



Filing Receipt

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**Denton County
Juli Luke
County Clerk**

Instrument Number: 105783

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MISCELLANEOUS

Recorded On: July 20, 2022 10:04 AM

Number of Pages: 19

" Examined and Charged as Follows: "

Total Recording: \$98.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 105783
Receipt Number: 20220720000170
Recorded Date/Time: July 20, 2022 10:04 AM
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STATE OF TEXAS
COUNTY OF DENTON

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Denton County, Texas.

Juli Luke
County Clerk
Denton County, TX

PUC REQUIRED CCN BOUNDARY DESCRIPTION

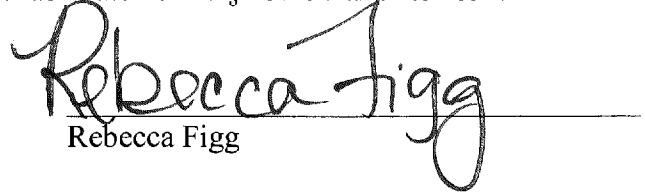
Aqua Texas, Inc.; Portion of Water Service Area

CCN No. 13201; PUC Docket No. 52792

Petition of Petrus Investment, LP to Amend Aqua Texas, Inc.'s Certificate of Convenience and Necessity in Denton County by Streamlined Expedited Release

Pursuant to Texas Water Code § 13.257, Aqua Texas, Inc., holder of Certificate of Convenience and Necessity No. 13201, hereby files this Boundary Description for the portion of Aqua Texas, Inc.'s CCN No. 13201 that was released by the PUC in a June 30, 2022, written order in Docket No. 52792. The portion of Aqua Texas' CCN that was released is described on the attached metes and bounds. The portion of Aqua Texas' CCN that was released is further depicted in the attached PUC map.

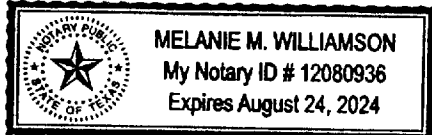
The Boundary Description is being filed on behalf of and at the request and instruction of Aqua Texas, Inc., based upon information and belief. Aqua Texas, Inc. specifically authorizes the filing of this Boundary Description to comply with Texas Water Code § 13.257 and its associated rules and regulations.



Rebecca Figg

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned Notary Public, on this day personally appeared Rebecca Figg, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes therein described.

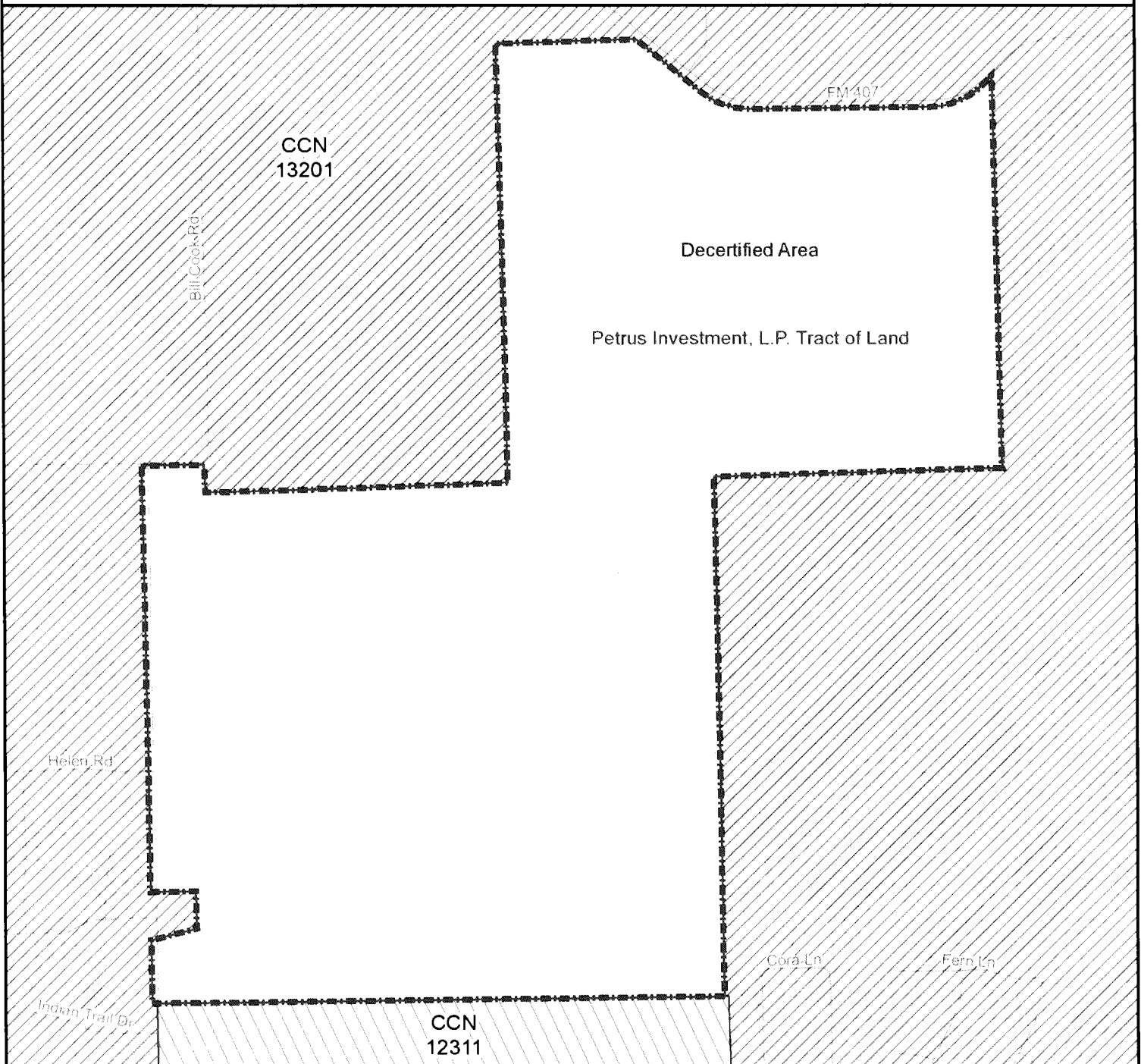
Given under my hand and seal of this office on this day, July 19, 2022.




