



Filing Receipt

Received - 2021-09-23 11:47:59 AM

Control Number - 52542

ItemNumber - 2

COATS | ROSE

A PROFESSIONAL CORPORATION

NATALIE SCOTT
DIRECTOR

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

September 23, 2021

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

Via Electronic Filing

Re: PUC Docket No. 52542; *Petition by Mesquoaakee Ranch, LLC for Expedited Release from Water CCN No. 10150 Held by Marilee Special Utility District in Collin County*

Dear Sir or Madam:

Enclosed for filing in the above-referenced matter please find a First Amended Petition by Mesquoaakee Ranch, LLC for Expedited Release Pursuant to Texas Water Code Section 13.2541.

Very truly yours,



Natalie B. Scott

NBS:mzp
Enclosures

Cc (w/encl.):
Marilee Special Utility District
Attn.: Donna Loiselle, General Manager
2300 West Pecan Street
Celina, Texas 75009

Via Certified Mail, Return Receipt Requested
No. 7020 1810 0002 0061 7861

TERRACE 2, 2700 VIA FORTUNA, SUITE 350, AUSTIN, TEXAS 78746

PHONE: (512) 469-7987 FAX: (512) 469-9408

coatsrose.com

HOUSTON | AUSTIN | DALLAS | SAN ANTONIO | NEW ORLEANS | CINCINNATI
017016.000009\4829-2058-9308.v1

PUC DOCKET NO. 52542

PETITION BY MESQUOAKEE RANCH, LLC	§	BEFORE THE
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 MESQUOAKEE RANCH, LLC FOR EXPEDITED
RELEASE PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

Mesquoakee Ranch, 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. *See* 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 60th day after the date the landowner files the petition.” *See* TEX. WATER CODE § 13.2541(c).

II. REQUEST FOR EXPEDITED RELEASE

Petitioner owns approximately 556.456 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 554.5 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." Exhibits "B-1 and B-2" attached to this Petition are true and correct copies of a general location map and a detailed map of the tract. Petitioner is owner of this land as evidenced by the Warranty Deeds, attached as Exhibit C-1 through C-4.

III. CONCLUSION AND PRAYER

Texas Water Code Section 13.2541 entitles Petitioner to expedited release of the Requested Area described herein. The Overall Property is greater than 25 acres, is not receiving water or sewer service, and is entirely within Collin County. Under Section 13.2541, the PUC should grant this Petition no later 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 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

**ATTORNEY FOR PETITIONER
MESQUOAKEE RANCH, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of September, 2021, a true and correct copy of the First Amended Petition by Mesquoakee Ranch, 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.

Marilee Special Utility District
Attn.: Donna Loiselle, General Manager
2300 West Pecan Street
Celina, Texas 75009

Via Certified Mail, RRR



Natalie B. Scott

EXHIBIT "A"

Affidavit of Alan W. Tompkins

PUC DOCKET NO. 52542

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

**AFFIDAVIT OF ALAN W. TOMPKINS 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 DALLAS §

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

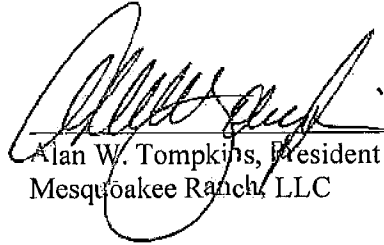
1. “My name is Alan W. Tompkins. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am the President of Mesquaukee Ranch, LLC, the Petitioner in the above-captioned matter. Petitioner owns approximately 556.456 acres of land (the “Overall Property”), which is located within the boundaries of water CCN No. 10150 issued to Marilee SUD. Petitioner seeks to have approximately 554.5 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 a general location map and a detailed map of the tract. Petitioner is owner of this land as evidenced by the Warranty Deeds, attached as Exhibit C-1 through C-4.

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.

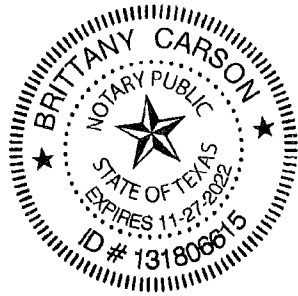
4. I request that the Public Utility Commission of Texas release the Requested Area from water CCN No. 10150”

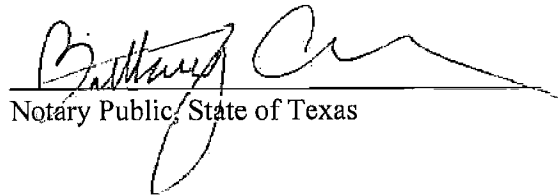
FURTHER AFFIANT SAYETH NOT.



Alan W. Tompkins, President
Mesquōakee Ranch, LLC

SWORN TO AND SUBSCRIBED TO BEFORE ME by Alan W. Tompkins on 23rd
September, 2021.

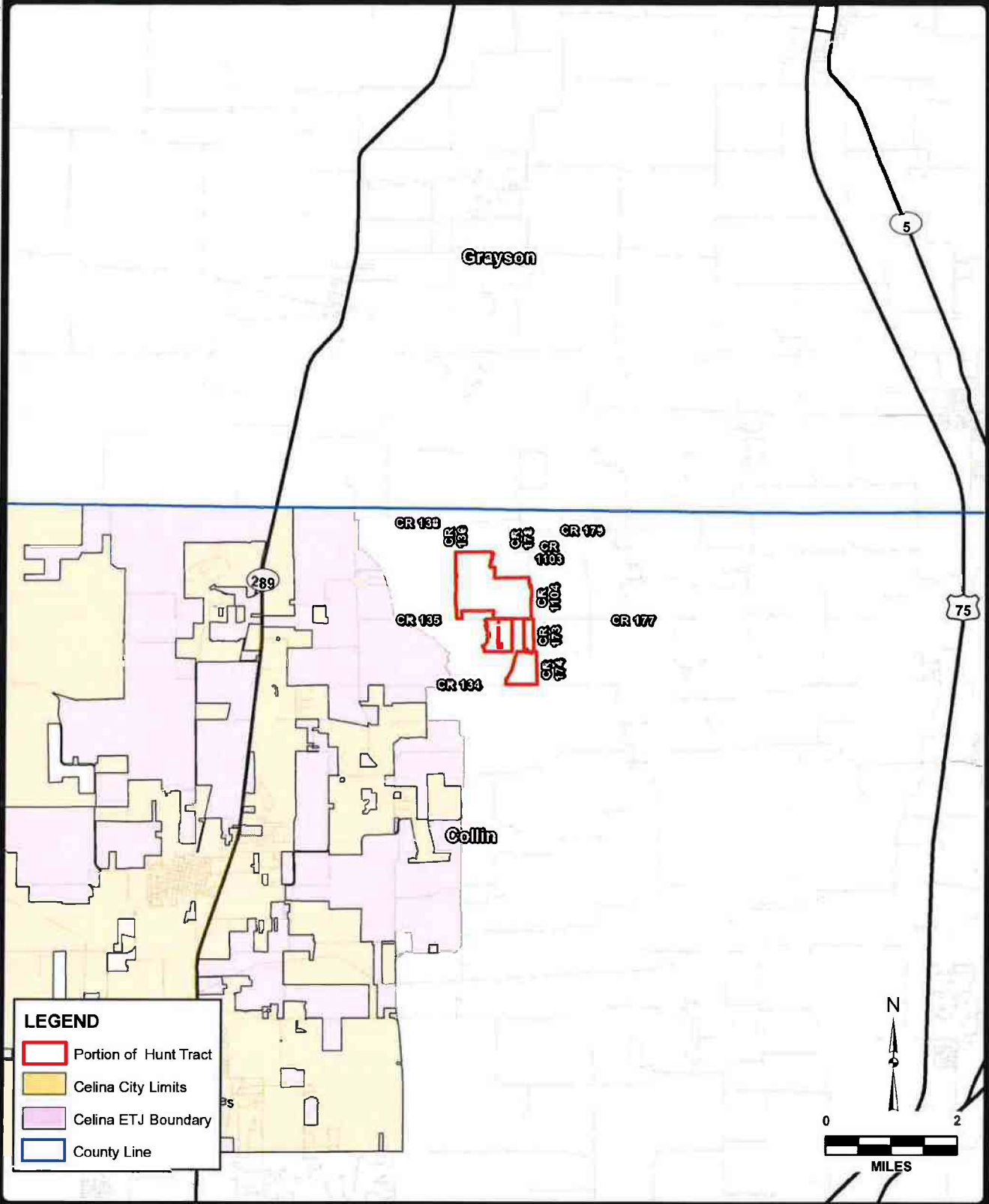




Notary Public, State of Texas

EXHIBIT "B-1"
General Location Map

AERIAL IMAGERY PROVIDED BY COOLES UNLESS OTHERWISE NOTED. Imagery ID: 309_4_111010010101_0101_111010010101_0101



LEGEND	
	Portion of Hunt Tract
	Celina City Limits
	Celina ETJ Boundary
	County Line

