



Filing Receipt

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Control Number - 52442
ItemNumber - 59

PUC DOCKET NO. 52442

PETITION BY MERITAGE HOMES OF	§	PUBLIC UTILITY COMMISSION
TEXAS, LLC, FOR STREAMLINED	§	
EXPEDITED RELEASE FROM WATER	§	OF TEXAS
CCN NO. 11035 HELD BY NORTH	§	
COLLIN SPECIAL UTILITY DISTRICT	§	
	§	

**FIRST AMENDED PETITION BY MERITAGE HOMES OF TEXAS, LLC,
FOR STREAMLINED EXPEDITED RELEASE
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

COMES NOW, Meritage Homes of Texas, LLC (“Petitioner”), and files this First Amended Petition with the Public Utility Commission of Texas (the “PUC”) for streamlined expedited release from water certificate of convenience and necessity (“CCN”) No. 11035 held by North Collin Special Utility District (“North Collin SUD”) pursuant to (i) Texas Water Code Section 13.2541; and (ii) Rule 24.245(h) of the PUC’s Rules found at 16 Tex. Admin. Code Section 24.245; and in support thereof would respectfully show as follows:

I. APPLICABLE REGULATIONS

Section 13.2541 of the Texas Water Code provides that the owner of a tract of land that is at least 25 acres and that is not receiving water or sewer service may petition for streamlined expedited release of the area from a CCN.¹ For land that is located within a county with a population of at least one million, or a county adjacent to a county with a population of at least one million, the owner of the qualifying tract “is entitled to that release.”² The rule adopted by

¹ TWC § 13.2541.

² *Id.*

the PUC pursuant to Section 13.2541 provides the same.³ Collin County is a county in which owners of at least 25 acres are entitled to expedited release because it is adjacent to Dallas County, which has a population of at least one million. Under Section 13.2541(c), the PUC “shall grant a petition received not later than the 60th day after the date the landowner files the petition.”⁴

II. REQUEST FOR STREAMLINED EXPEDITED RELEASE

Petitioner owns approximately 273.5105 acres (the “Tract of Land – Deed”) of contiguous property in Collin County. The portion of the tract of land for which Petitioner seeks expedited release is approximately 272.23 acres (the “Tract of Land - Portion”). All of the Tract of Land - Portion is located within the municipal boundaries of the City of Princeton and water CCN No. 11035, held by North Collin SUD. None of the Tract of Land - Portion receives service from any water or sewer service provider. An Affidavit in support of this Petition is attached hereto as Exhibit “A.” A general location map, detailed maps, and a metes and bounds description of the Tract of Land - Portion are attached hereto as Exhibits “B-1,” “B-2,” “B-3” and “B-4.” Additional files containing polygon shapefiles of the Tract of Land - Portion will be submitted as separate files simultaneously with the filing of this First Amended Petition. A deed showing Petitioner’s ownership for the Tract of Land - Portion is attached hereto as Exhibit “C.”

III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Tract of Land - Portion described herein and in the attached exhibits from CCN No. 11035. The Tract of Land - Portion is greater than 25 acres, is not receiving water or sewer service, and is entirely within Collin County. Under Section 13.2541(c), the PUC should grant this Petition no later

³ 16 Tex. Admin. Code § 24.245(h)

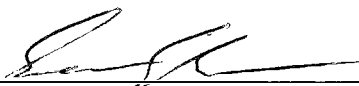
⁴ Tex. Water Code Ann. § 13.2541(c)

than the 60th day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing the Tract of Land - Portion that is the subject of this Petition from the boundaries of water CCN No. 11035.

Respectfully submitted,

WINSTEAD PC

By:



Scott W. Eidman
State Bar No. 24078468
seidman@winstead.com

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

ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on September 29, 2022, in accordance with the Order Suspending Rules, issued in Project No. 50664.



Scott W. Eidman

EXHIBIT “A”

AFFIDAVIT

PETITION BY MERITAGE HOMES OF	§	PUBLIC UTILITY COMMISSION
TEXAS, LLC, FOR STREAMLINED	§	
EXPEDITED RELEASE FROM WATER	§	OF TEXAS
CCN NO. 11035 HELD BY NORTH	§	
COLLIN SPECIAL UTILITY DISTRICT	§	

**AFFIDAVIT IN SUPPORT OF FIRST AMENDED PETITION
FOR STREAMLINED EXPEDITED RELEASE
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

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

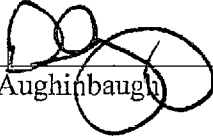
1. “My name is David Aughinbaugh, I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am a Division Vice President for Meritage Homes of Texas, LLC, the Petitioner in the above-captioned matter. Meritage Homes of Texas, LLC owns approximately 272.23 acres of land (the “Tract of Land - Portion”), which is located within the boundaries of water CCN No. 11035 issued to North Collin Special Utility District. The Tract of Land - Portion is located in Collin County, Texas, is over 25 acres in size, and consists of contiguous tracts of land. Exhibits “B-1,” “B-2,” “B-3” and “B-4” attached to this Petition contain true and correct copies of a general location map, detailed maps, and a metes and bounds description identifying the Tract of Land - Portion and its location. The Petitioner is the owner of the Tract of Land - Portion, as evidenced by the deed attached as Exhibit “C.”

3. The Tract of Land - Portion is not receiving water service from North Collin Special Utility District or any other water service provider. The Petitioner has not requested water service from North Collin Special Utility District or paid any fees or charges to initiate or maintain water service, and there are no billing records or other documents indicating an existing account for the Tract of Land - Portion.

4. I request that the Public Utility Commission of Texas release this Tract of Land - Portion from water CCN No. 11035.”

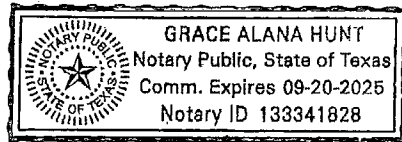
FURTHER AFFIANT SAYETH NOT.

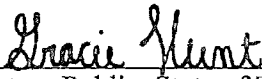


David Aughinbaugh

SWORN TO AND SUBSCRIBED TO BEFORE ME by David Aughinbaugh on
September 28, 2022


(SEAL)

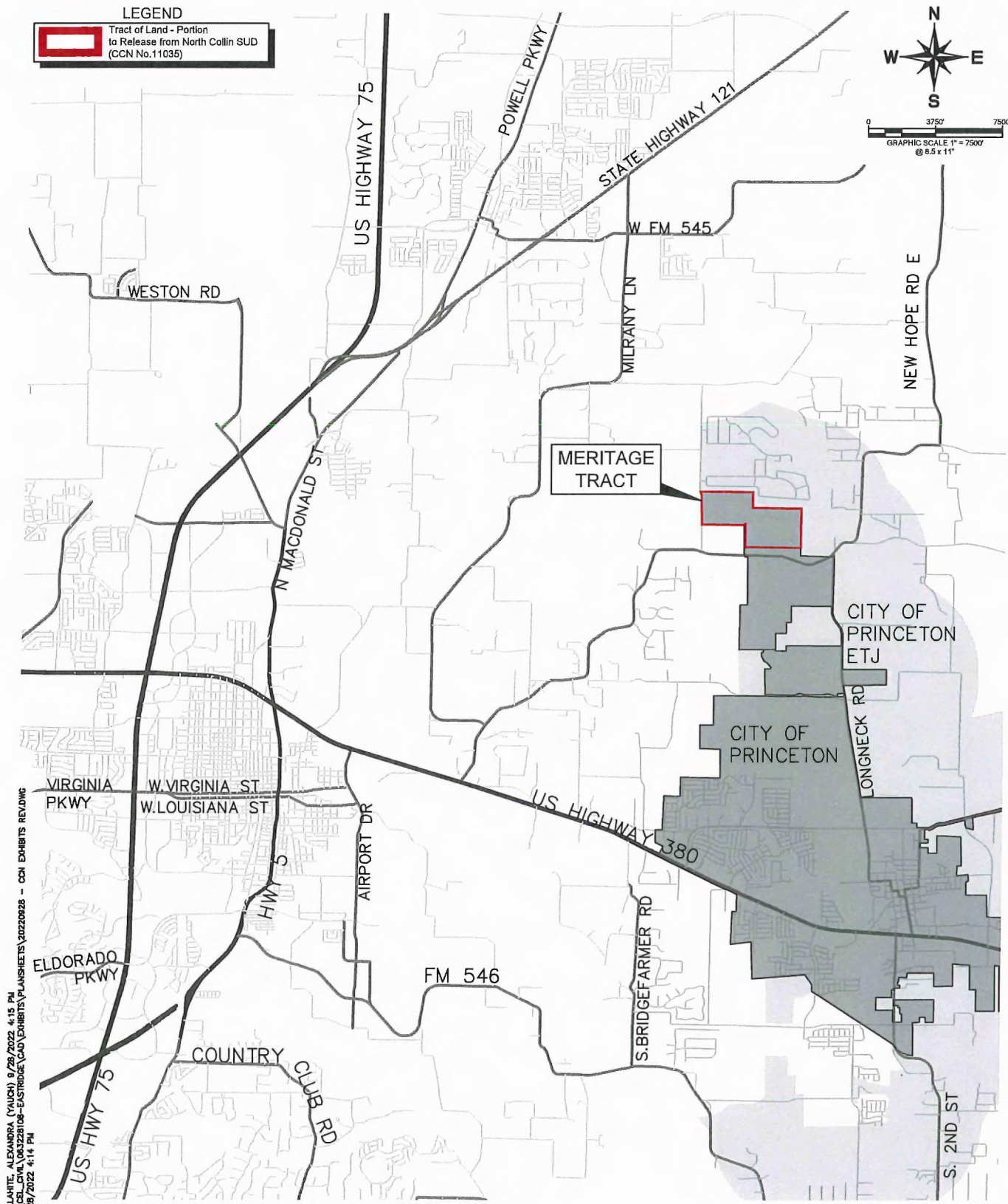
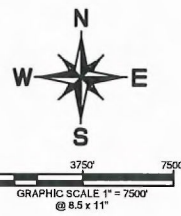