Notary Public, in and for the State of Texas



After recording, please return to:
Terrill & Waldrop
810 West 10th Street
Austin, Texas 78701



Aqua Texas, Inc.
Portion of Water CCN No. 13201
PUC Docket No. 52792
Petition by Petrus Investment, L.P. to Amend
Aqua Texas, Inc.'s CCN by Streamlined Expedited Release in Denton County



Public Utility Commission of Texas
1701 N. Congress Ave
Austin, TX 78701

Water CCN

-  13201 - Aqua Texas Inc
-  12311 - City of Fort Worth

-  Decertified Area
-  Tract of Land

0 575 1,150
Feet



Map by: Koral Patel
Date: February 22, 2022
Project: 52792AquaTexas.mxd



Public Utility Commission of Texas

By These Presents Be It Known To All That

Aqua Texas, Inc.

having obtained certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service, Aqua Texas, Inc. is entitled to this

Certificate of Convenience and Necessity No. 13201

to provide continuous and adequate water utility service to that service area or those service areas in Anderson, Bosque, Camp, Cherokee, Collin, Cooke, Denton, Erath, Grayson, Gregg, Henderson, Hood, Hunt, Johnson, Kaufman, McLennan, Marion, Parker, Smith, Somervell, Tarrant, Wise, and Wood Counties as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Docket No. 52792 are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of the Aqua Texas, Inc. to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

EXHIBIT A**REAL PROPERTY DESCRIPTION****TRACT 1:**

BEING a tract of land situated in the Guadalupe Cardinas Survey, Abstract No. 214, Denton County, Texas, and being a portion of Tract 3 and a portion of Tract 4 as conveyed to Petrus Investment, L.P., by deed recorded in Volume 4246, Page 00562, Deed Records of Denton County, and being more particularly described as follows:

BEGINNING at a capped iron rod found for corner, said iron rod being the Southwest corner of herein described tract and the Southwest corner of aforementioned Tract 3, said iron rod also being the Southeast corner of a tract conveyed to LK Investments by deed recorded in County Clerk File No. 98-118163, and being in the northerly right-of-way line of State Highway No. 114;

THENCE N 00 degrees 27 minutes 11 seconds W, leaving the northerly right-of-way line of said State Highway and along the East line of said LK Investment tract, a distance of 3698.11 feet to a 1/2" iron rod found for corner at the Northeast corner of said LK Investment tract and the Southeast corner of a tract of land conveyed to Eaton Et Al, by deed recorded in Volume 2906, Page 363, Deed Records of Denton County, Texas;

THENCE N 00 degrees 22 minutes 13 seconds W, along the East line of said Eaton tract, a distance of 1392.69 feet to a 1/2" iron rod found for corner at the most northerly Southeast corner of said Eaton tract and the most northerly Southwest corner of a tract of land conveyed to Tally, Et Al, by deed recorded in Volume 2301, Page 223, Deed Records of Denton County, Texas;

THENCE N 89 degrees 31 minutes 15 seconds E, along a South line of said Tally tract, a distance of 659.98 feet to a 1" by 1" bolt found for corner at the Southwest inner ell corner of said Tally tract;

THENCE S 00 degrees 16 minutes 04 seconds E, along a West line of said Tally tract, a distance of 2648.93 feet to a 1/2" iron rod found for corner at the most southerly Southwest corner of said Tally tract;

THENCE N 89 degrees 46 minutes 12 seconds E, along a South line of said Tally tract, a distance of 997.06 feet to a 3/8" iron rod found for corner at the most southerly Southeast corner of said Tally tract;

THENCE N 00 degrees 12 minutes 57 seconds W, along an East line of said Tally tract, a distance of 4149.62 feet to a P.K. nail found for corner in the center of Sam Reynolds Road;

THENCE N 89 degrees 55 minutes 00 seconds E, along center of said Sam Reynolds Road, a distance of 4307.49 feet to a 1/2" iron rod found for corner in the center of said Sam Reynolds Road;

THENCE S 00 degrees 14 minutes 47 seconds E, leaving the center of said Sam Reynolds Road and along the West line of Payton Place, Phase 1, as recorded by plat in Cabinet M, Page 266, and Payton Place, Phase 2, as recorded by plat in Cabinet P, Page 50, Plat Records of Denton County, Texas, a distance of 1482.99 feet to a 1/2" iron rod found for corner at the Southwest

corner of said Payton Place, Phase 2 and the Northeast corner of a tract of land conveyed to Ferbro Investments by deed recorded in County Clerk File No. 97-003605;

THENCE S 89 degrees 42 minutes 54 seconds W, along the North line of said Ferbro tract, a distance of 2649.24 feet to a 5/8" iron rod set for corner at the Northwest corner of said Ferbro tract;

THENCE S 00 degrees 06 minutes 48 seconds E, along the West line of said Ferbro tract, a distance of 2657.92 feet to a 5/8" iron rod set for corner in the northwesterly line of a tract of land conveyed to The Atchison, Topeka & Santa Fe Railway Company by deed recorded in County Clerk File No. 93-20408;

THENCE S 44 degrees 26 minutes 43 seconds W, leaving the West line of said Ferbro tract and along said northwesterly line, a distance of 2253.70 feet to a 5/8" iron rod set for corner;

THENCE N 45 degrees 33 minutes 17 seconds W, along said northwesterly line, a distance of 25.00 feet to a 5/8" iron rod set for corner;

THENCE S 44 degrees 26 minutes 43 seconds W, continuing along said northwesterly line, a distance of 1122.22 feet to a Texas Department of Transportation brass monument found for corner in the northerly right-of-way line of aforementioned State Highway No. 114;

THENCE S 89 degrees 47 minutes 15 seconds W, along said North right-of-way line, a distance of 286.35 feet to a Texas Department of Transportation brass monument found for corner;

THENCE S 84 degrees 30 minutes 20 seconds W, continuing along said North right-of-way line, a distance of 620.05 feet to the POINT OF BEGINNING and containing 17,617,114 square feet or 404.4333 acres of land.

