132.11 FEET;  
NORTH 02 DEGREES 16 MINUTES 10 SECONDS WEST, A DISTANCE OF 71.67 FEET;  
NORTH 14 DEGREES 29 MINUTES 56 SECONDS WEST, A DISTANCE OF 124.10 FEET;  
NORTH 31 DEGREES 34 MINUTES 04 SECONDS WEST, A DISTANCE OF 80.42 FEET;  
NORTH 20 DEGREES 56 MINUTES 55 SECONDS WEST, A DISTANCE OF 85.21 FEET;  
NORTH 02 DEGREES 03 MINUTES 48 SECONDS EAST, A DISTANCE OF 66.26 FEET;  
NORTH 04 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 107.71 FEET;  
NORTH 25 DEGREES 55 MINUTES 20 SECONDS WEST, A DISTANCE OF 126.58 FEET;  
NORTH 33 DEGREES 42 MINUTES 49 SECONDS WEST, A DISTANCE OF 66.57 FEET;  
NORTH 48 DEGREES 30 MINUTES 57 SECONDS WEST, A DISTANCE OF 45.41 FEET;  
NORTH 75 DEGREES 33 MINUTES 32 SECONDS WEST, A DISTANCE OF 35.14 FEET TO THE WEST  
CORNER OF SAID TRACT 4 AND THE NORTH CORNER OF SAID CUMMINGS TRACT, SAID POINT BEING  
IN THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2;

THENCE SOUTH 45 DEGREES 08 MINUTES 13 SECONDS WEST, ALONG THE NORTHWESTERLY BOUNDARY OF  
SAID CUMMINGS TRACT AND THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2, A DISTANCE OF 636.24  
FEET TO A POINT FOR CORNER;

THENCE SOUTH 25 DEGREES 51 MINUTES 12 SECONDS WEST, CONTINUING ALONG THE NORTHWESTERLY  
BOUNDARY OF SAID CUMMINGS TRACT AND THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2, A  
DISTANCE OF 1632.88 FEET TO A POINT FOR CORNER;

THENCE SOUTH 44 DEGREES 51 MINUTES 12 SECONDS WEST, CONTINUING ALONG THE NORTHWESTERLY  
BOUNDARY OF SAID CUMMINGS TRACT AND THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2, A  
DISTANCE OF 864.04 FEET TO THE EAST CORNER OF A CALLED 10.0 ACRE TRACT OF LAND DESCRIBED IN A  
DEED TO FLOYD DARDEN AND JOHN DARDEN RECORDED IN VOLUME 1033, PAGE 384 OF SAID DEED  
RECORDS;

THENCE NORTH 00 DEGREES 51 MINUTES 17 SECONDS WEST, A DISTANCE OF 10481.50 FEET TO A POINT IN  
THE SOUTH LINE OF THE UNION PACIFIC RAILWAY (100' RIGHT-OF-WAY) AND IN THE NORTH LINE OF SAID  
TRACT 2;

THENCE SOUTH 88 DEGREES 06 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACT 2 AND  
THE SOUTH LINE OF THE RAILWAY, A DISTANCE OF 7,277.69 FEET TO A POINT FOR CORNER;

THENCE SOUTH 02 DEGREES 52 MINUTES 47 SECONDS WEST, A DISTANCE OF 98.14 FEET TO A POINT FOR THE  
NORTHEAST CORNER OF SAID TRACT 8;

THENCE SOUTH 10 DEGREES 52 MINUTES 20 SECONDS WEST, ALONG THE MOST NORTHERLY EAST LINE OF SAID TRACT 8, A DISTANCE OF 191.83 FEET TO A POINT FOR CORNER;

THENCE SOUTH 78 DEGREES 58 MINUTES 12 SECONDS EAST, A DISTANCE OF 18.76 FEET TO A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 (UNDEDICATED PUBLIC ROAD) AND THE WEST LINE OF SAID TRACT 6A;

THENCE NORTH 09 DEGREES 34 MINUTES 14 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF COUNTY ROAD 238 AND THE WEST LINE OF SAID TRACT 6A, A DISTANCE OF 194.23 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID TRACT 6A;

THENCE SOUTH 88 DEGREES 13 MINUTES 07 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACT 6A, A DISTANCE OF 439.54 FEET TO A POINT FOR THE NORTHEAST CORNER OF SAID TRACT 6A AND THE NORTHWEST CORNER OF A 40.186 ACRE TRACT OF LAND DESCRIBED IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2489, PAGE 481 OF SAID DEED RECORDS;

THENCE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SPUR 557 AS FOLLOWS:

SOUTH 62 DEGREES 14 MINUTES 39 SECONDS EAST, A DISTANCE OF 239.63 FEET TO A POINT FOR CORNER;

SOUTH 56 DEGREES 59 MINUTES 45 SECONDS EAST, A DISTANCE OF 398.38 FEET TO A POINT FOR CORNER;

SOUTH 61 DEGREES 40 MINUTES 02 SECONDS EAST, A DISTANCE OF 801.48 FEET TO A POINT FOR CORNER;

SOUTH 58 DEGREES 29 MINUTES 39 SECONDS EAST, A DISTANCE OF 1701.26 FEET TO A POINT FOR CORNER;

SOUTH 60 DEGREES 45 MINUTES 58 SECONDS EAST, A DISTANCE OF 399.56 FEET TO A POINT FOR CORNER;

SOUTH 58 DEGREES 10 MINUTES 40 SECONDS EAST, A DISTANCE OF 197.28 FEET TO A POINT FOR CORNER;

SOUTH 58 DEGREES 08 MINUTES 34 SECONDS EAST, A DISTANCE OF 1002.54 FEET TO A POINT FOR CORNER;

SOUTH 54 DEGREES 48 MINUTES 28 SECONDS EAST, A DISTANCE OF 901.01 FEET TO A POINT AT A CUT-BACK CORNER FOR COUNTY ROAD 305;

SOUTH 00 DEGREES 24 MINUTES 39 SECONDS EAST, ALONG SAID CUT-BACK, A DISTANCE OF 306.16 FEET TO A POINT FOR CORNER;

SOUTH 48 DEGREES 51 MINUTES 21 SECONDS EAST, A DISTANCE OF 139.01 FEET TO A POINT FOR CORNER;

NORTH 68 DEGREES 37 MINUTES 22 SECONDS EAST, ALONG A CUT-BACK LINE FOR COUNTY ROAD 305, A DISTANCE OF 369.51 FEET TO A POINT FOR CORNER;

SOUTH 62 DEGREES 55 MINUTES 42 SECONDS EAST, A DISTANCE OF 908.33 FEET TO A POINT FOR CORNER;

SOUTH 62 DEGREES 41 MINUTES 47 SECONDS EAST, A DISTANCE OF 1218.13 FEET TO A POINT FOR CORNER;

SOUTH 62 DEGREES 58 MINUTES 31 SECONDS EAST, A DISTANCE OF 65.33 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,152.439 ACRES OF LAND, SAVE AND EXCEPT THE FOLLOWING TWO (2) TRACTS OF LAND:

**SAVE AND EXCEPT TRACT 1**

BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373, IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 10.000 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT A. KAUS AND WIFE MARTHA LEE KAUS RECORDED IN VOLUME 1050, PAGE 120 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND ALL OF A CALLED 30.000 ACRE TRACT DESCRIBED IN A DEED TO ROBERT A. KAUS AND WIFE MARTHA LEE KAUS RECORDED IN VOLUME 1050, PAGE 124 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 (UNDEDICATED PUBLIC ROAD) FOR THE NORTH CORNER OF SAID 30.000 TRACT AND THE WEST CORNER OF A CALLED 46.324 ACRE TRACT OF LAND DESCRIBED AS TRACT 6B IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF SAID DEED RECORDS;

THENCE SOUTH 45 DEGREES 11 MINUTES 54 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 30.000 ACRE TRACT AND THE SOUTHWEST LINE OF SAID TRACT 6B, A DISTANCE OF 3,261.17 FEET TO A POINT FOR THE EAST CORNER OF SAID 30.000 ACRE TRACT AND THE SOUTH CORNER OF SAID TRACT 6B, SAID POINT ALSO BEING LOCATED IN THE NORTHWEST LINE OF A CALLED 242.39 ACRE TRACT OF LAND DESCRIBED AS TRACT 10;

THENCE SOUTH 44 DEGREES 50 MINUTES 02 SECONDS WEST, ALONG THE SOUTHEAST LINES OF SAID 30.000 ACRE TRACT AND SAID 10.000 ACRE TRACT, AND THE NORTHWEST LINE OF SAID TRACT 10, A DISTANCE OF 534.82 FEET TO A POINT FOR THE SOUTH CORNER OF SAID 10.000 ACRE TRACT AND THE EAST CORNER OF A CALLED 55.84 ACRE TRACT DESCRIBED AS TRACT 11 IN SAID AP DUPONT DEED;

THENCE NORTH 45 DEGREES 11 MINUTES 25 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID 10.00 ACRE TRACT AND THE NORTHEAST LINE OF SAID TRACT 11, A DISTANCE OF 3262.61 FEET TO A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 FOR THE WEST CORNER OF SAID 10.000 ACRE TRACT AND THE NORTH CORNER OF SAID TRACT 11;

THENCE NORTH 44 DEGREES 59 MINUTES 17 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF COUNTY ROAD 238 AND THE NORTHWEST LINES OF SAID 10.000 ACRE TRACT AND SAID 30.000 ACRE TRACT; A DISTANCE OF 534.37 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.032 ACRES OF LAND, MORE OF LESS.

#### **SAVE AND EXCEPT TRACT 2**

BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373, IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 20.000 ACRE TRACT OF LAND DESCRIBED IN A DEED TO JAMES EDGAR CRAWFORD, SR., AND WIFE EARLENA FAYE CRAWFORD RECORDED IN VOLUME 1056, PAGE 531 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND ALL OF A CALLED 20.000 ACRE TRACT DESCRIBED IN A DEED TO THE TEXAS VETERANS LAND BOARD RECORDED IN VOLUME 1070, PAGE 352 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 (UNDEDICATED PUBLIC ROAD) FOR THE NORTH CORNER OF SAID TEXAS VETERANS LAND BOARD TRACT AND THE WEST CORNER OF A CALLED 55.84 ACRE TRACT OF LAND DESCRIBED AS TRACT 11 IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF SAID DEED RECORDS;

THENCE SOUTH 45 DEGREES 13 MINUTES 34 SECONDS EAST, ALONG THE COMMON LINE BETWEEN SAID LAND BOARD TRACT AND SAID TRACT 11, A DISTANCE OF 1291.85 FEET TO A POINT FOR THE MOST NORTHERLY EAST CORNER OF SAID LAND BOARD TRACT AND A RE-ENTRANT CORNER IN SAID TRACT 11;

THENCE SOUTH 00 DEGREES 11 MINUTES 46 SECONDS EAST, ALONG THE MOST SOUTHERLY WEST LINE OF SAID TRACT 11 AND THE EAST LINES OF SAID LAND BOARD TRACT AND SAID CRAWFORD TRACT, A DISTANCE OF 1381.15 FEET TO A POINT FOR THE SOUTH CORNER OF SAID CRAWFORD TRACT AND THE MOST NORTHERLY EAST CORNER OF A CALLED 418.609 ACRE TRACT OF LAND DESCRIBED AS TRACT 6D IN SAID AP DUPONT DEED;

THENCE NORTH 45 DEGREES 16 MINUTES 57 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID CRAWFORD TRACT AND THE NORTHEAST LINE OF SAID TRACT 6D, A DISTANCE OF 2274.35 FEET TO A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 FOR THE WEST CORNER OF SAID CRAWFORD TRACT AND THE NORTH CORNER OF SAID TRACT 6D;

THENCE NORTH 45 DEGREES 08 MINUTES 53 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF COUNTY ROAD 238 AND THE NORTHWEST LINE OF SAID TRACT 6D, A DISTANCE OF 979.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.057 ACRES OF LAND, MORE OR LESS, LEAVING A TOTAL AREA OF 3072.350 ACRES, MORE OR LESS.

