



Filing Receipt

Received - 2021-12-03 10:48:39 AM

Control Number - 52739

ItemNumber - 10

| | | |
|---------------------------------|---|---------------------------|
| PETITION BY SATER, L.P. | § | 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 SATER, L.P. FOR EXPEDITED RELEASE
PURSUANT TO TEXAS WATER CODE SECTION 13.2541**

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

Sater, L.P. (“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 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 300.09 acres of contiguous property in Collin County (the "Overall Property") that is located in CCN No. 10150. Petitioner seeks release of 269.84 acres of the Overall Property (the "Requested Area") from CCN No. 10150, as reflected on attached exhibits and shapefiles. An Affidavit in support of this Petition is attached hereto as Exhibit "A." Exhibits "B-1 and B-2" are true and correct copies of a general location map and detailed map. Petitioner is the owner of the Overall Property as evidenced by true and correct copies of the Deeds, attached as Exhibits "C-1 through C-4." Specifically, Exhibits C-1 through C-4 are deeds reflecting current ownership of the Overall Property, with the exception of 22.795 acres reflected in Exhibit C-5. Exhibit C-1 identifies 192.24 acres less 22.795 acres identified in Exhibit C-5. Exhibit C-2 identifies 38.73 acres. Exhibit C-3 identifies 39.516 acres, and Exhibit C-4 identifies 52.399 acres. Exhibit C-5 reflects that 22.795 acres of the 192.24 acres in Exhibit C-1 was sold to Van Nichols, which decreases the total acreage sought for release in Exhibit C-1 to 169.445. Digital mapping identifying the Overall Property and Requested Area will be filed separately 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 Requested Area 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 is within the boundaries of water CCN No. 10150.

Respectfully submitted,

By:  Coats | Rose

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 (Email)

**ATTORNEYS FOR PETITIONER
SATER, L.P.**

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, a true and correct copy of the foregoing document was provided to all parties of record via electronic mail, in accordance with Order Suspending Rules, issues in Project no. 50664.

Attorneys for Marilee SUD:

John J. Carlton and 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

Attorney for Commission Staff:

Scott Miles, Attorney-Legal Division
Public Utilities Commission of Texas
1701 N. Congress Ave.
P.O. Box 13326
Austin, Texas 78711-3326
Email: Scott.Miles@puc.texas.gov


Natalie B. Scott

EXHIBIT "A-1"
Affidavit of Jacob Allen

| | | |
|---------------------------------|---|---------------------------|
| PETITION BY SATER, L.P. | § | 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 JACOB ALLEN IN SUPPORT OF FIRST AMENDED PETITION FOR EXPEDITED RELEASE FROM WATER CCN NO. 10150. HELD BY MARILEE SPECIAL UTILITY DISTRICT PURSUANT, TEXAS WATER CODE SECTION 13.2541

STATE OF TEXAS §
 §
 COUNTY OF DALLAS §

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

1. “My name is Jacob Allen. 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 Manager of Allen’s Happy Place LLC, the general partner of Sater, L.P., the Petitioner in the above-captioned matter. Petitioner owns approximately 300.09 acres of contiguous property in Collin County (the “Overall Property”) that is located in CCN No. 10150. Petitioner seeks release of 269.84 acres of the Overall Property (the “Requested Area”) from CCN No. 10150, as reflected on attached exhibits and shapefiles. Exhibits “B-1 and B-2” are true and correct copies of a general location map and detailed map. Petitioner is the owner of the Overall Property as evidenced by true and correct copies of the Deeds, attached as Exhibits “C-1 through C-4.” Specifically, Exhibits C-1 through C-4 are deeds reflecting current ownership of the Overall Property, with the exception of 22.795 acres reflected in Exhibit C-5. Exhibit C-1 identifies 192.24 acres less 22.795 acres identified in Exhibit C-5. Exhibit C-2 identifies 38.73 acres. Exhibit C-3 identifies 39.516 acres, and Exhibit C-4 identifies 52.399 acres. Exhibit C-5 reflects that 22.795 acres of the 192.24 acres in Exhibit C-1 was sold to Van Nichols, which decreases the total acreage sought for release in Exhibit C-1 to 169.445.

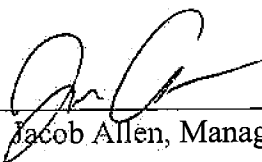
3. The Property is not receiving water or sewer service from Marilee SUD or any other water or sewer service provider. The Property has not requested water or sewer service from Marilee SUD or paid any fees or charges to initiate or maintain water or sewer service, and there are no billing records or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

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

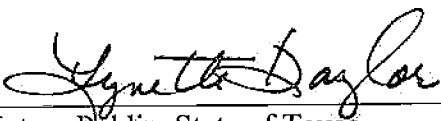
FURTHER AFFIANT SAYETH NOT.

SATER, L.P., a limited partnership

By: Allen's Happy Place LLC, its general partner

By:  _____
Jacob Allen, Manager

SWORN TO AND SUBSCRIBED TO BEFORE ME by Jacob Allen on the 1st of December, 2021.

 _____
Notary Public, State of Texas

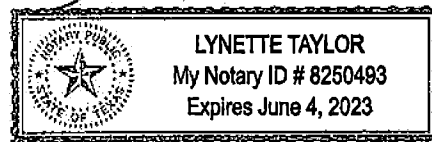
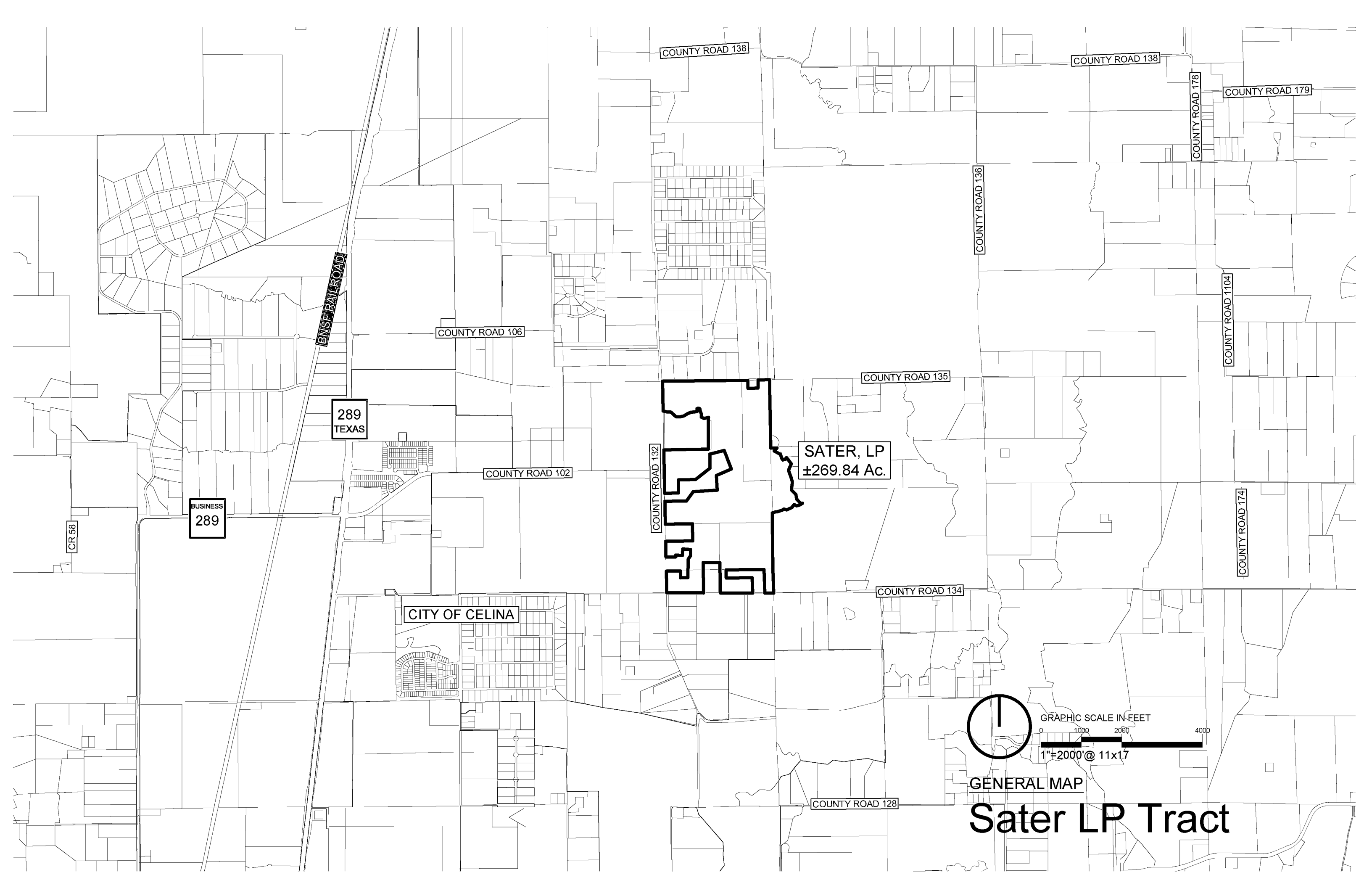


EXHIBIT "B-1"
General Map



COUNTY ROAD 138

COUNTY ROAD 138

COUNTY ROAD 178

COUNTY ROAD 179

BNSF RAILROAD

COUNTY ROAD 106

COUNTY ROAD 136

COUNTY ROAD 1104

289
TEXAS

COUNTY ROAD 102

COUNTY ROAD 135

COUNTY ROAD 132

SATER, LP
±269.84 Ac.