TRACT 2:

BEING a tract of land situated in the Guadalupe Cardinas Survey, Abstract No. 214, Denton County, Texas, and being a portion of Tract 3 and a portion of Tract 4 as conveyed to Petrus Investment, L.P., by deed recorded in Volume 4246, Page 00562, Deed Records of Denton County, and being more particularly described as follows:

BEGINNING at a Texas Department of Transportation aluminum monument found for corner in the North right-of-way line of State Highway No. 114, said monument being N 00 degrees 06 minutes 48 seconds W, 130.37 feet from the Southwest corner of a tract of land conveyed to Ferbro Investment by deed recorded in County Clerk File No. 97-003605;

THENCE S 89 degrees 46 minutes 25 seconds W, along the North right-of-way line of said State Highway, a distance of 1072.86 feet to a Texas Department of Transportation brass monument found for corner;

THENCE N 86 degrees 29 minutes 15 seconds W, continuing along said North right-of-way line, a distance of 900.22 feet to a Texas Department of Transportation brass monument found for corner, said monument being the Southeast corner of a tract of land conveyed to The Atchison, Topeka & Santa Fe Railway Company by deed recorded in County Clerk File No. 93-20408;

THENCE N 44 degrees 26 minutes 43 seconds E, leaving said North right-of-way line and along the Southeast line of said Railway tract, a distance of 2809.53 feet to a 5/8" iron rod set for corner in the West line of aforementioned Ferbro Investment tract;

THENCE S 00 degrees 06 minutes 48 seconds E, leaving the Southeast line of said Railway tract and along the West line of said Ferbro tract, a distance of 2056.70 feet to the POINT OF BEGINNING and containing 2,058,650 square feet or 47.2601 acres of land.

TRACT 3:

BEING a tract of land situated in the William C. Brookfield Survey, Abstract No. 34, the W.A. Ferris Survey, Abstract No. 419, the W.D. Reed Survey, Abstract No. 1123 and the James Chesier Survey, Abstract No. 225, Denton County, Texas and being the same tract of land conveyed to Petrus Investment, L.P., recorded in Volume 4246, Page 00562, of the Deed Records of Denton County, Texas, and being more particularly described as follows:

BEIGINNING at a 1/2" iron rod found at the most southerly southeast corner of the said Petrus Investment, L.P. tract, said iron rod being in or near the centerline of Sam Reynolds Road and in the north line of a tract of land described in deed to Petrus Investments Tract 4, recorded in Volume 4246, Page 562 of the Deed Records of Denton County, Texas;

THENCE S 89 degrees 55 minutes 00 seconds W, along or near the centerline of Sam Reynolds Road and the north line of said Petrus Investments Tract 4, a distance of 898.16 feet to a PK nail found for corner said PK also being the northeast corner of a tract of land described in deed to Tally, et al recorded in Volume 2301, Page 223 of the Deed Records of Denton County, Texas;

THENCE N 89 degrees 55 minutes 26 seconds W, along said Sam Reynolds Road and the north line of said Tally tract, a distance of 1859.71 feet to a PK nail set for corner;

THENCE N 00 degrees 12 minutes 26 seconds W, departing said Tally tract and continuing along or near the centerline of Sam Reynolds Road, a distance of 2781.90 feet to a railroad spike found for corner;

THENCE S 89 degrees 52 minutes 39 seconds W, continuing along or near the centerline of Sam Reynolds Road, a distance of 1909.14 feet to a 5/8" iron rod set for corner;

THENCE N 00 degrees 09 minutes 37 seconds W, a distance of 1437.21 feet to a 1/2" iron rod found at the southwest corner of that tract of land conveyed to J.M. High, recorded in Volume 501, Page 248 of the Deed Records of Denton County, Texas, from which a 5/8" iron rod bears N 74 degrees 44 minutes 09 seconds E, at a distance of 21.03 feet;

THENCE N 76 degrees 15 minutes 05 seconds E, departing said Sam Reynolds Road, along or near a fence, a distance of 381.87 feet to a 1/2" iron rod found at the southeast corner of said High tract;

THENCE N 00 degrees 17 minutes 59 seconds W, along or near a fence, a distance of 307.73 feet to a 1/2" iron rod found for the northeast corner of said High tract;

THENCE S 89 degrees 55 minutes 13 seconds W, along or near a fence, 370.50 feet to a 60d nail found in or near the centerline of said Sam Reynolds Road, also being the northwest corner of

said High tract from which a 1/2" iron rod bears N 89 degrees 45 minutes 19 seconds E, at a distance of 17.06 feet;

THENCE N 00 degrees 12 minutes 17 seconds W, along or near the centerline of Sam Reynolds Road, a distance of 3495.61 feet to a PK nail set in or near the centerline intersection of Sam Reynolds Road and Bill Cook Road;

THENCE S 89 degrees 55 minutes 31 seconds E, along or near the centerline of Bill Cook Road, a distance of 509.27 feet a 1/2" iron rod found in the west line of a tract of land conveyed to Archie M. Eddleman, recorded in Volume 2322, Page 824, of the Deed Records of Denton County, Texas.

