



## Filing Receipt

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**Control Number - 52517**

**ItemNumber - 10**

# COATS | ROSE

A PROFESSIONAL CORPORATION

NATALIE SCOTT  
DIRECTOR

NSCOTT@COATSROSE.COM  
DIRECT: (512) 541-3846  
FAX: (512) 469-9408

October 11, 2021

Public Utilities Commission  
P.O. Box 13326  
Austin, Texas 78711-3326

*Via Electronic Filing*

Re: PUC Docket 52517

Dear Sir or Madam:

On September 3, 2021 counsel filed a Petition for Expedited Release Pursuant to Texas Water Code Section 13.2541, as well as the corresponding digital data (polygon shapefiles) on behalf of by A. J. Malone. Since filing the petition, counsel learned that the property was sold, and verified that the new owners still want to move forward with the decertification process.

With this letter, undersigned counsel files its First Amended Petition on behalf of the new owner, VPTM Cross Creek LB, LLC, including new mapping, digital data (polygon shapefiles) and proof of new ownership.

We kindly ask that the PUC modify the case style in this docket to reflect the correct owner.

Very truly yours,



Natalie B. Scott

NBS:mzp  
Enclosures

Cc (w/encl.):  
All counsel of record  
via email

TERRACE 2, 2700 VIA FORTUNA, SUITE 350, AUSTIN, TEXAS 78746  
PHONE: (512) 469-7987 FAX: (512) 469-9408  
[coatsrose.com](http://coatsrose.com)

PUC DOCKET NO. 52517

PETITION BY VPTM CROSS	§	BEFORE THE
CREEK LB, LLC	§	
FOR EXPEDITED RELEASE	§	
FROM WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

**FIRST AMENDED PETITION BY VPTM CROSS CREEK LB, LLC FOR EXPEDITED RELEASE PURSUANT TO TEXAS WATER CODE SECTION 13.2541 (TRACT 1)**

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

VPTM Cross Creek LB, LLC (“Petitioner”) files its First Amended Petition with the Public Utility Commission of Texas (the “PUC”) for expedited release from Marilee Special Utility District (“Marilee SUD”) water certificate of convenience and necessity (“CCN”) No. 10150 pursuant to (i) Texas Water Code Section 13.2541; and (ii) 16 Texas Administrative Code Section 24.245; and in support shows 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 expedited release of the area from a CCN. TEX. WATER CODE § 13.2541. 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.” *Id.* The rule adopted by the PUC pursuant to Section 13.2541 provides the same, and it recognizes that Collin County is a county in which owners of at least 25 acres are entitled to expedited release. *See* 16 TEX. ADMIN. CODE § 24.245(h). Under Section 13.2541(c), the PUC “shall grant a petition not later than the 60<sup>th</sup> day after the date the landowner files the petition.” *See* TEX. WATER CODE § 13.2541(c).

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

Petitioner owns approximately 103.44 acres of contiguous property in Collin County (the “Overall Property”). The Overall Property is within the boundaries of water CCN No. 10150, held by Marilee SUD. Approximately 62.671 acres of the Overall Property (the “Requested Area”) does not receive service from any water or sewer service provider. An Affidavit in support of this Petition is attached hereto as Exhibit “A-1.” Exhibits “B-1 and B-2” attached to this Petition are true and correct copies of the entire tract location map (the Overall Property) and a general location map of the tract. Petitioner is owner of this land as evidenced by the Special Warranty Deed, attached as Exhibit “C-1”. Digital mapping in polygon shapefile format will also be submitted in this docket.

## **III. CONCLUSION AND PRAYER**

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Requested Area described herein. The Property is greater than 25 acres, is not receiving water or sewer service, and are entirely within Collin County. Under Section 13.2541, the PUC should grant this Petition no later than the 60<sup>th</sup> day after the date of filing. Petitioner respectfully requests that the PUC grant this Petition and issue an order under the authority of Section 13.2541 releasing all portions of the Requested Area that are within the boundaries of Water CCN No. 10150.