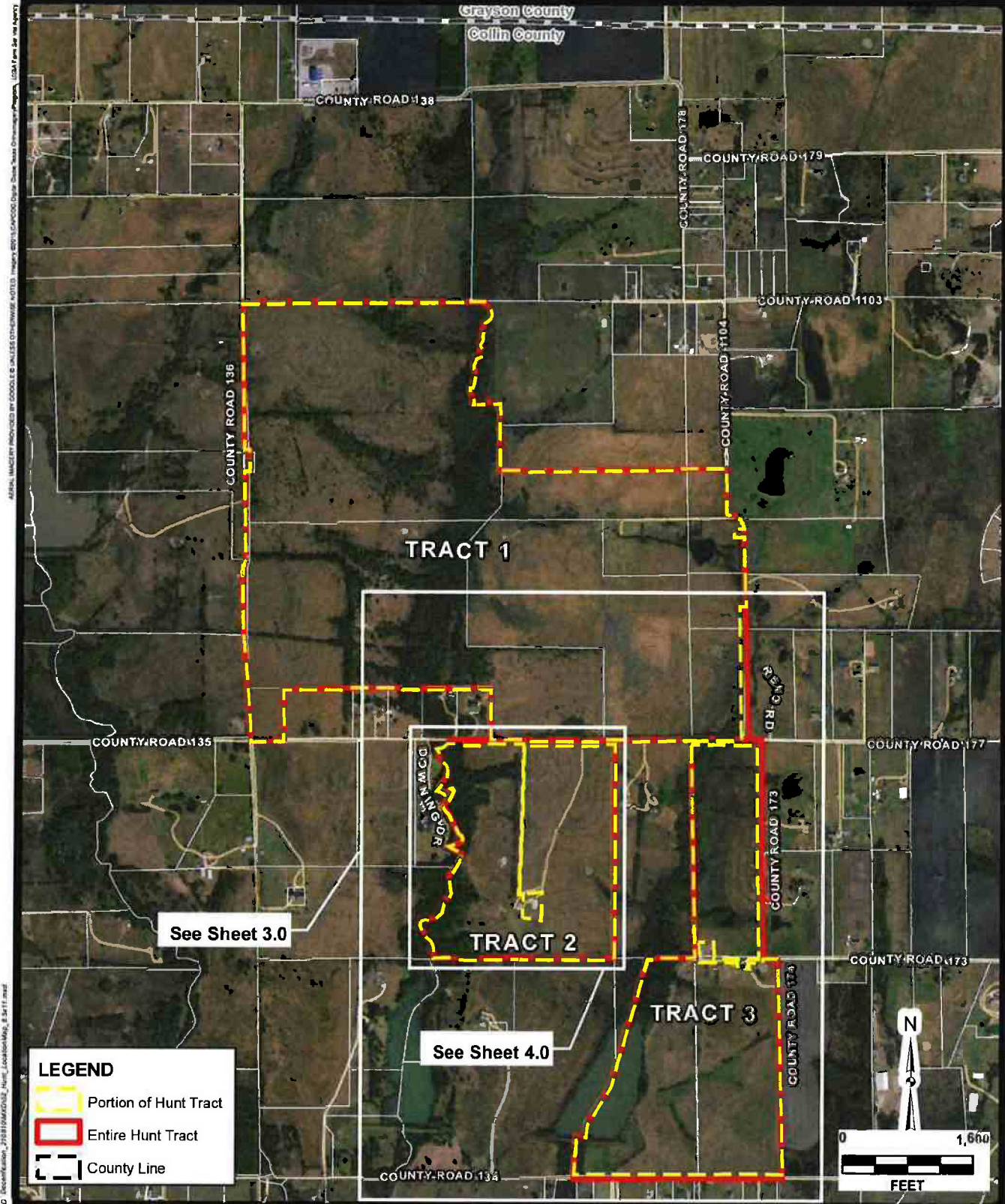
JOB NO. ---
 DATE Aug 2021
 DESIGNER DW
 CHECKED DW DRAWN EH
 SHEET 1.0

STREAMLINED EXPEDITED RELEASE (SER)
MARILEE SUD WATER CCN NO. 10150
ENTIRE HUNT TRACT
VICINITY MAP
COLLIN COUNTY, TEXAS




Pape-Dawson Engineers
 DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
 5810 TENNYSON PKWY, STE 425 | PLANO, TX 75024 | 214 420 8494
 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION #470

P:\01 - 2021 - 10150 - SW - Hunt - Exped - Release - Marilee Sud - Water - CCN - No - 10150 - Entire - Hunt - Tract - Vicinity - Map - Collin - County - Texas - Pape - Dawson - Engineers - Inc - DW - Design - 8/1/2021

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



LEGEND

-  Portion of Hunt Tract
-  Entire Hunt Tract
-  County Line

See Sheet 3.0

See Sheet 4.0

JOB NO. --
 DATE **Aug 2021**
 DESIGNER **DW**
 CHECKED **DW** DRAWN **EH**
 SHEET **2.0**

**STREAMLINED EXPEDITED RELEASE (SER)
 MARILEE SUD WATER CCGN NO. 10150
 HUNT TRACT
 LOCATION MAP
 COLLIN COUNTY, TEXAS**

**Pape-Dawson
 ENGINEERS**

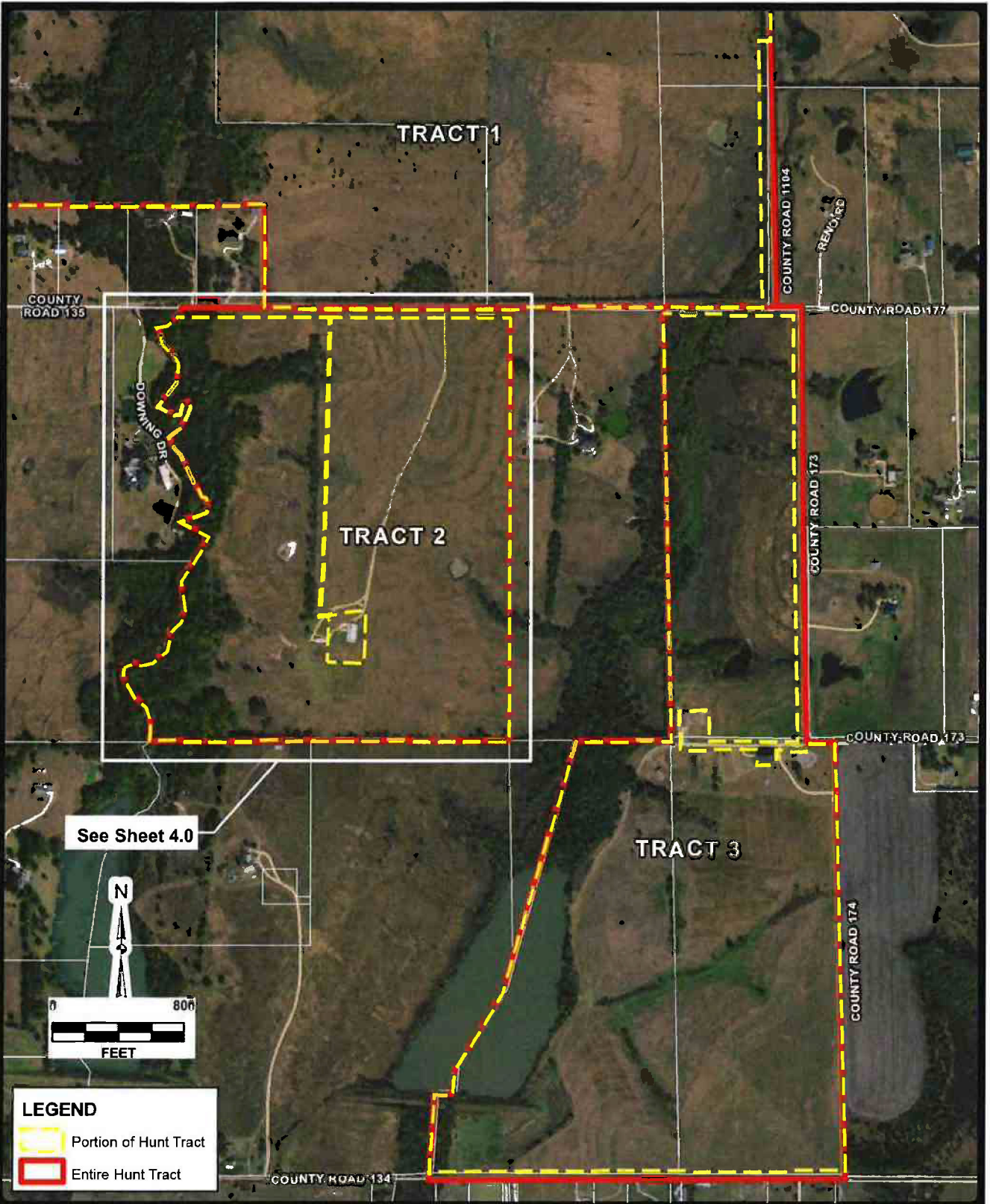
DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
 5810 TENNYSON PKWY, STE 425 | PLANO, TX 75024 | 214 420 8494
 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION #470

Date Aug 26, 2021 1:04:17 PM User: EUser
 P:\Z:\Users\z\Projects\2021\10150\Map\LocMap.dwg Plot Date: 8/26/21 1:04:17 PM
 P:\Z:\Users\z\Projects\2021\10150\Map\LocMap.dwg Plot Date: 8/26/21 1:04:17 PM
 P:\Z:\Users\z\Projects\2021\10150\Map\LocMap.dwg Plot Date: 8/26/21 1:04:17 PM

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

AERIAL IMAGERY PROVIDED BY GOOGLE EARTH. UNLESS OTHERWISE NOTED, PROPERTY OWNERS LISTED ON THIS MAP ARE FROM THE PUBLIC RECORDS OF COLLIN COUNTY, TEXAS.