Notary Public, State of Texas

EXHIBIT "B-1"
GENERAL LOCATION MAP

 Tract of Land - Portion
to Release from North Collin SUD
(CCN No.11035)



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General Location Map

Docket 52442 - Streamlined Expedited Release

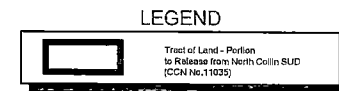
City of Princeton, Collin County, Texas
September 2022

PLOTTED BY
DWG NAME
LAST SAVED

Kimley»»Horn
400 N. Oklahoma Dr

Suite 105
Celina, Texas 75009
972-501-2200
State of Texas Registration No. F-928

EXHIBIT “B-2”
DETAILED MAP



PLOTTED BY
DWG NAME
LAST SAVED

Detailed Map Exhibit

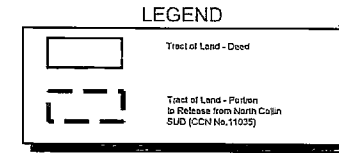
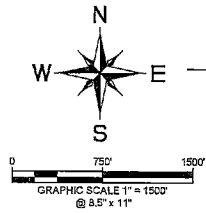
Docket 52442 - Streamlined Expedited Release
September 2022

Kimley»Horn

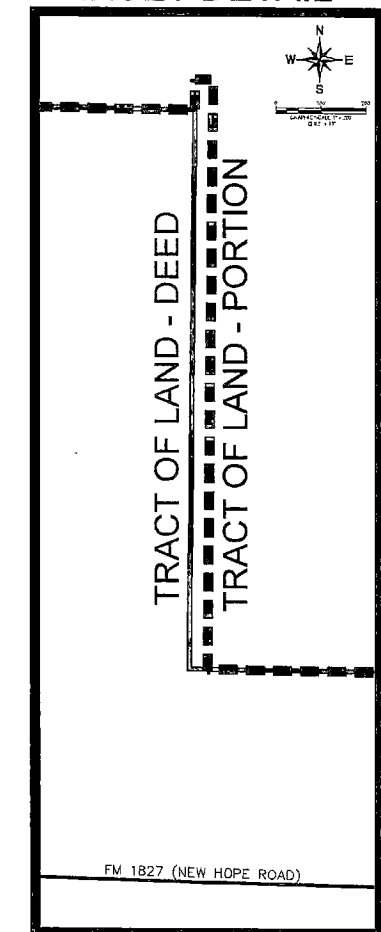
400 N. Oklahoma Dr
Suite 105
Celina, Texas 75009
972-501-2200
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY. TO ORDINARILY, VISITORS, CONTACT WITH THE CITY, ETC.

EXHIBIT “B-3”
DETAILED MAP



INSET DETAIL



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PLOTTED BY
DWG NAME
LAST SAVED

Detailed Map Exhibit Docket 52442 - Streamlined Expedited Release September 2022

Kimley»Horn
 400 N. Oklahoma Dr.
 Suite 105
 Celina, Texas 75009
 972-501-2200
 State of Texas Registration No. F-928
NOTE: THIS PLAN IS CONFIDENTIAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY, TESTS, MEASUREMENTS, UTILITIES, CONTACT WITH THE CITY, ETC.

EXHIBIT “B-4”

METES AND BOUNDS DESCRIPTION

FIELD NOTE DESCRIPTION
272.2266 ACRES

BEING a tract of land situated in the Thomas A. Rhodes Survey, Abstract No. 741, Collin County, Texas, and being a portion of that called 273.5105 acre tract of land conveyed to Meritage Homes of Texas, LLC, according to the document filed of record in Instrument Number 20201228002333180, Official Public Record, Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in the east line of County Road 409, for the northwest corner of said 273.5105 acre tract, same being in the south line of Waterstone Estates, Section 1, an addition to Collin County according to the plat filed of record in Volume R, Page 210, Plat Records of Collin County, Texas;

THENCE with the north line of said 273.5105 acre tract and the south line of said Waterstone Estates the following six (6) calls:

South 89°18'09" East, a distance of 602.18 feet to a 1/2 inch iron rod found for corner of this tract;

South 89°26'54" East, a distance of 1,155.54 feet to a 1/2 inch iron pipe found for corner of this tract;

South 89°08'08" East, a distance of 1,211.65 feet to a 1/2 inch iron rod found for corner of this tract;

South 01°01'25" West, a distance of 875.25 feet to a 1/2 inch iron rod found for corner of this tract;

South 89°02'05" East, a distance of 1,750.85 feet to a point for corner of this tract;

South 89°20'21" East, a distance of 997.27 feet to a 1/2 inch iron rod found for the northeast corner of this tract, same being the northwest corner of that tract of land described in deed to Paul Willett according to the document filed for record in Volume 4319, Page 2109, Official Public Records of Collin County, Texas;

THENCE with the east line of the above mentioned 273.5105 acre tract, being common with the west line of said Paul Willett tract, that tract of land described in deed to Vicki Lynn Willett according to the document filed of record in Document Number 20101012001098060, Official Public Records of Collin County, Texas, and that tract of land described in deed to Thomas Zina according to the document filed of record in Document Number 20120801000944170, Official Public Records of Collin County, Texas, the following four (4) calls:

South 00°16'34" West, a distance of 236.88 feet to a point for corner of this tract;

South 00°46'47" West, a distance of 285.41 feet to a point for corner of this tract;

South 00°51'33" West, a distance of 318.59 feet to a 1/2 inch iron pipe found for corner of this tract;

South 00°48'17" West, a distance of 1,365.41 feet to a point for the southeast corner of this tract;

THENCE North 89°11'43" West, with the south line of the above mentioned 273.5105 acre tract a distance of 3,138.68 feet to a point for corner of this tract;

THENCE over and across said 273.5105 acre tract the following three (3) calls:

North 00°35'37" East, a distance of 1,307.53 feet to a point for corner of this tract;

North 89°24'23" West, a distance of 39.99 feet to a point for corner of this tract;

South 00°35'37" West, a distance of 68.06 feet to a section of railroad found in the south line of the above mentioned 273.5105 acre tract, same being common with the north line of that called 54.415 acre tract of land described in deed to Balu Mahi Investments, LLC according to the document filed of record in Document Number 20180507000556000, Official Public Records of Collin County, Texas, for corner of this tract;

THENCE North 89°02'23" West, with said common line a distance of 2,426.16 feet to a point in the east line of County Road 409, for the most westerly southwest corner of said 273.5105 acre tract, same being common with the northwest corner of said 54.415 acre tract, for corner of this tract;

THENCE with said east line being common with the west line of said 273.5105 acre tract the following three (3) calls:

North 00°13'41" West, a distance of 669.23 feet to a point for corner of this tract;

North 01°08'28" West, a distance of 999.99 feet to a point for corner of this tract;

North 19°27'14" West, a distance of 175.36 feet to the **POINT OF BEGINNING** and containing 272.2266 acres or 11,858,189 square feet of land.