Respectfully submitted,

**COATS | ROSE**

By:



---

Natalie B. Scott  
State Bar No. 24027970  
nscott@coatsrose.com  
Terrace 2  
2700 Via Fortuna, Suite 350  
Austin, Texas 78746  
(512) 469-7987 Telephone  
(512) 469-9408 Telecopier

Joshua A. Bethke  
State Bar No. 24105465  
14755 Preston Road, Suite 600  
Dallas, Texas 75254  
(972) 982-8454 (Telephone)  
(972) 702-0662 (Facsimile)  
[jbethke@coatsrose.com](mailto:jbethke@coatsrose.com) (Email)

**ATTORNEYS FOR PETITIONERS**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11<sup>th</sup> day of October, 2021, a true and correct copy of the Petition by VPTM Cross Creek LB, LLC for Expedited Release Pursuant to Texas Water Code Section 13.254.1 was sent, via certified mail, return receipt requested to the following recipient at the address indicated.

John J. Carlton  
Grayson E. McDaniel  
The Carlton Law Firm, P.L.L.C.  
4301 Westbank Drive, Suite B-130  
Austin, Texas 78746  
Email: john@carltonlawaustin.com  
Email: grayson@carltonlawaustin.com

Kourtnee Jinks  
Public Utility Commission of Texas – Legal Division  
1701 N. Congress Ave.  
P.O. Box 13326  
Austin, Texas 78711-3326  
Email: kourtnee.jinks@puc.texas.gov



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Natalie B. Scott/Joshua A. Bethke

EXHIBIT "A-1"

Affidavit of Brendan Bosman

PETITION BY VPTM CROSS	§	BEFORE THE
CREEK LB, LLC	§	
FOR EXPEDITED RELEASE	§	
FROM WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

**AFFIDAVIT OF BRENDAN BOSMAN IN SUPPORT OF PETITION FOR EXPEDITED  
RELEASE FROM WATER CCN NO. 10150 HELD BY MARILEE SPECIAL UTILITY  
DISTRICT PURSUANT TO TEXAS WATER CODE  
SECTION 13.2541**

STATE OF TEXAS §

COUNTY OF COLLIN §

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

1. “My name is Brendan Bosman, Managing Director of VPTM Cross Creek LB, LLC. 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.

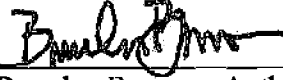
2. Petitioner owns approximately 103.44 acres of land (the “Overall Property”), which is located within the boundaries of water CCN No. 10150 issued Marilee SUD. Petitioners seek to have approximately 62.671 acres (the “Requested Area”) located within the Overall Property released from water CCN No. 10150. The Requested Area is located in Collin County, Texas. Exhibits “B-1 and B-2” attached to this Petition are true and correct copies of the entire tract location map (the Overall Property) and a general location map of the tract. I am owner of this land as evidenced by the Special Warranty Deed, attached as Exhibit “C-1”. Digital mapping in polygon shapefile format will also be submitted in this docket.

3. The Requested Area is not receiving water or sewer service from Marilee SUD or any other water or sewer service provider. The Requested Area has not requested water or sewer service from Marilee SUD or paid any fees or charges to initiate or maintain water or sewer service, and there are no billing records or other documents indicating an existing account for the Requested Area.

4. I request that the Public Utility Commission of Texas release the Requested Area from Water CCN No. 10150.”



FURTHER AFFIANT SAYETH NOT.



Brendan Bosman, Authorized Signatory  
VPTM Cross Creek LB, LLC

SWORN TO AND SUBSCRIBED TO BEFORE ME by Brendan Bosman on  
2 October 2021.

