

**EXHIBIT "A"**

Legal Description

**CITY OF MCKINNEY** **PARCEL No. 7 WATERLINE EASEMENT**  
**ALMA ROAD (COUNTY ROAD 154) & SILVERADO TRAIL (COUNTY ROAD 152)**  
**PROJECT NO. ST9114**  
**GEORGE HERNDON SURVEY, ABSTRACT NO. 390**

**EXHIBIT "A"**

Being a waterline easement out of the George Herndon Survey, Abstract No. 390, City of McKinney, Collin County, Texas, said waterline easement being a portion of the remainder of a 106.202 acre tract of land (by deed) deeded to Gammon Partners, I, L.P. as recorded in Document No. 92-0077779 of the Deed Records of Collin County, Texas, said waterline easement being more particularly described by metes and bounds as follows:

**COMMENCING** at a mag nail found in asphalt in the approximate center of Silverado Road (a variable width right-of-way), said mag nail being the southwest corner of a 15.092 acre tract of land deeded to Frisco Independent School District as recorded in Document No. 20110307000246660 of said Deed Records of Collin County, Texas, said mag nail also being in the south line of said 106.202 acre tract of land, from which an "X" found in concrete for the southwest corner of said 106.202 acre tract of land bears South 89 degrees 16 minutes 44 seconds West, a distance of 809.80 feet, said "X" cut in concrete being the intersection of the approximate center of said Silverado Trail with the existing east right-of-way line of Alma Road (a variable width right-of-way); **THENCE** North 00 degrees 39 minutes 17 seconds West, with the west line of said 15.092 acre tract of land, a distance of 15.00 feet to a point for corner in the proposed north right-of-way line of said Silverado Trail, said point being in the south line of a 50.0' easement granted to Enserch Corporation as recorded in C.C.F. 93-0110477 of said Deed Records of Collin County, Texas and recorded in Volume 3483, Page 77 of said Deed Records of Collin County, Texas; **THENCE** South 89 degrees 16 minutes 44 seconds West, with the proposed north right-of-way line of said Silverado Trail and with the south line of said 50.0' easement to Enserch Corporation, a distance of 1.62 feet to the **POINT OF BEGINNING** of the herein described waterline easement;

**THENCE** South 89 degrees 16 minutes 44 seconds West, with the proposed north right-of-way line of said Silverado Trail and with the south line of said 50.0' easement to Enserch Corporation, a distance of 15.00 feet to a point for corner;

**THENCE** North 00 degrees 42 minutes 35 seconds West, a distance of 70.00 feet to a point for corner;

**THENCE** North 89 degrees 16 minutes 44 seconds East, a distance of 15.00 feet to a point for corner;

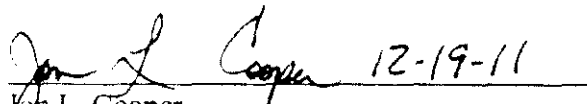
**THENCE** South 00 degrees 42 minutes 35 seconds East, a distance of 70.00 feet to the **POINT OF BEGINNING**, and containing 1.050 square feet or 0.024 acres of land, more or less.

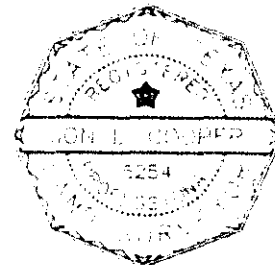
(Exhibit "A") Page 1 of 3

**CITY OF MCKINNEY** **PARCEL No. 7 WATERLINE EASEMENT**  
**ALMA ROAD (COUNTY ROAD 154) & SILVERADO TRAIL (COUNTY ROAD 152)**  
**PROJECT NO. ST9114**  
**GEORGE HERNDON SURVEY, ABSTRACT NO. 390**

Note: Bearings are referenced to the Texas Coordinate System, NAD 83, North Central Zone, based on the City of McKinney G.P.S. Control Monument 12. Distances and areas shown are surface.

Surveyed on the ground: June 28, 2011

  
\_\_\_\_\_  
John L. Cooper  
Registered Professional Land Surveyor  
No. 5254



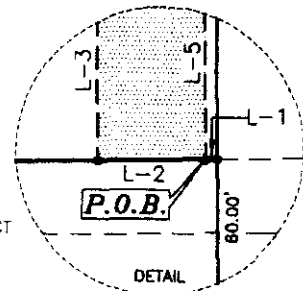
(Exhibit "A") Page 2 of 3

# PLAT OF EXHIBIT "A"

REMAINDER OF  
106.202 ACRES (BY DEED)  
GAMMON PARTNERS I, L.P.  
DOC. NO. 92-0077779  
D.R.C.C.T.