BASIS OF BEARING: The basis of bearing is based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown hereon are grid distances.

EXHIBIT “C”

DEED

SPECIAL WARRANTY DEED

Mailing Address of Grantee:

MERITAGE HOMES OF TEXAS, LLC
Attn: Ryan Hamilton, Esq.
8800 East Raintree Drive, Suite 300
Scottsdale, AZ 85260

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

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF COLLIN §

THAT, NORTH COLLIN 550 LAND, LLC, a Texas limited liability company (hereinafter referred to as "**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by MERITAGE HOMES OF TEXAS, LLC, an Arizona limited liability company (hereinafter referred to as "**Grantee**"), the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto Grantee, all of the tract or parcel of land described on Exhibit A attached hereto and made a part hereof for all purposes (the "**Land**"), together with, but without warranty, (i) all and singular the appurtenances appertaining thereto, and Grantor's rights, easements and other interests, if any, in and to adjacent streets, alleys and rights-of-way abutting such real property, (ii) any improvements situated upon the Land, and (iii) all of Grantor's rights of access to the Land, mineral rights in the Land, and utility capacities serving the Land (collectively, the "**Property**"); subject, however, to those matters set forth on Exhibit B attached hereto and made a part hereof by reference for all purposes.

TO HAVE AND TO HOLD the above described Land (subject to the foregoing), unto Grantee and Grantee's assigns, successors and legal representatives FOREVER, and Grantor does hereby bind Grantor and Grantor's legal representatives, successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Property unto Grantee and Grantee's assigns, successors and legal representatives, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under the Grantor, but not otherwise.

GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE SPECIAL WARRANTY OF TITLE SET FORTH IN THIS DEED AND EXCEPT FOR THE REPRESENTATIONS, WARRANTIES AND COVENANTS OF GRANTOR (COLLECTIVELY THE "**REPRESENTATIONS, WARRANTIES AND COVENANTS**") SET FORTH IN THAT CERTAIN AGREEMENT OF PURCHASE AND SALE DATED NOVEMBER 3, 2020, BY AND BETWEEN GRANTOR AND GRANTEE (AS AMENDED AND PARTIALLY ASSIGNED, THE "**AGREEMENT**"), THE PROPERTY IS CONVEYED AND TRANSFERRED TO GRANTEE "AS IS, WHERE IS AND WITH ALL FAULTS". EXCEPT FOR THE REPRESENTATIONS, WARRANTIES AND COVENANTS, GRANTOR DOES NOT WARRANT OR MAKE ANY REPRESENTATION, EXPRESS OR IMPLIED, AS TO FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, DESIGN, QUANTITY, QUALITY, LAYOUT, FOOTAGE, PHYSICAL CONDITION, OPERATION, COMPLIANCE WITH SPECIFICATIONS, ABSENCE OF LATENT DEFECTS, OR COMPLIANCE WITH LAWS AND REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH, SAFETY AND THE ENVIRONMENT) OR ANY OTHER MATTER AFFECTING THE PROPERTY, AND GRANTOR SHALL BE UNDER NO OBLIGATION WHATSOEVER TO UNDERTAKE ANY REPAIRS, ALTERATIONS OR OTHER WORK OF ANY KIND WITH RESPECT TO ANY PORTION OF THE PROPERTY. INFORMATION PROVIDED BY GRANTOR IN RESPECT

OF THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES. GRANTOR DID NOT MAKE AN INDEPENDENT INVESTIGATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS THEREOF. EXCEPT WITH RESPECT TO THE REPRESENTATIONS, WARRANTIES AND COVENANTS, PURCHASER HEREBY ASSUMES ALL RISK AND LIABILITY RESULTING FROM THE OWNERSHIP, USE, CONDITION, LOCATION, MAINTENANCE, REPAIR OR OPERATION OF THE PROPERTY, WHICH GRANTEE INSPECTED AND ACCEPTS "AS IS". IN THIS REGARD, GRANTEE ACKNOWLEDGES THAT (A) GRANTEE MADE ITS DECISION TO PURCHASE THE PROPERTY BASED UPON THE REPRESENTATIONS, WARRANTIES AND COVENANTS AND GRANTEE'S OWN DUE DILIGENCE AND INVESTIGATIONS, (B) GRANTEE HAS SUCH KNOWLEDGE AND EXPERIENCE IN REAL ESTATE INVESTMENT TO EVALUATE THE MERITS AND RISKS OF THIS TRANSACTION, AND (C) GRANTEE IS FINANCIALLY ABLE TO BEAR THE ECONOMIC RISK OF THE LOSS OF THIS REAL ESTATE INVESTMENT AND THE COST OF DUE DILIGENCE AND INVESTIGATIONS.

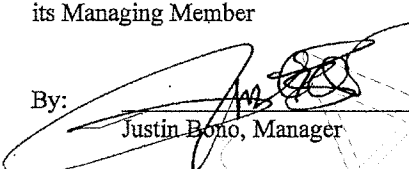
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EXECUTED to be effective as of the 23 day of December, 2020.

GRANTOR:

NORTH COLLIN 550 LAND, LLC,
a Texas limited liability company

By: Astra Investments I, LLC,
a Texas limited liability company,
its Managing Member

By: 
Justin Bono, Manager

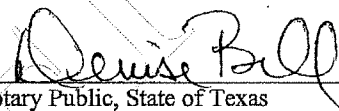
STATE OF TEXAS

COUNTY OF DALLAS

§
§
§

This instrument was acknowledged before me on December 23, 2020, by Justin Bono, Manager of Astra Investments I, LLC, a Texas limited liability company, as Managing Member of NORTH COLLIN 550 LAND, LLC, a Texas limited liability company.

[NOTARY STAMP]


Notary Public, State of Texas
My Commission Expires: _____

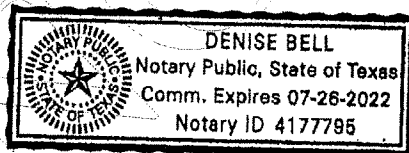
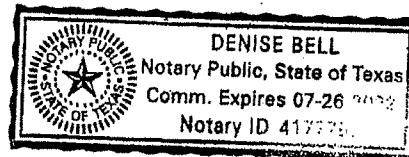
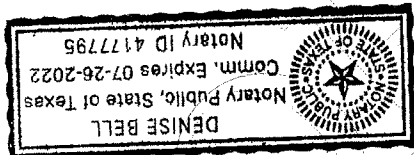


EXHIBIT A
TO SPECIAL WARRANTY DEED

LEGAL DESCRIPTION OF THE LAND

BEING a tract of land situated in the Thomas A. Rhodes Survey, Abstract No. 741, Collin County, Texas, and being a portion of that tract of land conveyed to North Collin 550 Land, LLC, according to the document filed of record in Instrument Number 20190906001095320, Official Public Record, Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found in the east line of County Road 409 for the northwest corner of this tract:

THENCE South 89°18'09" East, a distance of 602.28 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 89°26'54" East, a distance of 1155.72 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 89°08'08" East, a distance of 1211.83 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 1°01'25" West, a distance of 875.39 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 89°02'05" East, a distance of 1751.12 feet to a point for a corner of this tract;

THENCE South 89°20'21" East, a distance of 997.42 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 0°16'34" West, a distance of 236.92 feet to a point for a corner of this tract;

THENCE South 0°46'47" West, a distance of 285.45 feet to a point for a corner of this tract;

THENCE South 0°51'33" West, a distance of 318.63 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 0°48'17" West, a distance of 1365.62 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for a corner of this tract;

THENCE North 89°11'43" West, a distance of 3179.16 feet to 5/8" iron rod with plastic cap stamped "KHA" set for a corner of this tract;

THENCE North 0°35'37" East, a distance of 1239.52 feet to a section of railroad rail found for a corner of this tract;

THENCE North 89°02'23" West, a distance of 2426.53 feet to a point for a corner of this tract;

THENCE North 0°13'41" West, a distance of 669.33 feet to a point for a corner of this tract;

THENCE North 1°08'28" West, a distance of 1000.14 feet to a point for a corner of this tract;

THENCE North 19°27'14" West, a distance of 175.38 feet to the **POINT OF BEGINNING** and containing 273.5105 acres or 11,914,117 square feet of land, more or less.