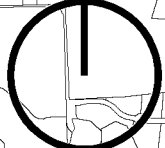
COUNTY ROAD 174

CR 58

BUSINESS
289

COUNTY ROAD 134

CITY OF CELINA



GRAPHIC SCALE IN FEET
0 1000 2000 4000
1"=2000' @ 11x17

GENERAL MAP

Sater LP Tract

COUNTY ROAD 128

EXHIBIT "B-2"
Detailed Location Map

COUNTY ROAD 102

COUNTY ROAD 132

COUNTY ROAD 135

COUNTY ROAD 134

CALLED 22.795 ACRES
VAN AND KATHY NICHOLS
VOL. 4963, PG. 0852
L.R.C.C.T.

CALLED 192.24 ACRES
(includes 22.795 Ac. TRACT)
SATER L.P.
VOL. 4124, PG. 0279
L.R.C.C.T.

CALLED 39.516
ACRES
SATER L.P.
INST. NO.
20160104000000310
O.P.R.C.C.T.

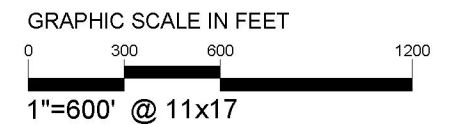
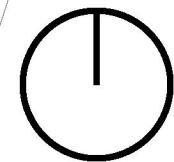
AREA TO BE DECERTIFIED
(±269.84 Ac.)

FEMA ZONE "A"
100-YR FLOOD PLAIN

SOIL
CONSERVATION SERVICE
RESERVOIR 8C

CALLED 38.730 ACRES
SATER L.P.
INST. NO.
20140423000391910
O.P.R.C.C.T.

CALLED 52.399 ACRES
SATER L.P.
INST. NO. 20190402000347490
O.P.R.C.C.T.



DETAILED MAP

Sater LP Tract

BEING a tract of land situated in the Jonas Whitaker Survey, Abstract No. 962, the B. E. Blackwell Survey, Abstract No. 93, and the B.B.B. & C. Railroad Survey, Abstract No. 129, Collin County, Texas, and being a part of a called 192.24 acre tract described in a Special Warranty Deed to Sater, L.P., recorded in Volume 4124, Page 279 of the Land Records of Collin County, Texas, part of a called 39.516 acre tract described in a Special Warranty Deed with Vendor's Lien to Sater, L.P., recorded in Instrument No. 20160104000000310 of the Official Public Records of Collin County, Texas, part of a called 52.399 acre tract described in a Warranty Deed with Vendor's Lien to Sater, L.P., recorded in Instrument No. 20190402000347490 of said Official Public Records, and part of a called 38.730 acre tract described in a Warranty Deed to Sater L.P., recorded in Instrument No. 20140423000391910 of said Official Public Records, and being more particularly described as follows:

BEGINNING at the most northerly northwest corner of said 192.24 acre tract, being in the south line of Whispering Meadows, an addition to Collin County as recorded in Volume F, Page 9 of the Map Records of Collin County, Texas, said corner being at the approximate centerline intersection of County Road No. 132 and County Road No. 135;

THENCE North 89°34'03" East, along the north line of said 192.24 acre tract, the south line of said Whispering Meadows, the south line of a called 28.83 acre tract, described in a Warranty Deed with Vendor's Lien to Brian Berry, recorded in County Clerk's File No. 96-0009856 of said Land Records, and with the approximate centerline of said County Road No. 135, a distance of 1,962.92 feet to the most northerly northeast corner of said 192.24 acre tract and the northwest corner of the aforementioned 39.516 acre tract;

THENCE North 88°07'17" East, continuing along the south line of said 28.83 acre tract, the north line of said 39.516 acre tract, and with the approximate centerline of said County Road No. 135, a distance of 150.02 feet;

THENCE, departing the south line of said 28.83 acre tract, the north line of said 39.516 acre tract, and the approximate centerline of said County Road No. 135, over and across said 39.516 acre tract, the following courses and distances:

South 00°55'09" East, a distance of 200.01 feet;

North 88°07'12" East, a distance of 250.04 feet;

North 00°55'09" West, a distance of 200.01 feet to a point in the north line of said 39.516 acre tract, the south line of said 28.83 acre tract, and the approximate centerline of said County Road No. 135;

THENCE North 88°07'12" East, along the north line of said 39.516 acre tract, the south line of said 28.83 acre tract, and with the approximate centerline of said County Road No. 135, a distance of 42.68 feet to the southeast corner of said 28.83 acre tract and the southwest corner of Tract 1, called 50.668 acres, described in a Warranty Deed with Vendor's Lien to Timothy Earl Berry, recorded in Volume 1831, Page 176 of said Land Records;

THENCE North 88°05'53" East, continuing along the north line of said 39.516 acre tract, the south line of said 50.668 acre tract, and with the approximate centerline of said County Road No. 135, a distance of 246.70 feet to the northeast corner of said 39.516 acre tract;

THENCE South 00°58'58" East, departing the south line of said 50.668 acre tract and the approximate centerline of said County Road No. 135, and along the east line of said 39.516 acre tract and the west lines of Tract 1, called 15.000 acres, and Tract 2, called 17.317 acres, described in a Warranty Deed with Vendor's Lien to Robert Wayne Bishop, et ux, recorded in Volume 3925, Page 603 of said Land Records, a distance of 1,693.76 feet to the southwest corner of said 17.317 acre tract and the most easterly northwest corner of the aforementioned 192.24 acre tract;

THENCE North 89°14'31" East, departing the east line of said 50.668 acre tract, and along the north line of said 192.24 acre tract and south line of said 17.317 acre tract, a distance of 155.82 feet to the approximate centerline of a creek;

THENCE, with the east line of said 192.24 acre tract and with the meanders of the centerline of said creek, the following courses and distances:

South 42°07'30" West, a distance of 103.18 feet;

South 61°22'28" East, a distance of 174.15 feet;

South 19°34'45" East, a distance of 127.02 feet;

South 49°02'56" East, a distance of 25.08 feet;

North 81°03'46" East, a distance of 53.54 feet;

North 37°45'47" East, a distance of 59.54 feet;

South 38°13'24" East, a distance of 194.42 feet;

South 24°08'51" West, a distance of 175.04 feet;

South 19°50'44" East, a distance of 191.52 feet;

South 15°54'15" East, a distance of 114.66 feet;

South 06°47'03" West, a distance of 186.19 feet;

South 22°41'42" East, a distance of 26.90 feet;

South 44°25'42" East, a distance of 142.30 feet;

South 10°23'42" East, a distance of 116.00 feet;

South 42°38'42" East, a distance of 132.00 feet;

South 85°47'42" East, a distance of 55.00 feet;

South 58°42'43" West, a distance of 85.89 feet;

South 74°22'28" West, a distance of 76.14 feet;

North 60°05'58" West, a distance of 71.10 feet;

South 36°23'53" West, a distance of 94.34 feet;

South 64°52'50" West, a distance of 145.32 feet;

North 70°54'27" West, a distance of 68.86 feet;

South 57°37'04" West, a distance of 53.54 feet;

South 72°31'19" West, a distance of 118.98 feet;

North 89°47'03" West, a distance of 44.28 feet;

South 61°01'11" West, a distance of 37.95 feet;

South 74°16'02" West, a distance of 57.88 feet to an ell corner of said 192.24 acre tract and the northwest corner of a called 145.532 acre tract described in Special Warranty Deed to Carter Family Farms, LLC, recorded in Instrument No. 20130926001350070 of said Official Public Records;

THENCE South 01°04'36" East, departing the approximate centerline of said creek, and along the east line of said 192.24 acre tract and west line of said 145.532 acre tract, a distance of 238.34 feet to the southwest corner of said 192.24 acre tract and the northeast corner of the aforementioned 52.399 acre tract;

THENCE, along the east line of said 52.399 acre tract and west line of said 145.532 acre tract, the following courses and distances:

South 00°41'28" East, a distance of 1,155.97 feet;

South 01°50'55" East, a distance of 589.47 feet to southeast corner of said 52.399 acre tract and the southwest corner of said 145.532 acre tract, said corner being in the north line Tract Two, called 1.149 acres, as described in a General Warranty Deed with Vendor's Lien to Michael E. Hebert, recorded in Instrument No. 20070525000711650 of said Official Public Records, said corner also being in the approximate centerline of County Road No. 134;

THENCE North 89°54'11" West, along the south line of said 52.399 acre tract, the north line of said 1.149 acre tract, the north line of Tract One, called 13.851 acres, described in a General Warranty Deed with Vendor's Lien to Michael E. Hebert, recorded in Instrument No. 20070525000711650 of said Official Public Records, and with the approximate centerline of said County Road No. 134, a distance of 220.12 feet;