Date: Aug 27, 2021 1:33:16 PM User: Ehsanul Feroz File: Z:\Ehsanul_Feroz\GIS\Projects\210820\Map\02_Hunt_Location\Map_3_0.dwg



See Sheet 4.0

LEGEND

- Portion of Hunt Tract
- Entire Hunt Tract

JOB NO.	---
DATE	Aug 2021
DESIGNER	DW
CHECKED	DW DRAWN EH
SHEET	3.0

STREAMLINED EXPEDITED RELEASE (SER)
MARILEE SUD WATER CCN NO. 10150
HUNT TRACT
LOCATION MAP
COLLIN COUNTY, TEXAS

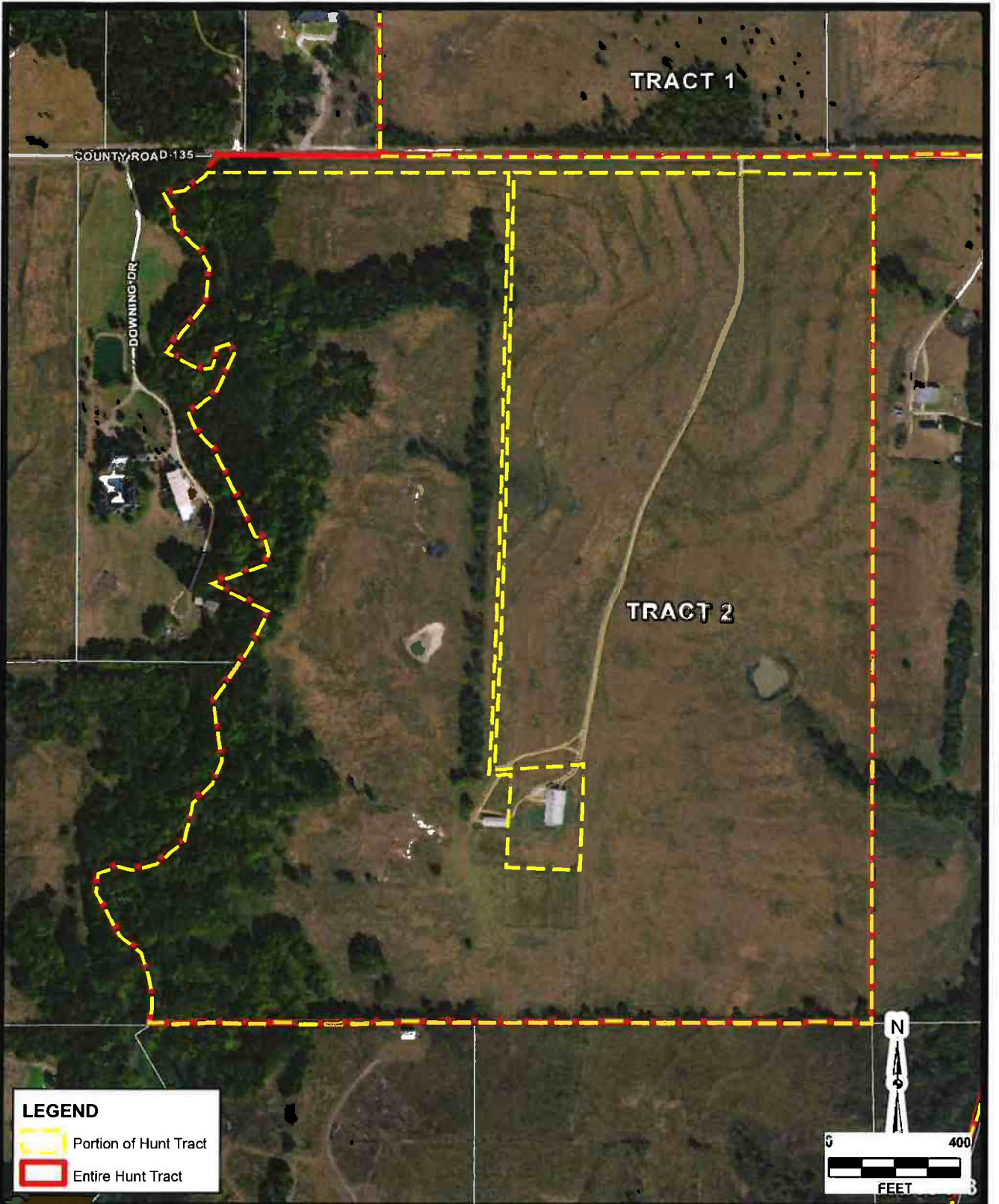
Pape-Dawson
ENGINEERS

DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
 5810 TENNYSON PKWY, STE 425 | PLANO, TX 75024 | 214.420.8494
 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION #470

THIS DOCUMENT HAS BEEN PREPARED BY THE ENGINEER OR ARCHITECT AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OR ARCHITECT. ANY REVISIONS TO THIS DOCUMENT SHALL BE INDICATED BY A REVISION TABLE. THE CONSULTANT'S SIGNATURE AND SEAL ARE REQUIRED FOR THIS DOCUMENT TO BE VALID.

AERIAL IMAGERY PROVIDED BY COOLCLIP UNLESS OTHERWISE NOTED. IMAGES 88794, CAPCOD Digital Globe, Inc., L200, 18cm, 3cm, 6cm, 12cm

File: Aug 27, 2021, 1:55:08 PM User: E.Presley
For: C:\Users\epresley\Documents\210808202104_Hunt_Tract2.mxd, 8.5x11.mxd