EXHIBIT B
TO SPECIAL WARRANTY DEED

PERMITTED EXCEPTIONS

1. Restrictive covenants recorded under Clerk's File No. 94-0040411, Real Property Records of Collin County, Texas.
2. Rights of David McMahan, as tenants only, in possession under unrecorded lease agreements.
3. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed or not.
4. Easement granted Bi-Stone Fuel Company, recorded 11/20/62 in Volume 608, Page 203, Real Property Records, Collin County, Texas and shown on survey dated June 25, 2019 and revised November 18, 2020, by White Land Surveying, Inc., prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190, Job Number 20191223.
5. Easement granted to Matador Pipelines, Inc., recorded 08/20/81 in Volume 1421, Page 692, Real Property Records, Collin County, Texas and shown on survey dated June 25, 2019 and revised November 18, 2020, by White Land Surveying, Inc., prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190, Job Number 20191223.
6. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated January 28, 1981, by and between Woodrow Walker and wife, Ernestene Walker, as Lessor, and Jack E. Klinger, as Lessee, recorded July 27, 1981 at Volume 1411, Page 457 of the Official Records of Collin County, Texas.
7. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated January 28, 1981, by and between Woodrow Walker and wife, Ernestene Walker, as Lessor, and Jack E. Klinger, as Lessee, recorded July 27, 1981 at Volume 1411, Page 501 of the Official Records of Collin County, Texas.
8. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated April 20, 1981, by and between Woodrow Walker and wife, Ernestene Walker, as Lessor, and Jack E. Klinger, as Lessee, recorded July 27, 1981 at Volume 1411, Page 672 of the Official Records of Collin County, Texas.
9. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 5, 1981, by and between Woodrow Walker and Ernestene Walker, as Lessor, and Provincial Oil Corporation, as Lessee, recorded December 2, 1981 at Volume 1453, Page 273 of the Official Records of Collin County, Texas.
10. Easements and rights incidental thereto, as reserved in Judgment of Court in Absence of Objection, recorded 06/13/01 in Volume 4938, Page 783, Real Property Records, Collin County, Texas and shown on survey dated June 25, 2019 and revised November 18, 2020, by White Land Surveying, Inc., prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190, Job Number 20191223.
11. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey, Job No.: 20191223 Dated: June 25, 2019 and revised November 18, 2020, prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190 as follows: variable fence lines along most Western property line encroaching and/or protruding as shown.

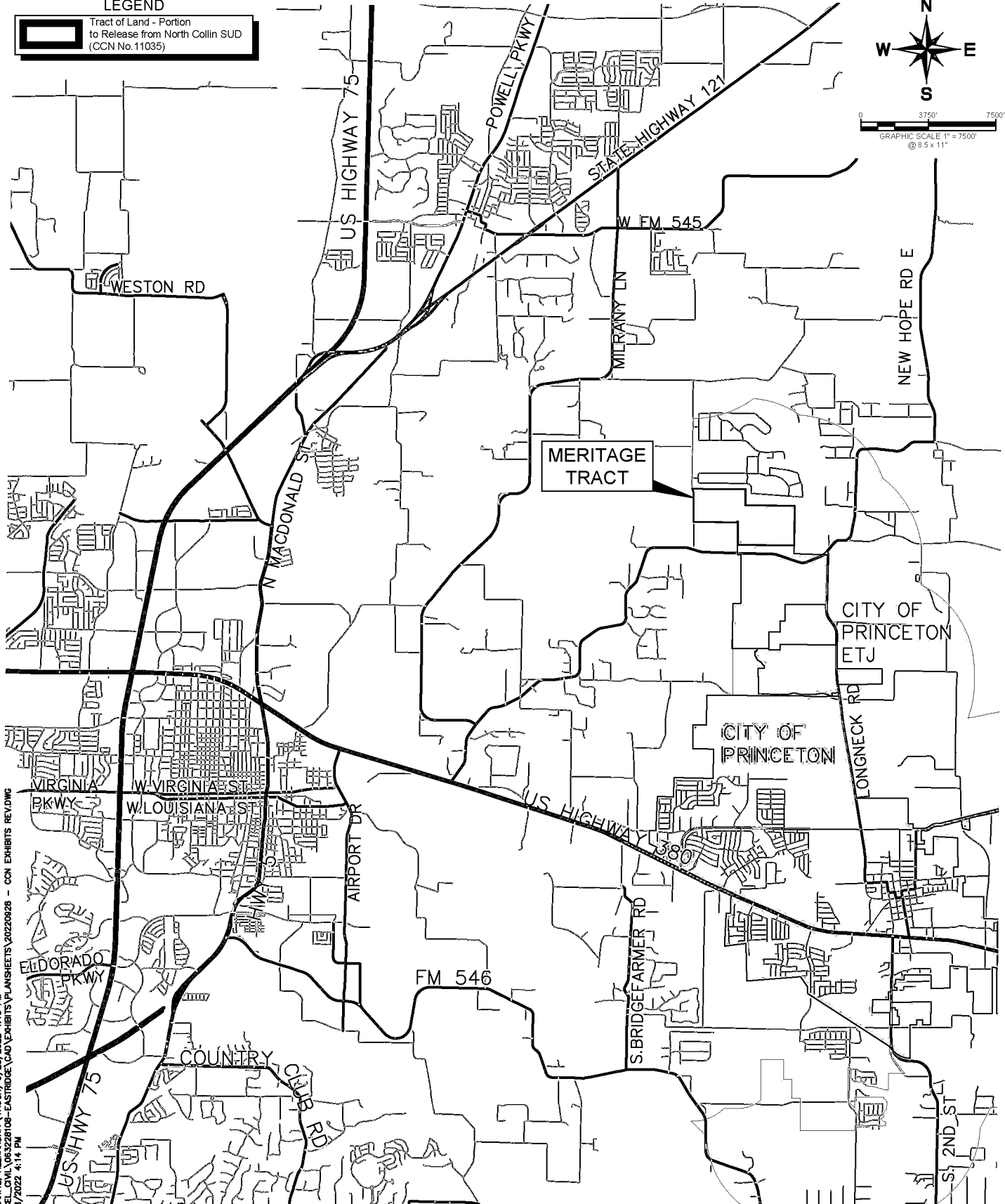
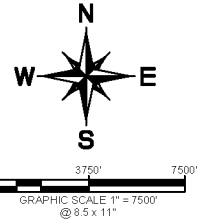
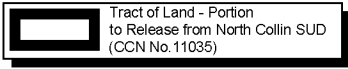
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Stacey Kemp, County Clerk
Collin County, TEXAS
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Stacey Kemp

LEGEND



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LAST SAVED

General Location Map

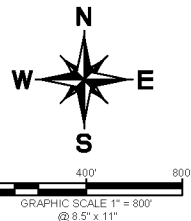
Docket 52442 - Streamlined Expedited Release

City of Princeton, Collin County, Texas
September 2022

Kimley»Horn

400 N. Oklahoma Dr
Suite 105
Celina, Texas 75009
972-501-2200
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY. TOPOGRAHY, UTILITIES, CONTACT WITH THE CITY, ETC.