THENCE, departing the south line of said 52.399 acre tract, the north line of said 13.851 acre tract, and the approximate centerline of said County Road No. 134, over and across said 52.399 acre tract, the following courses and distances:

North 01°50'55" West, a distance of 582.85 feet;

South 89°24'46" West, a distance of 942.71 feet;

South 00°57'29" East, a distance of 200.00 feet;

North 89°22'33" East, a distance of 645.88 feet;

South 01°49'42" East, a distance of 379.63 feet to a point in the south line of said 52.399 acre tract and the north line of said 13.581 acre tract, said corner being in the approximate centerline of said County Road No. 134;

THENCE North 89°54'11" West, along the south line of said 52.399 acre tract, the north line of said 13.851 acre tract, the north line of a called 52.753 acre tract described in a General Warranty Deed to the City of Celina, recorded in Instrument No. 20191114001447680, of said Official Public Records, and with the approximate centerline of said County Road No. 134, a distance of 801.77 feet to the southwest corner of said 52.399 acre tract and the southeast corner of that tract of land described in a Warranty Deed to Charles K. Barnes, et ux, recorded in Volume 4424, Page 1676 of said Land Records;

THENCE North 00°57'29" West, departing the north line of said 52.753 acre tract and the approximate centerline of said County Road No. 134, and along the west line of said 52.399 acre tract and east line of said Barnes tract, a distance of 746.60 feet to the northeast corner of said Barnes tract and the most easterly southeast corner of the aforementioned 38.730 acre tract;

THENCE North 89°23'38" West, departing the west line of said 52.399 acre tract, and along the north line of said Barnes tract and the most easterly south line of said 38.730 acre tract, a distance of 415.11 feet to an ell corner of said 38.730 acre tract and the northwest corner of said Barnes tract;

THENCE South 00°57'36" East, along the most westerly east line of said 38.730 acre tract and the west line of said Barnes tract, a distance of 750.00 feet to the most southerly southeast corner of said 38.730 acre tract and the southwest corner of said Barnes tract, said corner being in the north line of said 52.753 acre tract and the approximate centerline of said County Road No. 134;

THENCE North 89°54'15" West, along the most southerly south line of said 38.730 acre tract, the north line of said 52.753 acre tract, the north line of Steeplechase Farms, Phase 1, an addition to Collin County as recorded in Volume O, Page 102 of said Map Records, and with the approximate centerline of said County Road No. 134, a distance of 913.02 feet to the southwest corner of said 38.730 acre tract, the northwest corner of said Steeplechase Farms, Phase 1, the northeast corner of a called 21.6826 acre tract described in a Special Warranty Deed to Van Nichols Family Limited Partnership, recorded in Instrument No. 20080327000364470 of said Official Public Records, and the southeast corner of a called 252.69 acre tract described in a Warranty Deed to Four Winds Enterprises, LTD, recorded in Volume 5593, Page 3200 of said Land Records, said corner being at the intersection of the approximate centerline of said County Road No. 134 and the aforementioned County Road No. 132;

THENCE North 01°10'12" West, departing the approximate centerline of said County Road No. 134, and along the most westerly west line of said 38.730 acre tract, the east line of said 252.69 acre tract, and with the approximate centerline of said County Road No. 132, a distance of 539.37 feet;

THENCE, departing the most westerly west line of said 38.730 acre tract, the east line of said 252.69 acre tract, and the approximate centerline of said County Road No. 132, over and across said 38.730 acre tract, the following courses and distances:

North 89°20'35" East, a distance of 350.26 feet;

South 01°09'46" East, a distance of 170.55 feet;

North 88°24'09" East, a distance of 180.26 feet;

North 00°41'45" East, a distance of 456.55 feet;

North 35°02'44" East, a distance of 105.47 feet;

North 01°03'37" West, a distance of 154.32 feet;

North 85°55'02" West, a distance of 188.41 feet;

South 04°25'46" West, a distance of 163.96 feet;

North 85°45'22" West, a distance of 161.46 feet;

South 03°28'22" West, a distance of 44.97 feet;

South 89°20'35" West, a distance of 240.73 feet to a point in the most westerly west line of said 38.730 acre tract, the east line of said 252.69 acre tract, and the approximate centerline of said County Road No. 132;

THENCE North 01°17'55" West, along the most westerly west line of said 38.730 acre tract, the east line of said 252.69 acre tract, and with the approximate centerline of said County Road No.

132, a distance of 390.76 feet to the most westerly northwest corner of said 38.730 acre tract and the southwest corner of a called 6.498 acre tract described in a Deed Without Warranty to Simms Family Trust, Dated May 17, 2017, recorded in Instrument No. 20170530000690400 of said Official Public Records;

THENCE North 89°09'48" East, departing the approximate centerline of said County Road No. 132, and along the most southerly north line of said 38.730 acre tract and the south line of said 6.498 acre tract, a distance of 670.29 feet to an ell corner of said 38.730 acre tract and the southeast corner of said 6.498 acre tract;

THENCE North 00°55'10" West, along the most northerly west line of said 38.730 acre tract and the east line of said 6.498 acre tract, a distance of 421.47 feet to the most northerly northwest corner of said 38.730 acre tract and the northeast corner of said 6.498 acre tract, said corner being in the south line of the aforementioned 192.24 acre tract;

THENCE South 89°09'46" West, along the north line of said 6.498 acre tract and the south line of said 192.24 acre tract, a distance of 672.90 feet to the southwest corner of said 192.24 acre tract and the northwest corner of said 6.498 acre tract, said corner being in the east line of the aforementioned 252.69 acre tract and being in the approximate centerline of said County Road No. 132;

THENCE North 01°04'55" West, along the west line of said 192.24 acre tract and east line of said 252.69 acre tract, and with the approximate centerline of said County Road No. 132, a distance of 567.72 feet;

THENCE, departing the west line of said 192.24 acre tract, the east line of said 252.69 acre tract, and the approximate centerline of said County Road No. 132, over and across said 192.24 acre tract the following courses and distances:

North 88°55'05" East, a distance of 537.72 feet;

North 35°48'59" East, a distance of 284.39 feet;

North 86°40'02" East, a distance of 596.30 feet;

North 03°19'58" West, a distance of 366.01 feet;

North 66°41'33" East, a distance of 401.82 feet;

North 20°51'47" West, a distance of 492.19 feet;

South 75°45'25" West, a distance of 366.99 feet;

South 00°53'47" East, a distance of 346.99 feet;

South 51°44'38" West, a distance of 459.10 feet;

South 88°55'05" West, a distance of 428.15 feet;

South 01°04'55" East, a distance of 323.76 feet;

South 88°55'05" West, a distance of 342.90 feet to a point in the west line of said 192.24 acre tract, east line of said 252.69 acre tract, and the approximate centerline of said County Road No. 132;

THENCE North 01°04'55" West, along the west line of said 192.24 acre tract, east line of said 252.69 acre tract, the east line of a called 89.790 acre tract described in a Special Warranty Deed to Doan's Crossing Ranch, LP, recorded in Instrument No. 20190517000555400 of said Official Public Records, and with the approximate centerline of said County Road No. 132, a distance of 1,074.38 feet to the southwest corner of a called 22.795 acre tract described in a Special Warranty Deed to Van and Kathy Nichols, recorded in Volume 4963, Page 852 of said Land Records;

THENCE North 89°06'20" East, departing the west line of said 192.24 acre tract, the east line of said 89.790 acre tract, and the approximate centerline of said County Road No. 132, and along the south line of said 22.795 acre tract, a distance of 1,103.02 feet to the southeast corner of said 22.795 acre tract;

THENCE North 00°07'05" East, along the east line of said 22.795 acre tract, a distance of 791.68 feet to the northeast corner of said 22.795 acre tract, said corner being in the approximate centerline of a creek;

THENCE, along the north line of said 22.795 acre tract and with the meanders of the centerline of said creek, the following courses and distances:

South 64°14'51" West, a distance of 33.23 feet;

South 79°55'40" West, a distance of 82.59 feet;

North 65°32'06" West, a distance of 74.04 feet;

North 01°10'01" East, a distance of 76.80 feet;

North 20°18'29" West, a distance of 96.19 feet;

North 08°11'43" East, a distance of 21.51 feet;

North 34°59'27" West, a distance of 36.50 feet;

North 74°08'21" West, a distance of 20.87 feet;

South 69°36'30" West, a distance of 41.13 feet;

South 03°44'00" East, a distance of 71.27 feet;

South 81°30'19" West, a distance of 72.74 feet;

South 84°52'53" West, a distance of 74.24 feet;

South 69°50'32" West, a distance of 94.88 feet;

South 56°52'17" West, a distance of 102.04 feet;

South 76°16'12" West, a distance of 87.30 feet;

South 89°18'20" West, a distance of 119.40 feet;

North 46°51'57" West, a distance of 168.63 feet;

North 88°32'34" West, a distance of 93.92 feet;

North 77°14'08" West, a distance of 101.31 feet to the northwest corner of said 22.795 acre tract, said corner being in the east line of the aforementioned 89.790 acre tract and the approximate centerline of said County Road No. 132;

THENCE North 01°04'55" West, along the west line of said 192.24 acre tract, the east line of said 89.790 acre tract, and with the approximate centerline of said County Road No. 132, a distance of 741.67 feet to the **POINT OF BEGINNING** and containing 269.84 acres of land, more or less.