GEORGE HERNDON SURVEY  
ABSTRACT No. 390

15.092 ACRES (BY DEED)  
FRISCO INDEPENDENT SCHOOL DISTRICT  
DOC. NO. 20110307000246660  
D.R.C.C.T.

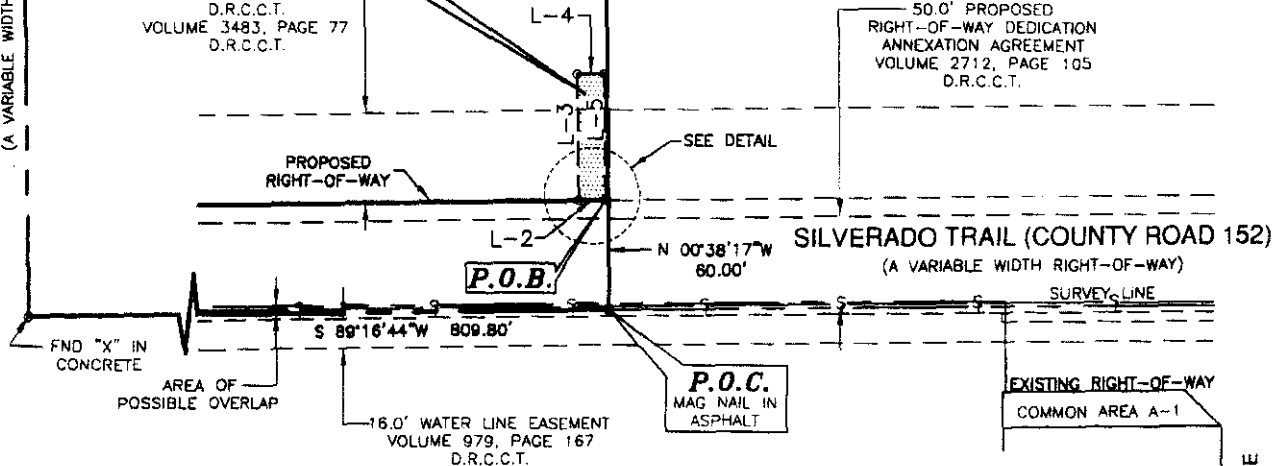


ALMA ROAD (COUNTY ROAD 154)  
(A VARIABLE WIDTH RIGHT-OF-WAY)

50.0' EASEMENT TO  
ENSERCH CORPORATION  
C.C.F. No. 93-0110477  
D.R.C.C.T.  
VOLUME 3483, PAGE 77  
D.R.C.C.T.

**WATERLINE EASEMENT**  
1,050 SQ. FT.  
OR 0.024 AC.

50.0' PROPOSED  
RIGHT-OF-WAY DEDICATION  
ANNEXATION AGREEMENT  
VOLUME 2712, PAGE 105  
D.R.C.C.T.



SILVERADO TRAIL (COUNTY ROAD 152)  
(A VARIABLE WIDTH RIGHT-OF-WAY)

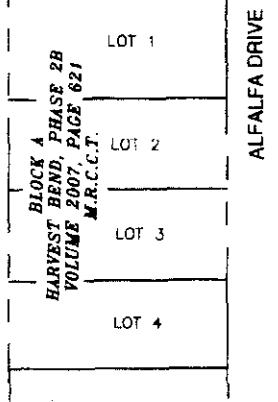
FND "X" IN  
CONCRETE  
AREA OF  
POSSIBLE OVERLAP

16.0' WATER LINE EASEMENT  
VOLUME 979, PAGE 167  
D.R.C.C.T.

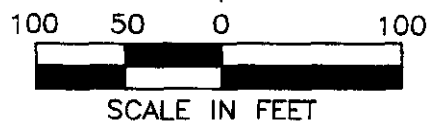
**P.O.C.**  
MAG NAIL IN  
ASPHALT

BELL ADDITION  
CABINET G, SLIDE 47  
M.R.C.C.T.

EXISTING RIGHT-OF-WAY  
COMMON AREA A-1



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	S 89°16'44"W	1.62'
L-2	S 89°16'44"W	15.00'
L-3	N 00°42'35"W	70.00'
L-4	N 89°16'44"E	15.00'
L-5	S 00°42'35"E	70.00'



NOTE: BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, NORTH CENTRAL ZONE, BASED ON THE CITY OF MCKINNEY GPS CONTROL MONUMENT 12. DISTANCES AND AREAS SHOWN ARE SURFACE.