LEGEND

-  Portion of Hunt Tract
-  Entire Hunt Tract

JOB NO.	---
DATE	Aug 2021
DESIGNER	DW
CHECKED	DW DRAWN EH
SHEET	4.0

STREAMLINED EXPEDITED RELEASE (SER)
MARILEE SUD WATER CCN NO. 10150
HUNT TRACT 2
LOCATION MAP
COLLIN COUNTY, TEXAS

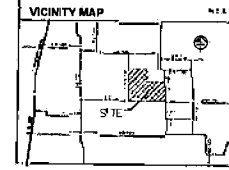
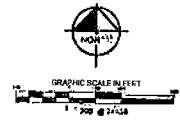
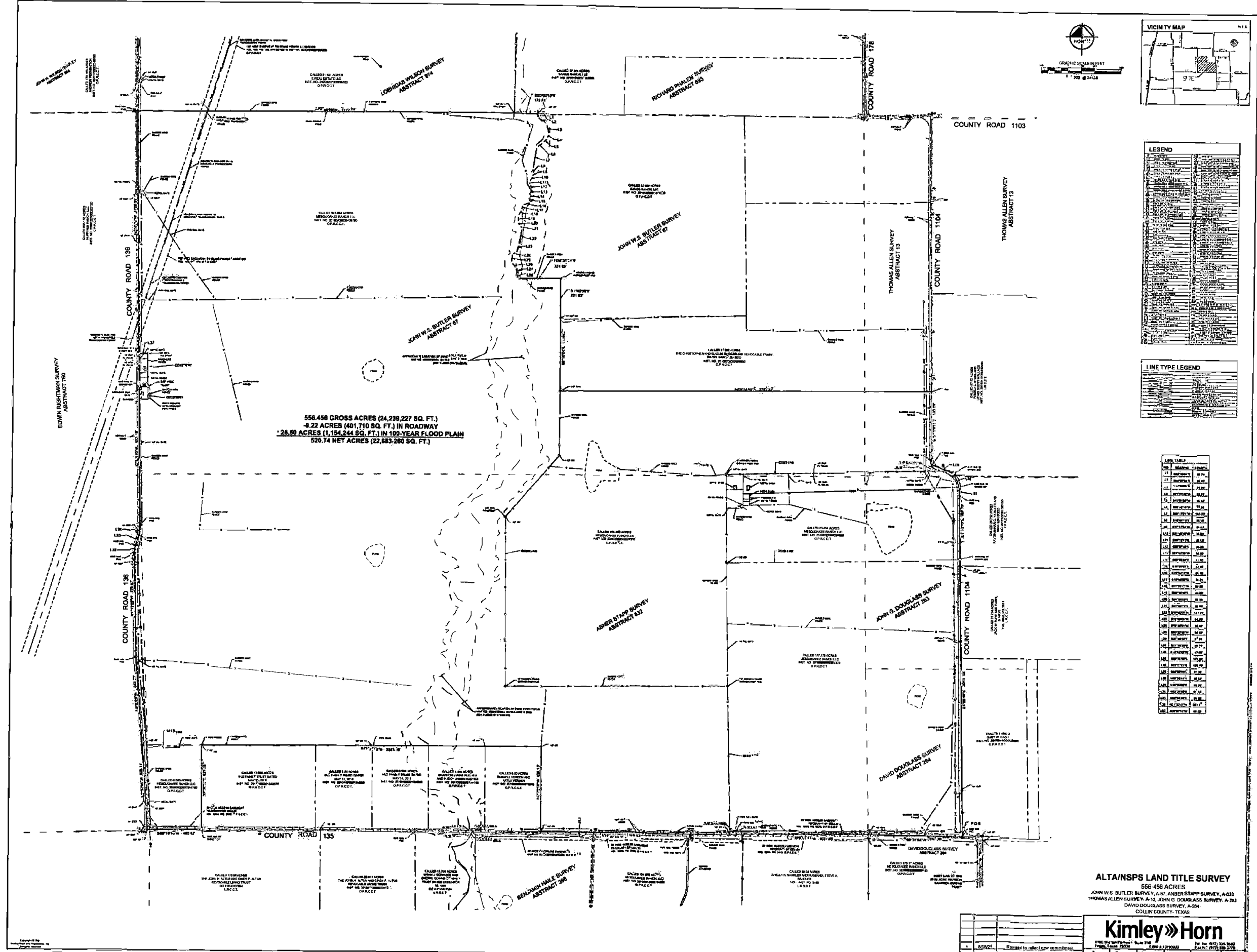
**Pape-Dawson
ENGINEERS**

DALLAS | SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH
 5610 TENNYSON PKWY, STE 425 | PLANO, TX 75024 | 214.420.8494
 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION #470

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

EXHIBIT “B-2”

Detailed Map



LEGEND

1	Survey Boundary
2	Section Boundary
3	County Road Right-of-Way
4	100-Year Flood Plain
5	Water
6	Other

LINE TYPE LEGEND

1	Survey Boundary
2	Section Boundary
3	County Road Right-of-Way
4	100-Year Flood Plain
5	Water
6	Other

LINE TABLE

NO.	DESCRIPTION	DATE
1	Survey Boundary	01/15/2004
2	Section Boundary	01/15/2004
3	County Road Right-of-Way	01/15/2004
4	100-Year Flood Plain	01/15/2004
5	Water	01/15/2004
6	Other	01/15/2004

ALTA/NPS LAND TITLE SURVEY
 556.456 ACRES
 JOHN W.S. BUTLER SURVEY, A-67, ANBER STAPP SURVEY, A-631
 THOMAS ALLEN SURVEY, A-13, JOHN G. DOUGLASS SURVEY, A-203
 DAVID DOUGLASS SURVEY, A-204
 COLLIN COUNTY, TEXAS

Kimley»Horn
 1700 West Park Drive, Suite 200
 Irving, Texas 75039
 Phone: 972.254.5000
 Fax: 972.254.5005
 E-mail: khorner@kimleyhorn.com

NO.	DATE	REVISION DESCRIPTION	BY	CHKD BY
1	01/15/2004	Original Survey	JWA	JWA
2	05/20/2004	Revised to reflect new information	JWA	JWA

Save & Except Tract 1 (North-Easterly)

Being a tract of land situated in the John G. Douglass Survey, Abstract Number 263, Collin County, Texas and being a portion of that certain called 25.864 acre tract of land described in deed to Mesquoakee Ranch, LLC, as recorded in County Clerk's File Number 20160322000339650, Official Public Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a Mag Nail in the easterly line of said called 25.864 acre tract and being in the approximate centerline of County Road No. 1104, said Mag Nail bears N 01°10'10"W, a distance of 467.79 feet from the southeast corner of said called 25.864 acre tract;

THENCE S 01°10'10"E, a distance of 12.38 feet along said easterly line and said centerline to a point from which a 1/2 inch iron rod found for the northwest corner of that certain called 31.734 acre tract described by deed to Jack W. Haye and Carol B. Haye, as recorded in Volume 3903, Page 2911, Official Public Records, Collin County, Texas line bears S 01°11'28"E, 501.55 feet;;

THENCE S 88°49'50"W, a distance of 51.51 feet departing said easterly line to a point from which a 1/2 inch iron rod found for the southwest corner of said called 25.864 acre tract bears S 73°27'29"W, 1742.19 feet;

THENCE N 01°10'10"W, a distance of 50.00 feet;

THENCE N 88°49'50"E, a distance of 50.00 feet returning to the easterly line of said called 25.864 acre tract;

THENCE S 03°28'09"E, a distance of 37.65 feet along said easterly line, returning to the Point of Beginning and containing 2,547 square feet or 0.06 acres of land, more or less.

Save & Except Tract 1 (South-Easterly)

Being a tract of land situated in the John G. Douglass Survey, Abstract Number 263 and the David Douglass Survey, Abstract Number 264, Collin County, Texas and being a portion of that certain called 177.179 acre tract of land described in deed to Mesquoakee Ranch, LLC, as recorded in County Clerk's File Number 20160322000337270, Official Public Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a Mag Nail for the southeast corner of said called 177.179 acre tract, being at the approximate centerline intersection of County Road No. 1104 and County Road No. 135;

THENCE N 89°37'58"W, a distance of 50.02 feet along in and along said County Road No. 135 and with the south line of said called 177.179 acre tract to a point from which a 1/2 inch iron rod found for the most southerly southwest corner of said called 177.179 acre tract bears S 89°36'14"W, 1679.18 feet;

THENCE N 01°25'48"W, a distance of 1655.83 feet, 50 feet westerly of and parallel to the east line of said called 177.179 acre tract;

THENCE N 88°34'12"E, a distance of 50.00 feet to the east line of said called 177.179 acre tract to a point from which a 1/2 inch iron rod found for the northwest corner of that certain called 31.734 acre tract described by deed to Jack W. Haye and Carol B. Haye, as recorded in Volume 3903, Page 2911, Official Public Records, Collin County, Texas line bears N 01°26'01"W, 340.36 feet;

THENCE S 01°25'48"E, a distance of 1657.39 feet along said east line, returning to the Point of Beginning and containing 82,830 square feet or 1.90 acres of land, more or less.

Save & Except Tract 2

Being a tract of land situated in the Benjamin Haile Survey, Abstract Number 398, Collin County, Texas and being a portion of that certain called 124.072 acre tract of land described in deed to Mesquoakee Ranch, LLC, as recorded in County Clerk's File Number 20190913001134580, Official Public Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod for the southeast corner of said called 124.072 acre tract;

THENCE N 00°00'50"W, a distance of 2576.46 feet along the east line of said called 124.072 acre tract to the POINT OF BEGINNING:

THENCE S 89°37'15"W, a distance of 98.18 feet;

THENCE N 89°57'43"W, a distance of 997.90 feet;

THENCE S 11°45'55"W, a distance of 12.23 feet;

THENCE S 01°06'12"W, a distance of 202.37 feet;

THENCE S 01°19'02"W, a distance of 241.58 feet;

THENCE S 01°11'39"W, a distance of 241.91 feet;

THENCE S 01°17'27"W, a distance of 246.78 feet;

THENCE S 01°37'36"W, a distance of 260.08 feet;

THENCE S 02°17'08"W, a distance of 243.57 feet;

THENCE S 02°27'39"W, a distance of 239.28 feet;

THENCE S 02°55'13"W, a distance of 123.00 feet;

THENCE N 86°17'23"E, a distance of 244.78 feet;

THENCE N 86°35'54"E, a distance of 16.23 feet;

THENCE N 85°11'48"E, a distance of 14.15 feet;

THENCE S 02°00'52"W, a distance of 154.35 feet;

THENCE S 02°21'41"W, a distance of 165.10 feet;

THENCE N 88°18'26"W, a distance of 79.81 feet:

THENCE N 88°41'08"W, a distance of 12.35 feet;

THENCE N 88°11'25"W, a distance of 46.39 feet;

THENCE N 88°08'53"W, a distance of 87.36 feet;

THENCE N 02°28'01"E, a distance of 287.72 feet;

THENCE S 86°17'23"W, a distance of 59.60 feet;

THENCE N 02°55'13"E, a distance of 134.19 feet;

THENCE N 02°27'39"E, a distance of 239.23 feet;

THENCE N 02°17'08"E, a distance of 243.49 feet;

THENCE N 01°37'36"E, a distance of 260.00 feet;

THENCE N 01°17'27"E, a distance of 246.75 feet;

THENCE N 01°11'39"E, a distance of 241.91 feet;

THENCE N 01°19'02"E, a distance of 241.58 feet;

THENCE N 01°06'12"E, a distance of 203.28 feet;

THENCE N 11°45'55"E, a distance of 11.09 feet;

THENCE N 89°57'43"W, a distance of 931.94 feet to a point in the west line of said called 124.072 acre tract;

THENCE N 29°03'48"E, a distance of 57.18 feet along said west line to the northwest corner of said called 124.072 acre tract and being in County Road No. 135;

THENCE S 89°56'58"E, a distance of 503.44 feet along the north line of said called 124.072 acre tract, in and along said County Road No. 135;

THENCE S 89°57'53"E, a distance of 1408.63 feet continuing along said north line, in and along said County Road;

THENCE N 89°07'21"E, a distance of 98.39 feet continuing along said north line, in and along said County Road to the northeast corner of said called 124.072 acre tract;

THENCE S 00°00'50"E, a distance of 50.81 feet along the east line of said called 124.072 acre tract, returning to the Point of Beginning and containing 189,391 square feet or 4.348 acres of land, more or less.