THENCE S 00 degrees 18 minutes 01 second E, along the west line of said Eddleman tract, a distance of 226.36 feet to a 1/2" iron rod found for corner;

THENCE N 89 degrees 04 minutes 47 seconds E, along the south line of said Eddleman tract, a distance of 870.26 feet to a 5/8" iron rod found at the southeast corner of said Eddleman tract, also being the southwest corner of a tract of land conveyed to William E. Watts, recorded in Volume 634, Page 405 of the Deed Records of Denton County, Texas;

THENCE 88 degrees 48 minutes 24 seconds E, along the south line of said Watts tract and the south line of a tract of land conveyed to Glen W. Theis recorded in Volume 1038, Page 887, of the Deed Records of Denton County, Texas, a distance of 1598.69 feet to a 5/8" iron rod found for the southeast corner of said Theis tract;

THENCE N 00 degrees 25 minutes 37 seconds W, along the east line of said Theis tract and east line of that tract of land conveyed to Sammy Ray Harper and wife, Jody Lynn Harper recorded in Volume 1726, Page 31 of the Deed Records of Denton County, Texas, a distance of 907.20 feet to a 1/2" iron rod found for corner;

THENCE N 00 degrees 43 minutes 08 seconds W, along the east line of that tract of land conveyed to Community Bank, recorded in Volume 2943, Page 808 of the Deed Records of Denton County, Texas and that tract of land conveyed to Knabe Investments, Inc., recorded in Volume 2400, Page 652, of the Deed Records of Denton County, Texas, in all a distance of 2696.06 feet to a 1/2" iron rod found in the south line of a tract of land conveyed to W.H. Pennington, recorded in Volume 767, Page 794 of the Deed Records of Denton County, Texas;

THENCE N 88 degrees 59 minutes 36 seconds E, along the south line of said Pennington tract and the south line of a tract of land conveyed to Bill Pennington recorded in Volume 572, Page 131 of the Deed Records of Denton County, Texas, a distance of 1146.80 feet to a capped iron rod found in the south right-of-way of State Highway F.M. No. 407 (90' R.O.W.);

THENCE along the south right-of-way of said Highway F.M. No. 407 the following:

S 50 degrees 10 minutes 52 seconds E, a distance of 681.84 feet to a 1/2" iron rod found and the beginning of a curve to the left having a radius of 618.69 feet;

Along said curve to the left through a central angle of 39 degrees 45 minutes 00 seconds and an arc length of 429.23 feet (chord bears S 70 degrees 03 minutes 22 seconds E, a distance of 420.67 feet) to a 5/8" iron rod set;

S 89 degrees 55 minutes 32 seconds E, a distance of 1464.07 feet to a 5/8" iron rod set and the beginning of a curve to the left having a radius of 618.69 feet;

Along said curve to the left through a central angle of 45 degrees 20 minutes 01 seconds and an arc distance of 489.52 (chord bears N 67 degrees 24 minutes 28 seconds E, a distance of 476.85 feet) to a 5/8" iron rod set;

N 44 degrees 44 minutes 28 seconds E, a distance of 86.74 feet to a 1/2" iron rod found for the northwest of a tract of land conveyed to Trail Creek Acres recorded in Volume 1912, Page 979 of the Deed Records of Denton County, Texas;

THENCE S 00 degrees 35 minutes 12 seconds E, departing said State Highway No. 407 and along or near a fence also being the west line of said Trail Creek Acres tract, a distance of 3214.24 feet to a capped iron rod found for the southwest corner of said Lee tract and in the north line of a tract of land conveyed to Patricia Ann Range Malloy recorded in Volume 769, Page 965 of the Deed Records of Denton County, Texas;

THENCE S 88 degrees 57 minutes 28 seconds W, along the north line of said Malloy tract, a distance of 2342.31 feet to a 5/8" iron rod set for the northwest corner of said Malloy tract;

THENCE S 00 degrees 12 minutes 50 seconds E, along the west line of said Malloy tract, a distance of 3748.08 feet to a 5/8" iron rod set for the southwest corner of said Malloy tract and also being the northwest corner of a tract of land known as Riggs Place, as recorded by Plat in Cabinet E, Page 359, Plat Records of Denton County, Texas;

THENCE along the west line of said Riggs Place the following:

S 00 degrees 05 minutes 54 seconds E, a distance of 34.49 feet to a 1/2" iron rod found for corner;

S 00 degrees 11 minutes 51 seconds E, a distance of 313.91 feet to a 1/2" iron rod found for corner;

S 00 degrees 08 minutes 14 seconds E, a distance of 189.17 feet to a 1/2" iron rod found for corner;

S 00 degrees 11 minutes 48 seconds W, a distance of 186.14 feet to a 60d nail found for corner;

S 01 degree 06 minutes 47 seconds E, a distance of 186.19 feet to a 1/2" iron rod found for corner;

S 00 degrees 19 minutes 20 seconds E, a distance of 186.39 feet to a 1/2" iron rod found for corner;

S 00 degrees 12 minutes 27 seconds E, a distance of 185.40 feet to a 1/2" iron rod found for corner;

S 00 degrees 18 minutes 40 seconds E, a distance of 186.87 feet to a 1/2" iron rod found for corner;

S 00 degrees 04 minutes 18 seconds W, a distance of 186.00 feet to a 1/2" iron rod found for corner;

S 00 degrees 27 minutes 50 seconds E, a distance of 186.43 feet to a 1/2" iron rod found for corner;

S 00 degrees 11 minutes 05 seconds E, a distance of 371.53 feet to a 1/2" iron rod found for corner;

S 00 degrees 17 minutes 33 seconds E, a distance of 558.45 feet to a 1/2" iron rod found for corner;

S 00 degrees 17 minutes 56 seconds E, a distance of 186.49 feet to a 1/2" iron rod found for corner;

S 00 degrees 18 minutes 15 seconds E along the wet line of said Riggs Place, and the west line of a tract of land conveyed to James H. Riggs, Jr., et ux as recorded in Volume 2953, Page 543 of Deed Records of Denton County, Texas a distance of 1253.83 feet to the POINT OF BEGINNING and containing 44,582,288 square feet or 1023.4685 acres of land.