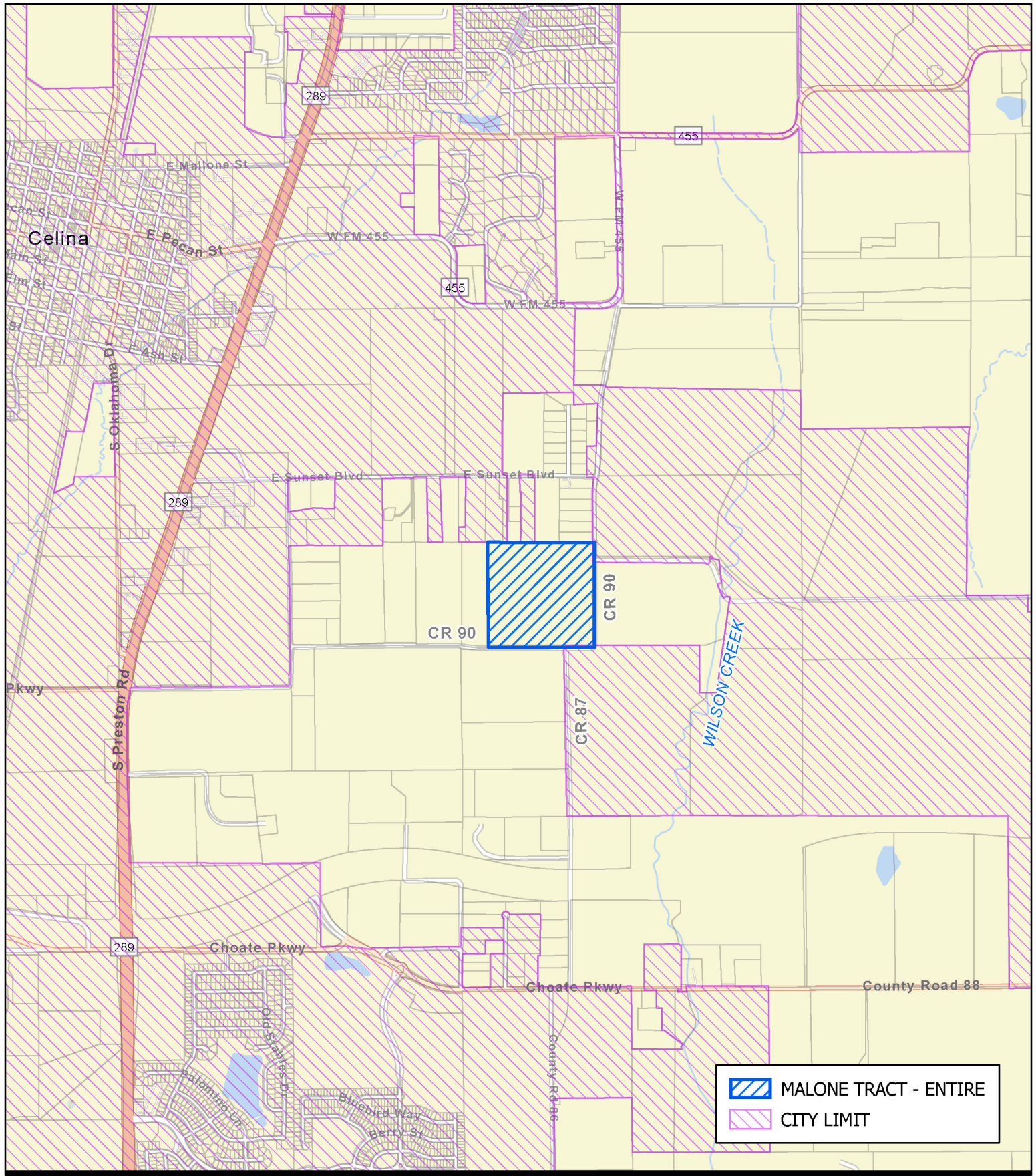


Notary Public, State of Minnesota

EXHIBIT "B-1"

Entire Tract Map  
(Tract 1)

d:\projects\010061\002\load\exhibit\20210817\_puc\_exhibits\puc\_bndy.aprx

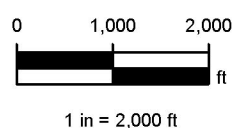


3501 OLYMPUS BLVD., SUITE 100  
 DALLAS, TEXAS 75019  
 817.416.4536  
 WWW.KFM-LLC.COM  
 TBPE: F-20821

TITLE  
**GENERAL LOCATION - MALONE TRACT**  
 ENTIRE TRACT (FROM DEED) OWNED BY TAYLOR MORRISON TO  
 BE RELEASED FROM CCN #10150