Save & Except Tract 3 (Easterly)

Being a tract of land situated in the D. Douglass Survey, Abstract Number 264 and the R. R. Harris Survey, Abstract Number 410, Collin County, Texas and being a portion of that certain called 175.77 acre tract of land described in deed to Mesquoakee Ranch, LLC, as recorded in County Clerk's File Number 20160226000226180, Official Public Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a called 1/2 inch iron rod for the northwest corner of said called 175.77 acre tract, being in County Road No. 135;

THENCE S 89°37'58"E, a distance of 697.39 feet along the north line of said called 175.77 acre tract, in and along said County Road No. 135 to a called Mag nail, being the beginning of County Road No. 177;

THENCE N 89°55'28"E, a distance of 154.06 feet to a called 1/2 inch iron rod, being the northeast corner of said called 175.77 acre tract and being at the intersection of County Roads Numbers 177 and 173;

THENCE S 00°18'37"E, a distance of 1342.04 feet in and along said County Road No. 173;

THENCE S 01°04'17"E, a distance of 1355.29 feet continuing along said County Road 173;

THENCE N 89°35'49"W, a distance of 186.04 feet;

THENCE S 03°02'48"E, a distance of 73.43 feet;

THENCE S 86°57'12"W, a distance of 120.00 feet;

THENCE N 03°02'48"W, a distance of 80.66 feet;

THENCE N 89°35'49"W, a distance of 465.26 feet;

THENCE N 01°44'37"W, a distance of 241.58 feet;

THENCE N 88°15'23"E, a distance of 181.83 feet;

THENCE S 01°49'29"E, a distance of 198.37 feet;

THENCE S 89°35'49"E, a distance of 539.85 feet;

THENCE N 01°04'17"W, a distance of 1304.32 feet;

THENCE N 00°18'37"W, a distance of 1292.57 feet;

THENCE S 89°55'28"W, a distance of 104.46 feet;

THENCE N 89°37'58"W, a distance of 696.20 feet to a point in the west line of said called 175.77 acre tract;

THENCE N 01°12'52"W, a distance of 50.02 feet along said west line, returning to the Point of Beginning and containing 255,719 square feet or 5.871 acres of land, more or less.

Save & Except Tract 3 (Southerly)

Being a tract of land situated in the D. Douglass Survey, Abstract Number 264 and the R. R. Harris Survey, Abstract Number 410, Collin County, Texas and being a portion of that certain called 175.77 acre tract of land described in deed to Mesquoakee Ranch, LLC, as recorded in County Clerk's File Number 20160226000226180, Official Public Records, Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a called punch hole for the southeast corner of said called 175.77 acre tract, being in County Road No. 134;

THENCE N 89°50'52"W, a distance of 492.98 feet in and along said County Road No. 134 and with the south line of said called 175.77 acre tract;

THENCE S 89°47'14"W, a distance of 529.02 feet continuing in and along said County Road No. 134 and with said south line;

THENCE S 89°45'15"W, a distance of 310.40 feet continuing in and along said County Road No. 134 and with said south line;

THENCE S 89°41'03"W, a distance of 727.52 feet continuing in and along said County Road No. 134 and with said south line;

THENCE S 89°28'57"W, a distance of 470.20 feet continuing in and along said County Road No. 134 and with said south line;

THENCE N 89°21'00"W, a distance of 19.63 feet continuing in and along said County Road No. 134 and with said south line to the southwest corner of said called 175.77 acre tract;

THENCE N 04°02'20"E, a distance of 49.76 feet along the west line of said called 175.77 acre tract;

THENCE N 89°28'57"E, a distance of 485.96 feet;

THENCE N 89°41'03"E, a distance of 727.64 feet;

THENCE N 89°45'15"E, a distance of 310.43 feet;

THENCE N 89°47'14"E, a distance of 529.21 feet;

THENCE S 89°50'52"E, a distance of 491.67 feet to the east line of said called 175.77 acre tract;

THENCE S 01°31'43"E, a distance of 50.02 feet along said east line, returning to the Point of Beginning and containing 127,363 square feet or 2.924 acres of land, more or less.

EXHIBIT "C-1"

Warranty Deed – North Parcel - 25.864 acre tract

2018-174573

20160322000339650 03/22/2016 03:57:05 PM D1 1/4

"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 DRIVERS' LICENSE NUMBER."

WARRANTY DEED

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

THAT **MICHAEL P. PENICK**, expressly representing that the subject property constitutes no part of his homestead (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto **MESQUOAKEE RANCH, LLC**, a Texas limited liability company (herein referred to as "Grantee"), whose address is 1601 Elm Street, Suite 4000, Dallas, Texas 75201, all of the following described real property in Collin County, Texas (hereinafter referred to as the "Property"), to-wit:

Being a 25.864 acre tract of land situated in the A.G. Stapp Survey, Abstract No. 832 and the John Douglas Survey, Abstract No. 263, Collin County, Texas, and being more fully described in **Exhibit A** attached hereto and made a part hereof for all purposes.

This conveyance shall include all and singular the rights, privileges, and appurtenances pertaining to the Property, including but not limited to: water rights, claims, permits, strips and gores, easements, and cooperative or association memberships.

This conveyance is made expressly subject to the exceptions listed on **Exhibit B** (the "Permitted Exceptions") attached hereto and incorporated herein for all purposes.

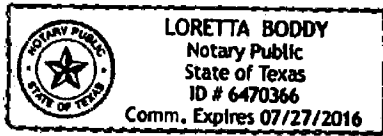
TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind himself, his heirs, executors, administrators, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, to the Permitted Exceptions.

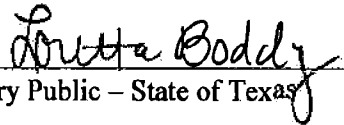
EXECUTED on the dates of the acknowledgment, but to be EFFECTIVE on the 22nd day of March, 2016.


MICHAEL P. PENICK

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 22nd day of March, 2016, by MICHAEL P. PENICK.




Notary Public – State of Texas

Prepared in the Law Office of:

Abernathy, Roeder, Boyd & Hullett, P.C.
1700 Redbud Blvd., Suite 300
McKinney, Texas 75069
4716.0948 / 2018-174573

After Recording, Return to:

Mr. Alan W. Tompkins
Mesquoakee Ranch, LLC
1601 Elm St., Suite 4000
Dallas, Texas 75201

EXHIBIT A

BEING a tract of land situated in the A.G. Stapp Survey, Abstract No. 832 and the John Douglas Survey, Abstract No. 263, Collin County, Texas and also being all 25.87 acre tract as conveyed to the Gary Bell Sample as recorded in Volume 4110, Page 1285 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the Southwest corner of said 25.87 acre tract;

THENCE North 00 degrees 21 minutes 09 seconds West a distance of 654.83 feet to a 1/2 inch iron rod found for corner;

THENCE North 89 degrees 44 minutes 06 seconds East a distance of 170.20 feet to a 60d nail found for corner;

THENCE North 89 degrees 50 minutes 18 seconds East a distance of 436.45 feet to a 60d nail found for corner;

THENCE North 89 degrees 26 minutes 00 seconds East a distance of 593.21 feet to a 60d nail found for corner;

THENCE North 89 degrees 09 minutes 05 seconds East a distance of 426.94 feet to a 1/2 inch iron rod set for corner in County Road No. 1104;

THENCE South 66 degrees 11 minutes 38 seconds East following County Road 1104 a distance of 37.57 feet to a 1/2 inch iron rod set for corner;

THENCE South 43 degrees 26 minutes 46 seconds East following County Road 1104 a distance of 69.61 feet to a 1/2 inch iron rod set for corner;

THENCE South 11 degrees 33 minutes 26 seconds East following County Road 1104 for a distance of 123.86 feet to a 1/2 inch iron rod set for corner;

THENCE South 00 degrees 15 minutes 45 seconds East following County Road 1104 a distance of 467.62 feet to a 1/2 inch iron set for corner;

THENCE South 89 degrees 31 minutes 30 seconds West a distance of 1731.95 feet to the POINT OF BEGINNING and Containing 1,126,615 square feet or 25.864 acres of land, more or less.