**TRACT 2**

BEING A TRACT OF LAND SITUATED IN THE WILLIAM SIMPSON SURVEY, ABSTRACT NO. 453, IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 362.357 ACRE TRACT OF LAND DESCRIBED AS TRACT 3 IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, SAID LAND CONTAINING A PORTION OF A CALLED 76 ACRE TRACT OF LAND DESCRIBED AS TRACT 4 IN A DEED TO MAHER PROPERTIES ONE RECORDED IN VOLUME 694, PAGE 167 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF F. M. 148 (80' RIGHT-OF-WAY) FOR THE EAST CORNER OF SAID TRACT 3;

THENCE SOUTH 45 DEGREES 32 MINUTES 14 SECONDS WEST, ALONG THE CENTER OF F. M. 148 AND THE SOUTHEAST LINE OF SAID TRACT 3, PASSING A POINT FOR THE BEGINNING OF A CURVE TO THE LEFT AT 2741.39 FEET, 38.24 FEET RIGHT, A TOTAL DISTANCE OF 3002.67 FEET TO A POINT FOR THE EASTERLY SOUTHEAST CORNER OF SAID TRACT 3;

THENCE SOUTH 83 DEGREES 54 MINUTES 51 SECONDS WEST, ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 3 AND THE NORTHERLY BOUNDARY OF A CALLED 155 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO JERRY R. SIMS AND WIFE MARGIE SIMS RECORDED IN VOLUME 1124, PAGE 103 OF SAID DEED RECORDS, A DISTANCE OF 1129.08 FEET TO A POINT FOR CORNER;

THENCE NORTH 79 DEGREES 01 MINUTE 39 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 3 AND THE NORTHERLY BOUNDARY OF SAID 155 ACRE TRACT, A DISTANCE OF 929.89 FEET TO A POINT FOR CORNER;

THENCE NORTH 79 DEGREES 03 MINUTES 39 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID TRACT 3 AND THE NORTHERLY LINE OF SAID 155 ACRE TRACT, DISTANCE OF 360.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 77 DEGREES 41 MINUTES 39 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID TRACT 3 AND THE NORTHERLY LINE OF SAID 155 ACRE TRACT, A DISTANCE OF 205.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 85 DEGREES 30 MINUTES 59 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID TRACT 3 AND THE NORTHERLY LINE OF SAID 155 ACRE TRACT, A DISTANCE OF 289.63 FEET TO A POINT IN THE APPROXIMATE CENTER OF BIG BRUSHY CREEK;

THENCE ALONG THE APPROXIMATE CENTER OF BIG BRUSHY CREEK THE FOLLOWING COURSES AND DISTANCES:

NORTH 23 DEGREES 14 MINUTES 25 SECONDS WEST, A DISTANCE OF 54.89 FEET;

NORTH 04 DEGREES 05 MINUTES 31 SECONDS WEST, A DISTANCE OF 216.07 FEET;

SOUTH 51 DEGREES 10 MINUTES 14 SECONDS EAST, A DISTANCE OF 171.26 FEET;

NORTH 41 DEGREES 26 MINUTES 55 SECONDS EAST, A DISTANCE OF 167.67 FEET;

NORTH 76 DEGREES 53 MINUTES 55 SECONDS EAST, A DISTANCE OF 118.88 FEET;

NORTH 25 DEGREES 24 MINUTES 54 SECONDS EAST, A DISTANCE OF 196.89 FEET;

NORTH 49 DEGREES 32 MINUTES 49 SECONDS WEST, A DISTANCE OF 195.65 FEET;

NORTH 18 DEGREES 50 MINUTES 34 SECONDS WEST, A DISTANCE OF 237.39 FEET;

NORTH 23 DEGREES 34 MINUTES 39 SECONDS EAST, A DISTANCE OF 165.47 FEET;

NORTH 03 DEGREES 20 MINUTES 51 SECONDS EAST, A DISTANCE OF 101.63 FEET;

NORTH 40 DEGREES 18 MINUTES 31 SECONDS WEST, A DISTANCE OF 172.48 FEET;

NORTH 17 DEGREES 35 MINUTES 08 SECONDS WEST, A DISTANCE OF 97.88 FEET;

NORTH 08 DEGREES 29 MINUTES 33 SECONDS EAST, A DISTANCE OF 76.51 FEET;

NORTH 13 DEGREES 52 MINUTES 15 SECONDS WEST, A DISTANCE OF 69.50 FEET;

NORTH 21 DEGREES 42 MINUTES 00 SECONDS EAST, A DISTANCE OF 69.26 FEET;

NORTH 21 DEGREES 26 MINUTES 22 SECONDS WEST, A DISTANCE OF 146.39 FEET;

NORTH 00 DEGREES 08 MINUTES 09 SECONDS WEST, A DISTANCE OF 158.73 FEET;

NORTH 09 DEGREES 54 MINUTES 29 SECONDS WEST, A DISTANCE OF 77.56 FEET TO A POINT IN THE WESTERLY BOUNDARY OF SAID TRACT 3, SAID POINT ALSO BEING LOCATED IN THE NORTHWEST LINE OF SAID MAHER TRACT AND THE SOUTHEAST LINE OF A CALLED 100 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO KENNETH L. CLEAVER AND WIFE CYNTHIA L. CLEAVER RECORDED IN VOLUME 1173, PAGE 351 OF SAID DEED RECORDS;

THENCE NORTH 45 DEGREES 27 MINUTES 16 SECONDS EAST, ALONG THE NORTHWEST LINE OF MAHER TRACT AND THE SOUTHEAST LINE OF SAID CLEAVER TRACT, A DISTANCE OF 54.41 FEET TO A POINT FOR CORNER;

THENCE NORTH 44 DEGREES 51 MINUTES 27 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID TRACT 3 AND THE NORTHEAST LINE OF SAID CLEAVER 100 ACRE TRACT AND THE NORTHEAST LINE OF THE REMAINDER OF A CALLED 117.93 ACRE TRACT DESCRIBED AS TRACT 2 IN SAID CLEAVER DEED, A DISTANCE OF 1535.89 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF I. H. 20 (VARIABLE RIGHT-OF-WAY) FOR THE WEST CORNER OF SAID TRACT 3;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF I. H. 20 THE FOLLOWING COURSES AND DISTANCES:

NORTH 77 DEGREES 15 MINUTES 22 SECONDS EAST, A DISTANCE OF 1291.15 FEET TO A POINT FOR CORNER;

NORTH 68 DEGREES 43 MINUTES 31 SECONDS EAST, A DISTANCE OF 404.48 FEET TO A POINT FOR CORNER;

NORTH 77 DEGREES 15 MINUTES 22 SECONDS EAST, A DISTANCE OF 2377.18 FEET TO A POINT FOR THE NORTH CORNER OF SAID TRACT 3;

THENCE SOUTH 44 DEGREES 39 MINUTES 40 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID TRACT 3 AND THE SOUTHWEST LINE OF A CALLED 26.796 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MILOWE JUNGJOHANN AND WIFE JANICE JUNGJOHANN RECORDED IN VOLUME 764, PAGE 444 AND THE SOUTHWEST LINE OF A CALLED 23.017 ACRE TRACT DESCRIBED IN A DEED TO MILOWE EUGENE JUNGJOHANN RECORDED IN VOLUME 729, PAGE 680, A DISTANCE OF 2908.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 362.394 ACRES OF LAND, MORE OR LESS, 2.780 ACRES OF WHICH ARE WITHIN THE RIGHT-OF-WAY OF F. M. 148, LEAVING AN AREA OF 359.614 ACRES OF LAND, MORE OR LESS.

**NOTE:**

**THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.**

**EXHIBIT "C"**

**LAS LOMAS MUNICIPAL UTILITY DISTRICT No. 4C  
OF KAUFMAN COUNTY  
DESCRIPTION**

**BEING A TRACT OF LAND SITUATED IN THE R. MEAD SURVEY, ABSTRACT NO. 316, J. W. WARD SURVEY ABSTRACT NO. 596, AND THE W.M. SIMPSON SURVEY, ABSTRACT NO. 453, KAUFMAN COUNTY, TEXAS, AND BEING A PART OF THE CERTAIN 442.406 ACRES TRACT OF LAND AS CONVEYED FROM MICHAEL H. MCDOWELL ET AL TO THE MCDOWELL CLAN LIMITED COMPANY, RECORDED IN VOLUME 1648, PAGE 39, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND A PART OF THAT CALLED SECOND TRACT OF 147.4 ACRES, DESCRIBED IN A DEED FROM THOS. R. BOND TO THOMAS H. CROFTS, RECORDED IN VOLUME 413, PAGE 314, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;**

**COMMENCING AT THE NORTHEAST CORNER OF A 15.332 ACRE TRACT CONVEYED TO JAMES E. BATES, AS RECORDED IN VOLUME 1172, PAGE 812, SAID ROD BEING A POINT ON THE SOUTHEAST LINE OF THE (NEW) INTERSTATE HIGHWAY 20 (VARIABLE WIDTH RIGHT-OF-WAY);**

**THENCE ALONG THE SOUTHEAST LINE OF THE (NEW) INTERSTATE HIGHWAY 20, THE FOLLOWING COURSES:**

**NORTH 61 DEGREES 26 MINUTES 00 SECONDS EAST, 499.31 FEET TO A CORNER;**

**NORTH 56 DEGREES 10 MINUTES 06 SECONDS EAST, 614.11 FEET TO A CORNER;**

**NORTH 52 DEGREES 28 MINUTES 55 SECONDS EAST, 550.82 FEET TO A CORNER;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 1800.00 FEET TO A CORNER;**

**NORTH 58 DEGREES 43 MINUTES 35 SECONDS EAST, 550.82 FEET TO A CORNER;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 333.17 FEET TO THE POINT OF BEGINNING;**

**THENCE NORTHEASTERLY, CONTINUING ALONG THE SOUTHEAST LINE OF SAID (NEW) INTERSTATE HIGHWAY 20, THE FOLLOWING COURSES;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 466.83 FEET TO A CORNER;**

**NORTH 53 DEGREES 58 MINUTES 03 SECONDS EAST, 1050.43 FEET TO A CORNER;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 754.45 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;**

**THENCE NORTHEASTERLY, ALONG A TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD THAT BEARS NORTH 57 DEGREES 26 MINUTES 55 SECONDS EAST FOR 355.95 FEET, A CENTRAL ANGLE OF 03 DEGREES 41 MINUTES 20 SECONDS AND A RADIUS OF 5529.58 FEET, FOR AN ARC DISTANCE OF 356.01 FEET TO THE MOST NORTHERLY WEST CORNER OF A TRACT OF LAND AS DESCRIBED IN A DEED TO HARRY WAYNE EVERETT, RECORDED IN VOLUME 1148, PAGE 696;**

**THENCE ALONG THE SOUTHWESTERLY LINE OF SAID EVERETT TRACT, THE FOLLOWING COURSES;**

SOUTH 44 DEGREES 02 MINUTES 15 SECONDS EAST, 1082.82 FEET TO A CORNER;

SOUTH 43 DEGREES 59 MINUTES 37 SECONDS EAST, 434.78 FEET TO A CORNER;

SOUTH 44 DEGREES 44 MINUTES 00 SECONDS WEST, 287.56 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

SOUTHWESTERLY ALONG THE TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD BEARING SOUTH 59 DEGREES 26 MINUTES 46 SECONDS WEST, FOR 245.41 FEET, A CENTRAL ANGLE OF 29 DEGREES 34 MINUTES 04 SECOND AND A RADIUS OF 480.87 FEET, FOR AN ARC DISTANCE OF 248.15 FEET TO THE END OF SAID CURVE;

SOUTH 17 DEGREES 58 MINUTES 30 SECONDS EAST, 138.44 FEET TO A CORNER;

SOUTH 43 DEGREES 29 MINUTES 26 SECONDS WEST, 460.56 FEET TO AN ELL CORNER;

SOUTH 42 DEGREES 27 MINUTES 26 SECONDS EAST, 3519.51 FEET TO THE SOUTH CORNER OF SAID EVERETT TRACT, SAID CORNER ALSO BEING THE WEST CORNER OF AN 80.000 ACRE TRACT OF LAND CALLED HUNEYCUTT FAMILY TRUST;

THENCE SOUTH 44 DEGREES 28 MINUTES 50 SECONDS EAST, 1359.43 FEET TO A CORNER;

THENCE SOUTH 44 DEGREES 00 MINUTES 52 SECONDS EAST, 308.37 FEET TO AN ELL CORNER;

THENCE SOUTH 46 DEGREES 09 MINUTES 05 SECONDS WEST, 128.94 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE NORTHWESTERLY, ALONG THE NON-TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD THAT BEARS NORTH 65 DEGREES 53 MINUTES 02 SECONDS WEST FOR 3456.34 FEET, A CENTRAL ANGLE OF 38 DEGREES 12 MINUTES 38 SECONDS AND A RADIUS OF 5280.00 FEET, FOR AN ARC DISTANCE OF 3521.23 FEET TO THE END OF SAID CURVE;

THENCE NORTH 46 DEGREES 46 MINUTES 43 SECONDS WEST, 1780.63 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;

THENCE NORTHWESTERLY, ALONG THE TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD THAT BEARS NORTH 42 DEGREES 24 MINUTES 39 SECONDS WEST FOR 804.26 FEET, A CENTRAL ANGLE OF 08 DEGREES 44 MINUTES 09 SECONDS AND A RADIUS OF 5280.00 FEET, FOR AN ARC DISTANCE OF 805.04 FEET TO THE END OF SAID CURVE;

THENCE NORTH 44 DEGREES 06 MINUTES 01 SECOND WEST, 249.64 FEET TO A CORNER;

THENCE NORTH 37 DEGREES 55 MINUTES 56 SECONDS WEST, 400.16 FEET TO A CORNER;

THENCE NORTH 45 DEGREES 47 MINUTES 07 SECONDS WEST, 780.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 10,873,600 SQUARE FEET OR 249.623 ACRE OF LAND, MORE OR LESS.