PROJECT  
**TUSCANY ESTATES**  
 CELINA, TEXAS

CLIENT  
**CORSON CRAMER**



PROJECT NUMBER:  
 010061002  
 SEPTEMBER 14, 2021

SHEET:  
**1 OF 1**

EXHIBIT "B-2"

General Location Map  
(Tract 1)

d:\projects\010061\002\cad\exhibit\20210817\_puc\_exhibits\puc\_bndy.aprx



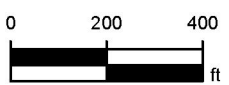
3501 OLYMPUS BLVD., SUITE 100  
 DALLAS, TEXAS 75019  
 817.416.4536  
 WWW.KFM-LLC.COM

TBPE: F-20821

**TITLE**  
**DETAILED MAP - MALONE TRACT**  
 ENTIRE TRACT (FROM DEED) OWNED BY TAYLOR MORRISON TO BE  
 RELEASED FROM CCN #10150

**PROJECT**  
**TUSCANY ESTATES**  
 CELINA, TEXAS

**CLIENT**  
**CORSON CRAMER**



1 in = 400 ft

PROJECT NUMBER:  
 010061002  
 SEPTEMBER 14, 2021

SHEET:

EXHIBIT "C-1"

Special Warranty Deed

Upon Recording, please return to:

VPTM Cross Creek LB LLC  
c/o Värde Partners, Inc.  
901 Marquette Ave. S, Suite 3300  
Minneapolis, MN 55402

782102411

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

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

§

COUNTY OF COLLIN

§

THAT C AND C LAND, LLC, a Texas limited liability company ("Grantor"), for Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid and caused to be paid to Grantor by VPTM CROSS CREEK LB LLC, a Delaware limited liability company ("Grantee"), whose mailing address is c/o Värde Partners, Inc., 901 Marquette Ave. S, Suite 3300, Minneapolis, MN 55402, the receipt and sufficiency of which consideration are hereby acknowledged and confessed by Grantor, has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, and CONVEY, unto Grantee, certain real property described on Exhibit A attached hereto (the "Land") and made a part hereof for all purposes, together with (i) any and all appurtenances, rights and privileges directly benefiting, directly belonging or directly pertaining to such real property, including, without limitation, entitlements, permits, licenses, consents and other approvals granted by any governmental or quasi-governmental authority solely relating to such property, and (ii) without warranty, any right, title and interest of Grantor in and to (1) any strips and gores, if any, between the Land and any abutting properties, whether owned or claimed by deed, limitations or otherwise; and (2) any land lying within any highway, avenue, street, road, alley, easement or right of way, open or proposed, in, or across, abutting or adjacent to the Land, to the center line of said highway, avenue, street, road, alley or right-of-way (the Land and all of the foregoing items described in subparts (i) and (ii) being referred to collectively as the "Subject Property").

This Special Warranty Deed (this "Deed") is expressly made subject to those matters set forth on Exhibit B attached hereto and made a part hereof for all purposes, but only to the extent such matters are valid and affect the Subject Property (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Subject Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, Grantee's heirs, successors, and assigns, forever; and Grantor does hereby bind Grantor, Grantor's heirs, successors, assigns, and legal representatives, except for the Permitted Exceptions, to WARRANT and FOREVER DEFEND all and singular the Subject Property unto Grantee, Grantee's heirs, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise;