This document was prepared under 22 TAC §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Michael B. Marx
Registered Professional Land Surveyor No. 5181
Kimley-Horn and Associates, Inc.
6160 Warren Pkwy., Suite 210
Frisco, Texas 75034
Ph. 972-335-3580
michael.marx@kimley-horn.com



EXHIBIT "C-1"
Special Warranty Deed dated March 13, 1998

GF NO. 456746V BC RH jkp
Code: 01.14.98

(This is a form approved by the State Bar of
Texas reproduced completely on typewriter) Rev. 10-85

SPECIAL WARRANTY DEED

Date: March 13, 1998, effective March 16, 1998

Grantor: ALVRONE SATER, Individually; ALVRONE SATER, as Trustee of The Alvrone Sater Trust No. 3; and ALVRONE SATER, Successor Trustee for the Alvrone Sater Trust under the Will of I. Rudman, Deceased, also known as the ALVRONE SATER TRUST, as their interest(s) may appear

Grantor's Mailing Address (including county): P. O. Box 2509, Evansville, Indiana 47728-0509, Vanderburgh County, Indiana

Grantee: SATER L.P., a limited partnership

Grantee's Mailing Address (including county): 8150 North Central Expressway, Suite 400, Dallas, Texas 75206, Dallas County, Texas

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration.

Property (including any improvements):

BEING situated in Collin County, Texas, in the JONAS WHITAKER SURVEY, ABSTRACT NO. 962 and in the B. E. BLACKWELL SURVEY, ABSTRACT NO. 93, being a resurvey of the 193.883 acres of land described in a deed from M. B. Rudman and wife, Josephine Rudman, to The Rudman Partnership, dated August 30, 1990, recorded in Volume 3346, Page 764 of the Collin County Land Records, containing 192.24 acres of land, more or less and being described by metes and bounds in EXHIBIT "A" attached hereto and made a part hereof for all purposes pertinent.

Reservations from and Exceptions to Conveyance and Warranty:

- 1) Easement Agreement for Impounding Water executed by and between Mrs. Sallie Pafford and Howard Logan and wife, Edna Logan, Grantors and Collin County Soil Conservation District, grantee, for storage of waters, dated September 16, 1955, filed November 17, 1955, recorded in Volume 506, Page 382, Deed Records, Collin County, Texas, as amended by Supplemental Easement Agreement for Impounding Water, filed March 31, 1956, recorded in Volume 513, Page 269, Deed Records, Collin County, Texas;
- 2) Easement created in instrument executed by Vance W. Stallicup, et al to Gunter Water Supply Corporation for a water pipe line, dated September 15, 1971, filed April 14, 1972, recorded in Volume 817, Page 482, Deed Records, Collin County, Texas;
- 3) Reservation of an undivided 1/4th interest in all the oil, gas and other minerals, in Deed executed by David A. Witts to Frank G. Newman, Trustee, dated December 29, 1972, filed January 3, 1973, recorded in Volume 848, Page 662, Deed Records, Collin County, Texas;

- 4) Rights of tenants in possession, as tenants only, under any unrecorded rental or lease agreements;
- 5) Any rights of adjoining property owners in and to that part of the hereinabove described property which may constitute accretion or avulsion by virtue of the possible shifting of the bed or shores of the river, stream or body of water which bounds the subject property;
- 6) Rights of the general public and the State of Texas in the waters of streams or the rights of riparian and appropriation owners in the waters of such streams;
- 7) Non-participating royalty interest in minerals devised to The Rudman Foundation, a charitable trust created by I. Rudman and wife, Rose Rudman, in Article IV of the Will of I. Rudman, Deceased, a Certified Copy filed June 14, 1972, recorded in Volume 824, Page 713, Deed Records, Collin County, Texas, and filed December 10, 1979, recorded in Volume 1212, Page 429, Deed Records, Collin County, Texas; and,
- 8) Rights of the public, the State of Texas and the municipality in and to that portion of subject property, if any, lying within the boundaries of County Road #132 and County Road #135.
- 9) Reservation of Mineral Interest - Grantors own an undivided 3/4ths of the mineral estate in and to the Property described above. Grantors reserve unto themselves, their heirs, successors and assigns 2/3rds of the undivided 3/4ths of the mineral estate which they now own, and convey unto Grantee the remaining mineral estate in the Property.

Grantor does hereby expressly release and waive, on behalf of Grantor and Grantor's respective heirs, successors and assigns, all rights of ingress and egress to enter upon or to use the surface of the Property, or any part thereof, for purposes of exploring for, developing, drilling, producing, transporting, mining or any other purposes incident to the development or production of the oil, gas and other minerals, in, on and under the Property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when claim is by, through or under the Grantor, but not otherwise.

Grantee herein assumes the taxes for the current year.

When the context requires, singular nouns and pronouns include the plural.

Alvrone Sater

 ALVRONE SATER

Alvrone Sater

 ALVRONE SATER, as Trustee of
 The Alvrone Sater Trust No. 3

Alvrone Sater

 ALVRONE SATER, Successor Trustee for the
 Alvrone Sater Trust under the Will of
 I. Rudman, Deceased, also known as the
 ALVRONE SATER TRUST

4124 0281

THE STATE OF INDIANA §

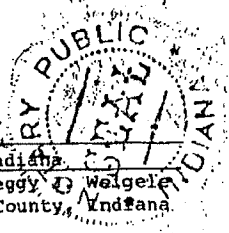
COUNTY OF VANDERBURGH §

Before me, the undersigned authority, on this day personally appeared ALVRONE SATER, Individually and as Trustee of The Alvrone Sater Trust No. 3; and as Successor Trustee for the Alvrone Sater Trust under the Will of I. Rudman, Deceased, also known as the ALVRONE SATER TRUST, known to me to be the person(s) whose name(s) being subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, on behalf of said trusts and in the capacities therein stated.

Given under my hand and seal this 13th day of March, 1998.

My Commission Expires:
8/4/01

Peggy O. Welgele
Notary Public, State of Indiana
Notary's printed name: Peggy O. Welgele
Resident of Warrick County, Indiana



PREPARED IN THE LAW OFFICE OF:

Law Office of Steven S. McGilvra, P.C.
11615 Forest Central Drive, Suite 330 LB 33
Dallas, Texas 75243

AFTER RECORDING RETURN TO:

SATER L. P.
8150 North Central Expressway, Suite 400
Dallas, Texas 75206

LAWYERS TITLE INSURANCE CORPORATION

EXHIBIT A

BEING situated in COLLIN County, Texas, in the Jonas Whitaker Survey, Abstract No. 962 and in the B. E. Blackwell Survey, Abstract No. 93, being a resurvey of the 193.883 acres of land described in a deed from M. B. Rudman and wife, Josephine Rudman, to The Rudman Partnership, dated August 30, 1990, recorded in Volume 3346, Page 764 of the Collin County Land Records, being described by metes and bounds as follows:

BEGINNING at an iron pin found at the Northwest corner of said Whitaker Survey and the Northwest corner of said 193.883 acre tract, at the junction of County Road 132 with County Road 135 from the East and being the Southwest corner of Whispering Meadows, Ref. Vol. F, Page 9 of the Map and Plat Records of Collin County;

THENCE South 89 degrees 56 minutes 20 seconds East, 1962.95 feet with the North line of said 193.883 acre tract and the South line of said Whispering Meadows and with the South line of the Brian Berry 28.83 acres, Ref. Document No. 95-0009856 to an iron pin found at the North, Northeast corner of said 193.883 acre tract and the Northwest corner of the Joe Merrit 40 acres, Ref. Vol. 608, Page 523;

THENCE South 0 degrees 25 minutes 33 seconds East, 2496.26 feet along the West side of a fence and with an East line of said 193.883 acre tract and with the West line of said 40 acres to an iron pin set at an all corner of said 193.883 acre tract and the Southwest corner of said 40 acres;

THENCE North 87 degrees 55 minutes 33 seconds East, 692.66 feet with a North line of said 193.883 acre tract and the South line of said 40 acres to an iron pin set beside a corner post at an all corner of said 193.883 acre tract and the Southeast corner of said 40 acres;

THENCE North 0 degrees 30 minutes 31 seconds West 794.24 with a fence and with a West line of said 193.883 acre tract and the East line of said 40 acres to an iron pin found at the Southwest corner the 64.78 acre tract, Ref. Document 95-0008175 and East line of said 40 acre tract;

THENCE North 89 degrees 44 minutes 07 seconds East with the South line of said 64.78 acre tract, passing an iron pin set on the West bank of a Small Branch at 105.82 feet and continuing in all 155.82 feet to a point in the center of said Branch and in the East line of said 193.883 acre tract and at the Northwest corner of the Vechoyn Wilkerson 7.94 acres, Ref. Document 93-0111086;

THENCE Southerly with the East line of said 193.883 acre tract and with the West line of said 7.94 acre tract and downstream with the center of said Branch as follows:

South 42 degrees 37 minutes 06 minutes West, 103.18 feet, the West line of 6.99 acres, Ref. Doc 95-0069136 and West line of 14.99 acres, Ref. V. 1275, P. 606 as follows:

South 60 degrees 52 minutes 52 seconds East, 174.15 feet;

South 19 degrees 05 minutes 09 seconds East, 127.02 feet;

South 48 degrees 33 minutes 20 seconds East, 25.08 feet;

North 81 degrees 33 minutes 22 seconds East, 53.54 feet;

North 38 degrees 15 minutes 23 seconds East, 59.54 feet;

South 37 degrees 43 minutes 48 seconds East, 194.42 feet, passing the Southwest corner of said 7.94 acre tract and the Northwest corner of a 6.99 acre tract, Ref. Document 95-0069136 in the name of John Dame & Mary Metz and continuing Southerly with said East line and Branch and

LAWYERS TITLE INSURANCE CORPORATION

EXHIBIT A (page 2)

the West line of said 6.99 acres and the West line of the 14.99 acre Hofert Land, Ref. V. 1275, P. 606 as follows:

South 24 degrees 38 minutes 27 seconds West, 175.04 feet;
 South 19 degrees 21 minutes 08 seconds East, 191.52 feet;
 South 15 degrees 24 minutes 39 seconds East, 114.66 feet;
 South 7 degrees 16 minutes 39 seconds West, 186.19 feet to a point in said East line and Branch at the Southwest corner of said 14.99 acres and at a Northwest corner of the Cheryl Lynn Small Land, Ref. Vol. 3581, Pg. 24;

THENCE continuing down said Branch and with the West line of said Cheryl Lynn Small land and the East line of said 193.883 acre tract as follows:

South 22 degrees 12 minutes 06 seconds East, 26.90 feet;
 South 43 degrees 56 minutes 06 seconds East, 142.30 feet;
 South 9 degrees 54 minutes 06 seconds East, 116.00 feet;
 South 42 degrees 09 minutes 06 seconds East, 132.00 feet;
 South 85 degrees 18 minutes 06 seconds East, 55.00 feet to the mouth of a small Branch from the West, at the East corner of said 193.883 acre tract and an ell corner of said Cheryl Lynn Small land;

THENCE Westerly upstream with said small Branch and with the South line of said 193.883 acre tract and a North line of said Cheryl Lynn Small land as follows:

South 59 degrees 12 minutes 19 seconds West, 85.89 feet;
 South 74 degrees 52 minutes 04 seconds West, 76.14 feet;
 North 59 degrees 36 minutes 22 seconds West, 71.10 feet;
 South 36 degrees 53 minutes 29 seconds West, 94.34 feet;
 South 65 degrees 22 minutes 26 seconds West, 145.32 feet;
 North 70 degrees 24 minutes 51 seconds West, 68.86 feet;
 South 58 degrees 06 minutes 40 seconds West, 53.54 feet;
 South 73 degrees 00 minutes 55 seconds West, 118.98 feet;
 North 89 degrees 17 minutes 27 seconds West, 44.28 feet;
 South 61 degrees 30 minutes 47 seconds West, 37.95 feet;
 South 74 degrees 45 minutes 38 seconds West, 57.88 feet to a point in said Branch at the West, Northwest corner of said Cheryl Lynn Small land and an ell corner of said 193.883 acre tract;

THENCE South 0 degrees 35 minutes East, 238.34 feet passing an iron pin found beside a post at 25.30 feet and continuing in all 238.34 feet with an East line of said 193.883 acre tract and the West line of said Cheryl Lynn Small land and with a fence to an iron pin set beside a corner post at the South, Southeast corner of said 193.883 acre tract and the Northeast corner of 34.482 acres, Ref. Vol. 2855, Pg. 367;

THENCE South 89 degrees 39 minutes West, 2654.58 feet with the South line

4124 0284

LAWYERS TITLE INSURANCE CORPORATION

EXHIBIT A (page 3)

of said 193.883 acre tract and with a fence and the North line of said 34.482 acres, the North line of 17.20 acres, Ref. Doc. 96-0103493 and the North line of 13.47 acres, Ref. Doc. 96-0103493 to an iron pin found at the Southwest corner of said 193.883 acre tract and the Northwest corner of said 13.47 acres, in the East line of Margaret Arleen Cavanaugh land, Ref. Doc. 96-0034754 and in the center of County Road No. 132;

THENCE North 0 degrees 35 minutes 19 seconds West, 3545.13 feet with the West line of said 193.883 acre tract and the East line of said Cavanaugh land and the East line of G. W. Tillerson 89 acres, Ref. Vol. 66, Page 73 and with the center of said County Road 132 to the PLACE OF BEGINNING AND CONTAINING 192.24 acres of land, more or less.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS UNLAWFUL AND UNENFORCEABLE UNDER FEDERAL LAW (COUNTY OF COLLIN THE STATE OF TEXAS) I hereby certify that this instrument was FILED in the Public Records on the date and the time stamped herein by me; and was duly RECORDED on the Official Public Records of Real Property of Collin County, Texas on

MAR 18 1998

Helene Starnes

COUNTY CLERK, COLLIN COUNTY, TEXAS



Filed for Record in:
COLLIN COUNTY, TX
HONORABLE HELEN STARNES

On 1998/03/18

At 10:50A

Number: 98- 0024670
Type : D1 19.00

EXHIBIT "C-2"
Warranty Deed dated April 23, 2014

2018-93347



20140423000391910 04/23/2014 03:15:05 PM D1 1/5

"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 §
COUNTY OF COLLIN § KNOW ALL MEN BY THESE PRESENTS:

THAT **CELINA LPI PROPERTIES, 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 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 **SATER L.P., a Texas limited partnership,** whose mailing address is 13455 Noel Road, Suite 2000, Dallas, Texas 75240 (herein referred to as "Grantee"), all of the following described real property in COLLIN County, Texas (hereinafter referred to as the "Property"), to-wit:

BEING a tract of land situated in the Jonas Whitaker Survey, Abstract No. 962 and the B.B.B. & C.R.R. Railroad Survey, Abstract No. 129, Collin County, Texas and being all of a called 38.730 acre tract as conveyed to Michael & Lisa Henneman and recorded in Volume 5904, Page 3496, Land Records of Collin County, Texas, and corrected in Volume 5908, Page 4525, L.R.C.C.T., and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

This conveyance shall include all and singular the rights and appurtenances pertaining to the Property; including all buildings, structures, fixtures, and improvements located thereon, and any interest if any, of Grantor in and to any land lying in any street, road, accessway, or easement, open or proposed, in front of, or adjoining, or within the Property.

This conveyance is expressly made subject to the following:

1. Restrictive covenants described in instrument recorded in Volume 1207, Page 648 and Volume 1269, Page 393, Real Property Records, COLLIN County, Texas.
2. Residential Lease Agreement by and between Celina LPI Properties, LLC, a Texas limited liability company, Landlord, and Lisa Henneman, Tenant, dated April 15, 2014.
3. Rights, if any, of third parties with respect to any portion of the subject property lying within the boundaries of a public or private road.
4. 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.
5. Easement granted by the V.E. Wester Estate to Gunter Water Supply Corporation, filed 04/14/1972, recorded in Volume 817, Page 446, Real Property Records, Collin County, Texas.
6. Easement granted by T. Max Miller and wife, Mary Ann Miller to Grayson-Collin Electric Cooperative, Inc., filed 12/22/1981, recorded in Volume 1459, Page 260, Real Property Records, Collin County, Texas.
7. Easement granted by Stephen J. Bezner and wife, Laura D. Bezner to the County of Collin, filed 08/24/1993, recorded in cc# 93-0070685, Real Property Records, Collin County, Texas.
8. Easement granted by Stephen J. Bezner to the County of Collin, filed 08/24/1993, recorded in cc# 93-0070678, Real Property Records, Collin County, Texas.
9. Mineral estate and interest in coal, lignite and other minerals together with all rights, privileges and immunities thereto described in instrument filed 05/01/1972, recorded in Volume 819, Page 700, Real Property Records, Collin County, Texas. Title to said interest not checked subsequent to the date thereof.
10. Rights of the public, the State of Texas and the municipality in to that portion of subject property lying within the boundaries of County Road No. 134 and County Road No. 132.

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; and Grantor hereby binds itself, its 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, however, to the aforesaid exceptions.

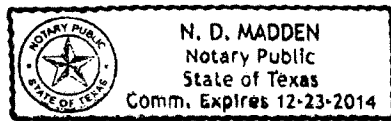
EXECUTED on the dates of the acknowledgments, but to be EFFECTIVE on the 23 day of April, 2014.

CELINA LPI PROPERTIES, LLC, a Texas limited liability company

By: *Scott Chrimes*
Scott Chrimes, Manager

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 23 day of April, 2014, by Scott Chrimes, Manager of CELINA LPI PROPERTIES, LLC, a Texas limited liability company, acting in its behalf.