**NOTE:**

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Kaufman County  
Laura Hughes  
County Clerk

Instrument Number: 2018-0030585

Billable Pages: 25  
Number of Pages: 26

FILED AND RECORDED - REAL RECORDS	CLERKS COMMENTS
On: 12/13/2018 at 10:02 AM	E-RECORDING
Document Number: <u>2018-0030585</u>	
Receipt No: <u>18-27031</u>	
Amount: \$ <u>122.00</u>	
Vol/Pg: <u>V:5883 P:166</u>	



STATE OF TEXAS  
COUNTY OF KAUFMAN

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

*Laura A. Hughes*

Laura Hughes, County Clerk

Recorded By: Maribel Vazquez, Deputy

**ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED  
REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER  
FEDERAL LAW.**

**Record and Return To:**

COATS ROSE YALE RYMANN LEE LAW  
9 GREENWAY PLAZA STE 1000  
HOUSTON, TX 77046



CERTIFICATE FOR ORDER

THE STATE OF TEXAS §  
COUNTY OF KAUFMAN §  
LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY §

We, the undersigned officers of the Board of Directors (the "Board") of Las Lomas Municipal Utility District No. 4 of Kaufman County (the "District"), hereby certify as follows:

1. The Board convened in special session, open to the public, on the 14th day of November, 2018, at a designated meeting place outside the boundaries of the District, and the roll was called of the members of the Board, to-wit:

Matthew McDonald	President
Donald Allard	Vice President
Terry Durbin	Secretary
Mike Higgins	Assistant Secretary
Machelle Davenport	Assistant Secretary

All members of the Board were present except: Director Davenport, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

ORDER CANVASSING RETURNS FOR ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of said Order, prevailed and carried by the following vote:

AYES: All present

NOES: None

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by V.T.C.A. Government Code, Chapter 551.

SIGNED AND SEALED this 14th day of November, 2018.

  
Secretary, Board of Directors

(DISTRICT SEAL)

  
President, Board of Directors



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**ORDER CANVASSING ELECTION RETURNS FOR DIVISION ELECTION**

**THE STATE OF TEXAS** §

**COUNTY OF KAUFMAN** §

**LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY** §

WHEREAS, Las Lomas Municipal Utility District No. 4 of Kaufman County (the "Original District") was heretofore duly created pursuant to Senate Bill No. 1894, 79th Texas Legislature, Regular Session (the "Act"), codified as Chapter 8138, Texas Special District Local Laws Code, effective June 18, 2005, as a conservation and reclamation district created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, of the Texas Constitution and operating pursuant to Chapters 49 and 54 of the Texas Water Code; and

WHEREAS, at an election held on September 10, 2005, the voters of the Original District confirmed the creation of the Original District and elected five permanent directors; and

WHEREAS, the Original District has no outstanding bounded debt and is not imposing ad valorem taxes; and

WHEREAS, on August 20, 2018, the Board of Directors of the Original District properly ordered an election to be held in the District on November 6, 2018, to divide the Original District into Las Lomas Municipal Utility District No. 4A of Kaufman County, Las Lomas Municipal Utility District No. 4B of Kaufman County, and Las Lomas Municipal Utility District No. 4C of Kaufman County (the "Election"); and

WHEREAS, the following proposition was submitted in accordance with the law:

**PROPOSITION**

SHALL LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY BE DIVIDED INTO THREE DISTRICTS TO BE KNOWN AS LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY CONSISTING OF THE TERRITORY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" OF THE ORDER CALLING ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY ADOPTED BY THE BOARD OF DIRECTORS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY ON AUGUST 20, 2018; LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY CONSISTING OF THE TERRITORY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "B" OF THE ORDER CALLING ELECTION TO

**DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY ADOPTED BY THE BOARD OF DIRECTORS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY ON AUGUST 20, 2018; AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY CONSISTING OF THE TERRITORY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "C" OF THE ORDER CALLING ELECTION TO DIVIDE LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY; EACH OF WHICH RESULTING DISTRICTS SHALL SUCCEED TO THE POWERS, RIGHTS, AUTHORITY, PRIVILEGES AND FUNCTIONS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY?**

**WHEREAS, notice of the Election was duly posted as required by law at the District's administrative office and at the location where notices of District meetings are posted and in accordance with the Texas Election Code; and**

**WHEREAS, the Board of Directors has investigated all matters pertaining to the election, including the ordering, giving notice, officers, holding, and making returns of the election; and**

**WHEREAS, the election officers who held the election have duly made the returns of the result thereof, and the returns have been duly delivered to this Board of Directors.**

**THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY THAT:**

**Section 1. The Board of Directors officially finds and determines that the Election was duly ordered, that proper notice of the election was duly given, that proper election officers were duly appointed prior to the election, that the election was duly held, that the District has complied with the Federal Voting Rights Act and the Texas Election Code, that due returns of the result of the election have been made and delivered, and that the Board of Directors has duly canvassed the returns, all in accordance with law and the Order Calling Election To Divide Las Lomas Municipal Utility District No. 4 of Kaufman County Into Las Lomas Municipal Utility District No. 4A of Kaufman County, Las Lomas Municipal Utility District No. 4B of Kaufman County, and Las Lomas Municipal Utility District No. 4C of Kaufman County.**

**Section 2. The Board of Directors officially finds and determines that the following votes were cast at the Election to Divide Las Lomas Municipal Utility District No. 4 of Kaufman County Into Las Lomas Municipal Utility District No. 4A of Kaufman County, Las Lomas Municipal Utility District No. 4B of Kaufman County, and Las Lomas Municipal Utility District No. 4C of Kaufman County:**

**PROPOSITION**

**3 FOR**

**THE DIVISION OF LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4 OF KAUFMAN COUNTY INTO LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4A OF KAUFMAN COUNTY, LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4B OF KAUFMAN COUNTY AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4C OF KAUFMAN COUNTY.**

**2 AGAINST**

**Section 3. The Board of Directors officially finds, determines and declares the results of the Election To Divide Las Lomas Municipal Utility District No. 4 of Kaufman County Into Las Lomas Municipal Utility District No. 4A of Kaufman County, Las Lomas Municipal Utility District No. 4B of Kaufman County, and Las Lomas Municipal Utility District No. 4C of Kaufman County to be that the proposition so submitted has received a favorable majority vote and that that the District has been divided. A description of the boundaries for Las Lomas Municipal Utility District No. 4A of Kaufman County is attached hereto as Exhibit "A," a description of the boundaries of Las Lomas Municipal Utility District No. 4B is attached hereto as Exhibit "B," and a description of the boundaries of Las Lomas Municipal Utility District No. 4C is attached hereto as Exhibit "C."**

**Section 4. The President or Vice President is authorized to execute and the Secretary or any Assistant Secretary is authorized to attest this Order on behalf of the Board of Directors.**

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PASSED, ADOPTED, ORDERED and APPROVED this 14th day of November, 2018.

LAS LOMAS MUNICIPAL UTILITY DISTRICT  
NO. 4 OF KAUFMAN COUNTY



President, Board of Directors

ATTEST:

  
Secretary, Board of Directors

(DISTRICT SEAL)

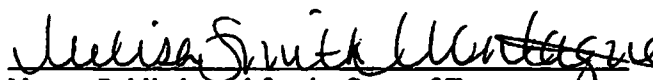
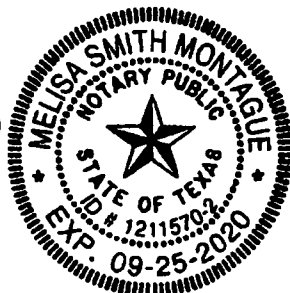


THE STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on 14th day of November, 2018, by Matthew McDonald, President, and Terry Durbin, Secretary, of the Board of Directors of Las Lomas Municipal Utility District No. 4 of Kaufman County, on behalf of the District.

(NOTARY SEAL)

  
Notary Public in and for the State of Texas

**EXHIBIT "A"**

**LAS LOMAS MUNICIPAL UTILITY DISTRICT No. 4A  
OF KAUFMAN COUNTY  
DESCRIPTION**

**TRACT 1**

**BEING A TRACT OF LAND SITUATED IN THE BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373 IN KAUFMAN COUNTY, TEXAS, AND BEING PART OF A CALLED 1012.488 ACRE TRACT OF LAND DESCRIBED IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE NORTHERN MOST NORTHWEST CORNER OF SAID AP DUPONT TRACT;**

**THENCE SOUTH 88 DEGREES 06 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID AP DUPONT TRACT, A DISTANCE OF 781.53 FEET TO A POINT;**

**THENCE SOUTH 00 DEGREES 51 MINUTES 17 SECONDS EAST, DEPARTING SAID NORTH LINE AND OVER AND ACROSS SAID AP DUPONT TRACT, A DISTANCE OF 1,336.61 FEET TO A POINT ON THE FORNEY ONE MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE FOR THE POINT OF BEGINNING;**

**THENCE SOUTH 00 DEGREES 51 MINUTES 17 SECONDS EAST, A DISTANCE OF 8,245.69 FEET, TO A POINT ON THE TALTY ONE-HALF MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE;**

**THENCE, ALONG THE TALTY ETJ LINE THE FOLLOWING COURSES AND DISTANCES:**

**NORTHWESTERLY, ALONG A NON-TANGENT CURVE TO THE LEFT WHICH HAS A CHORD THAT BEARS NORTH 54 DEGREES 08 MINUTES 40 SECONDS WEST FOR 1,157.06 FEET, A CENTRAL ANGLE OF 25 DEGREES 19 MINUTES 01 SECOND AND A RADIUS OF 2,640.00 FEET FOR AN ARC DISTANCE OF 1,166.53 FEET TO THE END OF SAID CURVE;**

**NORTH 44 DEGREES 48 MINUTES 35 SECONDS WEST, A DISTANCE OF 1,272.29 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT;**

**NORTHWESTERLY, ALONG THE TANGENT CURVE TO THE LEFT WHICH HAS A CHORD THAT BEARS NORTH 62 DEGREES 23 MINUTES 35 SECONDS WEST FOR 1,595.03 FEET, A CENTRAL ANGLE OF 35 DEGREES 09 MINUTES 58 SECONDS AND A RADIUS OF 2,640.00 FEET, FOR AN ARC DISTANCE OF**



1,620.34 FEET TO A POINT ON THE SOUTHEAST LINE OF EMERALD RANCH ESTATES, AN ADDITION TO KAUFMAN COUNTY ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2, SLIDE 464 OF THE MAP RECORDS OF KAUFMAN COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 17 MINUTES 02 SECONDS EAST, ALONG SAID SOUTHEAST LINE, A DISTANCE OF 799.31 FEET, TO THE EAST CORNER OF SAID EMERALD RANCH ESTATES;

THENCE NORTH 44 DEGREES 18 MINUTES 26 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID EMERALD RANCH ESTATES, A DISTANCE OF 111.69 FEET, TO A POINT ON THE FORNEY ONE MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE;

THENCE ALONG THE FORNEY ETJ LINE THE FOLLOWING COURSES AND DISTANCES:

NORTH 41 DEGREES 19 MINUTES 32 SECONDS EAST, A DISTANCE OF 564.67 FEET, TO A POINT FOR CORNER;

NORTH 36 DEGREES 23 MINUTES 56 SECONDS EAST, A DISTANCE OF 1,500.08 FEET, TO A POINT FOR CORNER;

NORTH 26 DEGREES 19 MINUTES 28 SECONDS EAST, A DISTANCE OF 2,088.36 FEET, TO A POINT FOR CORNER;

NORTH 14 DEGREES 03 MINUTES 45 SECONDS EAST, A DISTANCE OF 1,834.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 10,622,684 SQUARE FEET, OR 243.863 ACRES OF LAND, MORE OF LESS.