GRANTEE, BY ACCEPTANCE OF THIS DEED, ACKNOWLEDGES THAT IT HAS INSPECTED AND ASSESSED THE SUBJECT PROPERTY AND HAS SATISFIED ITSELF AS TO THE CONDITION OF SAME AND THAT IT ACCEPTS THE SUBJECT PROPERTY "AS IS, WHERE IS, AND WITH ALL FAULTS", WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND, WHETHER EXPRESSED OR IMPLIED, BY OPERATION OF LAW, OR OTHERWISE, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY AS TO HABITABILITY, SUITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR FITNESS FOR ANY PURPOSE, SAVE AND EXCEPT THE WARRANTIES OF TITLE CONTAINED HEREIN AND THE EXPRESS REPRESENTATIONS AND WARRANTIES CONTAINED WITHIN THAT CERTAIN REAL ESTATE SALES CONTRACT DATED AS OF AUGUST 5, 2021 BETWEEN GRANTOR, AS SELLER, AND GRANTEE, AS PURCHASER, CONCERNING THE SALE AND PURCHASE OF THE SUBJECT PROPERTY (AS SUCH CONTRACT MAY HAVE BEEN AMENDED AND/OR ASSIGNED).

Grantor warrants payment of all ad valorem taxes on the Subject Property through calendar year 2020. Taxes for the current year have been prorated as of the effective date hereof, and Grantee assumes and agrees to pay such ad valorem taxes in full, prior to the time the same become delinquent.

[Signature page follows.]



EXECUTED on the date of the acknowledgment set forth below, to be effective for all purposes as of September 15, 2021.

C AND C LAND, LLC,  
a Texas limited liability company

By: *Brian Cramer*  
Name: Brian Cramer  
Title: Co-Manager

THE STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS         §

This instrument was acknowledged before me on the 14 day of September, 2021, by Brian Cramer, as Co-Manager of C and C Land, LLC, a Texas limited liability company, on behalf of said limited liability company.

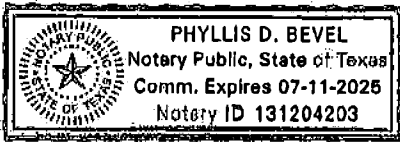
*Phyllis D. Bevel*

Notary Public in and for the  
State of Texas

Phyllis D. Bevel

Printed or Typed Name of Notary

My Commission Expires: 7-11-25



## EXHIBIT A to Deed

### Legal Description

#### TRACT 1:

Being all that certain tract or parcel of land situated in the Charles P. Rice Survey, Abstract No. 771, Collin County, Texas, being a part of a called 103.44 acre tract conveyed to A.J. Malone by deed of record in Volume 256, Page 340 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds and follows:

BEGINNING at a 1/4" Iron Rod Found at the northwest corner of said 103.44 acre tract, same being the northeast corner of a called 41.549 acre tract conveyed to Joseph A Miller, by instrument No. 20160506000552620 of the Official Public Records of Collin County, Texas, from which a 1/2" Iron Rod Found bears N89°56'42"W a distance of 458.95 feet;

THENCE with the north line of said called 103.44 acre tract the following two (2) bearing and distances:

1. S89°48'38"E a distance of 517.04 feet to a 1/2" Iron Rod Found at the southeast corner of a called 2.00 acre tract conveyed to 1541 E Sunset 3, LLC by instrument of record in Document No. 20210119000114220 of the Official Public Records of Collin County, Texas;
2. S89°58'46"E a distance of 1151.28 feet to a 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" in County Road 90 and the west line of a called 539.914 acre tract conveyed to The Parks At Wilson Creek, L.P. by instrument of record Document No. 20130830001229380 of the Official Public Records of Collin County, Texas, for the northeast corner said 103.44 acre tract, from which a Mag Nail Found bears North 89°16'35" East, a distance of 9.17 feet;

THENCE S00°19'11"E, along the centerline of County Road 90, same being the east line of said 103.44 acre tract, same being the west line of said 539.914 acre tract, a distance of 270.54 feet to a Mag Nail Found at a southwest corner of said 539.914 acre tract, same being the northwest corner of a called 62.700 acre tract of land conveyed to Clifton Van McKnight and Bryan Jeffery McKnight by instrument of recorded in Document No. 20181116001414940 of the Official Public Records of Collin County, Texas, and being at the apparent intersection of the centerline of County Road 92 running east and west and the centerline County Road 90 running north and south.