N. D. Madden
NOTARY PUBLIC STATE OF TEXAS

AFTER RECORDING RETURN TO:

SATER L.P.
13455 Noel Road, Suite 2000
Dallas, Texas 75240

2018-93347

EXHIBIT "A"

BEING a tract of land situated in the Jonas Whitaker Survey, Abstract No. 962 and the B.B.B. & C.R.R. Railroad Survey, Abstract No. 129, Collin County, Texas and being all of a called 38.730 acre tract as conveyed to Michael & Lisa Henneman and recorded in Volume 5904, Page 3496, Land Records of Collin County, Texas, and corrected in Volume 5908, Page 4525, L.R.C.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at a pk nail set for corner at the southwest corner of said 38.730 acre tract, said nail being at the intersection of the County Road No. 132 and County Road No. 134;

THENCE N 01 deg. 10 min. 08 sec. W following CR No. 132 a distance of 546.83 feet to a pk nail set for corner;

THENCE N 01 deg. 17 min. 55 sec. W following CR No. 132 a distance of 733.32 feet to a pk nail set for corner;

THENCE N 89 deg. 09 min. 48 sec. E a distance of 670.29 feet to a steel pipe fence post;

THENCE N 00 deg. 55 min. 10 sec. W a distance of 421.47 feet to a 1/2 inch iron rod found for corner;

THENCE N 89 deg. 09 min. 31 sec. E a distance of 663.61 feet to a steel pipe fence post;

THENCE S 00 deg. 57 min. 37 sec. E a distance of 976.96 feet to a capped (Kern) 1/2 inch iron rod found for corner;

THENCE N 89 deg. 23 min. 38 sec. W a distance of 415.15 feet to a point in a pond;

THENCE S 00 deg. 57 min. 36 sec. E passing at 724.88 feet a capped 1/2 inch iron rod found and continuing in all a distance of 750.00 feet to a pk nail found for corner in CR. No. 134;

THENCE N 89 deg. 54 min. 15 sec. W a distance of 913.03 feet to the POINT OF BEGINNING
1,687,080 square or 38.730 acres of land.

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
04/23/2014 03:15:05 PM
\$39.00 CJAMAL
20140423000391910



A handwritten signature in cursive script that reads "Stacey Kemp".

EXHIBIT "C-3"
Special Warranty Deed dated December 29, 2015

1506550 MCLB

AFTER RECORDING RETURN TO:

Sater, L.P.
16400 Dallas Parkway, Suite 100
Dallas, Texas 75248

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 WITH VENDOR'S LIEN

Effective Date: December 29, 2015
Grantor: LARRY M. FROBERG AND STACY B. FROBERG
Grantor's Mailing Address: 104 Fox Run Drive
Mandeville, LA 70471
Grantee: SATER, L.P.
Grantee's Mailing Address: 16400 Dallas Parkway, Suite 100
Dallas, TX 75248

Consideration: Ten Dollars and No/100 (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and further consideration of that certain Promissory Note in the original principal sum of Seven Hundred Forty-five Thousand Nine Hundred Sixty-four and No/100 Dollars (\$745,964.00), payable to the order of Larry M. Froberg and Stacy B. Froberg (collectively, the "Lender"), secured by the vendor's lien retained herein ("Vendor's Lien") and being further secured by that certain Deed of Trust ("Deed of Trust") to Charles S. Brown, Trustee, herewith covering the Property (as hereinafter defined).

Property (including any improvements): As listed on the attached Exhibit "A" which is incorporated herein as if fully set forth at length.

Reservations from Conveyance: As provided below.

Exceptions to Conveyance and Warranty: Those items listed on the attached Exhibit "B" which is incorporated herein as if fully set forth at length.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereof in anywise belonging unto Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER

DEFEND, all and singular such premises unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under the Grantor, but not otherwise.

But it is expressly agreed and stipulated that the Vendor's Lien as well as Superior Title in and to the Property are hereby retained until the Note and all amounts due thereunder and under the Deed of Trust are fully paid according to the face, tenor, effect and reading thereof, at which time this Special Warranty Deed shall become absolute, and the Vendor's Lien and Superior Title herein retained shall be automatically released and discharged. The Vendor's Lien and Superior Title herein retained are hereby transferred, assigned, sold and conveyed without recourse to Lender, its successors and assigns, the payee named in the Note.


Whenever used, the singular number shall include the plural, and the plural the singular.

[SIGNATURE PAGE TO FOLLOW]

GRANTOR:



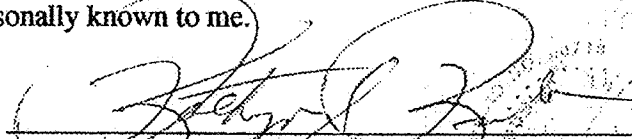
LARRY M. FROBERG



STACY B. FROBERG

STATE OF LOUISIANA §
 §
PARISH OF St. Tammany §

This instrument was acknowledged before me on Dec. 24th, 2015 by
Larry M. Froberg and Stacy B. Froberg, personally known to me.



Notary Public, State of Louisiana
Kathryn S. Ruler # 60978
Commission Expires
with life

EXHIBIT "A"
LEGAL DESCRIPTION

BEING all that certain 39.516 acre tract of land situated in the Jonas Whitaker Survey, Abstract No. 962, Collin County, Texas, and being all that certain tract of land conveyed to Larry M. & Stacy B. Froberg, by deed recorded in Volume 4247, Page 2629, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the Northwest corner of said Froberg tract, same being in the approximate centerline of County Road 135 (prescriptive right-of-way), same being the Northeast corner of that certain tract of land conveyed to Sater, L.P., by deed recorded in Volume 4124, Page 279, said Deed Records, same being in the South line of that certain tract of land conveyed to Timothy E. Berry & Dorris E. Berry, by deed recorded in Instrument No. 2006052200069550, Official Public Records, Collin County, Texas;

THENCE North 89 deg. 02 min. 21 sec. East, along the common line of said Froberg tract and said Berry tract (2006052200069550), same being the approximate centerline of said County Road 135, a distance of 442.74 feet to a 1/2 inch iron rod found for angle point; same being the Southeast corner of said Berry tract (2006052200069550), same being the Southwest corner of that certain tract of land conveyed to Timothy E. Berry, by deed recorded in Volume 1831, Page 176, said Deed Records;

THENCE North 89 deg. 01 min. 02 sec. East, along the common line of said Froberg tract and said Berry tract (Volume 1831, Page 176), same being the approximate centerline of said County Road 135, a distance of 246.70 feet to a nail set with shiner for the Northeast corner of said Froberg tract, same being the Northwest corner of that certain tract of land conveyed to Robert Wayne & Kimberly Ann Bishop, by deed recorded in Volume 4031, Page 2435, said Deed Records;

THENCE South 00 deg. 03 min. 32 sec. East, along the common line of said Froberg tract and said Bishop tract, a distance of 1693.74 feet to a 3/4 inch iron rod found for angle point, same being the Southwest corner of said Bishop tract, same being a North corner of aforesaid Sater tract;

THENCE along the common line of said Froberg tract and said Sater tract as follows:

South 00 deg. 05 min. 36 sec. East, a distance of 794.32 feet to a nail found at old fence corner for the Southeast corner of said Froberg tract;

South 88 deg. 21 min. 24 sec. West, a distance of 692.66 feet to a 3/4 inch iron rod found for the Southwest corner of said Froberg tract;

North 00 deg. 00 min. 00 sec. West, a distance of 2496.27 feet to the POINT OF BEGINNING and containing 39.516 acres of computed land, more or less.

EXHIBIT "B"
EXCEPTIONS

1. Easement executed by Larry Froberg and Stacy Froberg to Grayson Collin Electric Cooperative, Inc., dated August 21, 2000, filed May 22, 2001, recorded in Volume 4923, Page 3176, of the Real Property Records of Collin County, Texas, as noted on survey dated November 19, 2015, prepared by Timothy R. Mankin, R.P.L.S. No. 6122.
2. Easement executed by Larry M. Froberg and wife, Stacy B. Froberg, to the County of Collin, dated February 5, 2004, filed February 13, 2004, recorded in Volume 5605, Page 4176, of the Real Property Records of Collin County, Texas, as shown on survey dated November 19, 2015, prepared by Timothy R. Mankin, R.P.L.S. No. 6122.
3. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated September 8, 1998, filed September 9, 1998, in Volume 4247, Page 2629, of the Real Property Records of Collin County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to their interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
01/04/2016 08:33:59 AM
\$42.00 DFOSTER
2016010400000310

Stacey Kemp

EXHIBIT "C-4"
Warranty Deed dated April 2, 2019

2018-269064

WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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 §
COUNTY OF COLLIN § KNOW ALL MEN BY THESE PRESENTS:

THAT BRYAN CASEY LOWDER and DEBORAH RENAE LOWDER KECK, Successor Trustees under THE LOWDER LIVING TRUST, dated December 17, 1996, and any amendments thereto, each expressly representing that the subject property constitutes no part of their respective homesteads (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 the Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery to LONE STAR, FLCA (hereinafter referred to as "Lender") by Grantee of Grantee's promissory note of even date herewith in the principal amount of TWO MILLION TWO HUNDRED TWENTY SIX THOUSAND NINE HUNDRED FIFTY SEVEN AND 50/100 DOLLARS (\$2,226,957.50), bearing interest and being payable as therein specified, the payment of which note is secured by the Vendor's Lien herein retained, and is additionally secured by a Real Estate Deed of Trust of even date herewith to JEFF DAVIS, Trustee, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto: SATER L.P., a Texas limited partnership (herein referred to as "Grantee"), whose address is: 16400 Dallas Pkwy., Suite 100, Dallas, Texas 75248, all of the following described real property in Collin County, Texas (hereinafter referred to as the "Property"), to-wit:

Being 52.399 acres of land, more or less, situated in the Jonas Whitaker Survey, Abstract Number 962, and in the B.B.B. & C. Railroad Survey, Abstract Number 129, County of Collin, State of Texas, and being more fully described in EXHIBIT A attached hereto and made a part hereof for all purposes.