LEGEND



Tract of Land - Portion
to Release from North Collin SUD
(CCN No. 11035)

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CR 409

WATERSTONE ESTATES DRIVE

LAKE BREEZE DRIVE

FM 1827 (NEW HOPE ROAD)

Detailed Map Exhibit

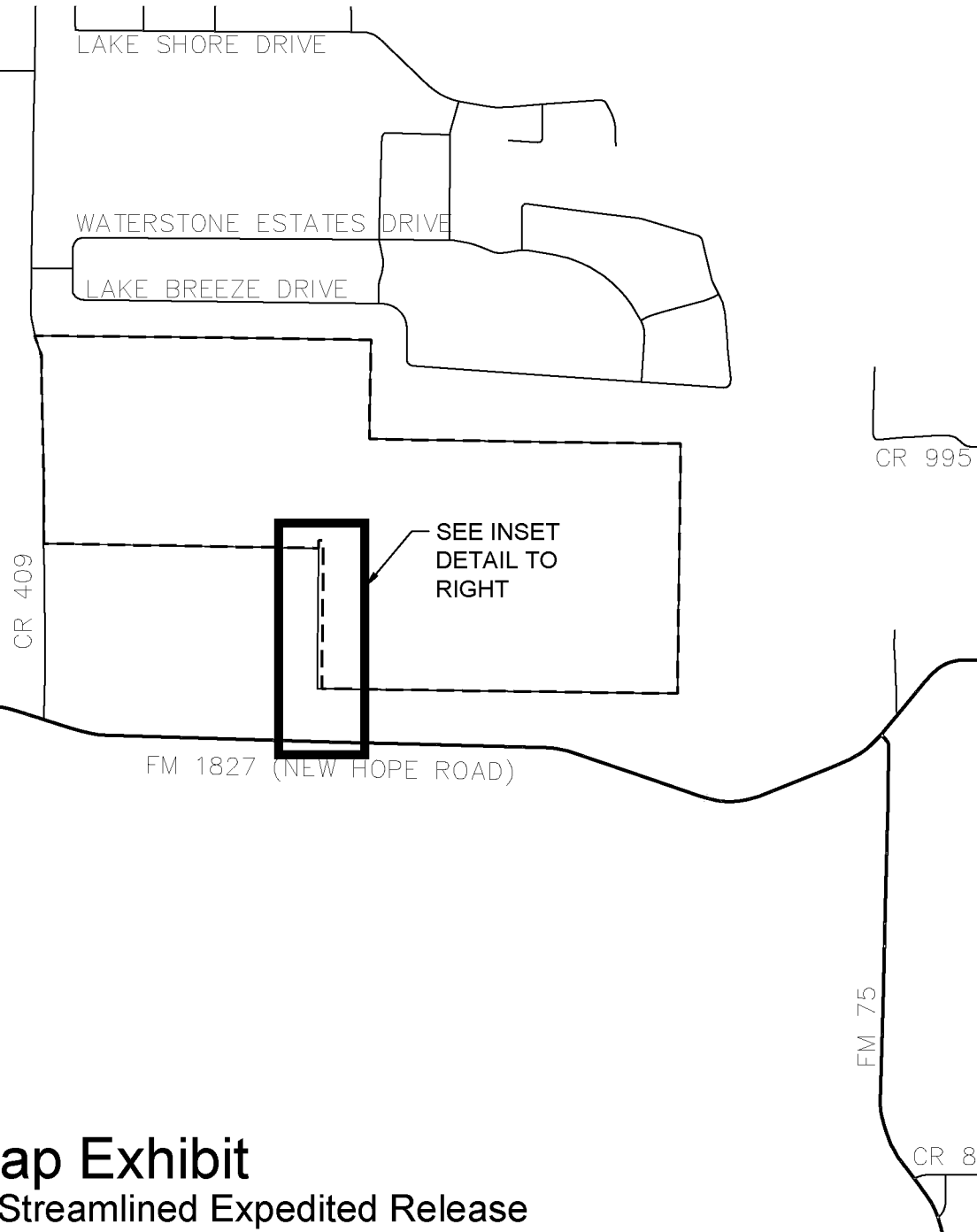
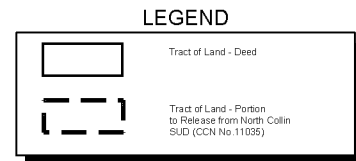
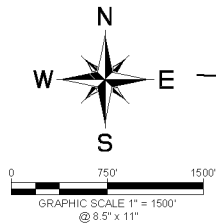
Docket 52442 - Streamlined Expedited Release

September 2022

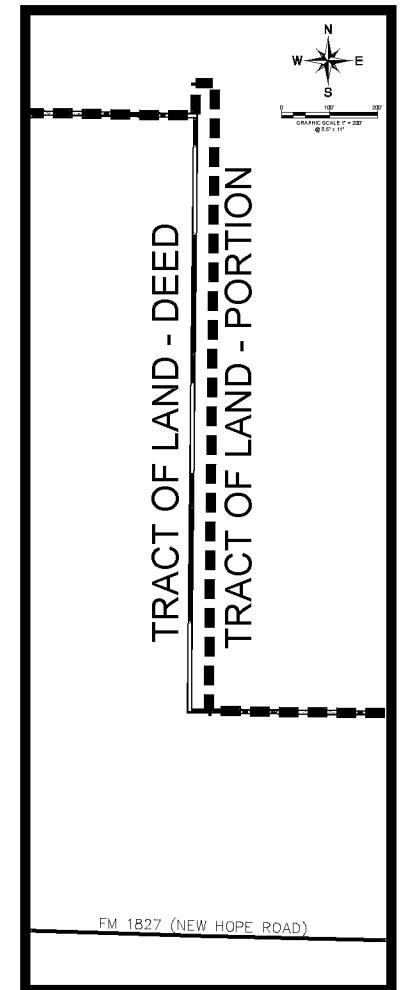
PLOTTED BY
DING NAME
LAST SAVED

Kimley»Horn
400 N. Oklahoma Dr.
Suite 105
Celina, Texas 75009
972-501-2200
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY, TOPOGRAPHY, UTILITIES, CONTACT WITH THE CITY, ETC.



INSET DETAIL



DOLLARITE, ALEXANDRA (YAUCH) 9/27/2022 2:37 PM
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Detailed Map Exhibit

Docket 52442 - Streamlined Expedited Release

September 2022

PLOTTED BY
DWG NAME
LAST SAVED

Kimley»Horn

400 N. Oklahoma Dr.
Suite 105
Celina, Texas 75009
972-501-2200
State of Texas Registration No. F-928

NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PROVIDED WITHOUT THE BENEFIT OF A SURVEY, TOPOGRAPHY, UTILITIES, CONTACT WITH THE CITY, ETC.

FIELD NOTE DESCRIPTION
272.2266 ACRES

BEING a tract of land situated in the Thomas A. Rhodes Survey, Abstract No. 741, Collin County, Texas, and being a portion of that called 273.5105 acre tract of land conveyed to Meritage Homes of Texas, LLC, according to the document filed of record in Instrument Number 20201228002333180, Official Public Record, Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found in the east line of County Road 409, for the northwest corner of said 273.5105 acre tract, same being in the south line of Waterstone Estates, Section 1, an addition to Collin County according to the plat filed of record in Volume R, Page 210, Plat Records of Collin County, Texas;

THENCE with the north line of said 273.5105 acre tract and the south line of said Waterstone Estates the following six (6) calls:

South 89°18'09" East, a distance of 602.18 feet to a 1/2 inch iron rod found for corner of this tract;

South 89°26'54" East, a distance of 1,155.54 feet to a 1/2 inch iron pipe found for corner of this tract;

South 89°08'08" East, a distance of 1,211.65 feet to a 1/2 inch iron rod found for corner of this tract;

South 01°01'25" West, a distance of 875.25 feet to a 1/2 inch iron rod found for corner of this tract;

South 89°02'05" East, a distance of 1,750.85 feet to a point for corner of this tract;

South 89°20'21" East, a distance of 997.27 feet to a 1/2 inch iron rod found for the northeast corner of this tract, same being the northwest corner of that tract of land described in deed to Paul Willett according to the document filed for record in Volume 4319, Page 2109, Official Public Records of Collin County, Texas;

THENCE with the east line of the above mentioned 273.5105 acre tract, being common with the west line of said Paul Willett tract, that tract of land described in deed to Vicki Lynn Willett according to the document filed of record in Document Number 20101012001098060, Official Public Records of Collin County, Texas, and that tract of land described in deed to Thomas Zina according to the document filed of record in Document Number 20120801000944170, Official Public Records of Collin County, Texas, the following four (4) calls:

South 00°16'34" West, a distance of 236.88 feet to a point for corner of this tract;

South 00°46'47" West, a distance of 285.41 feet to a point for corner of this tract;

South 00°51'33" West, a distance of 318.59 feet to a 1/2 inch iron pipe found for corner of this tract;