THENCE S00°03'56"E, continuing along the centerline of County Road 90, the east line of said 103.44 acre tract, and the west line of said 62.700 acre tract, a distance of 1373.17 feet to an Iron Rod Set at southeast corner of the Fifth Part of the called 103.44 acre tract, same being the southwest corner of said 62.700 acre tract, the north line of a called 118.904 acre tract of land conveyed to CCD-Coit Land, LLC by instrument of record in Document No. 20210430000881680 of the Official Public Records of Collin County, Texas, and being at the apparent intersection of the centerline of County Road 90 running east and west and the centerline County Road 90 running north and south.

THENCE with the south line of said 103.44 acre tract and the centerline of County Road 90, the following two (2) bearing and distances:

1. N89°55'09"W a distance of 442.77 feet to a Mag Nail Found at the northwest corner of said 118.904 acre tract, same being the northeast corner of a called 44.25 acre tract conveyed to Celina Independent School District by instrument of record in Document No. 2019092331175910 of the Official Public Records of Collin County, Texas;
2. S89°57'13"W a distance of 1208.90 feet to a 1/4" Iron Rod Found at the southwest corner of the Fifth Tract of the called 103.44 acre tract, same being the southeast corner of said 41.549 acre tract;

THENCE N00°41'13"W along the east line of 41.549 acre tract a distance of 30.00 feet to a 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for corner;

THENCE severing said 103.44 acre tract of land following Ten (10) courses:

1. N89°57'13"E a distance of 1034.60 feet to a capped 5/8-inch iron rod set for a point of curvature;
2. Along a curve to the left, having a radius of 138.00 feet, an arc length of 100.73 feet, a delta angle of 41°49'17", and a chord which bears N69°02'35"E a distance of 98.51 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of curvature;
3. Along a curve to the left, having a radius of 50.00 feet, an arc length of 37.43 feet, a delta angle of 42°53'15", and a chord which bears N26°41'20"E a distance of 36.56 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of curvature;
4. Along a curve to the right, having a radius of 870.00 feet, an arc length of 132.08 feet, a delta angle of 08°41'54", and a chord which bears N09°35'39"E a distance of 131.95 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of tangency;
5. N22°42'33"E a distance of 149.29 feet to a capped 5/8-inch iron rod set for a point of curvature;
6. Along a curve to the right, having a radius of 860.00 feet, an arc length of 196.82 feet, a delta angle of 13°06'46", and a chord which bears N30°22'42"E a distance of 196.39 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of tangency;
7. N36°56'04"E a distance of 200.15 feet to a capped 5/8-inch iron rod set for a point of curvature;

8. Along a curve to the left, having a radius of 740.00 feet, an arc length of 115.58 feet, a delta angle of  $08^{\circ}56'56''$ , and a chord which bears  $N32^{\circ}27'36''E$  a distance of 115.46 feet to a capped 5/8" Iron Rod Set with plastic cap which reads "LANDPOINT" set for a point of tangency;
9.  $N69^{\circ}16'57''W$  a distance of 236.91 feet to a capped 5/8-inch iron rod set for corner;
10.  $S89^{\circ}46'08''W$  to a point on the West line of said 103.44 acre tract of land, a distance of 1292.70 feet to a capped 5/8-inch iron rod set for corner in the west line of said 103.44 acre tract, same being the east line of said 41.549 acre tract;

THENCE  $N00^{\circ}41'13''W$ , with the west line of said 103.44 acre tract, same being the east line of said 41.549 acre tract, a distance of 774.24 feet to the POINT OF BEGINNING and containing 37.695 acres of land.

**TRACT 2:**

BEING all that certain tract of land situated in the Charles P. Rice Survey, Abstract No. 771, Collin County, Texas, and being all of a called 62.700 acre tract of land described in the deed to Clifton Van McKnight and Bryan Jeffery McKnight, recorded in Instrument No. 20181116001414940, Official Public Records of Collin County, Texas, and being more particularly described as follows:

BEGINNING at a mag nail found at the intersection of County Road 90 and County Road 92 and in the easterly line of a called 103.44 acre tract of land described in the deed to A.J. Malone, recorded in Volume 256, Page 340, Deed Records of Collin County, Texas for the northwest corner of said 62.700 acre tract, common to the western-most southwest corner of a called 517.454 acre tract of land described in the deed to The Parks at Wilson Creek, L.P., recorded in Instrument No. 20130830001229380, said Official Public Records;