EXHIBIT B

1. Right-of-way rights of the public with respect to those portions of the property lying within the boundaries of County Road 1104 currently shown on survey of Surdukan Surveying, Inc., certified to by David J. Surdukan, R.P.L.S. #4613, dated 12/11/2003.
2. Easement granted by Gary Sample to Grayson Collin Electric Cooperative, Inc., filed 09/26/1997, recorded in Volume 4006, Page 706, Real Property Records, Collin County, Texas.

As currently shown on survey of Surdukan Surveying, Inc. certified to by David J. Surdukan R.P.L.S. #4613 dated 12/11/2003.

3. Gravel road and fence over the Grayson Collin Electric Cooperative, Inc. easement as shown on survey of Surdukan Surveying, Inc., certified to by David J. Surdukan, R.P.L.S. #4613, dated 12/11/2003.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
03/22/2016 03:57:05 PM
\$38.00 CJAMAL
20160322000339650



A handwritten signature in cursive script, appearing to read "Stacey Kemp".

EXHIBIT "C-2"

General Warranty Deed – North Parcel 177.179 acre tract



03/22/2016 01:32:43 PM D1 1/7

G.F. No. 15-237495-MM

ADDRESS OF AND RETURN TO:

**Mesquaukee Ranch, LLC
1601 Elm Street, Suite 4000
Dallas, TX 75201**

GENERAL WARRANTY DEED

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

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **MONETTA SAMPLE OWEN** (as to a certain **20.83%** interest) *as part of a Section 1031 exchange made through Forest Grove Investments, LLC,, as Qualified Intermediary*, **DONNA SUE WHITWORTH** (as to a certain **22.92%** interest), **TAMMY L. SHUMWAY** (as to a certain **18.75%** interest), **LAUREN B. OWEN** (as to a certain **18.75%** interest), and **KEVIN OWEN** (as to a certain **18.75%** interest) *as part of a Section 1031 exchange made through Forest Grove Investments, LLC,, as Qualified Intermediary*, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash in hand to Grantor paid by **MESQUOAKEE RANCH, LLC**, a **Texas limited liability company**, *as part of a Section 1031 exchange made through Nationwide Exchange Services Corp as Qualified Intermediary*, whose mailing address is 1601 Elm Street, Suite 4000, Dallas, TX 75201, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, and other good and valuable consideration, the receipt and sufficiency of which is hereby also acknowledged, HAVE GRANTED, SOLD AND CONVEYED and do by these presents GRANT, SELL AND CONVEY unto the said Grantee all the following described real property (“Property”), to-wit:

SEE EXHIBIT “A” ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

This conveyance is made and accepted subject to validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests outstanding

Page 1 of 7 General Warranty Deed

in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee's heirs, successors and assigns forever.

And Grantor does hereby bind Grantor, Grantor's heirs, successors and assigns, to warrant and forever defend all and singular the said premises unto the said Grantee, Grantee's heirs, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

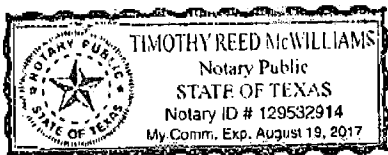
Current ad valorem taxes on said Property have been prorated and the payment thereof is assumed by the Grantee.

EXECUTED on the dates of the acknowledgments set out below, to be effective, however, on the 21st day of March, 2016.

Monetta Sample Owen
MONETTA SAMPLE OWEN, Individually and
as Attorney-In-Fact for LAUREN B. OWEN

STATE OF TEXAS
COUNTY OF COLLIN

This instrument was acknowledged before me on the 21st day of ^{March} ~~December~~ 2016, by
MONETTA SAMPLE OWEN, Individually and as Attorney-In-Fact for LAUREN B.
OWEN.



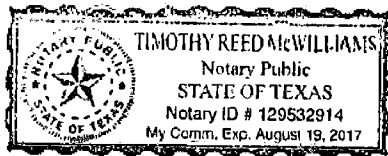
[Signature]
Notary Public, State of Texas


TAMMY L. SHUMWAY

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me on the 21st day of ^{March}~~December~~ 2016, by
TAMMY L. SHUMWAY.





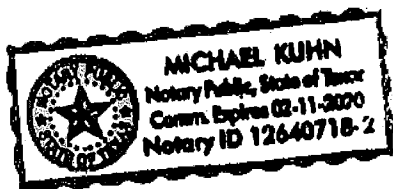
Notary Public, State of Texas

Donna Sue Whitworth
DONNA SUE WHITWORTH

STATE OF ~~Texas~~

COUNTY OF *Montgomery*

This instrument was acknowledged before me on the 18 ^{*Month*} day of ~~December~~ 201*8*,
by **DONNA SUE WHITWORTH**.

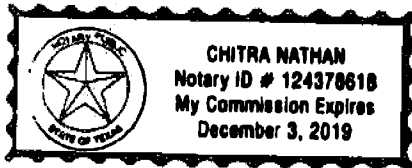


M K
Notary Public, State of _____

Kevin Owen
KEVIN OWEN

STATE OF Texas
COUNTY OF Collin

This instrument was acknowledged before me on the 19th day of March 2016,
by KEVIN OWEN.



[Signature]
Notary Public, State of Texas

PREPARED IN THE LAW OFFICES OF:

McWILLIAMS & THOMPSON
2713 Virginia Pkwy, Ste. 100
McKinney, Texas 75071

I:\Rachel\Files\15-MM7495 Owen - Mesquite Ranch\7495 Mesquites Warranty Deed - Cash.doc

EXHIBIT "A"

BEING a tract or parcel of land situated Collin County, Texas, being part of the J.W.S. Butler Survey, Abstract No. 67, T. Allen Survey, Abstract No. 13, part of the A. Stapp Survey, Abstract No. 832, part of the J.G. Douglas Survey, Abstract No. 263 and part of the D. Douglas Survey, Abstract No. 264, being part of Tract 1 as described in a Special Warranty Deed from Elizabeth Samples and Donna Sue Whitworth to Monetta Sample Owen, Tammy L. Shumway, Lauren B. Owen and Donna Sue Whitworth as recorded in Volume 5954 at Page 3939 (ccf# 2005-0090086) of Official Records of Collin County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod set for a corner, said Point of Beginning being at the existing southwest corner of a 15.000 acre tract as conveyed to Gary Cash as recorded in Volume 5110 at Page 3331 of the Official Records of Collin County, Texas, said Point of Beginning being at the intersection of the center of Collin County Road No. 135 and the center of Collin County Road No. 1104;

THENCE N 89°22'27" W along the center of Collin County Road No. 135, a distance of 1728.30 feet to a 1/2 inch iron rod set for a corner, said corner being further marked by a fence post found on the north line of Collin County Road No. 135 bearing N 00°41'52" W at a distance of 25.50 feet;

THENCE N 00°41'52" W joining and along a fence, a distance of 1105.65 feet to a 1/2 inch iron rod found for a corner;

THENCE N 89°56'55" W along a fence, a distance of 1657.29 feet to a 1/2 inch iron rod found for a corner;

THENCE N 00°08'29" E along a fence, a distance of 1251.86 feet to a 1/2 inch iron rod found for a corner;

THENCE N 42°06'41" E along a fence, a distance of 605.88 feet to a 1/2 inch iron rod found for a corner;

THENCE N 00°43'15" E along a fence, a distance of 467.27 feet to a 1/2 inch iron rod found for a corner, said corner being at the existing southwest corner of a 61.380 acre tract as conveyed to Elizabeth Sample as recorded in Volume 6053 at Page 3713 of the Official Records of Collin County, Texas;

THENCE S 89°46'12" E along the south line of said 61.380 acre tract, a distance of 2757.64 feet to a 1/2 inch iron rod set for a corner at the southeast corner of said 61.380 acre tract in the center of Collin County Road No. 1104;

THENCE S 00°06'29" E along the center of Collin County Road No. 1104, a distance of 504.09 feet to a 1/2 inch iron rod set for a corner;

THENCE S 51 °43'17" E along the center of Collin County Road No. 1104, a distance of

128.98 feet to a 1/2 inch iron rod set for a corner, said corner being at the existing northeast corner of a 25.864 acre tract as conveyed to Michael Penick as recorded in Volume 5569 at Page 3135 of the Official Records of Collin County, Texas;