## CITY OF MCKINNEY

222 NORTH TENNESSEE    MCKINNEY, TEXAS    75069

*Jon L. Cooper*  
**JON L. COOPER**  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5254

PROJECT: ALMA ROAD(COUNTY ROAD 154) & SILVERADO TRAIL(COUNTY ROAD 152)		
PARCEL NO. 7 WATERLINE EASEMENT	PROJECT NO. ST9114	
OWNER: GAMMON PARTNERS I, L.P.		
SURVEY: GEORGE HERNDON SURVEY, ABSTRACT NO. 390		
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS		
EASEMENT ACQUISITION ACREAGE: 1,050 SQ.FT. OR 0.024 ACRES		
WHOLE PROPERTY ACREAGE: 14.931 ACRES (CALCULATED)		
JOB NO. KCI_1101.00	DRAWN BY: JCE	CADD FILE: KCI_Alma_Silverado_ROW.DWG
DATE: DECEMBER 19, 2011	PAGE 3 OF 3	SCALE: 1" = 100'

**EXHIBIT E**

Right-of Way Deed

**DEVELOPMENT AGREEMENT**

\\Server-pc\data\TCH DOCS\7026 GAMMON PARTNERS\28 Alma Road Extension\Gammon Partners Development Agreement Alma-Silverado final msh 12 20 11.doc – Page 17

AFTER RECORDING, RETURN TO:

**Sandy Hart  
CITY OF MCKINNEY  
P.O. Box 517  
McKinney, Texas 75070**

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

**RIGHT OF WAY WARRANTY DEED**

(Prepared Without Benefit of Title Examination)

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **GAMMON PARTNERS I, L.P.** (a/k/a Gammon Partners I, Ltd.), a Texas limited partnership ("Grantor"), whether one or more, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF MCKINNEY**, a Texas municipal corporation ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, has this day GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto the said Grantee all the following described real estate, to-wit:

BEING 95,300 square feet or 2.188 acres, more or less, located in the George Herndon Survey, Abstract No. 390, City of McKinney, Collin County, Texas, and being more particularly described and depicted in Exhibit "A" attached hereto and made a part hereof ("ROW Tract").

The warranty contained herein is subject to: (i) any and all mineral reservations, restrictions, covenants, conditions and easements, if any, relating to the above-described property, but only to the

extent that they are still in effect and shown of record in Collin County, Texas; and (ii) all zoning law regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect and relate to the above-described property (the "Permitted Exceptions").

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

And subject to Permitted Exceptions, Grantor does hereby bind Grantor, Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto the said Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof, by, through or under Grantor but not otherwise.

WITNESS THE GRANTOR'S HAND this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**GRANTOR:**

***GAMMON PARTNERS I, L.P. (a/k/a  
Gammon Partners I, Ltd.)***

By: Gammon Equities, Inc.,  
a Texas corporation  
its general partner

By: \_\_\_\_\_  
THOMAS HILLSMAN  
Vice President

STATE OF TEXAS           §  
  §  
COUNTY OF COLLIN       §

Before me on this day personally appeared Thomas C. Hillsman, the Vice President of Gammon Equities, Inc., a Texas corporation, general partner of Gammon Partners I, Ltd., a Texas limited partnership (a/k/a Gammon Partners I, L.P.), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_ day of \_\_\_\_\_, 2011.

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

APPROVED AS TO FORM:

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Office of the City Attorney

PREPARED IN THE OFFICES OF:

*BROWN & HOFMEISTER, L.L.P.*  
740 E. Campbell Road, Suite 800  
Richardson, Texas 75081  
214/747-6100  
214/747-6111 Fax



## EXHIBIT "A"

Being a 2.188 acre tract of land out of the George Herndon Survey, Abstract No. 390, City of McKinney, Collin County, Texas, said 2.188 acre tract of land being a portion of the remainder of a 106.202 acre tract of land (by deed) deeded to Ganmon Partners, I, L.P. as recorded in Document No. 92-0077779 of the Deed Records of Collin County, Texas, said 2.188 acre tract of land being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod with cap stamped "RPLS 3688" found for corner in the west line of said 106.202 acre tract of land, said 1/2 inch iron rod with cap being in the existing east right-of-way line of Alma Road (County Road 154, a variable width right-of-way), said 1/2 inch iron rod with cap also being the southwest corner of a 75.36 acre tract of land deeded to Standard Pacific of Texas, Inc. as recorded in Document No. 20110114000063460 of said Deed Records of Collin County, Texas;