THENCE South  $89^{\circ}54'49''$  East, in said County Road 92 with the northerly line of said 62.700 acre tract and a southerly line of said 517.454 acre tract, a distance of 1742.37 feet to a mag nail set for the northeast corner of said 62.700 acre tract;

THENCE South  $49^{\circ}40'37''$  East, continuing in said County Road 92 and with the easterly line of said 62.700 acre tract, a distance of 131.83 feet to a mag nail set for corner;

THENCE South  $21^{\circ}16'13''$  East, continuing in said County Road 92 and the easterly line of said 62.700 acre tract, a distance of 308.25 feet to a mag nail set for corner in a westerly line of said 517.454 acre tract;

THENCE with the common line of said 62.700 acre tract and said 517.454 acre tract the following three (3) courses:

1. South 06°18'48" East, a distance of 258.73 feet to a 5/8-inch iron rod with a cap stamped "Landpoint" set (hereinafter referred to as capped iron rod set);
2. South 89°12'47" East, a distance of 106.69 feet to a mag nail found in said County Road 92 for a salient corner of said 62.700 acre tract, common to a re-entrant corner of said 517.454 acre tract;
3. South 07°36'21" West, a distance of 644.65 feet to a 5/8-inch capped iron rod set for the southeast corner of said 62.700 acre tract;

THENCE South 69°28'40" West, with the southerly line of said 62.700 acre tract, a distance of 293.24 feet to capped iron rod set for corner from which a 1/2-inch iron rod found for reference bears North 00°03'23" East, a distance of 1.47 feet;

THENCE North 89°55'09" West, continuing with the southerly line of said 62.700 acre tract, passing at a distance of 86.35 feet a 1/2-inch iron rod found for the northeast corner of a called 119.024 acre tract of land described in the deed to Celina Land Development LLC, recorded in Instrument No. 201901110000397300, said Official Public Records, continuing on said course with the northerly line of said 119.024 acre tract, a total distance of 1728.31 feet to a capped iron rod set at a bend in said County Road 90 for the southwest corner of said 62.700 acre tract, common to the southeast corner of said 103.44 acre tract, from which a mag nail found for the northwest corner of said 119.024 acre tract bears North 89°55'09" West, a distance of 442.77 feet;

THENCE North 00°03'56" West, in said County Road 90 with the westerly line of said 62.700 acre tract and the easterly line of said 103.44 acre tract, a distance of 1373.17 feet to the POINT OF BEGINNING and enclosing 62.140 acres of land, more or less.

**EXHIBIT B to Deed**

Permitted Exceptions

1. The restrictive covenants recorded in Clerk's File No. 20210819001680650, Real Property Records, Collin County, Texas.
2. 20' Water and Sewer Easement granted to the City of Celina, Texas as set forth in instrument filed for record under Collin County Clerk's File No. 20150915001168240, and being described and located therein. (Affects Tract 2)
3. Amended and Restated Development Agreement recorded in Clerk's File No. 20210819001680650, Real Property Records, Collin County, Texas. As affected by that certain Partial Assignment and Assumption of Amended and Restated Development Agreement from CCD – Coit Land, LLC to Taylor Morrison of Texas, Inc., dated as of even date herewith, to be recorded in the Real Property Records, Collin County, Texas on or around even date herewith.



Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
09/16/2021 03:56:21 PM  
\$54.00 DFOSTER  
20210916001894830

*Stacey Kemp*

The following files are not convertible:

MALONE\_ENTIRE.CPG  
MALONE\_ENTIRE.dbf  
MALONE\_ENTIRE.idx  
MALONE\_ENTIRE.prj  
MALONE\_ENTIRE.sbn  
MALONE\_ENTIRE.sbx  
MALONE\_ENTIRE.shp

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

Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.

The following files are not convertible:

MALONE\_ENTIRE.shp.xml

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

Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.



The following files are not convertible:

MALONE\_ENTIRE.shx

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

Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.