[CONTINUED]

SAVE AND EXCEPT THE FOLLOWING EIGHT TRACTS [A THROUGH H]:

SAVE AND EXCEPT TRACT A:

BEING a 64.068 acre tract of land in the G. Cardinas Survey, Abstract No. 214, situated in Denton County, Texas and being a portion of those tracts conveyed to Aperion Communities, L.L.P. by deed recorded under County Clerk's File No. 2004-11913 of the Real Property Records of Denton County, Texas (RPRDCT) and being more particularly described as follows:

COMMENCING at a 1/2" iron pin found, said iron pin also being on the east line of said Aperion Communities, L.L.P. tract, said iron pin also being on the northwesterly line of a tract conveyed to The Atchison, Topeka and Santa Fe Railway Company by deed recorded under County Clerk's File No. 93-R0020408 RPRDCT, said iron pin also being the southwest corner of a tract conveyed to Rocksand Investments LLLP by deed recorded under County Clerk's File No. 2005-30851 RPRDCT; THENCE N 00°07'20" W along the said west line of said Rocksand Investments LLLP tract, a distance of 530.12 feet to a capped 1/2" iron pin set at the Point of Beginning of the herein described tract;

THENCE S 89°52'40" W, a distance of 1655.17 feet to a capped 1/2" iron pin set, said iron pin also being on the east line of a tract conveyed to Nancy Talley Reynolds, et al, by deed recorded in Volume 2301, Page 223 RPRDCT;

THENCE N 00°12'56" W along the said east line of said Talley Reynolds, et al, tract, a distance of 1684.71 feet to a capped 1/2" iron pin set;

THENCE N 89°52'40" E, a distance of 1657.92 feet to a capped 1/2" iron pin set, said iron pin also being on the west line of said Rocksand Investments LLLP tract;

THENCE S 00°07'20" E along the said west line of said Rocksand Investments LLLP tract, a distance of 1684.70 feet to the Point of Beginning and containing 2,790,789 square feet or 64.068 acres of land, more or less.

SAVE AND EXCEPT TRACT B:

BEING a 47.262 acre tract of land in the G. Cardinas Survey, Abstract No. 214, situated in Denton County, Texas and being Tract Two of those tracts conveyed to Aperion Communities, L.L.P. by deed recorded under County Clerk's File No. 2003-190652 of the Real Property Records of Denton County, Texas (RPRDCT) (Aperion Tract Two) and being more particularly described as follows:

BEGINNING at a brass monument in concrete found, said brass monument also being on the south line of said Aperion Tract Two, said brass monument also being on the north right-of-way line of State Highway No. 114, said brass monument also being on the west line of a tract conveyed to Ferbro Investments by deed recorded under County Clerk's File No. 97-0003605 RPRDCT

THENCE S 89°46'48" W along the south line of said Aperion Tract Two and the north right-of-way line of State Highway No.114, a distance of 1072.97 feet to a brass monument in concrete found;

THENCE N 86°29'44" W along the south line of said Aperion Tract Two and the north right-of-way line of State Highway No.114, a distance of 900.20 feet to a brass monument in concrete found, said brass monument also being on the southeasterly line of a tract conveyed to The Atchison, Topeka and Santa Fe Railway Company by deed recorded under County Clerk's File No. 93-R0020408 RPRDCT;

THENCE N 44°26'31" E along the west line of said Aperion Tract Two and the southeasterly line of said Atchison, Topeka and Santa Fe Railway Company tract, a distance of 2809.53 feet to a 5/8" iron pin found, said iron pin also being on the west line of said Ferbro Investments tract;

THENCE S 00°07'09" E along the east line of said Aperion Tract Two and the west line of said Ferbro Investments tract, a distance of 2056.80 feet to the Point of Beginning and containing 2,058,725 square feet or 47.262 acres of land, more or less.

SAVE AND EXCEPT TRACT C:

BEING a 180.00 acre tract of land in the G. Cardinas Survey, Abstract No. 214, situated in Denton County, Texas and being a portion of that tract conveyed to HILLWOOD/114 & 156, Ltd. by deed recorded in Volume 2470, Page 708 of the Real Property Records of Denton County, Texas (RPRDCT) and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found, said iron pin also being on the north right-of-way line of State Highway No. 114, said iron pin also being on the west line of a tract conveyed to Alliance 161 Investments by deed recorded in Volume 2778, Page 958 RPRDCT;

THENCE N 00 degrees 27 minutes 11 seconds W along the west line of said HILLWOOD/114 & 156, Ltd. tract and the east line of said Alliance 161 Investments tract, a distance of 3698.41 feet to a 1/2" iron pin found, said iron pin being the southwest corner of a tract conveyed to Betty Marie McIntyre, et al, by deed recorded in Volume 2906, Page 363 RPRDCT;

THENCE N 00 degrees 22 minutes 54 seconds W continuing along the west line of said HILLWOOD/114 & 156, Ltd. tract and along the east line of said Betty Marie McIntyre, et al, tract, a distance of 1392.69 feet to a point, said point being in a south line of a tract conveyed to Nancy Talley Reynolds, et al, by deed recorded in Volume 2301, Page 223 RPRDCT;

THENCE N 89 degrees 29 minutes 50 seconds E along the said south line of said Talley tract, a distance of 659.98 feet to a 1" bolt found;