THENCE S 89°12'25" W joining and along a fence and along the north line of said 25.864 acre tract, a distance of 426.94 feet to a 1/2 inch iron rod set for a corner;

THENCE S 89°29'20" W along a fence and the north line of said 25.864 acre tract, a distance of 593.21 feet to a 1/2 inch iron rod set for a corner;

THENCE S 89°53'38" W along a fence and the north line of said 25.864 acre tract, a distance of 436.45 feet to a 1/2 inch iron rod set for a corner;

THENCE S 89°47'26" W along a fence and the north line of said 25.864 acre tract, a distance of 170.20 feet to a 1/2 inch iron rod found for a corner at the northwest corner of said 25.864 acre tract;

THENCE S 00°19'42" E along the west line of said 25.864 acre tract, a distance of 655.05 feet to a 1/2 inch iron rod set for a corner at the southwest corner of said 25.864 acre tract;

THENCE N 89°34'50" E along the south line of said 25.864 acre tract, a distance of 1731.80 feet to a 1/2 inch iron rod set for a corner at the southeast corner of said 25.864 acre tract in the center of Collin County Road No. 1104;

THENCE S 00°25'25" E along the center of Collin County Road No. 1104, a distance of 2044.49 feet returning to the Point of Beginning and containing 177.179 acres of land.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
03/22/2016 01:32:43 PM
\$50.00 SCAPELA
20160322000337270



A handwritten signature in cursive script, appearing to read "Stacey Kemp".

EXHIBIT "C-3"

Warranty Deed – North Parcel 6.00 acre tract

2018-176996



20160323000344750 03/23/2016 03:22:33 PM D1 1/4

"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 DRIVERS' LICENSE NUMBER."

WARRANTY DEED

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

THAT **WILLIAM A. PORTER**, expressly representing that the subject property constitutes no part of his homestead (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto **MESQUOAKEE RANCH, LLC**, a Texas limited liability company (herein referred to as "Grantee"), whose address is 1601 Elm Street, Suite 4000, Dallas, Texas 75201, all of the following described real property in Collin County, Texas (hereinafter referred to as the "Property"), to-wit:

Being a 6.00 acre tract of land situated in Collin County, Texas, being part of the E. Rightman Survey, Abstract No. 750, and part of the Abner G. Stapp Survey, Abstract No. 832, and being more fully described in Exhibit A attached hereto and made a part hereof for all purposes.

This conveyance shall include all and singular the rights, privileges, and appurtenances pertaining to the Property, including but not limited to: water rights, claims, permits, strips and gores, easements, and cooperative or association memberships.

This conveyance is made expressly subject to the exceptions listed on Exhibit B (the "Permitted Exceptions") attached hereto and incorporated herein for all purposes.


TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind himself, his heirs, executors, administrators, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, to the Permitted Exceptions.

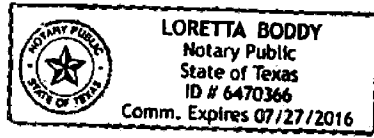
EXECUTED on the dates of the acknowledgments, but to be EFFECTIVE on the 18th day of March, 2016.


WILLIAM A. PORTER

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 18th day of March, 2016, by WILLIAM A. PORTER.


Notary Public – State of Texas



Prepared in the Law Office of:

Abernathy, Roeder, Boyd & Hullett, P.C.
1700 Redbud Blvd., Suite 300
McKinney, Texas 75069
4716.0976 / 2018-176996

After Recording, Return to:

Mr. Alan W. Tompkins
Mesquoakee Ranch, LLC
1601 Elm Street, Suite 4000
Dallas, Texas 75201

EXHIBIT A

BEING a tract or parcel of land situated in Collin County, Texas, being part of the E. Rightman Survey, Abstract No. 750 and part of the A. Stapp Survey, Abstract No. 832, being all of a 6.00 acre tract of land as described in a Warranty Deed from Kathleen Carter to William A. Porter as recorded in Volume 3958 at Page 1425 (ccf# 97-0058461) of Official Records of Collin County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod found for a corner at the Southwest corner of said 6.00 acre tract said Point of Beginning being at the intersection of the center of Collin County Road No. 135 and the center of Collin County Road No. 136, said Point of Beginning being at the existing Southeast corner of a 63.938 acre tract as conveyed to Thomas and Nancy Carter as recorded in/under Clerk's File No. 20150827001083840 of Collin County, Texas;

THENCE North 02 degrees 46 minutes 14 seconds West along the West line of said 6.00 acre tract, the East line of said 63.938 acre tract and the center of Collin County Road No. 136, a distance of 626.14 feet to a 1/2 inch iron rod found for a corner at the Northwest corner of said 6.00 acre tract;

THENCE South 89 degrees 11 minutes 43 seconds East along the North line of said 6.00 acre tract, a distance of 437.88 feet to a 1/2 inch iron rod found for a corner at the Northeast corner of said 6.00 acre tract;

THENCE South 00 degrees 39 minutes 02 seconds West (bearing basis) along the East line of said 6.00 acre tract, a distance of 621.94 feet to a 1/2 inch iron rod found for a corner at the Southeast corner of said 6.00 acre tract in the center of Collin County Road No. 135;

THENCE North 89 degrees 37 minutes 19 seconds West along the South line of said 6.00 acre tract and the center of Collin County Road No. 135, a distance of 400.52 feet returning to the Point of Beginning and containing 6.000 acres of land.

EXHIBIT B

1. Right-of-way rights of the public with respect to any portion of the subject property lying within the boundaries of a public or private road.
2. 30' Easement granted by William A. Porter to the County of Collin, dated 02/22/2005, filed 02/24/2005, recorded in Volume 5863, Page 3338, Real Property Records, Collin County, Texas, and as shown on the survey of Frank R. Owens, R.P.L.S. #5387, dated 02/29/2016, last revised 03/18/2016.
3. Rights of third parties in and to that portion of the property lying between County Roads 135 and 136 and the barbed wire fence as shown on the survey of Frank R. Owens, R.P.L.S. #5387, dated 02/29/2016, last revised 03/18/2016.
4. Rights of third parties as a result of the Power Poles, as shown on the survey of Frank R. Owens, R.P.L.S. #5387, dated 02/29/2016, last revised 03/18/2016.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
03/23/2016 03:22:33 PM
\$38.00 SCAPELA
20160323000344750



A handwritten signature in cursive script, appearing to read "Stacey Kemp".

EXHIBIT "C-4"

Warranty Deed – North Parcel 347.852 acre tract

GF# 15-11-6307

GENERAL WARRANTY DEED
(Cash)

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REVOKE 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.

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

THAT THE UNDERSIGNED, WILLIAM BRIAN SANDERS, AS INDEPENDENT EXECUTOR OF THE ESTATE OF JAMES BLAIR CARTER, DECEASED, hereinafter referred to as "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration in hand paid by the Grantee, herein named, whose address is 1601 ELM STREET, SUITE 4000, DALLAS, TX 75201 the receipt and sufficiency of which is hereby fully acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto MESQUOAKEE RANCH, LLC. A TEXAS LIMITED LIABILITY COMPANY, herein referred to as "Grantee", whether one or more, all Grantor's right, title and interest in and to the real property described as follows, to-wit:

SEE LEGAL DESCRIPTION OF THE PROPERTY AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

This conveyance, however, is made and accepted subject to any and all validly existing encumbrances, conditions and restrictions, relating to the hereinabove described property subject to PERMITTED EXCEPTIONS AS DESCRIBED ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns forever; and Grantor does hereby bind Grantor's heirs, executors, administrators, successors and/or assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

TO BE EFFECTIVE this 5 day of April, 2016.

GRANTOR:

THE ESTATE OF JAMES BLAIR
CARTER, DECEASED

BY: [Signature]
WILLIAM BRIAN SANDERS,
AS INDEPENDENT EXECUTOR

ACKNOWLEDGMENT

THE STATE OF Texas §
COUNTY OF Tarrant §

The foregoing instrument was acknowledged before me on the 5 day of April, 2016, by WILLIAM BRIAN SANDERS, AS INDEPENDENT EXECUTOR OF THE ESTATE OF JAMES BLAIR CARTER, DECEASED, .