## **TRACT 2**

BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373 IN KAUFMAN COUNTY, TEXAS, AND BEING PART OF A CALLED 3658.883 ACRE TRACT OF LAND DESCRIBED IN A DEED TO SPEZIA INVESMENTS, LLLP RECORDED IN VOLUME 2908, PAGE 247 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN MOST NORTHWEST CORNER OF SAID SPEZIA INVESMENTS TRACT;

THENCE SOUTH 88 DEGREES 06 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID SPEZIA INVESTMENTS TRACT, A DISTANCE OF 781.53 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 51 MINUTES 17 SECONDS EAST, DEPARTING SAID NORTH LINE AND OVER AND ACROSS SAID SPEZIA INVESMENTS TRACT, A DISTANCE OF 1,336.61 FEET TO A POINT ON THE FORNEY ONE MILE EXTRA-TERRITORIAL JURISDICTION (ETJ) LINE;

THENCE ALONG THE FORNEY ETJ LINE THE FOLLOWING COURSES AND DISTANCES:

SOUTH 14 DEGREES 03 MINUTES 45 SECONDS WEST, A DISTANCE OF 1,834.66 FEET TO A POINT FOR CORNER;

SOUTH 26 DEGREES 19 MINUTES 28 SECONDS WEST, A DISTANCE OF 2,088.36 FEET, TO A POINT FOR CORNER;

SOUTH 36 DEGREES 23 MINUTES 56 SECONDS WEST, A DISTANCE OF 1,500.08 FEET, TO A POINT FOR CORNER;

SOUTH 41 DEGREES 19 MINUTES 32 SECONDS WEST, A DISTANCE OF 564.67 FEET, TO A POINT ON THE NORTHEAST LINE OF EMERALD RANCH ESTATES, AN ADDITION TO KAUFMAN COUNTY ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET 2, SLIDE 464 OF THE MAP RECORDS OF KAUFMAN COUNTY, TEXAS;

THENCE NORTH 44 DEGREES 18 MINUTES 26 SECONDS WEST, ALONG THE NORTHEAST BOUNDARY OF SAID EMERALD RANCH ESTATES TRACT AND THE NORTHWEST BOUNDARY OF SAID SPEZIA INVESMENTS TRACT, A DISTANCE OF 1,471.36 FEET FOR THE NORTH CORNER OF SAID EMERALD RANCH AND THE SOUTH CORNER OF A CALLED 108.73 ACRE TRACT DESCRIBED IN A DEED TO COUNTRYSIDE HELMS TRAIL, L.P., RECORDED IN VOLUME 1838, PAGE 286 OF SAID DEED RECORDS;

THENCE NORTH 45 DEGREES 06 MINUTES 03 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID 108.73 ACRE TRACT AND A CALLED 18.425 ACRE TRACT OF LAND DESCRIBED IN A DEED TO KAUFMAN LAND PARTNERS, LTD., RECORDED IN VOLUME 1973, PAGE 579 OF SAID DEED RECORDS, A DISTANCE OF 2,874.06 FEET FOR THE EAST CORNER OF SAID 18.425 ACRE TRACT;

THENCE NORTH 44 DEGREES 45 MINUTES 10 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID 18.425 ACRE TRACT AND THE MOST WESTERLY NORTHWEST LINE OF SAID SPEZIA INVESMENTS TRACT, A DISTANCE OF 1954.78 FEET TO THE APPROXIMATE CENTER OF HELMS TRAIL (UNDEDICATED PUBLIC ROAD) FOR THE NORTH CORNER OF SAID 18.425 ACRE TRACT;

THENCE NORTH 45 DEGREES 20 MINUTES 58 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF HELMS TRAIL, A DISTANCE OF 3095.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 245.136 ACRES OF LAND, MORE OF LESS.

**TRACT 3**

BEING A 123.853 ACRE TRACT OF LAND SITUATED IN THE JOHN HEATH SURVEY, ABSTRACT NUMBER 227, IN KAUFMAN COUNTY, TEXAS AND BEING ALL OF A 10.599 ACRE TRACT OF LAND DESCRIBED BY DEED TO OLEN DAVIS RECORDED IN VOLUME 1566, PAGE 114 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS (DRKCT) AND BEING ALL OF 113.474 ACRE TRACT OF LAND DESCRIBED BY DEED TO OLEN T. DAVIS & ASSOCIATES, INC. RECORDED IN VOLUME 1068, PAGE 469 (DRKCT) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD SET FOR THE NORTHEAST CORNER OF SAID 10.599 ACRE TRACT OF LAND AND BEING LOCATED IN THE CENTER OF A ROCK TOP ROAD KNOWN AS COUNTY ROAD NO. 211 (HELMS TRAIL) WHICH IS FENCED APPROXIMATELY 45' IN WIDTH, SAID POINT ALSO BEING LOCATED IN THE SOUTH LINE OF THE TEXAS & PACIFIC RAILWAY RIGHT-OF-WAY (100' WIDE);

THENCE ALONG THE CENTER OF SAID COUNTY ROAD 211 (HELMS TRAIL) AND THE SOUTHEASTERLY LINE OF SAID 113.474 ACRE TRACT OF LAND AS FOLLOWS:

SOUTH 42°04'26" WEST A PASSING DISTANCE OF 140.57 TO THE NORTHEAST CORNER OF SAID 113.474 ACRE TRACT OF LAND, IN ALL A TOTAL DISTANCE OF 499.10 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

SOUTH 41°28'25" WEST A DISTANCE OF 732.40 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

SOUTH 41°14'24" WEST A DISTANCE OF 840.20 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

SOUTH 40°52'03" WEST A DISTANCE OF 1,138.96 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHERLY CORNER OF SAID 113.474 ACRE TRACT OF LAND;

THENCE DEPARTING THE CENTER OF SAID COUNTY ROAD 211 (HELMS TRAIL) AND FOLLOWING THE SOUTHWESTERLY LINE OF SAID 113.474 ACRE TRACT OF LAND, NORTH 48°37'23" WEST A PASSING DISTANCE OF 27.33 FEET TO A 5/8 INCH IRON PIPE FOUND AT THE BASE OF A FENCE POST, IN ALL A TOTAL DISTANCE OF 3,373.09 TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 10.599 ACRE TRACT OF LAND AND BEING LOCATED IN THE SOUTH LINE OF SAID TEXAS & PACIFIC RAILWAY RIGHT-OF-WAY;

THENCE ALONG THE SOUTH LINE OF SAID TEXAS & PACIFIC RAILWAY RIGHT-OF-WAY, NORTH 87°45'00" EAST A DISTANCE OF 4,653.28 FEET TO THE POINT OF

**BEGINNING; CONTAINING WITHIN THESE METES AND BOUNDS 123.853 ACRES OR 5,395,049 SQUARE FEET OF LAND MORE OR LESS ALL ACCORDING TO THAT SURVEY PREPARED BY A.J. BEDFORD GROUP, INC., DATED MARCH 15, 2005 AND SIGNED BY AUSTIN J. BEDFORD, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4132; TO WHICH REFERENCE FOR ALL PURPOSES IS HEREBY MADE.**

**EXHIBIT "B"**

**LAS LOMAS MUNICIPAL UTILITY DISTRICT No. 4B  
OF KAUFMAN COUNTY  
DESCRIPTION**

**TRACT 1**

BEING A TRACT OF LAND SITUATED IN THE J. R. LEATH SURVEY, ABSTRACT NO. 305, THE W. C. MOODY SURVEY, ABSTRACT NO. 321, THE RICHARD MEAD SURVEY, ABSTRACT NO. 326, THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373, THE WILLIAM SIMPSON SURVEY, ABSTRACT NO. 453, THE J. W. WARD SURVEY, ABSTRACT NO. 596, AND THE T. A. WALDROP SURVEY, ABSTRACT NO. 597 IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 1012.488 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, PART OF A CALLED 1406.504 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN SAID DEED, ALL OF A CALLED 57.77 ACRE TRACT OF LAND DESCRIBED AS TRACT 5 IN SAID DEED, ALL OF A CALLED 38.410 ACRE TRACT OF LAND DESCRIBED AS TRACT 6A IN SAID DEED, ALL OF A CALLED 46.324 ACRE TRACT OF LAND DESCRIBED AS TRACT 6B IN SAID DEED, ALL OF A CALLED 146.491 ACRE TRACT OF LAND DESCRIBED A TRACT 6C IN SAID DEED, ALL OF A CALLED 418.350 ACRE TRACT OF LAND DESCRIBED AS TRACT 6D IN SAID DEED, ALL OF A CALLED 210.082 ACRE TRACT OF LAND DESCRIBED AS TRACT 7 IN SAID DEED, ALL OF A CALLED 3.09 ACRE TRACT OF LAND DESCRIBED AS TRACT 8 IN SAID DEED, ALL OF A CALLED 20.575 ACRE TRACT OF LAND DESCRIBED AS TRACT 9 IN SAID DEED, ALL OF A CALLED 242.39 ACRE TRACT OF LAND DESCRIBED AS TRACT 10 IN SAID DEED, AND ALL OF A CALLED 55.848 ACRE TRACT OF LAND DESCRIBED AS TRACT 11 IN SAID DEED, ALL OF A CALLED 40.186 ACRE TRACT OF LAND DESCRIBED IN A DEED AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2489, PAGE 481 OF SAID DEED RECORDS, ALL OF A CALLED 20.000 ACRE TRACT DESCRIBED IN A DEED TO THE TEXAS VETERANS LAND BOARD RECORDED IN VOLUME 1070, PAGE 332 AND IN A CONTRACT OF SALE BETWEEN THE TEXAS VETERANS LAND BOARD AND MELVIN EARL DUKE RECORDED IN VOLUME 1070, PAGE 336 OF SAID DEED RECORDS, AND ALL OF A CALLED 20.000 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT A. BROOKS AND BARBARA M. BROOKS RECORDED IN VOLUME 1277, PAGE 618 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWEST RIGHT-OF-WAY LINE OF SPUR 557 (VARIABLE RIGHT-OF-WAY) FOR THE MOST EASTERLY CORNER OF SAID 1012.488 ACRE TRACT (TRACT 1) AND THE NORTHWEST CORNER OF A CALLED 131.36 ACRE TRACT OF LAND DESCRIBED AS TRACT V IN A DEED TO 148/I-20 TERRELL PARTNERSHIP, LTD., RECORDED IN VOLUME 1939, PAGE 341 OF SAID DEED RECORDS;

THENCE SOUTH 45 DEGREES 16 MINUTES 35 SECONDS WEST, ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 1 AND THE NORTHWEST LINES OF SAID TRACT V AND A CALLED 120.00 ACRE TRACT OF LAND DESCRIBED AS TRACT IV IN SAID DEED TO 148/I-20 TERRELL PARTNERSHIP, LTD., A DISTANCE OF 2141.57 FEET TO A POINT FOR THE MOST WESTERLY CORNER OF SAID TRACT IV;

THENCE SOUTH 45 DEGREES 02 MINUTES 34 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID TRACT IV, A DISTANCE OF 99.72 FEET TO A POINT FOR A RE-ENTRANT CORNER IN SAID TRACT 1 AND THE NORTH CORNER OF A CALLED 80.083 ACRE TRACT OF LAND DESCRIBED IN A DEED TO C. L. HAMILTON, JR., RECORDED IN VOLUME 528, PAGE 759 OF SAID DEED RECORDS;

THENCE SOUTH 45 DEGREES 05 MINUTES 40 SECONDS WEST, CONTINUING ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 1 AND ALONG THE NORTHWEST LINE OF SAID HAMILTON TRACT, A DISTANCE OF 1795.83 FEET TO A POINT IN THE NORTHEAST LINE OF A CALLED 288.239 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO AP TERRELL LIMITED PARTNERSHIP RECORDED IN VOLUME 2324, PAGE 267 OF SAID DEED RECORDS FOR THE WEST CORNER OF SAID HAMILTON TRACT AND A RE-ENTRANT CORNER OF SAID TRACT 1;