South 00°48'17" West, a distance of 1,365.41 feet to a point for the southeast corner of this tract;

THENCE North 89°11'43" West, with the south line of the above mentioned 273.5105 acre tract a distance of 3,138.68 feet to a point for corner of this tract;

THENCE over and across said 273.5105 acre tract the following three (3) calls:

North 00°35'37" East, a distance of 1,307.53 feet to a point for corner of this tract;

North 89°24'23" West, a distance of 39.99 feet to a point for corner of this tract;

South 00°35'37" West, a distance of 68.06 feet to a section of railroad found in the south line of the above mentioned 273.5105 acre tract, same being common with the north line of that called 54.415 acre tract of land described in deed to Balu Mahi Investments, LLC according to the document filed of record in Document Number 20180507000556000, Official Public Records of Collin County, Texas, for corner of this tract;

THENCE North 89°02'23" West, with said common line a distance of 2,426.16 feet to a point in the east line of County Road 409, for the most westerly southwest corner of said 273.5105 acre tract, same being common with the northwest corner of said 54.415 acre tract, for corner of this tract;

THENCE with said east line being common with the west line of said 273.5105 acre tract the following three (3) calls:

North 00°13'41" West, a distance of 669.23 feet to a point for corner of this tract;

North 01°08'28" West, a distance of 999.99 feet to a point for corner of this tract;

North 19°27'14" West, a distance of 175.36 feet to the **POINT OF BEGINNING** and containing 272.2266 acres or 11,858,189 square feet of land.

BASIS OF BEARING: The basis of bearing is based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown hereon are grid distances.

SPECIAL WARRANTY DEED

Mailing Address of Grantee:

MERITAGE HOMES OF TEXAS, LLC
Attn: Ryan Hamilton, Esq.
8800 East Raintree Drive, Suite 300
Scottsdale, AZ 85260

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

SPECIAL WARRANTY DEED

THE STATE OF TEXAS

§

COUNTY OF COLLIN

§

§

KNOW ALL PERSONS BY THESE PRESENTS:

THAT, NORTH COLLIN 550 LAND, LLC, a Texas limited liability company (hereinafter referred to as "**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned paid by MERITAGE HOMES OF TEXAS, LLC, an Arizona limited liability company (hereinafter referred to as "**Grantee**"), the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto Grantee, all of the tract or parcel of land described on **Exhibit A** attached hereto and made a part hereof for all purposes (the "**Land**"), together with, but without warranty, (i) all and singular the appurtenances appertaining thereto, and Grantor's rights, easements and other interests, if any, in and to adjacent streets, alleys and rights-of-way abutting such real property, (ii) any improvements situated upon the Land, and (iii) all of Grantor's rights of access to the Land, mineral rights in the Land, and utility capacities serving the Land (collectively, the "**Property**"); subject, however, to those matters set forth on **Exhibit B** attached hereto and made a part hereof by reference for all purposes.

TO HAVE AND TO HOLD the above described Land (subject to the foregoing), unto Grantee and Grantee's assigns, successors and legal representatives FOREVER, and Grantor does hereby bind Grantor and Grantor's legal representatives, successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Property unto Grantee and Grantee's assigns, successors and legal representatives, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under the Grantor, but not otherwise.

GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE SPECIAL WARRANTY OF TITLE SET FORTH IN THIS DEED AND EXCEPT FOR THE REPRESENTATIONS, WARRANTIES AND COVENANTS OF GRANTOR (COLLECTIVELY THE "**REPRESENTATIONS, WARRANTIES AND COVENANTS**") SET FORTH IN THAT CERTAIN AGREEMENT OF PURCHASE AND SALE DATED NOVEMBER 3, 2020, BY AND BETWEEN GRANTOR AND GRANTEE (AS AMENDED AND PARTIALLY ASSIGNED, THE "**AGREEMENT**"), THE PROPERTY IS CONVEYED AND TRANSFERRED TO GRANTEE "AS IS, WHERE IS AND WITH ALL FAULTS". EXCEPT FOR THE REPRESENTATIONS, WARRANTIES AND COVENANTS, GRANTOR DOES NOT WARRANT OR MAKE ANY REPRESENTATION, EXPRESS OR IMPLIED, AS TO FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, DESIGN, QUANTITY, QUALITY, LAYOUT, FOOTAGE, PHYSICAL CONDITION, OPERATION, COMPLIANCE WITH SPECIFICATIONS, ABSENCE OF LATENT DEFECTS, OR COMPLIANCE WITH LAWS AND REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH, SAFETY AND THE ENVIRONMENT) OR ANY OTHER MATTER AFFECTING THE PROPERTY, AND GRANTOR SHALL BE UNDER NO OBLIGATION WHATSOEVER TO UNDERTAKE ANY REPAIRS, ALTERATIONS OR OTHER WORK OF ANY KIND WITH RESPECT TO ANY PORTION OF THE PROPERTY. INFORMATION PROVIDED BY GRANTOR IN RESPECT

OF THE PROPERTY WAS OBTAINED FROM A VARIETY OF SOURCES. GRANTOR DID NOT MAKE AN INDEPENDENT INVESTIGATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS THEREOF. EXCEPT WITH RESPECT TO THE REPRESENTATIONS, WARRANTIES AND COVENANTS, PURCHASER HEREBY ASSUMES ALL RISK AND LIABILITY RESULTING FROM THE OWNERSHIP, USE, CONDITION, LOCATION, MAINTENANCE, REPAIR OR OPERATION OF THE PROPERTY, WHICH GRANTEE INSPECTED AND ACCEPTS "AS IS". IN THIS REGARD, GRANTEE ACKNOWLEDGES THAT (A) GRANTEE MADE ITS DECISION TO PURCHASE THE PROPERTY BASED UPON THE REPRESENTATIONS, WARRANTIES AND COVENANTS AND GRANTEE'S OWN DUE DILIGENCE AND INVESTIGATIONS, (B) GRANTEE HAS SUCH KNOWLEDGE AND EXPERIENCE IN REAL ESTATE INVESTMENT TO EVALUATE THE MERITS AND RISKS OF THIS TRANSACTION, AND (C) GRANTEE IS FINANCIALLY ABLE TO BEAR THE ECONOMIC RISK OF THE LOSS OF THIS REAL ESTATE INVESTMENT AND THE COST OF DUE DILIGENCE AND INVESTIGATIONS.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

EXECUTED to be effective as of the 23 day of December, 2020.

GRANTOR:

NORTH COLLIN 550 LAND, LLC,
a Texas limited liability company

By: Astra Investments I, LLC,
a Texas limited liability company,
its Managing Member

By: 
Justin Bono, Manager

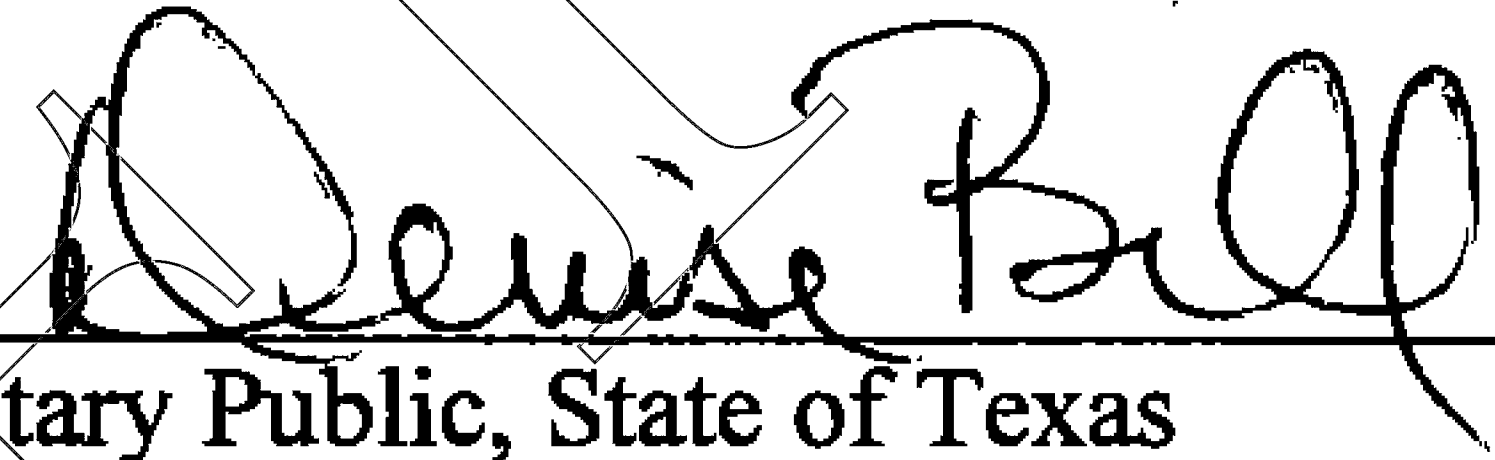
STATE OF TEXAS

§
§
§

COUNTY OF DALLAS

This instrument was acknowledged before me on December 23, 2020, by Justin Bono, Manager of Astra Investments I, LLC, a Texas limited liability company, as Managing Member of NORTH COLLIN 550 LAND, LLC, a Texas limited liability company.