[Signature]
NOTARY PUBLIC, STATE OF Texas
PRINTED NAME OF NOTARY
Bethany Mason



MY COMMISSION EXPIRES:

7-2-19

AFTER RECORDING, RETURN TO:

MESQUOAKEE RANCH, LLC.
1601 ELM STREET, SUITE 4000
DALLAS, TX 75201

**EXHIBIT A
LEGAL DESCRIPTION**

BEING a tract or parcel of land situated Collin County, Texas, being part of the E. Rightman Survey, Abstract No. 750, part of the J.W.S. Butler Survey, Abstract No. 67 and part of the A. Stapp Survey, Abstract No. 832, being all of a called 348.022 acre tract of land as described in a Correction Special Warranty Deed from Thomas J. Carter, Jr. to James B. Carter as recorded in Volume 5121 at Page 1001 (cc#2002-0034513) of Official Records of Collin County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod set for a corner at the northwest corner of said 348.022 acre tract in the center of Collin County Road No. 136, said Point of Beginning being at the existing southwest corner of an 81.321 acre tract as conveyed to Eland Energy, Inc. as recorded in/under Clerk's File No. 20141002001081560 of Collin County, Texas, said Point of Beginning being further marked by a fence post found on the eastline of Collin County Road No. 136 bearing S 89°12'24" E at a distance of 20.94 feet;

THENCE S 89° 12'24" E along the north line of said 348.022 acre tract and the south line of said 81.321 acre tract, a distance of 2776.82 feet to a 1/2 inch iron rod set for a corner;

THENCE S 88°08'51" E along the north line of said 348.022 acre tract, a distance of 174.42 feet to a 1 inch pipe found for a corner at the northeast corner of said 348.022 acre tract, said corner being at the existing northwest corner of a 76.060 acre tract as conveyed to Clifford Johnson as recorded in Volume 5130 at Page 787 of the Official Records of Collin County, Texas;

THENCE in the Southerly direction, along the center of a creek, the following calls:

S 05°47'50" E, 30.74 feet;
S 58°27'10" E, 75.42 feet;
S 14°55'10" E, 71.99 feet;
S 22°23'00" W, 38.23 feet;
S 42°21'21" W, 45.46 feet;
S 57°49'32" W, 54.36 feet;
S 10°11'35" W, 163.22 feet;
S 09°06'59" E, 33.18 feet;
S 18°18'08" W, 24.12 feet;
S 32°48'29" W, 45.83 feet;
S 04°15'01" E, 20.13 feet;
S 28°57'34" E, 39.65 feet;
S 28°42'42" W, 52.09 feet;
S 00°31'15" W, 11.19 feet;
S 15°50'06" E, 43.08 feet;
S 71°34'27" W, 60.70 feet;
S 14°42'34" W, 35.31 feet;
S 28°22'54" W, 52.33 feet;
S 00°43'36" W, 44.08 feet;
S 23°25'11" E, 29.95 feet;
S 40°55'59" E, 25.86 feet;
S 11°48'45" W, 121.21 feet;
S 16°50'18" W, 64.29 feet;
S 79°19'15" W, 33.46 feet;
S 04°26'32" W, 18.60 feet;
S 00°19'46" W, 45.83 feet;
S 36°45'42" E, 51.55 feet;

(15-11-6307.PFD/15-11-6307/27)

EXHIBIT A
(Continued)

S 20°44'41" E, 49.73 feet;

THENCE S 14°42'57" W along the center of said creek, a distance of 43.49 feet to a point for a corner, said corner being further marked by a fence post found on the east side of said creek bearing N 89°34'07" E at a distance of 21.93 feet;

THENCE N 89°34'07" E joining and along a fence, a distance of 324.87 feet to a fence post for a corner;

THENCE S 00°43'15" W along a fence, a distance of 1003.82 feet to a 1/2 inch iron rod found for a corner;

THENCE S42°06'41"W along a fence, a distance of 605.88 feet to a 1/2 inch iron rod found for a corner;

THENCE S 00°08'29" W along a fence, a distance of 1251.86 feet to a 1/2 inch iron rod found for a corner;

THENCE S 89°56'55" E along a fence, a distance of 1657.29 feet to a 1/2 inch iron rod found for a corner;

THENCE S 00°41'52" E along and leaving a fence, a distance of 1105.65 feet to a 1/2 inch iron rod set for a corner in the center of Collin County Road No. 135, said corner being further marked by a fence post found on the north side of Collin County Road No. 135 bearing N 00°41'52" W at a distance of 25.50 feet;

THENCE N 89°09'51" W along the center of Collin County Road No. 135, a distance of 1409.75 feet to a 1/2 inch iron rod set for a corner, said corner being at the existing southeast corner of a 6.000 acre tract as conveyed to Russell and Kayla Verden as recorded in/under Clerk's File No. 20150406000378640 of Collin County, Texas;

THENCE N 00°39'02" E along the east line of said 6.000 acre tract, a distance of 626.13 feet to a 1/2 inch iron rod set for a corner at the northeast corner of said 6.000 acre tract;

THENCE N 89°11'43" W along the north line of said 6.000 acre tract, a distance of 418.18 feet to a 1/2 inch iron rod set for a corner at the northwest corner of said 6.000 acre tract;

THENCE N 89°11'46" W a distance of 419.87 feet to a 1/2 inch iron rod set for a corner, said corner being at the existing northeast corner of a 5.998 acre tract as conveyed to 4E Prosper LLC as recorded in/under Clerk's File No. 20121005001267230 of Collin County, Texas;

THENCE N 89°11'16" W along the north line of said 5.998 acre tract, a distance of 420.76 feet to a 1/2 inch iron rod set for a corner at the northwest corner of said 5.998 acre tract, said corner being at the existing northeast corner of a 6.000 acre tract as conveyed to Matthew and Laura Edgemon as recorded in/under Clerk's File No. 20061117001644590 of Collin County, Texas;

THENCE N 89°11'43" W along the north line of said 6.000 acre tract, a distance of 420.15 feet to a 1/2 inch iron rod set for a corner, said corner being at the existing northeast corner of a 6.000 (Tract 3) acre tract as conveyed to LDJ Properties, LTD as recorded in/under Clerk's File No. 20060608000781 540 of Collin County, Texas;

THENCE N 89°11'41" W a distance of 420.93 feet to a 1/2 inch iron rod set for a corner, said corner being at the existing northeast corner of a 6.000 (Tract 2) acre tract as conveyed to LDJ Properties, LTD as recorded in/under Clerk's File No. 20060608000781540 of Collin County, Texas;

{15-11-6307.PFD/15-11-6307/27}

EXHIBIT A
(Continued)

THENCE N 89° 11'44" W a distance of 421.26 feet to a 1/2 inch iron rod set for a corner, said corner being at the existing northeast corner of a 6.000 acre tract as conveyed to William Porter as recorded in/under Clerk's File No. 97-0058461 of Collin County, Texas;

THENCE N 89°11'43" W a distance of 437.88 feet to a 1/2 inch iron rod set for a corner in the center of Collin County Road No. 136;

THENCE N 04°05'44" W along the center of Collin County Road No. 136, a distance of 648.96 feet to a 1/2 inch iron rod set for a corner;

THENCE N 00°14'21" W along the center of Collin County Road No. 136, a distance of 770.86 feet to a 1/2 inch iron rod set for a corner;

THENCE N 07°32'51" E along the center of Collin County Road No. 136, a distance of 50.97 feet to a 1/2 inch iron rod set for a corner;

THENCE N 20°00'19" E along the center of Collin County Road No. 136, a distance of 85.29 feet to a 1/2 inch iron rod set for a corner;

THENCE N 02°31' 13" E along the center of Collin County Road No. 136, a distance of 56.53 feet to a 1/2 inch iron rod set for a corner;

THENCE N 00°13'08" E along the center of Collin County Road No. 136, a distance of 1035.95 feet to a 1/2 inch iron rod set for a corner;

THENCE N 89°04'40" E a distance of 66.00 feet to a 1/2 inch iron rod set for a corner;

THENCE N 00°23'55" W a distance of 241.11 feet to a 1/2 Inch Iron rod set for a corner;

THENCE S 89°00'06" W a distance of 66.00 feet to a 1/2 inch Iron rod set for a corner in the center of Collin County Road No. 136;

THENCE N 00°05'18" E along the center of Collin County Road No. 136, a distance of 1791.04 feet returning to the Point of Beginning and containing 347.852 acres of land.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

(15-11-6307.PFD/15-11-6307/27)

EXHIBIT B

Right of Way Easement executed by Thomas J. Cater to Texas Power & Light Company, dated September 10, 1954, recorded in Volume 490, Page 174, Deed Records of Collin County, Texas.

Easement and Right of Way executed by Thomas J. Carter, Jr. to Gunter Rural Water Supply Corporation, dated January 21, 1997, recorded in Volume 4052, Page 2596, Official Records of Collin County, Texas.

Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated January 25, 1956, by and between Thos. J. Carter and wife, Dorothy E. Carter, as Lessor, and W.L. Douthit, as Lessee, recorded in Volume 514, Page 347, Deed Records of Collin County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

The location of the follownig as shown on survey dated 1/6/2016 by Frank R. Owens RPLS No. 5387 with Owens Land Surveying job no. 2015-494

- 1) fence off property line
- 2) Intentionally Deleted
- 3) Third party rights, if any, in the power pole and overhead electric line, along the most south property line and the southern portion of the most west property line
- 4) Public right-of-way rights, if any, for any portion of the property lying within County Road 136,
- 5) flood plain
- 6) fence located over that certain easement for Texas Power & Light Co.,



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
04/06/2016 12:29:10 PM
\$46.00 SCAPELA
20160406000409790