THENCE NORTH 44 DEGREES 23 MINUTES 07 SECONDS WEST, CONTINUING ALONG THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 1 AND THE NORTHEAST LINE OF SAID 288.239 ACRE TRACT, A DISTANCE OF 99.93 FEET TO A POINT FOR THE MOST NORTHERLY CORNER OF SAID 288.239 ACRE TRACT;

THENCE SOUTH 45 DEGREES 29 MINUTES 35 SECONDS WEST, ALONG THE COMMON LINE BETWEEN SAID TRACT 1 AND SAID 288.239 ACRE TRACT, A DISTANCE OF 6060.97 FEET TO A POINT FOR AN ANGLE POINT;

THENCE SOUTH 45 DEGREES 28 MINUTES 26 SECONDS WEST, CONTINUING ALONG SAID COMMON LINE, A DISTANCE OF 1601.11 FEET TO A POINT FOR THE WEST CORNER OF SAID 288.239 ACRE TRACT AND THE NORTH CORNER OF SAID TRACT 9;

THENCE SOUTH 44 DEGREES 25 MINUTES 44 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID TRACT 9 AND THE SOUTHWEST LINE OF SAID 288.239 ACRE TRACT, A DISTANCE OF 898.56 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 20 (VARIABLE RIGHT-OF-WAY) FOR THE SOUTH CORNER OF SAID 288.239 ACRE TRACT AND THE EAST CORNER OF SAID TRACT 9;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 20 THE FOLLOWING COURSES AND DISTANCES:

**SOUTH 63 DEGREES 04 MINUTES 03 SECONDS WEST, A DISTANCE OF 631.14 FEET TO A POINT FOR CORNER;**

**SOUTH 75 DEGREES 45 MINUTES 02 SECONDS WEST, A DISTANCE OF 1122.84 FEET TO A POINT FOR CORNER;**

**SOUTH 77 DEGREES 15 MINUTES 22 SECONDS WEST, A DISTANCE OF 2160.34 FEET TO A POINT FOR CORNER;**

**SOUTH 87 DEGREES 10 MINUTES 56 SECONDS WEST, A DISTANCE OF 406.08 FEET TO A POINT FOR CORNER;**

**SOUTH 77 DEGREES 15 MINUTES 22 SECONDS WEST, A DISTANCE OF 1593.39 FEET TO A POINT FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID TRACT 1;**

**THENCE NORTH 44 DEGREES 55 MINUTES 22 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID TRACT 1, A DISTANCE OF 1236.59 FEET TO THE WEST CORNER THEREOF AND THE SOUTH CORNER OF A CALLED 226.262 ACRE TRACT OF LAND DESCRIBED IN A DEED TO STEPHEN EDWARD CUMMINGS AND WIFE TAMARA CANNON CUMMINGS RECORDED IN VOLUME 1105, PAGE 405 OF SAID DEED RECORDS;**

**THENCE NORTH 44 DEGREES 40 MINUTES 05 SECONDS EAST, ALONG THE MOST SOUTHERLY NORTHWEST LINE OF SAID TRACT 1 AND THE SOUTHEAST LINE OF SAID CUMMINGS TRACT, A DISTANCE OF 2494.90 FEET TO A POINT IN THE APPROXIMATE CENTER OF BIG BRUSHY CREEK;**

**THENCE ALONG THE APPROXIMATE CENTER OF BIG BRUSHY CREEK THE FOLLOWING COURSES AND DISTANCES;**

**NORTH 06 DEGREES 12 MINUTES 18 SECONDS WEST, A DISTANCE OF 345.93 FEET;**

**NORTH 09 DEGREES 55 MINUTES 23 SECONDS WEST, A DISTANCE OF 554.42 FEET;**

**NORTH 08 DEGREES 46 MINUTES 10 SECONDS WEST, A DISTANCE OF 381.09 FEET;**

**NORTH 05 DEGREES 35 MINUTES 18 SECONDS EAST, A DISTANCE OF 162.78 FEET;**

**NORTH 22 DEGREES 31 MINUTES 18 SECONDS WEST, A DISTANCE OF 166.93 FEET;**

**NORTH 09 DEGREES 47 MINUTES 43 SECONDS WEST, A DISTANCE OF 320.94 FEET;**

**NORTH 05 DEGREES 05 MINUTES 10 SECONDS WEST, A DISTANCE OF 140.62 FEET;**

**NORTH 23 DEGREES 45 MINUTES 30 SECONDS EAST, A DISTANCE OF 76.71 FEET;**

**NORTH 11 DEGREES 46 MINUTES 42 SECONDS WEST, A DISTANCE OF 70.46 FEET;**

**NORTH 03 DEGREES 51 MINUTES 18 SECONDS WEST, A DISTANCE OF 166.62 FEET;**

**NORTH 13 DEGREES 06 MINUTES 48 SECONDS WEST, A DISTANCE OF 273.76 FEET;**

**NORTH 12 DEGREES 55 MINUTES 02 SECONDS EAST, A DISTANCE OF 79.03 FEET;**

**NORTH 05 DEGREES 00 MINUTES 55 SECONDS WEST, A DISTANCE OF 192.13 FEET;**

**NORTH 07 DEGREES 15 MINUTES 15 SECONDS EAST, A DISTANCE OF 69.36 FEET;**

**NORTH 05 DEGREES 47 MINUTES 42 SECONDS WEST, A DISTANCE OF 88.93 FEET;**

**NORTH 19 DEGREES 00 MINUTES 10 SECONDS EAST, A DISTANCE OF 143.40 FEET;**

**NORTH 07 DEGREES 53 MINUTES 29 SECONDS EAST, A DISTANCE OF 76.28 FEET;**

**NORTH 18 DEGREES 45 MINUTES 36 SECONDS EAST, A DISTANCE OF 63.08 FEET;**

**NORTH 09 DEGREES 31 MINUTES 32 SECONDS EAST, A DISTANCE OF 132.11 FEET;**

**NORTH 02 DEGREES 16 MINUTES 10 SECONDS WEST, A DISTANCE OF 71.67 FEET;**



**NORTH 14 DEGREES 29 MINUTES 56 SECONDS WEST, A DISTANCE OF 124.10 FEET;**

**NORTH 31 DEGREES 34 MINUTES 04 SECONDS WEST, A DISTANCE OF 80.42 FEET;**

**NORTH 20 DEGREES 56 MINUTES 55 SECONDS WEST, A DISTANCE OF 85.21 FEET;**

**NORTH 02 DEGREES 03 MINUTES 48 SECONDS EAST, A DISTANCE OF 66.26 FEET;**

**NORTH 04 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 107.71 FEET;**

**NORTH 25 DEGREES 55 MINUTES 20 SECONDS WEST, A DISTANCE OF 126.58 FEET;**

**NORTH 33 DEGREES 42 MINUTES 49 SECONDS WEST, A DISTANCE OF 66.57 FEET;**

**NORTH 48 DEGREES 30 MINUTES 57 SECONDS WEST, A DISTANCE OF 45.41 FEET;**

**NORTH 75 DEGREES 33 MINUTES 32 SECONDS WEST, A DISTANCE OF 35.14 FEET TO THE WEST CORNER OF SAID TRACT 4 AND THE NORTH CORNER OF SAID CUMMINGS TRACT, SAID POINT BEING IN THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2;**

**THENCE SOUTH 45 DEGREES 08 MINUTES 13 SECONDS WEST, ALONG THE NORTHWESTERLY BOUNDARY OF SAID CUMMINGS TRACT AND THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2, A DISTANCE OF 636.24 FEET TO A POINT FOR CORNER;**

**THENCE SOUTH 25 DEGREES 51 MINUTES 12 SECONDS WEST, CONTINUING ALONG THE NORTHWESTERLY BOUNDARY OF SAID CUMMINGS TRACT AND THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2, A DISTANCE OF 1632.88 FEET TO A POINT FOR CORNER;**

**THENCE SOUTH 44 DEGREES 51 MINUTES 12 SECONDS WEST, CONTINUING ALONG THE NORTHWESTERLY BOUNDARY OF SAID CUMMINGS TRACT AND THE SOUTHEASTERLY BOUNDARY OF SAID TRACT 2, A DISTANCE OF 864.04 FEET TO THE EAST CORNER OF A CALLED 10.0 ACRE TRACT OF LAND DESCRIBED IN A DEED TO FLOYD DARDEN AND JOHN DARDEN RECORDED IN VOLUME 1033, PAGE 384 OF SAID DEED RECORDS;**

**THENCE NORTH 00 DEGREES 51 MINUTES 17 SECONDS WEST, A DISTANCE OF 10481.50 FEET TO A POINT IN THE SOUTH LINE OF THE UNION PACIFIC RAILWAY (100' RIGHT-OF-WAY) AND IN THE NORTH LINE OF SAID TRACT 2;**

**THENCE SOUTH 88 DEGREES 06 MINUTES 52 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACT 2 AND THE SOUTH LINE OF THE RAILWAY, A DISTANCE OF 7,277.69 FEET TO A POINT FOR CORNER;**

**THENCE SOUTH 02 DEGREES 52 MINUTES 47 SECONDS WEST, A DISTANCE OF 98.14 FEET TO A POINT FOR THE NORTHEAST CORNER OF SAID TRACT 8;**

**THENCE SOUTH 10 DEGREES 52 MINUTES 20 SECONDS WEST, ALONG THE MOST NORTHERLY EAST LINE OF SAID TRACT 8, A DISTANCE OF 191.83 FEET TO A POINT FOR CORNER;**

**THENCE SOUTH 78 DEGREES 58 MINUTES 12 SECONDS EAST, A DISTANCE OF 18.76 FEET TO A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 (UNDEDICATED PUBLIC ROAD) AND THE WEST LINE OF SAID TRACT 6A;**

**THENCE NORTH 09 DEGREES 34 MINUTES 14 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF COUNTY ROAD 238 AND THE WEST LINE OF SAID TRACT 6A, A DISTANCE OF 194.23 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID TRACT 6A;**

**THENCE SOUTH 88 DEGREES 13 MINUTES 07 SECONDS EAST, ALONG THE NORTH LINE OF SAID TRACT 6A, A DISTANCE OF 439.54 FEET TO A POINT FOR THE NORTHEAST CORNER OF SAID TRACT 6A AND THE NORTHWEST CORNER OF A 40.186 ACRE TRACT OF LAND DESCRIBED IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2489, PAGE 481 OF SAID DEED RECORDS;**

**THENCE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF SPUR 557 AS FOLLOWS:**

**SOUTH 62 DEGREES 14 MINUTES 39 SECONDS EAST, A DISTANCE OF 239.63 FEET TO A POINT FOR CORNER;**

**SOUTH 56 DEGREES 59 MINUTES 45 SECONDS EAST, A DISTANCE OF 398.38 FEET TO A POINT FOR CORNER;**

**SOUTH 61 DEGREES 40 MINUTES 02 SECONDS EAST, A DISTANCE OF 801.48 FEET TO A POINT FOR CORNER;**

**SOUTH 58 DEGREES 29 MINUTES 39 SECONDS EAST, A DISTANCE OF 1701.26 FEET TO A POINT FOR CORNER;**

**SOUTH 60 DEGREES 45 MINUTES 58 SECONDS EAST, A DISTANCE OF 399.56 FEET TO A POINT FOR CORNER;**

**SOUTH 58 DEGREES 10 MINUTES 40 SECONDS EAST, A DISTANCE OF 197.28 FEET TO A POINT FOR CORNER;**

**SOUTH 58 DEGREES 08 MINUTES 34 SECONDS EAST, A DISTANCE OF 1002.54 FEET TO A POINT FOR CORNER;**

**SOUTH 54 DEGREES 48 MINUTES 28 SECONDS EAST, A DISTANCE OF 901.01 FEET TO A POINT AT A CUT-BACK CORNER FOR COUNTY ROAD 305;**

**SOUTH 00 DEGREES 24 MINUTES 39 SECONDS EAST, ALONG SAID CUT-BACK, A DISTANCE OF 306.16 FEET TO A POINT FOR CORNER;**

**SOUTH 48 DEGREES 51 MINUTES 21 SECONDS EAST, A DISTANCE OF 139.01 FEET TO A POINT FOR CORNER;**

**NORTH 68 DEGREES 37 MINUTES 22 SECONDS EAST, ALONG A CUT-BACK LINE FOR COUNTY ROAD 305, A DISTANCE OF 369.51 FEET TO A POINT FOR CORNER;**