THENCE S 00 degrees 16 minutes 26 seconds E along the west line of said Talley tract, a distance of 2648.88 feet to a 1/2" iron pin found;

THENCE N 89 degrees 49 minutes 13 seconds E along a south line of said Talley tract, a distance of 996.95 feet to a 1/2" iron pin found;

THENCE N 00 degrees 13 minutes 08 seconds W along the east line of said Talley tract, a distance of 632.31 feet to a point;

THENCE N 89 degrees 52 seconds 28 minutes E departing the east line of said Talley tract, a distance of 1655.17 feet to a point, said point also being on the east line of said HILLWOOD/114 & 156, Ltd. tract;

THENCE S 00 degrees 07 minutes 32 seconds E along the east line of said HILLWOOD/114 & 156, Ltd. tract, a distance of 630.12 feet to a 1/2" iron pin found, said iron pin also being on the northwesterly line of a tract conveyed to Atchison, Topeka & Santa Fe Railway Company by deed recorded under County Clerk's File No. 93-20408 RPRDCT;

THENCE S 44 degrees 24 minutes 05 seconds W along the said northwesterly line of said Atchison, Topeka & Santa Fe Railway Company tract, a distance of 2253.70 feet to a 1/2" iron pin found;

THENCE N 45 degrees 16 minutes 51 seconds W along the said northwesterly line of said Atchison, Topeka & Santa Fe Railway Company tract, a distance of 25.00 feet to a 1/2" iron pin found;

THENCE S 44 degrees 24 minutes 05 seconds W along the said northwesterly line of said Atchison, Topeka & Santa Fe Railway Company tract, a distance of 1124.73 feet to a TxDOT monument found, said monument being on the said north right-of-way line of State Highway No. 114;

THENCE S 89 degrees 47 minutes 23 seconds W along the said north right-of-way line of State Highway No. 114, a distance of 286.33 feet to a 1/2" iron pin found;

THENCE S 84 degrees 28 minutes 54 seconds W along the said north right-of-way line of State Highway No. 114, a distance of 620.13 feet to the Point of Beginning and containing 7,840,798 square feet or 180.000 acres of land, more or less.

SAVE AND EXCEPT TRACT D:

BEING a 160.239 acre tract of land in the G. Cardinas Survey, Abstract No. 214 and the James Chesier Survey, Abstract No. 225, situated in the Denton County, Texas and being a portion of that tract conveyed to Aperion Communities, LLLP by deed recorded in Instrument Number 2004-11913 of the Real Property Records of Denton County, Texas (RPRDCT) and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found, said iron pin also being the northeast corner of a tract conveyed to Rocksand Investments, LLLP by deed recorded in Instrument Number 2005-30851 RPRDCT, said iron pin also being on the west line of Payton Place Phase Two, an addition to Denton County, Texas as recorded in Cabinet P, Page 50 of the Plat Records of Denton County, Texas (PRDCT);

THENCE S 89 degrees 42 minutes 36 seconds W along the north line of said Rocksand tract, a distance of 2649.87 feet to a 1/2" iron pin found;

THENCE S 00 degrees 07 minutes 20 seconds E along the west line of said Rocksand tract, a distance of 339.48 feet to capped 1/2" iron pin previously set;

THENCE S 89 degrees 52 minutes 40 seconds W departing the west line of said Rocksand tract, a distance of 1657.92 feet to a capped 1/2" iron pin previously set;

THENCE N 00 degrees 12 minutes 56 seconds W, a distance of 1832.35 feet to a point from which a 1/2" iron pin found bears N 00 degrees 12 minutes 56 seconds W, 1.07 feet, said point being in Sam Reynolds Road;

THENCE N 89 degrees 50 minutes 17 seconds E in Sam Reynolds Road, a distance of 898.07 feet to a 1/2" iron pin found;

THENCE N 89 degrees 56 minutes 15 seconds E in Sam Reynolds Road, a distance of 3409.24 feet to a 1/2" iron pin found;

THENCE S 00 degrees 15 minutes 21 seconds E along the west line of Payton Place Phase One, an addition to Denton County, Texas as recorded in Cabinet M, Page 266, PRDCT, and the west line of said Payton Place Phase Two, a distance of 1482.19 feet to the Point of Beginning and containing 6,980,019 square feet or 160.239 acres of land, more or less.

[CONTINUED]

SAVE AND EXCEPT TRACT E:

BEING a 30.221 acre tract of land in the James Chesier Survey, Abstract No. 225, situated in Denton County, Texas and being a portion of those tracts conveyed to Aperion Communities, L.L.P. by deed recorded under County Clerk's File No. 2004-11913 of the Real Property Records of Denton County, Texas (RPRDCT), (Aperion Tract One-A and Aperion Tract One-B), and being more particularly described as follows:

BEGINNING at a 1/2" iron pin found, said iron pin being the southeast corner of said Aperion Tract One-B, said iron pin also being in the asphalt of Sam Reynolds Road;

THENCE S 89 degrees 50 minutes 17 seconds W along Sam Reynolds Road, the south line of said Aperion Tract One-B, the north line of said Aperion Tract One-A and the north line of a tract conveyed to Eladio properties by deed recorded under County Clerk's File No. 2005-96646 RPRDCT, a distance of 2757.78 feet to a P.K. Nail in asphalt found, said nail being on the east line of a tract conveyed to Betty M. McIntyre, et al by deed recorded under County Clerk's File No. 2003-203215 RPRDCT;

THENCE N 00 degrees 12 minutes 20 seconds W along Sam Reynolds Road and along the east line of said McIntyre tract as recorded under County Clerk's File No. 2003-203215 RPRDCT and the west line of said Aperion Tract One-B, a distance of 1215.07 feet to a P.K. Nail set;