[NOTARY STAMP]


Notary Public, State of Texas
My Commission Expires: _____

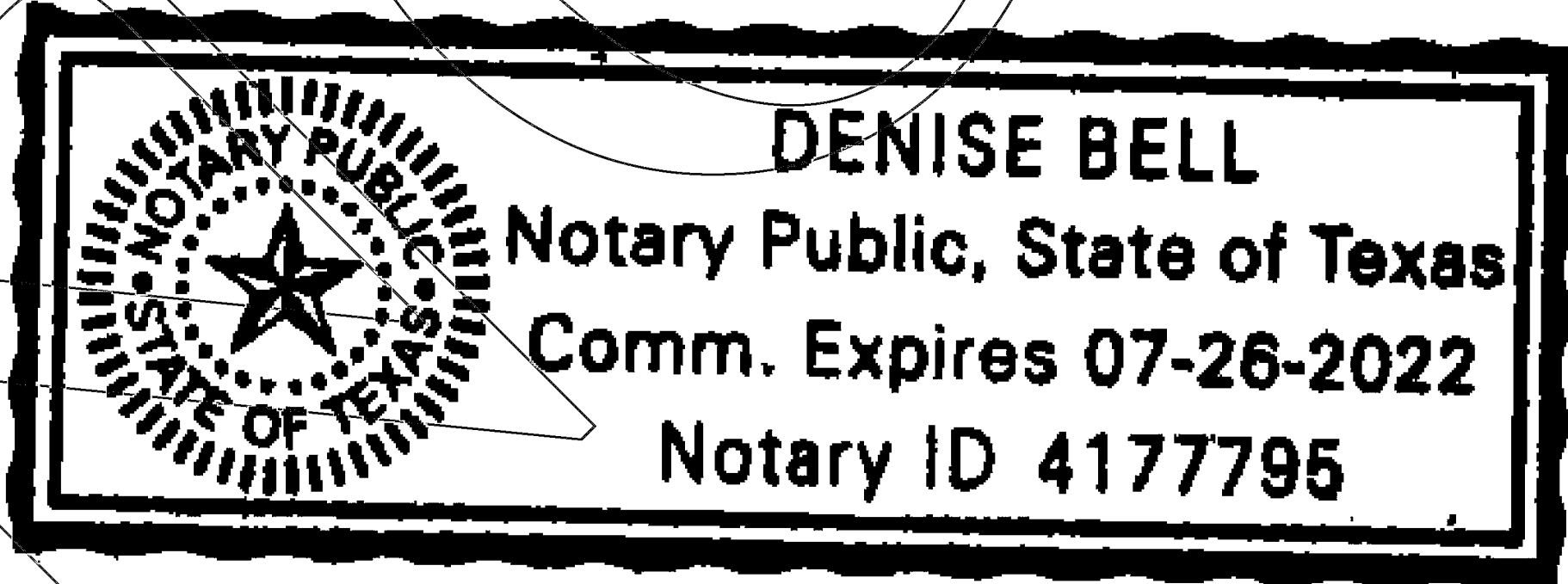
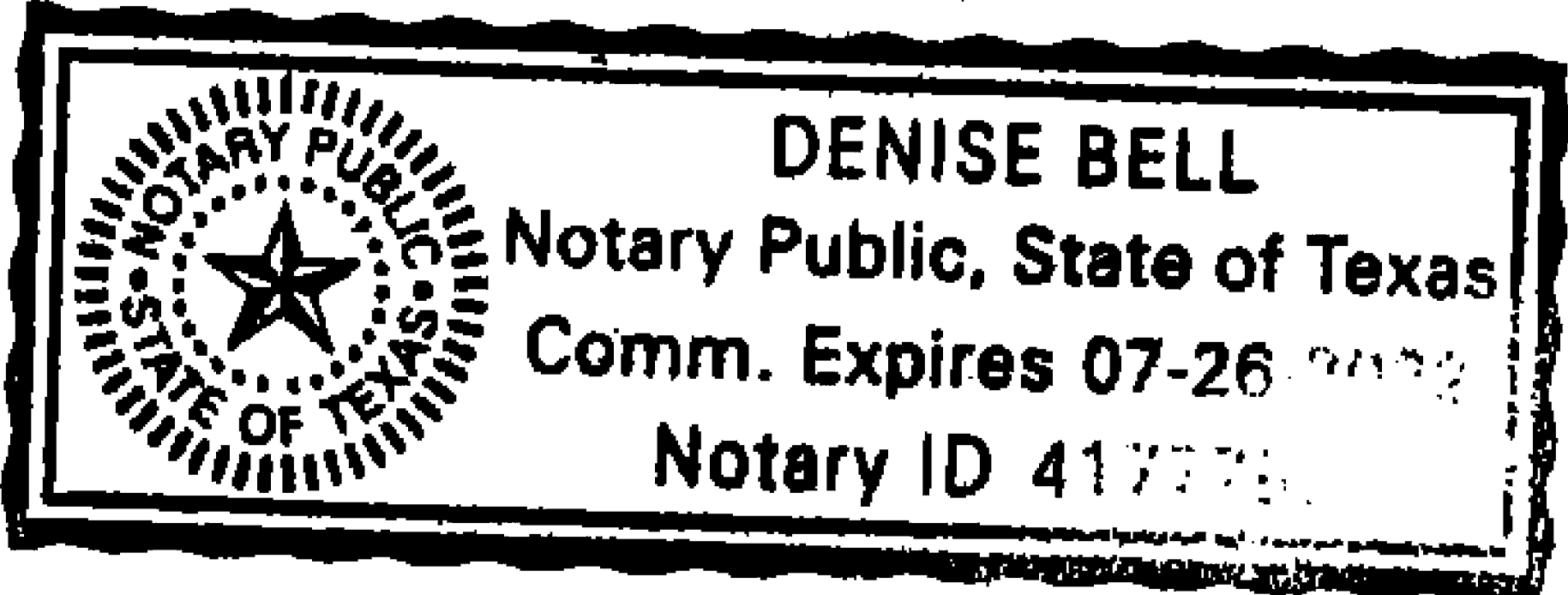
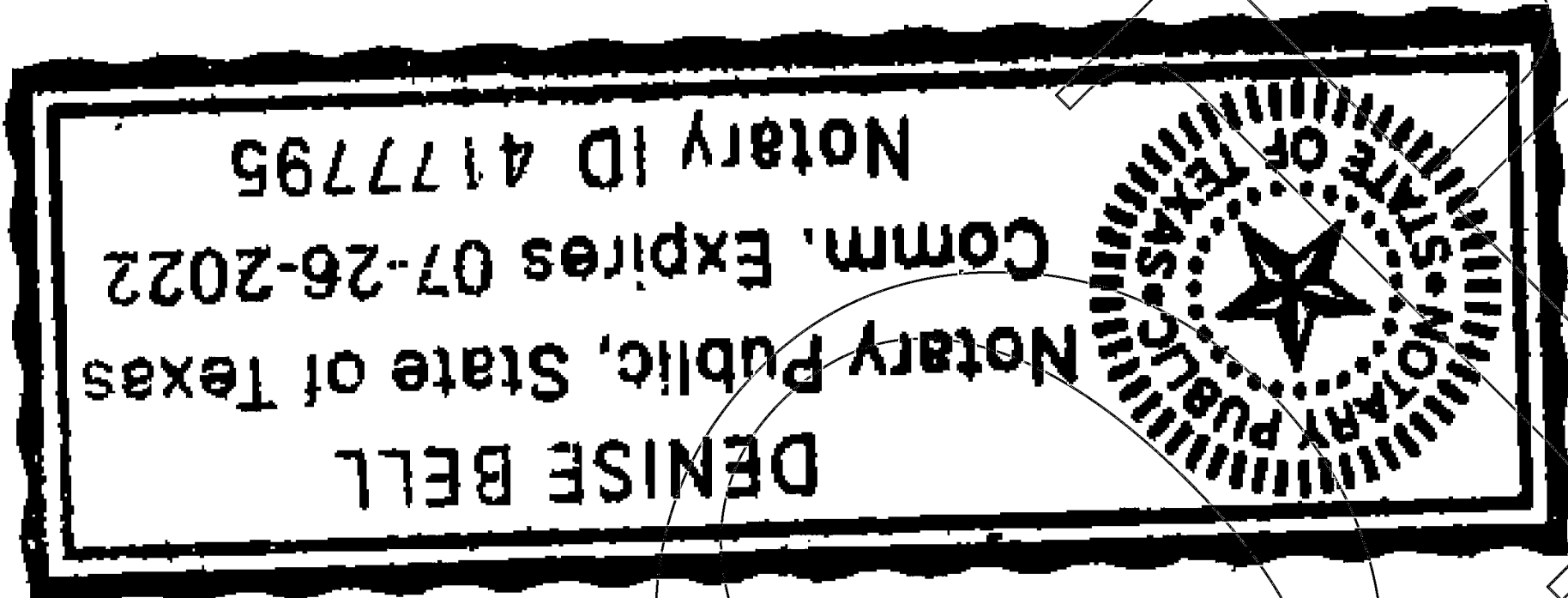