**SOUTH 62 DEGREES 55 MINUTES 42 SECONDS EAST, A DISTANCE OF 908.33 FEET TO A POINT FOR CORNER;**

**SOUTH 62 DEGREES 41 MINUTES 47 SECONDS EAST, A DISTANCE OF 1218.13 FEET TO A POINT FOR CORNER;**

**SOUTH 62 DEGREES 58 MINUTES 31 SECONDS EAST, A DISTANCE OF 65.33 FEET TO THE POINT OF BEGINNING AND CONTAINING 3,152.439 ACRES OF LAND, SAVE AND EXCEPT THE FOLLOWING TWO (2) TRACTS OF LAND:**

**SAVE AND EXCEPT TRACT 1**

**BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373, IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 10.000 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT A. KAUS AND WIFE MARTHA LEE KAUS RECORDED IN VOLUME 1050, PAGE 120 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND ALL OF A CALLED 30.000 ACRE TRACT DESCRIBED IN A DEED TO ROBERT A. KAUS AND WIFE MARTHA LEE KAUS RECORDED IN VOLUME 1050, PAGE 124 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 (UNDEDICATED PUBLIC ROAD) FOR THE NORTH CORNER OF SAID 30.000 TRACT AND THE WEST CORNER OF A CALLED 46.324 ACRE TRACT OF LAND DESCRIBED**

**AS TRACT 6B IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF SAID DEED RECORDS;**

**THENCE SOUTH 45 DEGREES 11 MINUTES 54 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 30.000 ACRE TRACT AND THE SOUTHWEST LINE OF SAID TRACT 6B, A DISTANCE OF 3,261.17 FEET TO A POINT FOR THE EAST CORNER OF SAID 30.000 ACRE TRACT AND THE SOUTH CORNER OF SAID TRACT 6B, SAID POINT ALSO BEING LOCATED IN THE NORTHWEST LINE OF A CALLED 242.39 ACRE TRACT OF LAND DESCRIBED AS TRACT 10;**

**THENCE SOUTH 44 DEGREES 50 MINUTES 02 SECONDS WEST, ALONG THE SOUTHEAST LINES OF SAID 30.000 ACRE TRACT AND SAID 10.000 ACRE TRACT, AND THE NORTHWEST LINE OF SAID TRACT 10, A DISTANCE OF 534.82 FEET TO A POINT FOR THE SOUTH CORNER OF SAID 10.000 ACRE TRACT AND THE EAST CORNER OF A CALLED 55.84 ACRE TRACT DESCRIBED AS TRACT 11 IN SAID AP DUPONT DEED;**

**THENCE NORTH 45 DEGREES 11 MINUTES 25 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID 10.00 ACRE TRACT AND THE NORTHEAST LINE OF SAID TRACT 11, A DISTANCE OF 3262.61 FEET TO A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 FOR THE WEST CORNER OF SAID 10.000 ACRE TRACT AND THE NORTH CORNER OF SAID TRACT 11;**

**THENCE NORTH 44 DEGREES 59 MINUTES 17 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF COUNTY ROAD 238 AND THE NORTHWEST LINES OF SAID 10.000 ACRE TRACT AND SAID 30.000 ACRE TRACT; A DISTANCE OF 534.37 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.032 ACRES OF LAND, MORE OF LESS.**

**SAVE AND EXCEPT TRACT 2**

**BEING A TRACT OF LAND SITUATED IN THE LEWIS PEARCE SURVEY, ABSTRACT NO. 373, IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 20.000 ACRE TRACT OF LAND DESCRIBED IN A DEED TO JAMES EDGAR CRAWFORD, SR., AND WIFE EARLENA FAYE CRAWFORD RECORDED IN VOLUME 1056, PAGE 531 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND ALL OF A CALLED 20.000 ACRE TRACT DESCRIBED IN A DEED TO THE TEXAS VETERANS LAND BOARD RECORDED IN VOLUME 1070, PAGE 352 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 (UNDEDICATED PUBLIC ROAD) FOR THE NORTH CORNER OF SAID TEXAS VETERANS LAND BOARD TRACT AND THE WEST CORNER OF A CALLED 55.84 ACRE TRACT OF LAND DESCRIBED AS TRACT 11 IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF SAID DEED RECORDS;**

THENCE SOUTH 45 DEGREES 13 MINUTES 34 SECONDS EAST, ALONG THE COMMON LINE BETWEEN SAID LAND BOARD TRACT AND SAID TRACT 11, A DISTANCE OF 1291.85 FEET TO A POINT FOR THE MOST NORTHERLY EAST CORNER OF SAID LAND BOARD TRACT AND A RE-ENTRANT CORNER IN SAID TRACT 11;

THENCE SOUTH 00 DEGREES 11 MINUTES 46 SECONDS EAST, ALONG THE MOST SOUTHERLY WEST LINE OF SAID TRACT 11 AND THE EAST LINES OF SAID LAND BOARD TRACT AND SAID CRAWFORD TRACT, A DISTANCE OF 1381.15 FEET TO A POINT FOR THE SOUTH CORNER OF SAID CRAWFORD TRACT AND THE MOST NORTHERLY EAST CORNER OF A CALLED 418.609 ACRE TRACT OF LAND DESCRIBED AS TRACT 6D IN SAID AP DUPONT DEED;

THENCE NORTH 45 DEGREES 16 MINUTES 57 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID CRAWFORD TRACT AND THE NORTHEAST LINE OF SAID TRACT 6D, A DISTANCE OF 2274.35 FEET TO A POINT IN THE APPROXIMATE CENTER OF COUNTY ROAD 238 FOR THE WEST CORNER OF SAID CRAWFORD TRACT AND THE NORTH CORNER OF SAID TRACT 6D;

THENCE NORTH 45 DEGREES 08 MINUTES 53 SECONDS EAST, ALONG THE APPROXIMATE CENTER OF COUNTY ROAD 238 AND THE NORTHWEST LINE OF SAID TRACT 6D, A DISTANCE OF 979.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.057 ACRES OF LAND, MORE OF LESS, LEAVING A TOTAL AREA OF 3072.350 ACRES, MORE OR LESS.

## **TRACT 2**

BEING A TRACT OF LAND SITUATED IN THE WILLIAM SIMPSON SURVEY, ABSTRACT NO. 453, IN KAUFMAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 362.357 ACRE TRACT OF LAND DESCRIBED AS TRACT 3 IN A DEED TO AP DUPONT LIMITED PARTNERSHIP RECORDED IN VOLUME 2502, PAGE 77 OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, SAID LAND CONTAINING A PORTION OF A CALLED 76 ACRE TRACT OF LAND DESCRIBED AS TRACT 4 IN A DEED TO MAHER PROPERTIES ONE RECORDED IN VOLUME 694, PAGE 167 OF SAID DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF F. M. 148 (80' RIGHT-OF-WAY) FOR THE EAST CORNER OF SAID TRACT 3;

THENCE SOUTH 45 DEGREES 32 MINUTES 14 SECONDS WEST, ALONG THE CENTER OF F. M. 148 AND THE SOUTHEAST LINE OF SAID TRACT 3, PASSING A POINT FOR THE BEGINNING OF A CURVE TO THE LEFT AT 2741.39 FEET, 38.24 FEET RIGHT, A TOTAL DISTANCE OF 3002.67 FEET TO A POINT FOR THE EASTERLY SOUTHEAST CORNER OF SAID TRACT 3;

THENCE SOUTH 83 DEGREES 54 MINUTES 51 SECONDS WEST, ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 3 AND THE NORTHERLY BOUNDARY OF A CALLED 155 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO JERRY R. SIMS AND WIFE MARGIE SIMS RECORDED IN VOLUME 1124, PAGE 103 OF SAID DEED RECORDS, A DISTANCE OF 1129.08 FEET TO A POINT FOR CORNER;

THENCE NORTH 79 DEGREES 01 MINUTE 39 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY BOUNDARY OF SAID TRACT 3 AND THE NORTHERLY BOUNDARY OF SAID 155 ACRE TRACT, A DISTANCE OF 929.89 FEET TO A POINT FOR CORNER;

THENCE NORTH 79 DEGREES 03 MINUTES 39 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID TRACT 3 AND THE NORTHERLY LINE OF SAID 155 ACRE TRACT, DISTANCE OF 360.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 77 DEGREES 41 MINUTES 39 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID TRACT 3 AND THE NORTHERLY LINE OF SAID 155 ACRE TRACT, A DISTANCE OF 205.00 FEET TO A POINT FOR CORNER;

THENCE NORTH 85 DEGREES 30 MINUTES 59 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID TRACT 3 AND THE NORTHERLY LINE OF SAID 155 ACRE TRACT, A DISTANCE OF 289.63 FEET TO A POINT IN THE APPROXIMATE CENTER OF BIG BRUSHY CREEK;

THENCE ALONG THE APPROXIMATE CENTER OF BIG BRUSHY CREEK THE FOLLOWING COURSES AND DISTANCES:

NORTH 23 DEGREES 14 MINUTES 25 SECONDS WEST, A DISTANCE OF 54.89 FEET;

NORTH 04 DEGREES 05 MINUTES 31 SECONDS WEST, A DISTANCE OF 216.07 FEET;

SOUTH 51 DEGREES 10 MINUTES 14 SECONDS EAST, A DISTANCE OF 171.26 FEET;

NORTH 41 DEGREES 26 MINUTES 55 SECONDS EAST, A DISTANCE OF 167.67 FEET;

NORTH 76 DEGREES 53 MINUTES 55 SECONDS EAST, A DISTANCE OF 118.88 FEET;

NORTH 25 DEGREES 24 MINUTES 54 SECONDS EAST, A DISTANCE OF 196.89 FEET;

**NORTH 49 DEGREES 32 MINUTES 49 SECONDS WEST, A DISTANCE OF 195.65 FEET;**

**NORTH 18 DEGREES 50 MINUTES 34 SECONDS WEST, A DISTANCE OF 237.39 FEET;**

**NORTH 23 DEGREES 34 MINUTES 39 SECONDS EAST, A DISTANCE OF 165.47 FEET;**

**NORTH 03 DEGREES 20 MINUTES 51 SECONDS EAST, A DISTANCE OF 101.63 FEET;**

**NORTH 40 DEGREES 18 MINUTES 31 SECONDS WEST, A DISTANCE OF 172.48 FEET;**

**NORTH 17 DEGREES 35 MINUTES 08 SECONDS WEST, A DISTANCE OF 97.88 FEET;**

**NORTH 08 DEGREES 29 MINUTES 33 SECONDS EAST, A DISTANCE OF 76.51 FEET;**

**NORTH 13 DEGREES 52 MINUTES 15 SECONDS WEST, A DISTANCE OF 69.50 FEET;**

**NORTH 21 DEGREES 42 MINUTES 00 SECONDS EAST, A DISTANCE OF 69.26 FEET;**

**NORTH 21 DEGREES 26 MINUTES 22 SECONDS WEST, A DISTANCE OF 146.39 FEET;**

**NORTH 00 DEGREES 08 MINUTES 09 SECONDS WEST, A DISTANCE OF 158.73 FEET;**

**NORTH 09 DEGREES 54 MINUTES 29 SECONDS WEST, A DISTANCE OF 77.56 FEET TO A POINT IN THE WESTERLY BOUNDARY OF SAID TRACT 3, SAID POINT ALSO BEING LOCATED IN THE NORTHWEST LINE OF SAID MAHER TRACT AND THE SOUTHEAST LINE OF A CALLED 100 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 IN A DEED TO KENNETH L. CLEAVER AND WIFE CYNTHIA L. CLEAVER RECORDED IN VOLUME 1173, PAGE 351 OF SAID DEED RECORDS;**

**THENCE NORTH 45 DEGREES 27 MINUTES 16 SECONDS EAST, ALONG THE NORTHWEST LINE OF MAHER TRACT AND THE SOUTHEAST LINE OF SAID CLEAVER TRACT, A DISTANCE OF 54.41 FEET TO A POINT FOR CORNER;**

THENCE NORTH 44 DEGREES 51 MINUTES 27 SECONDS WEST, ALONG THE SOUTHWEST LINE OF SAID TRACT 3 AND THE NORTHEAST LINE OF SAID CLEAVER 100 ACRE TRACT AND THE NORTHEAST LINE OF THE REMAINDER OF A CALLED 117.93 ACRE TRACT DESCRIBED AS TRACT 2 IN SAID CLEAVER DEED, A DISTANCE OF 1535.89 FEET TO A POINT IN THE SOUTHERLY RIGHT-OF-WAY LINE OF I. H. 20 (VARIABLE RIGHT-OF-WAY) FOR THE WEST CORNER OF SAID TRACT 3;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF I. H. 20 THE FOLLOWING COURSES AND DISTANCES:

NORTH 77 DEGREES 15 MINUTES 22 SECONDS EAST, A DISTANCE OF 1291.15 FEET TO A POINT FOR CORNER;

NORTH 68 DEGREES 43 MINUTES 31 SECONDS EAST, A DISTANCE OF 404.48 FEET TO A POINT FOR CORNER;

NORTH 77 DEGREES 15 MINUTES 22 SECONDS EAST, A DISTANCE OF 2377.18 FEET TO A POINT FOR THE NORTH CORNER OF SAID TRACT 3;

THENCE SOUTH 44 DEGREES 39 MINUTES 40 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID TRACT 3 AND THE SOUTHWEST LINE OF A CALLED 26.796 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MILOWE JUNGJOHANN AND WIFE JANICE JUNGJOHANN RECORDED IN VOLUME 764, PAGE 444 AND THE SOUTHWEST LINE OF A CALLED 23.017 ACRE TRACT DESCRIBED IN A DEED TO MILOWE EUGENE JUNGJOHANN RECORDED IN VOLUME 729, PAGE 680, A DISTANCE OF 2908.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 362.394 ACRES OF LAND, MORE OR LESS, 2.780 ACRES OF WHICH ARE WITHIN THE RIGHT-OF-WAY OF F. M. 148, LEAVING AN AREA OF 359.614 ACRES OF LAND, MORE OR LESS.