THENCE S 89 degrees 48 minutes 16 seconds E traversing said Aperion Tract One-B, a distance of 12.26 feet to a capped 1/2" iron pin set, said iron pin also being the Point of Curvature of a circular curve to the right having a radius of 1155.00 feet, a central angle of 54 degrees 51 minutes 13 seconds and being subtended by a chord which bears S 62 degrees 22 minutes 40 seconds E, 1064.02 feet;

THENCE along said curve to the right, a distance of 1105.77 feet to a capped 1/2" iron pin set;

THENCE S 34 degrees 57 minutes 03 seconds E tangent to said curve, a distance of 260.39 feet to a capped 1/2" iron pin set, said iron pin also being the Point of Curvature of a circular curve to the left having a radius of 1045.00 feet, a central angle of 55 degrees 06 minutes 42 seconds and being subtended by a chord which bears S 62 degrees 30 minutes 24 seconds E, 966.86 feet;

THENCE along said curve to the left, a distance of 1005.17 feet to a capped 1/2" iron pin set;

THENCE N 89 degrees 56 minutes 15 seconds E tangent to said curve, a distance of 800.00 feet to a capped 1/2" iron pin set, said iron pin also being on the west line of the remainder of a tract conveyed to James Riggs, Jr. by deed recorded in Volume 870, Page 444 RPRDCT, said iron pin also being on the east line of said Aperion Tract One-B;

THENCE S 00 degrees 17 minutes 37 seconds E along the west line of said James Riggs, Jr. remainder tract and the east line of said Aperion Tract One-B, a distance of 55.00 feet to the Point of Beginning and containing 1,316,427 square feet or 30.221 acres of land, more or less.

SAVE AND EXCEPT TRACT F:

BEING a 101.507 acre tract of land in the James Chesier Survey, Abstract No. 225, situated in Denton County, Texas and being a portion of those tracts conveyed to Aperion Communities, L.L.L.P. by deed recorded under County Clerk's File No. 2004-11913 of the Real Property Records of Denton County, Texas (RPRDCT), (Aperion Tract One-A and Aperion Tract One-B), and being more particularly described as follows::

COMMENCING at a 1/2" iron pin found, said iron pin being in the asphalt of Sam Reynolds Road, said iron also being the southeast corner of said Tract One-B of Aperion Communities L.L.L.P. by deed recorded under County Clerk's File No. 2004-11913 RPRDCT; THENCE N 00E17'37" W along the east line of said Aperion Communities tract and departing Sam Reynolds Road, a distance of 55.00 feet to a 1/2" capped iron pin set, said iron pin also being the POINT OF BEGINNING of the herein described tract of land;

THENCE S 89E56'15" W a distance of 800.00 feet to a 1/2" capped iron pin set, said iron pin also being at the Point of Curvature of a circular curve to the right having a radius of 1045.00 feet, a central angle of 55E06'42" and being subtended by a chord which bears N 62E30'24" W, 966.86 feet;

THENCE along said curve to the right, a distance of 1005.17 feet to a 1/2" capped iron pin set;

THENCE N 34E57'03" W tangent to said curve, a distance of 260.39 feet to a 1/2" capped iron pin set, said iron pin also being at the Point of Curvature of a circular curve to the left having a radius of 1155.00 feet, a central angle of 54E51'13" and being subtended by a chord which bears N 62E22'40" W, 1064.02 feet;

THENCE along said curve to the left, a distance of 1105.77 feet to a 1/2" capped iron pin set;

THENCE N 89E48'16" W tangent to said curve, a distance of 12.26 feet to a P.K. nail set, said P.K. nail being in the asphalt of Sam Reynolds Road, said P.K. nail also being on the east line of a tract of land conveyed to Betty M. McIntyre, et al by deed recorded under County Clerk's File No. 2003-203215 RPRDCT;

THENCE N 00E12'20" W, along Sam Reynolds Road and along the east line of said McIntyre tract as recorded under County Clerk's File No. 2003-203215 RPRDCT and along the west line of said Aperion Tract One-B a distance of 869.21 feet to a P.K. nail set;

THENCE N 89E56'15" E, departing Sam Reynolds Road, the east line of said Betty M. McIntyre, et al tract, and the west line of said Tract One-B of Aperion Communities, L.L.L.P. a distance of 2754.60 feet to a 1/2" capped iron pin set, said iron pin also being on the west line of Riggs Place, an addition to Denton County, Texas as recorded in Cabinet E, Page 359 Plat Records Denton County Texas (PRDCT), said iron pin also being on the east line of said Aperion Tract One-B;

THENCE S 00E17'37" E, along the east line of said Tract One-B of Aperion Communities, L.L.L.P. and the west line of said Riggs Place, and the west line of the remainder of a tract of land conveyed to James Riggs, Jr. by deed recorded in Volume 870, Page 444 D.R.D.C.T., a distance of 2024.51 feet to the Point of Beginning and containing 4,421,660 square feet or 101.507 acres of land, more or less.