EXHIBIT A
TO SPECIAL WARRANTY DEED

LEGAL DESCRIPTION OF THE LAND

BEING a tract of land situated in the Thomas A. Rhodes Survey, Abstract No. 741, Collin County, Texas, and being a portion of that tract of land conveyed to North Collin 550 Land, LLC, according to the document filed of record in Instrument Number 20190906001095320, Official Public Record, Collin County, Texas (O.P.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found in the east line of County Road 409 for the northwest corner of this tract;

THENCE South 89°18'09" East, a distance of 602.28 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 89°26'54" East, a distance of 1155.72 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 89°08'08" East, a distance of 1211.83 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 1°01'25" West, a distance of 875.39 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 89°02'05" East, a distance of 1751.12 feet to a point for a corner of this tract;

THENCE South 89°20'21" East, a distance of 997.42 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 0°16'34" West, a distance of 236.92 feet to a point for a corner of this tract;

THENCE South 0°46'47" West, a distance of 285.45 feet to a point for a corner of this tract;

THENCE South 0°51'33" West, a distance of 318.63 feet to a 1/2" iron rod found for a corner of this tract;

THENCE South 0°48'17" West, a distance of 1365.62 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for a corner of this tract;

THENCE North 89°11'43" West, a distance of 3179.16 feet to 5/8" iron rod with plastic cap stamped "KHA" set for a corner of this tract;

THENCE North 0°35'37" East, a distance of 1239.52 feet to a section of railroad rail found for a corner of this tract;

THENCE North 89°02'23" West, a distance of 2426.53 feet to a point for a corner of this tract;

THENCE North 0°13'41" West, a distance of 669.33 feet to a point for a corner of this tract;

THENCE North 1°08'28" West, a distance of 1000.14 feet to a point for a corner of this tract;

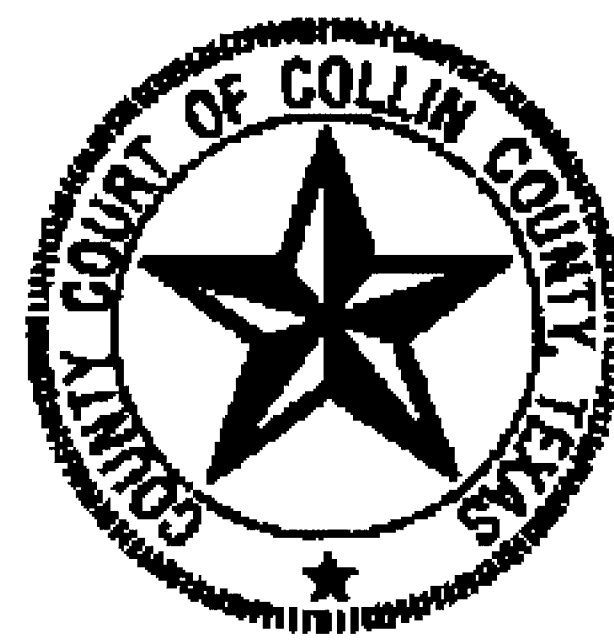
THENCE North 19°27'14" West, a distance of 175.38 feet to the **POINT OF BEGINNING** and containing 273.5105 acres or 11,914,117 square feet of land, more or less.

EXHIBIT B
TO SPECIAL WARRANTY DEED

PERMITTED EXCEPTIONS

1. Restrictive covenants recorded under Clerk's File No. 94-0040411, Real Property Records of Collin County, Texas.
2. Rights of David McMahan, as tenants only, in possession under unrecorded lease agreements.
3. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed or not.
4. Easement granted Bi-Stone Fuel Company, recorded 11/20/62 in Volume 608, Page 203, Real Property Records, Collin County, Texas and shown on survey dated June 25, 2019 and revised November 18, 2020, by White Land Surveying, Inc., prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190, Job Number 20191223.
5. Easement granted to Matador Pipelines, Inc., recorded 08/20/81 in Volume 1421, Page 692, Real Property Records, Collin County, Texas and shown on survey dated June 25, 2019 and revised November 18, 2020, by White Land Surveying, Inc., prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190, Job Number 20191223.
6. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated January 28, 1981, by and between Woodrow Walker and wife, Ernestene Walker, as Lessor, and Jack E. Klinger, as Lessee, recorded July 27, 1981 at Volume 1411, Page 457 of the Official Records of Collin County, Texas.
7. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated January 28, 1981, by and between Woodrow Walker and wife, Ernestene Walker, as Lessor, and Jack E. Klinger, as Lessee, recorded July 27, 1981 at Volume 1411, Page 501 of the Official Records of Collin County, Texas.
8. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated April 20, 1981, by and between Woodrow Walker and wife, Ernestene Walker, as Lessor, and Jack E. Klinger, as Lessee, recorded July 27, 1981 at Volume 1411, Page 672 of the Official Records of Collin County, Texas.
9. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated November 5, 1981, by and between Woodrow Walker and Ernestene Walker, as Lessor, and Provincial Oil Corporation, as Lessee, recorded December 2, 1981 at Volume 1453, Page 273 of the Official Records of Collin County, Texas.
10. Easements and rights incidental thereto, as reserved in Judgment of Court in Absence of Objection, recorded 06/13/01 in Volume 4938, Page 783, Real Property Records, Collin County, Texas and shown on survey dated June 25, 2019 and revised November 18, 2020, by White Land Surveying, Inc., prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190, Job Number 20191223.
11. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey, Job No.: 20191223 Dated: June 25, 2019 and revised November 18, 2020, prepared by Joel Wilhite, Registered Professional Land Surveyor Number 5190 as follows: variable fence lines along most Western property line encroaching and/or protruding as shown.

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Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
12/28/2020 03:30:17 PM
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20201228002333180

Stacey Kemp

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- MeritageBoundary272 - Polygon.idx
- MeritageBoundary272 - Polygon.prj
- MeritageBoundary272 - Polygon.shp
- MeritageBoundary272 - Polygon.shx
- MeritageBoundary273 - Rev.bak
- MeritageBoundary273 - Rev.dbf
- MeritageBoundary273 - Rev.dwg
- MeritageBoundary273 - Rev.idx
- MeritageBoundary273 - Rev.kmz
- MeritageBoundary273 - Rev.prj
- MeritageBoundary273 - Rev.shp
- MeritageBoundary273 - Rev.shx

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact centralrecords@puc.texas.gov if you have any questions.