**EXHIBIT "C"**

**LAS LOMAS MUNICIPAL UTILITY DISTRICT No. 4C  
OF KAUFMAN COUNTY  
DESCRIPTION**

**BEING A TRACT OF LAND SITUATED IN THE R. MEAD SURVEY, ABSTRACT NO. 316, J. W. WARD SURVEY ABSTRACT NO. 596, AND THE W.M. SIMPSON SURVEY, ABSTRACT NO. 453, KAUFMAN COUNTY, TEXAS, AND BEING A PART OF THE CERTAIN 442.406 ACRES TRACT OF LAND AS CONVEYED FROM MICHAEL H. MCDOWELL ET AL TO THE MCDOWELL CLAN LIMITED COMPANY, RECORDED IN VOLUME 1648, PAGE 39, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND A PART OF THAT CALLED SECOND TRACT OF 147.4 ACRES, DESCRIBED IN A DEED FROM THOS. R. BOND TO THOMAS H. CROFTS, RECORDED IN VOLUME 413, PAGE 314, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;**

**COMMENCING AT THE NORTHEAST CORNER OF A 15.332 ACRE TRACT CONVEYED TO JAMES E. BATES, AS RECORDED IN VOLUME 1172, PAGE 812, SAID ROD BEING A POINT ON THE SOUTHEAST LINE OF THE (NEW) INTERSTATE HIGHWAY 20 (VARIABLE WIDTH RIGHT-OF-WAY);**

**THENCE ALONG THE SOUTHEAST LINE OF THE (NEW) INTERSTATE HIGHWAY 20, THE FOLLOWING COURSES:**

**NORTH 61 DEGREES 26 MINUTES 00 SECONDS EAST, 499.31 FEET TO A CORNER;**

**NORTH 56 DEGREES 10 MINUTES 06 SECONDS EAST, 614.11 FEET TO A CORNER;**

**NORTH 52 DEGREES 28 MINUTES 55 SECONDS EAST, 550.82 FEET TO A CORNER;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 1800.00 FEET TO A CORNER;**

**NORTH 58 DEGREES 43 MINUTES 35 SECONDS EAST, 550.82 FEET TO A CORNER;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 333.17 FEET TO THE POINT OF BEGINNING;**

**THENCE NORTHEASTERLY, CONTINUING ALONG THE SOUTHEAST LINE OF SAID (NEW) INTERSTATE HIGHWAY 20, THE FOLLOWING COURSES;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 466.83 FEET TO A CORNER;**

**NORTH 53 DEGREES 58 MINUTES 03 SECONDS EAST, 1050.43 FEET TO A CORNER;**

**NORTH 55 DEGREES 36 MINUTES 15 SECONDS EAST, 754.45 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;**

**THENCE NORTHEASTERLY, ALONG A TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD THAT BEARS NORTH 57 DEGREES 26 MINUTES 55 SECONDS EAST FOR 355.95 FEET, A CENTRAL ANGLE OF 03 DEGREES 41 MINUTES 20 SECONDS AND A RADIUS OF 5529.58 FEET, FOR AN ARC DISTANCE OF 356.01 FEET TO THE MOST NORTHERLY WEST CORNER OF A TRACT OF LAND AS DESCRIBED IN A DEED TO HARRY WAYNE EVERETT, RECORDED IN VOLUME 1148, PAGE 696;**

**THENCE ALONG THE SOUTHWESTERLY LINE OF SAID EVERETT TRACT, THE FOLLOWING COURSES;**

**SOUTH 44 DEGREES 02 MINUTES 15 SECONDS EAST, 1082.82 FEET TO A CORNER;**

**SOUTH 43 DEGREES 59 MINUTES 37 SECONDS EAST, 434.78 FEET TO A CORNER;**

**SOUTH 44 DEGREES 44 MINUTES 00 SECONDS WEST, 287.56 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;**

**SOUTHWESTERLY ALONG THE TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD BEARING SOUTH 59 DEGREES 26 MINUTES 46 SECONDS WEST, FOR 245.41 FEET, A CENTRAL ANGLE OF 29 DEGREES 34 MINUTES 04 SECOND AND A RADIUS OF 480.87 FEET, FOR AN ARC DISTANCE OF 248.15 FEET TO THE END OF SAID CURVE;**

**SOUTH 17 DEGREES 58 MINUTES 30 SECONDS EAST, 138.44 FEET TO A CORNER;**

**SOUTH 43 DEGREES 29 MINUTES 26 SECONDS WEST, 460.56 FEET TO AN ELL CORNER;**

**SOUTH 42 DEGREES 27 MINUTES 26 SECONDS EAST, 3519.51 FEET TO THE SOUTH CORNER OF SAID EVERETT TRACT, SAID CORNER ALSO BEING THE WEST CORNER OF AN 80.000 ACRE TRACT OF LAND CALLED HUNEYCUTT FAMILY TRUST;**

**THENCE SOUTH 44 DEGREES 28 MINUTES 50 SECONDS EAST, 1359.43 FEET TO A CORNER;**

**THENCE SOUTH 44 DEGREES 00 MINUTES 52 SECONDS EAST, 308.37 FEET TO AN ELL CORNER;**

**THENCE SOUTH 46 DEGREES 09 MINUTES 05 SECONDS WEST, 128.94 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;**

**THENCE NORTHWESTERLY, ALONG THE NON-TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD THAT BEARS NORTH 65 DEGREES 53 MINUTES 02 SECONDS WEST FOR 3456.34 FEET, A CENTRAL ANGLE OF 38 DEGREES 12 MINUTES 38 SECONDS AND A RADIUS OF 5280.00 FEET, FOR AN ARC DISTANCE OF 3521.23 FEET TO THE END OF SAID CURVE;**

**THENCE NORTH 46 DEGREES 46 MINUTES 43 SECONDS WEST, 1780.63 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT;**

**THENCE NORTHWESTERLY, ALONG THE TANGENT CURVE TO THE RIGHT WHICH HAS A CHORD THAT BEARS NORTH 42 DEGREES 24 MINUTES 39 SECONDS WEST FOR 804.26 FEET, A CENTRAL ANGLE OF 08 DEGREES 44 MINUTES 09 SECONDS AND A RADIUS OF 5280.00 FEET, FOR AN ARC DISTANCE OF 805.04 FEET TO THE END OF SAID CURVE;**

**THENCE NORTH 44 DEGREES 06 MINUTES 01 SECOND WEST, 249.64 FEET TO A CORNER;**

**THENCE NORTH 37 DEGREES 55 MINUTES 56 SECONDS WEST, 400.16 FEET TO A CORNER;**

**THENCE NORTH 45 DEGREES 47 MINUTES 07 SECONDS WEST, 780.18 FEET TO THE POINT OF BEGINNING AND CONTAINING 10,873,600 SQUARE FEET OR 249.623 ACRE OF LAND, MORE OR LESS.**

9:25 PM  
08/19/18  
Cash Basis

**Las Lomas MUD 4 General Operating Fund**  
**Balance Sheet**  
**As of June 30, 2018**

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	<u>Jun 30, 18</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1110 - Cash - Plains Capital Bank	<u>646.36</u>
<b>Total Checking/Savings</b>	<u>646.36</u>
<b>Total Current Assets</b>	<u>646.36</u>
<b>TOTAL ASSETS</b>	<u><u>646.36</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Equity</b>	
3000 - Unallocated Fund Balance	<u>2,363.06</u>
Net Income	<u>-1,716.70</u>
<b>Total Equity</b>	<u>646.36</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>646.36</u></u>

⌘

9:25 PM  
08/19/18  
Cash Basis

**Las Lomas MUD 4 General Operating Fund**  
**Profit & Loss**  
**July 2017 through June 2018**

---

	<u>Jul '17 - Jun 18</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>Other Revenues</b>	
5391 · Interest Income	1.07
5500 · Developer Advances	<u>3,000.00</u>
<b>Total Other Revenues</b>	<u>3,001.07</u>
<b>Total Income</b>	<u>3,001.07</u>
<b>Expense</b>	
<b>Other Expenses</b>	
6310 · Director Fees	1,350.00
6314 · Payroll Taxes	103.28
6320 · Legal Fees	2,216.13
6333 · Bookkeeping Fees	623.62
6353 · Insurance	294.00
6354 · Travel Expense	<u>130.64</u>
<b>Total Other Expenses</b>	<u>4,717.67</u>
<b>Total Expense</b>	<u>4,717.67</u>
<b>Net Ordinary Income</b>	<u>-1,716.60</u>
<b>Net Income</b>	<u><u>-1,716.60</u></u>

District Name: Las Lomas MUD 4 of Kaufman County

**MISCELLANEOUS DISCLOSURES AND MAILING INFORMATION**

as of the District's Fiscal Year-End

**A. Disclosures to comply with Rule 30 TAC 293.95(b)**

- (1) Was there any developer activity to prepare for residential or commercial development? "Developer activity" means construction performed or actions taken in preparation for construction (i.e., plans, permits) to provide services for or access to present or future residential or commercial water, sewer or drainage facilities. ☒ Yes ☐ No

If yes, have payments for these facilities been made by (an) other party (ies) on behalf of the district? ☒ Yes ☐ No

These payments are estimated to cumulatively be:

Organization Costs	<u>217,769.32</u>
Construction Costs	<u>378,736.56</u>
Administration Cost	<u>188,942.33</u>
Total Costs	<u>785,448.21</u>

- (2) Was the Board aware of any other types of contingent or actual liabilities (e.g., claims, lawsuits) which are not disclosed elsewhere in this report? ☐ Yes ☒ No

If yes, explain: \_\_\_\_\_

- B. Disclosures to comply with V.T.C.A. Water Code §49.054(e) and §49.455(j).** The Texas Commission on Environmental Quality must be notified of any changes in boundaries, board members, board terms, and addresses. Guidance for filing this information and a District Registration Form may be obtained by calling 512/239-4691.

- C. Additional Information.** This report should be sent to:

District Creation Review Team, MC-152  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Phone Number: (512) 239-4691 Facsimile Number: (512) 239-6190



## ANNUAL FINANCIAL REPORT

Of

District Name	Las Lomas MUD 4 of Kaufman County		
Mailing Address:	P.O. Box 80 Tomball, TX 77377		
For the Fiscal year ended:	July 31, 2018		
Preparer:	Cindy Schmidt		
Title:	Bookkeeper	Date:	08/22/18
Telephone Number: (AC)	281-356-7542		

---

### AUDIT REPORT EXEMPTION

Texas Water Code Section 49.198 (effective September 1, 1997)

- (a) A district may elect to file annual financial reports with the executive director in lieu of the district's compliance with Section 49.191 provided:
  - (1) the district had no bonds or other long-term (more than one year) liabilities outstanding during the fiscal period;
  - (2) the district did not have gross receipts from operations, loans, taxes, or contributions in excess of \$100,000 during the fiscal period; and
  - (3) the district's cash and temporary investments were not in excess of \$100,000 at any time during the fiscal period.
- (b) The annual financial report must be accompanied by an affidavit attesting to the accuracy and authenticity of the financial report signed by a duly authorized representative of the district.
- (c) The annual financial report and affidavit in a format prescribed by the executive director must be on file with the executive director within 45 days after the close of the district's fiscal year.
- (d) Districts governed by this section are subject to periodic audits by the executive director.