SAVE AND EXCEPT TRACT G:

BEING a 92.54 acre tract of land situated in James Cheshier Survey, Abstract No. 225 and the William D. Redd Survey, Abstract No. 1125, Denton County, Texas, said tract being a part of Tract 3, as described in deed to Aperion Communities, LLLP, as recorded in County Clerk Document No. 2004-11913, Deed Records Denton County, Texas (D.D.C.C.T.), said tract being more particularly described as follows:

COMMENCING at a 1/2-inch set iron rod with cap stamped "RPLS 5439" for corner from which a 1/2-inch found iron rod bears South 00 degrees 21 minutes 07 seconds East, a distance of 55.00 feet for the southeast corner of said Tract 3, said 1/2-inch found iron rod is with an asphalt road known as Sam Reynolds Road;

THENCE North 00 degrees 21 minutes 07 seconds West, along the east line of said Tract 3, a distance of 1198.93 feet 1/2-inch found iron rod for corner;

THENCE North 00 degrees 12 minutes 01 seconds West, along the east line of said Tract 3, a distance of 186.22 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 16 minutes 15 seconds West, along the east line of said Tract 3, a distance of 558.49 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 08 minutes 09 seconds West, along the east line of said Tract 3, a distance of 80.87 feet to the POINT OF BEGINNING;

THENCE South 89 degrees 56 minutes 41 seconds West, departing said east line and across said Tract 3, a distance of 2753.76 feet to a point for corner on the west line of said Tract 3, said corner being within a gravel road known as Sam Reynolds Road;

THENCE North 00 degrees 11 minutes 53 seconds West, along the west line of said Tract 3 and said Sam Reynolds Road, a distance of 707.28 feet to a found railroad spike for an ell corner of said Tract 3;

THENCE South 89 degrees 53 minutes 04 seconds West, along said Tract 3 and said Sam Reynolds Road, a distance of 1909.24 feet to a 5/8-inch found iron rod for the most westerly southwest corner of said Tract 3;

THENCE North 00 degrees 08 minutes 40 seconds West, along the west line of said Tract 3 and said Sam Reynolds Road, a distance of 448.40 feet to a point for corner;

THENCE North 89 degrees 56 minutes 41 seconds East, departing said west line and across said Tract 3, a distance of 4662.28 feet to a point for corner on the east line of said Tract 3;

THENCE South 00 degrees 19 minutes 16 seconds East, along the east line of said Tract 3, a distance of 117.99 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 00 degrees 15 minutes 34 seconds East, along the east line of said Tract 3, a distance of 185.64 feet to a 1/2-inch found iron rod for corner;

THENCE South 00 degrees 14 minutes 31 seconds East, along the east line of said Tract 3, a distance of 186.65 feet to a 1/2-inch found iron rod for corner;

THENCE South 00 degrees 03 minutes 29 seconds West, along the east line of said Tract 3, a distance of 186.20 feet to a 1/2-inch found iron rod for corner;

THENCE South 00 degrees 27 minutes 54 seconds East, along the east line of said Tract 3, a distance of 186.11 feet to a 1/2-inch found iron rod for corner;

THENCE South 00 degrees 08 minutes 09 seconds East, along the east line of said Tract 3, a distance of 291.08 feet to the POINT OF BEGINNING AND CONTAINING 4,031,043 square feet or 92.54 acres of land more or less.

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SAVE AND EXCEPT TRACT H:

BEING a 50.00 acre tract of land situated in the William D. Redd Survey, Abstract No. 1125, Denton County, Texas, said tract being a part of Tract 3, as described in deed to Aperion Communities, LLLP, as recorded in County Clerk Document No. 2004-11913, Deed Records Denton County, Texas (D.D.C.C.T.), said tract being more particularly described as follows:

COMMENCING at a 1/2-inch set iron rod with cap stamped "RPLS 5439" for corner from which a 1/2-inch found iron rod bears South 00 degrees 21 minutes 07 seconds East, a distance of 55.00 feet for the southeast corner of said Tract 3, said 1/2-inch found iron rod is with an asphalt road known as Sam Reynolds Road;

THENCE North 00 degrees 21 minutes 07 seconds West, along the east line of said Tract 3, a distance of 1198.93 feet 1/2-inch found iron rod for corner;

THENCE North 00 degrees 12 minutes 01 seconds West, along the east line of said Tract 3, a distance of 186.22 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 16 minutes 15 seconds West, along the east line of said Tract 3, a distance of 558.49 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 08 minutes 09 seconds West, along the east line of said Tract 3, a distance of 371.95 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 27 minutes 54 seconds West, along the east line of said Tract 3, a distance of 186.11 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 03 minutes 29 seconds East, along the east line of said Tract 3, a distance of 186.20 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 14 minutes 31 seconds West, along the east line of said Tract 3, a distance of 186.65 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 15 minutes 34 seconds West, along the east line of said Tract 3, a distance of 185.64 feet to a 1/2-inch found iron rod for corner;

THENCE North 00 degrees 19 minutes 16 seconds West, along the east line of said Tract 3, a distance of 117.99 feet to a 1/2-inch set iron rod with cap for to the POINT OF BEGINNING;

THENCE South 89 degrees 56 minutes 41 seconds West, departing said east line and across said Tract 3, a distance of 4662.28 feet to a 1/2-inch set iron rod with cap for corner on the west line of said Tract 3, said corner being within a gravel road known as Sam Reynolds Road;

THENCE North 00 degrees 08 minutes 40 seconds West, along the west line of said Tract 3 and said Sam Reynolds Road, a distance of 467.34 feet to a set P.K. nail for corner;

THENCE North 89 degrees 56 minutes 41 seconds East, departing said west line and across said Tract 3, a distance of 4660.29 feet to a 1/2-inch set iron rod with cap for corner on the east line of said Tract 3;

THENCE South 00 degrees 03 minutes 31 seconds East, along the east line of said Tract 3, a distance of 27.00 feet to a 1/2-inch found iron rod for corner;

THENCE South 00 degrees 11 minutes 05 seconds West, along the east line of said Tract 3, a distance of 185.95 feet to a 1/2-inch found iron rod for corner;

THENCE South 01 degrees 02 minutes 05 seconds East, along the east line of said Tract 3, a distance of 186.02 feet to a 1/2-inch found iron rod with cap stamped "ALLIANCE" for corner;

THENCE South 00 degrees 19 minutes 16 seconds East, along the east line of said Tract 3, a distance 68.40 feet to the POINT OF BEGINNING AND CONTAINING 2,178,000 square feet or 50.00 acres of land more or less.

[END OF LEGAL DESCRIPTION]