This conveyance shall include all rights, privileges, and appurtenances pertaining to the Property, including Grantor's right, title, and interest in any 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.

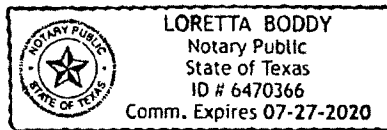
EXECUTED on the dates of the acknowledgments, but to be EFFECTIVE on the 1st day of April, 2019.

Bryan Casey Lowder
BRYAN CASEY LOWDER, Successor Trustee
under THE LOWDER LIVING TRUST dated
December 17, 1996

Deborah Renae Lowder Keck
DEBORAH RENAE LOWDER KECK, Successor
Trustee under THE LOWDER LIVING TRUST dated
December 17, 1996

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

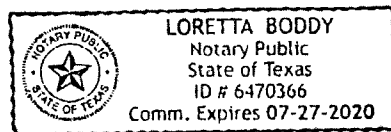
This instrument was acknowledged before me on the 1st day of April, 2019, by BRYAN CASEY LOWDER, Successor Trustee under THE LOWDER LIVING TRUST dated December 17, 1996, in the capacity therein stated.



Loretta Boddy
NOTARY PUBLIC - STATE OF TEXAS

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 1st day of April, 2019, by DEBORAH RENAE LOWDER KECK, Successor Trustee under THE LOWDER LIVING TRUST dated December 17, 1996, in the capacity therein stated.



Loretta Boddy
NOTARY PUBLIC - STATE OF TEXAS

Prepared in the Law Office of:

Abernathy, Roeder, Boyd & Hullett, PC
1700 Redbud Blvd., Suite 300
McKinney, Texas 75069
4716-2004 - 2018-269064

EXHIBIT A

All that certain tract or parcel of land situated in Jonas Whitaker Survey, Abstract Number 962, and in the B. B. B. & C. Railroad Survey, Abstract Number 129, County of Collin, State of Texas, said tract being all of three tracts as described in Deed to Lonnie Dale Lowder and Caroline Susan Lowder, filed 27 February 1997, Instrument Number 97-0014920 of said Deed Records of the County of Collin, State of Texas, and being more fully described as follows:

Beginning for the southwest corner of the tract being described herein at a found ½ inch Steel Rebar, said rebar being the southwest corner of said Lowder tract one, and the southeast corner of a tract as described in deed to Terry David Barnes, filed 27 June 2009, Instrument Number 20090626000797210 of said Deed Records, and also being in County Road 134;

Thence: North 00 degrees 19 minutes 19 seconds East, passing a pipe fence corner post on the north side of said road and continuing with the west line of said Lowder tract one, a distance of 1723.56 feet to a pipe fence corner post for the northwest corner of said Lowder tract;

Thence: South 89 degrees 34 minutes 03 seconds East, with the north line of said Lowder tracts, a distance of 1318.05 feet to a found ¾ inch Steel Rod by a wood fence corner post for the northeast corner of this tract, and the northeast corner of said Lowder tract two;

Thence: South 00 degrees 35 minutes 17 seconds West, with the east line of said Lowder tracts, a distance of 1155.97 feet to a pipe fence corner post for a corner of this tract;

Thence: South 00 degrees 34 minutes 07 seconds East, with the east line of said Lowder tract, and passing a pipe fence corner post on the north side of said road and continuing on said course for a distance of 589.47 feet to a set PK Nail for the southeast corner of said Lowder tracts, and being in said road;

Thence: North 88 degrees 37 minutes 23 seconds West, with the south line of said Lowder tracts, and in said road, a distance of 1322.07 feet to the POINT OF BEGINNING and containing 52.399 acres of land.

EXHIBIT B

Permitted Exceptions

1. Restrictive covenants described in instrument filed 11/12/1979, recorded in Volume 1207, Page 648, Real Property Records, Collin County, Texas.
2. Easement granted by V. E. Wester to Collin County Conservation District, filed 12/23/1955, recorded in Volume 508, Page 371, Real Property Records, Collin County, Texas.
3. Easement granted by V. E. Wester Estate to Gunter Water Supply Corp., filed 04/14/1972, recorded in Volume 817, Page 446, Real Property Records, Collin County, Texas.
4. Mineral estate and interest in coal, lignite oil, gas and other minerals together with all rights, privileges and immunities thereto described in instrument filed 05/01/1972, recorded in Volume 819, Page 700, Real Property Records, Collin County, Texas. Company makes no representation as to the present ownership of any such interests.
5. Easement reserved in Deed filed 11/15/1983, recorded in Volume 1775, Page 34, Real Property Records, Collin County, Texas.
6. Dedication Easement filed 08/24/1993, recorded in cc# 93-0070687, Real Property Records, Collin County, Texas.



Stacey Kemp

EXHIBIT "C-5"
Special Warranty Deed

SPECIAL WARRANTY DEED

Date: July 16, 2001

Grantor:

SATER L. P., a Texas Limited Partnership

Grantee:

Van and Kathy Nichols

Grantee's Mailing Address:

P. O. Box 965
Frisco, Texas 75034

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

22.795 acres, more or less, in the Jonas Whitaker Survey, A-962 and in the B. E. Blackwell Survey, A-93, Collin County, Texas and further described on Exhibit "A" attached hereto and incorporated herein for all purposes.

Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for the year 2001, which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

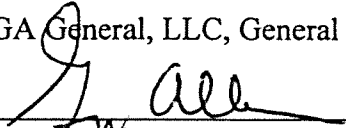
Grantor, for the consideration and subject to the exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property described in Exhibit "A" attached hereto, together with all and singular, the rights, benefits, privileges, easements, tenements, hereditaments and appurtenances thereon or in anywise appertaining thereto, to have and to hold unto Grantee, Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but nor otherwise, except as to the Exceptions to Conveyance and Warranty.

Helene Starnes

When the context requires, singular nouns and pronouns include the plural.

SATER L.P., a Texas limited partnership

By: OGA General, LLC, General Partner

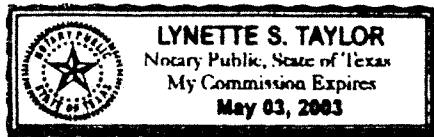
By: 
Gregg Allen
Managing Member

ACKNOWLEDGEMENT

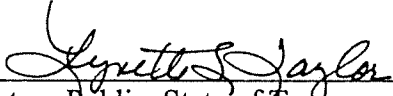
STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged before me this 16th day of July, 2001, by Gregg Allen on behalf of SATER L.P., a Texas limited partnership, by OGA General, LLC, General Partner, by Gregg Allen, Managing Member.



[Notary's Stamp]


Notary Public, State of Texas

After recording, return to:

Van and Kathy Nichols
P. O. Box 965
Frisco, Texas 75034





Exhibit "A"

DESCRIPTION 22.795 Acres of Land

SITUATED in Collin County, Texas, in the Jonas Whitaker Survey, Abstract No. 962 and in the B. E. Blackwell Survey, Abstract No. 93, being a resurvey of part of the 192.24 acres of land described in Exhibit "A" in a deed from Alvrone Sater to Sater L.P. dater March 13, 1998 recorded in Volume 4124, Page 279 (Doc. No. 98-0024670) of the Collin County Land Records, being described by metes and bounds as follows:

COMMENCING at an iron pin found at the northwest corner of, said Whitaker Survey and the northwest corner of said 192.24 acre tract, at the junction of County Road 132 with County Road 135 from the east and being the southwest corner of WHISPERING MEADOWS, Ref. Vol. F, P. 9 of the Map and Plat Records of Collin County; Thence South 0°35'19" East, 741.67 feet with the west line of said 192.24 acre tract and the east line of the G. W. Tillerson 89 acres, Ref. V. 66, P. 73 and with the center of County Road No. 132 to an iron pin set over a culvert, in the center of a Branch of Honey Creek (from which an iron pin set bears South 45°35'19" East, 141.42 feet) for a PLACE OF BEGINNING;

Thence easterly down the center of said Branch as follows:

South 76°44'32" East, 101.31 feet; South 88°02'58" East, 93.92 feet; South 46°22'21" East, 168.63 feet; North 89°47'56" East, 119.4 feet; North 76°45'48" East, 87.3 feet; North 57°21'53" East, 102.04 feet; North 70°20'08" East, 94.88 feet; North 85°22'29" East, 74.24 feet; North 81°59'55" East, 72.74 feet; North 37°4'24" West, 71.27 feet; North 70°06'06" East, 41.13 feet; South 73°38'45" East, 20.87 feet; South 34°29'51" East, 36.5 feet; South 8°41'19" West, 21.51 feet; South 19°48'53" East, 96.19 feet; South 1°39'37" West, 76.8 feet; South 65°02'30" East, 74.04 feet; North 80°25'16" East, 82.59 feet; North 84°44'27" East, 33.23 feet to a point in said Branch for a corner;

Thence south 0°36'41" west, passing iron pins set at 86.75 feet, 258.69 feet, 551.15 feet, 652.72 feet and continuing in all 791.68 feet to an iron pin set for a corner;

Thence south 89°35'56" west, passing iron pins set at 306.38 feet, 659.47 feet, 1086.73 feet and continuing in all 1105.96 feet to an iron pin set in the west line of said 192.24 acre tract and in the east line of said 89 acre tract and in the center of County Road No. 132;

Thence north 0°35'19" west, 972.53 feet with the west line of said 192.24 acre tract and the east line of said 89 acre tract and with the center of said County Road 132 to the PLACE OF BEGINNING and containing 22.795 acres of land.