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If the accompanying financial statements are compiled by a certified public accountant, see SSARS-1 and SSARS-7 for the applicable standards for reporting on compiled financial statements.

**FILING AFFIDAVIT**

To: Texas Commission on Environmental Quality

Under the penalties of perjury, I certify that I have inspected the attached balance sheet, statement of receipts and disbursements, including the accompanying schedules and statements, and to the best of my knowledge and belief, they are a true, correct, and complete representation of the financial condition of:

Las Lomas MUD 4 of Kaufman County as of  
(Name of District)

July 31, 2018 I also certify that the above district has complied in full  
(Date of Fiscal Year End)

with all filing of audits, affidavits, and financial reports requirements of Section 49.194 of the Texas Water Code by filing copies of this Annual Financial Report in the district's office, located at:

L & S District Services, 305 Peach Street, Tomball, Texas 77375  
(Address of District)

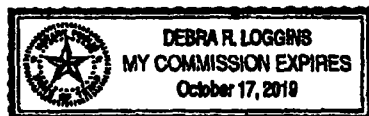
Cindy Schmidt, Bookkeeper

Cindy Schmidt (Typed Name and Title)  
(Signature of Affiant) 08/22/18 (Date)

Subscribed and Sworn to before me by this 22nd day of August, 2018

Debra R. Loggins In and For Montgomery County, Texas

Debra R. Loggins 10/17/19  
(Typed Name of Notary) (My Commission Expires On)





District Name: Las Lomas MUD 4 of Kaufman County

**MISCELLANEOUS DISCLOSURES AND MAILING INFORMATION**  
as of the District's Fiscal Year-End

**A. Disclosures to comply with Rule 30 TAC 293.95(b)**

- (1) Was there any developer activity to prepare for residential or commercial development? "Developer activity" means construction performed or actions taken in preparation for construction (i.e., plans, permits) to provide services for or access to present or future residential or commercial water, sewer or drainage facilities. ☒ Yes ☐ No

If yes, have payments for these facilities been made by (an) other party (ies) on behalf of the district? ☒ Yes ☐ No

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Administration Cost	<u>188,942.33</u>
Total Costs	<u>785,448.21</u>

- (2) Was the Board aware of any other types of contingent or actual liabilities (e.g., claims, lawsuits) which are not disclosed elsewhere in this report? ☐ Yes ☒ No

If yes, explain: \_\_\_\_\_

---

**B. Disclosures to comply with V.T.C.A. Water Code §49.054(e) and §49.455(j).** The Texas Commission on Environmental Quality must be notified of any changes in boundaries, board members, board terms, and addresses. Guidance for filing this information and a District Registration Form may be obtained by calling 512/239-4691.

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Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087  
Phone Number: (512) 239-4691 Facsimile Number: (512) 239-6190

## BALANCE SHEET – CASH BASIS

### ASSETS

Cash on Hand	
Cash in Bank (Schedule A)	646
Investment (Schedule B)	
Total Cash and Investments (1)	646
Accrued Interest Receivable – Optional (Schedule B)	
Inventory	
General Fixed Assets	
Other Assets	
(Explain):	

TOTAL ASSETS (2) 646

### LIABILITIES AND EXCESS

Notes Payable	
Refundable Deposits	
Developer Advances	
Other Liabilities	
(Explain):	

### TOTAL LIABILITIES

Excess Assets Over Liabilities	646
Total Liabilities and Excess (3)	646

**Note to Preparer: “TOTAL CASH AND INVESTMENTS” (1) must equal “CASH AND INVESTMENTS – End of Year “on the Statement of Receipts and Disbursement, page 5.**

**“TOTAL LIABILITIES AND EXCESS” (3) must equal “TOTAL ASETS” (2).**

## STATEMENT OF RECEIPTS AND DISBURSEMENTS – CASH BASIS

### RECEIPTS

Service Revenues	
Tax Receipts	
Penalty and Interest Received	
Interest Received on Investments	1
Loans or Advances	3000
All Other Receipts	
(Explain):	

---

**TOTAL RECEIPTS 3001**

### LESS DISBURSEMENTS

Purchased Services for Resale	
Payroll	1453
Legal, Accounting, or Contract Service	3134
Supplies and Materials	
Maintenance	
Note Payments and Repayment of Advances	
All other Disbursements (Schedule C)	131
Total Disbursements	4718
Excess of Receipts Over (Under) Disbursements	(1717)
Cash and Investments – Beginning of Year	2363
Cash and Investments – End of Year	646
(See Note, Page 4)	

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**Note to Preparer:** In addition to all disbursements related to the purchase of consumable supplies and materials, certain assets of insignificant value may be considered consumable and accordingly recognized under the account classification "Supplies and Materials." Please refer to **EXPLANATION OF TERMS**, General Fixed Assets, pages 7 and 8 of this report, for additional clarification.

**SCHEDULE 1 – CASH IN BANK (1)**

Name of Bank	Account Number	Purpose of Account	Balance
Plains Capital Bank	3100022221	GOF - Checking	646
TOTAL			646

**SCHEDULE B – INVESTMENTS (2)**

Type of Investment	Name of Bank	Certificate Number	Interest Rate	Maturity Date	Principal Balance	(Optional) Accrued Interest
TOTALS						

**SCHEDULE C – SCHEDULE OF ALL OTHER DISBURSEMENTS (3)**

Description of Disbursements (4)	Amount
Travel Expense	131
TOTAL	131

- (1) Please refer to Explanation of Terms, Cash in Bank, page 7 of this report, for proper reporting.
- (2) Please refer to Explanation of Terms, Investments, page 8 of this report, for proper reporting of "Principal Balance" and "Accrued Interest."
- (3) Please refer to Explanation of Terms, All Other Disbursements, page 7 of this report, for proper reporting of "All Other Disbursements."
- (4) A description should be given for each type of transaction and the amount of payments attributable to this type of disbursement. It may not be necessary to list each transaction separately.

Las Lomas MUD 4A  
Cash Analysis  
January 29, 2019

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GENERAL OPERATING ACCOUNT - Plains Capital Bank

Ending balance from last meeting	\$	( 5,673.35)
Added in voided check 2123 written to Director Davenport	+	154.88

Receipts

Advance from Developer	+	7,000.00
Interest earned on account	+	0.25

Withdrawals

Payment to United States Treasury for payroll taxes for previous meeting	-	91.78
--------------------------------------------------------------------------	---	-------

Checks presented for signatures January 29, 2019

2130	- Don Allard, director fee for 1/29/19 - \$150.00, less taxes - ( \$11.48)	
	mileage reimbursement - \$17.4	- 155.92
2131	- Machel Davenport, director fee for 1/29/19 - \$150.00, less taxes - ( \$11.48)	
	mileage reimbursement - \$17.4	- 155.92
2132	- Terry Durbin, director fee for 1/29/19 - \$150.00, less taxes - ( \$11.48)	
	mileage reimbursement - \$9.86	- 148.38
2133	- Michael Higgins, director fee for 1/29/19 - \$150.00, less taxes - ( \$11.48)	
	mileage reimbursement - \$16.24, tolls - \$4.00	- 158.76
2134	- Matthew McDonald, director fee for 1/29/19 - \$150.00, less taxes - ( \$11.48)	
	mileage reimbursement - \$8.70	- 147.22
2135	- Coats, Rose, P.C., legal fees through October 31, 2018	- 404.75
2136	- Kaufman County Election Department, election expense	- 3,207.08
	Total Disbursements	\$ 4,469.81

Ending Balance at January 29, 2019	\$	( 2,988.03)
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## Legend

### City Limits

Forney

Terrell

### CCN\_NO

13121

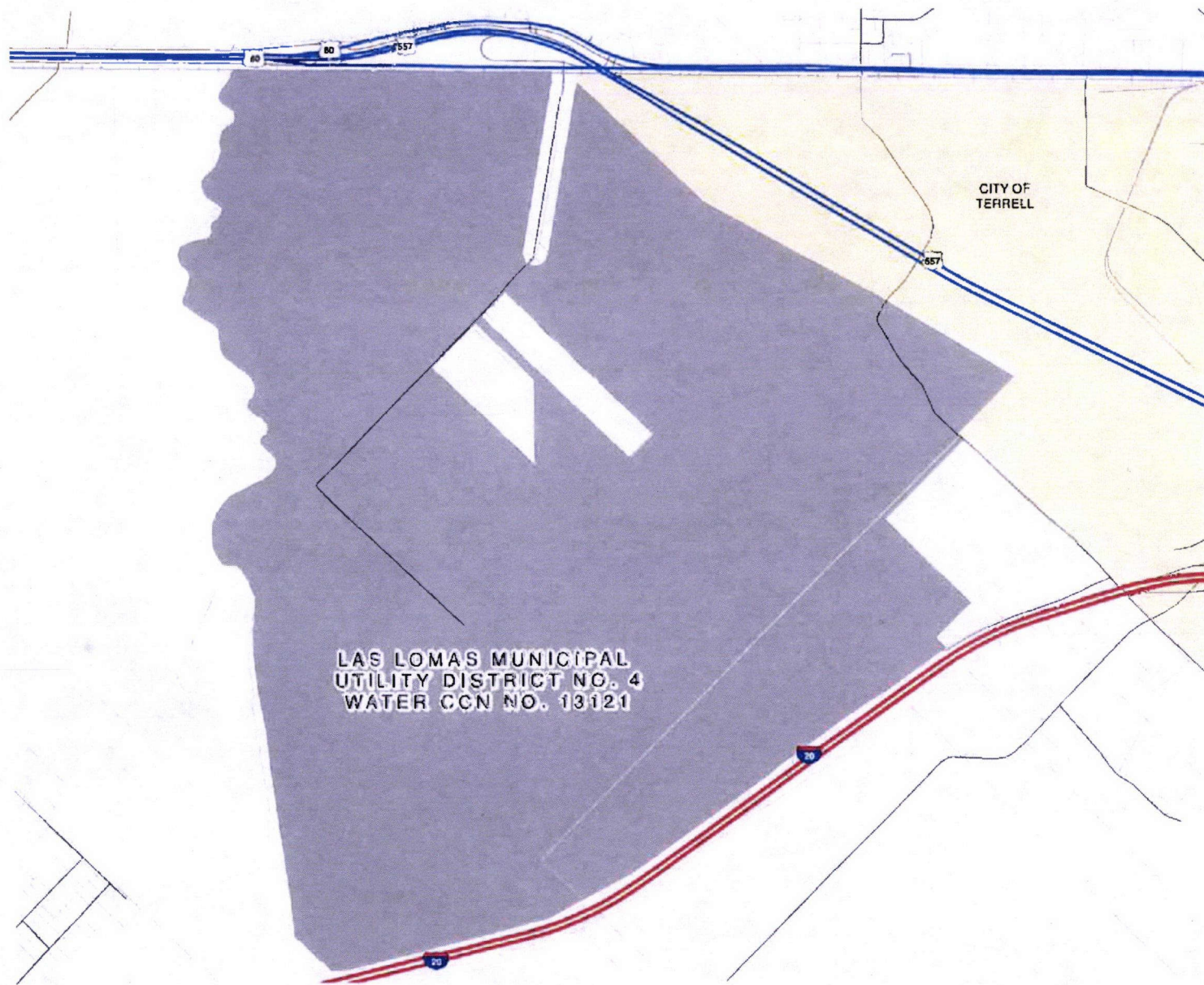
## LOCATION MAP



1 in = 3,000 ft

**PETITT BARRAZA**  
ENGINEERING PLANNING SURVEYING  
1831 N. Glenview Drive, Suite 200  
Richardson, Texas 75081  
Tel: (214) 221-8995  
Fax: (214) 210-3150  
DATE: MARCH 2019





# DETAIL MAP



1 in = 1,500 ft

**PETITT BARRAZA**  
ENGINEERING PLANNING SURVEYING  
1681 N. Grande Blvd. Suite 200  
Richardson, Texas 75081  
Tel No (214) 321-8958  
Fax No (214) 340-3590  
DATE: MARCH 2019