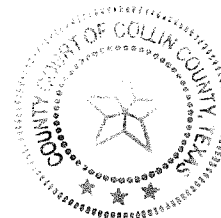
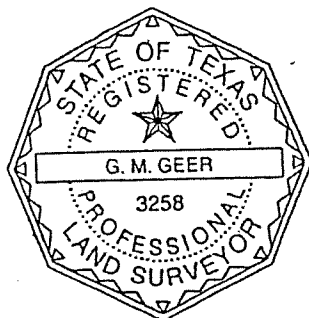
CERTIFICATION:

I, hereby certify that I made the survey on the ground on Dec. 19, 2000 on the herein described tract shown hereon and set corner stakes as reflected on the plat and that only visible improvements on the ground are as shown on the survey; to my knowledge, there are no encroachments, overlapping of improvements or conflicts except as shown on the survey plat; that the survey is guaranteed to its completeness.

G. M. Geer

G. M. GEER, REGISTERED PROFESSIONAL LAND SURVEYOR
TEX. REG. NO. 3258
1512 West University, Suite 300
McKinney, Texas 75069
Phone (972) 562-3959

SATER L.P.
192.24 ACRES
REF. V. 4124, P. 279



Helen Stame



Helen Stamer

THE STATE OF TEXAS }
COUNTY OF COLLIN } I, Clerk County Court
Do hereby certify that the foregoing instrument of writing is Collin County, Texas
a full, true and correct copy of the instrument as filed for
recrd in my office the 19th day of July, 20 01
No. 2001-0087578.
Witness my hand and official seal at my office in McKinney,
Texas, this 19th day of July, 20 01.

Helen Stamer Clerk, County Court
Collin County Texas
By Paul D. Boy, deputy

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

COUNTY ROAD 102

COUNTY ROAD 132

COUNTY ROAD 135

COUNTY ROAD 134

CALLED 22.795 ACRES
VAN AND KATHY NICHOLS
VOL. 4963, PG. 0852
L.R.C.C.T.

CALLED 192.24 ACRES
(includes 22.795 Ac. TRACT)
SATER L.P.
VOL. 4124, PG. 0279
L.R.C.C.T.

CALLED 39.516
ACRES
SATER L.P.
INST. NO.
20160104000000310
O.P.R.C.C.T.

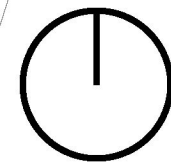
AREA TO BE DECERTIFIED
(±269.84 Ac.)

FEMA ZONE "A"
100-YR FLOOD PLAIN

SOIL
CONSERVATION SERVICE
RESERVOIR 8C

CALLED 38.730 ACRES
SATER L.P.
INST. NO.
20140423000391910
O.P.R.C.C.T.

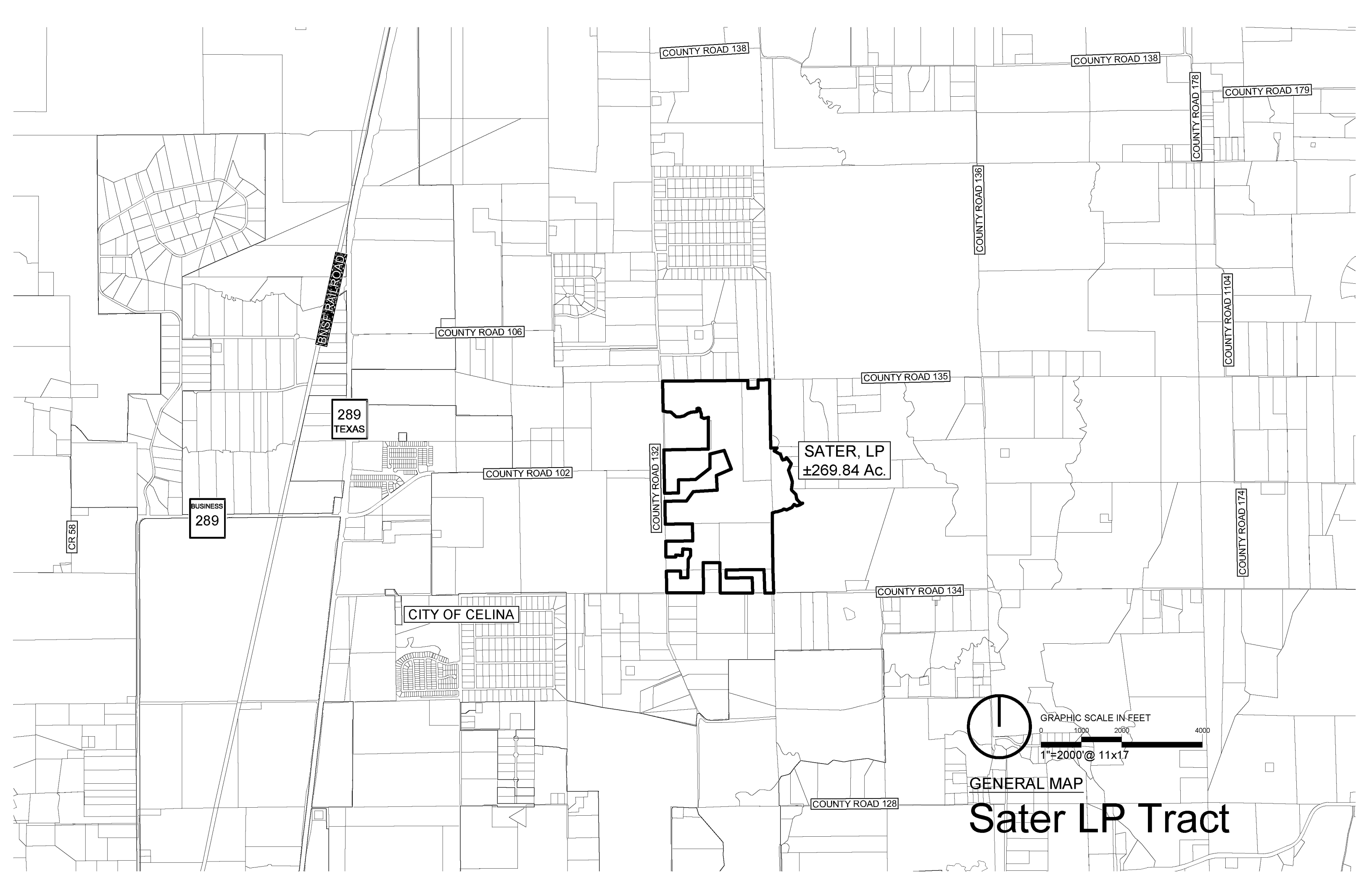
CALLED 52.399 ACRES
SATER L.P.
INST. NO. 20190402000347490
O.P.R.C.C.T.



GRAPHIC SCALE IN FEET
0 300 600 1200
1"=600' @ 11x17

DETAILED MAP

Sater LP Tract



COUNTY ROAD 138

COUNTY ROAD 138

COUNTY ROAD 178

COUNTY ROAD 179

BNSF RAILROAD

COUNTY ROAD 106

COUNTY ROAD 136

COUNTY ROAD 1104

289
TEXAS

COUNTY ROAD 135

COUNTY ROAD 132

SATER, LP
±269.84 Ac.

COUNTY ROAD 102

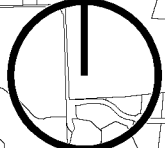
COUNTY ROAD 174

CR 58

BUSINESS
289

COUNTY ROAD 134

CITY OF CELINA



GRAPHIC SCALE IN FEET

0 1000 2000 4000

1"=2000'@ 11x17

GENERAL MAP

Sater LP Tract

COUNTY ROAD 128

The following files are not convertible:

Sater.dbf
Sater.idx
Sater.prj
Sater.shp
Sater.shx
Sater-Deeds.cpg
Sater-Deeds.dbf
Sater-Deeds.idx
Sater-Deeds.prj
Sater-Deeds.shp
Sater-Deeds.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.