**THENCE** North 89 degrees 43 minutes 00 seconds East, with the most westerly south line of said 75.36 acre tract of land, a distance of 70.06 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner in the proposed east right-of-way line of said Alma Road;

**THENCE** South 05 degrees 37 minutes 53 seconds West, with the proposed east right-of-way line of said Alma Road, a distance of 91.43 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner;

**THENCE** South 00 degrees 38 minutes 44 seconds East, with the proposed east right-of-way line of said Alma Road, a distance of 73.60 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for the beginning of a curve to the left having a radius of 9,940.00 feet, a central angle of 00 degrees 12 minutes 34 seconds and whose chord bears South 00 degrees 45 minutes 02 seconds East, a distance of 36.35 feet;

**THENCE** with the proposed east right-of-way line of said Alma Road and with said curve to the left, an arc length of 36.35 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner;

**THENCE** South 00 degrees 51 minutes 19 seconds East, with the proposed east right-of-way line of said Alma Road, a distance of 494.35 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for the beginning of a curve to the left having a radius of 41.00 feet, a central angle of 67 degrees 09 minutes 22 seconds and whose chord bears South 34 degrees 26 minutes 00 seconds East, a distance of 45.35 feet;

(Exhibit "A") Page 1 of 6

**THENCE** with the proposed east right-of-way line of said Alma Road and with said curve to the left, an arc length of 48.06 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for the intersection of the proposed east right-of-way line of said Alma Road with the proposed north right-of-way line of Silverado Trail (County Road 152, a variable width right-of-way), said 5/8 inch iron rod with cap set being the beginning of a compound curve to the left having a radius of 134.00 feet, a central angle of 11 degrees 50 minutes 18 seconds and whose chord bears South 73 degrees 55 minutes 50 seconds East, a distance of 27.64 feet;

**THENCE** with the proposed north right-of-way line of said Silverado Trail and with said compound curve to the left, an arc length of 27.69 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner;

**THENCE** South 79 degrees 50 minutes 59 seconds East, with the proposed north right-of-way line of said Silverado Trail, a distance of 25.56 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set corner;

**THENCE** North 89 degrees 16 minutes 44 seconds East, with the proposed north right-of-way line of said Silverado Trail, a distance of 671.05 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA" set for corner in the west line of a 15.092 acre tract of land (by deed) deeded to Frisco Independent School District as recorded in Document No. 20110307000246660 of said Deed Records of Collin County, Texas;

**THENCE** South 00 degrees 38 minutes 17 seconds East, with the west line of said 15.092 acre tract of land, passing at a distance of 56.58 feet the north line of Bell Addition, an addition to the City of McKinney, Collin County, Texas as recorded in Cabinet G, Slide 47 of the Map Records of Collin County, Texas, in all, a distance of 60.00 feet to a mag nail found in asphalt, said mag nail being in the approximate center of Silverado Road, said mag nail being the southwest corner of said 15.092 acre tract of land, said mag nail also being in the south line of said 106.202 acre tract of land;

**THENCE** South 89 degrees 16 minutes 44 seconds West, with the south line of said 106.202 acre tract of land and with the approximate center of said Silverado Trail, passing at a distance of 357.12 feet, the west line of said Bell Addition, in all, a distance of 809.80 feet to an "X" cut in concrete found for the southwest corner of said 106.202 acre tract of land, said "X" cut in concrete being the intersection of the approximate center of said Silverado Trail with the existing east right-of-way line of said Alma Road;

CITY OF MCKINNEY

PARCEL No. 7 ROW

ALMA ROAD (COUNTY ROAD 154) & SILVERADO TRAIL (COUNTY ROAD 152)


PROJECT NO. ST9114

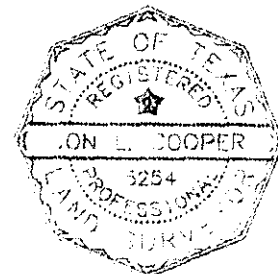
GEORGE HERNDON SURVEY, ABSTRACT NO. 390

**THENCE** North 00 degrees 38 minutes 40 seconds West, with the west line of 106.202 acre tract of land and with the existing east right-of-way line of said Alma Road, a distance of 806.23 feet to the **POINT OF BEGINNING**, and containing 95,300 square feet or 2.188 acres of land, more or less.

Note: Bearings are referenced to the Texas Coordinate System, NAD 83, North Central Zone, based on the City of McKinney G.P.S. Control Monument 12. Distances and areas shown are surface.

Surveyed on the ground : June 28, 2011

 12-13-11  
\_\_\_\_\_  
Jon L. Cooper  
Registered Professional Land Surveyor  
No. 5254



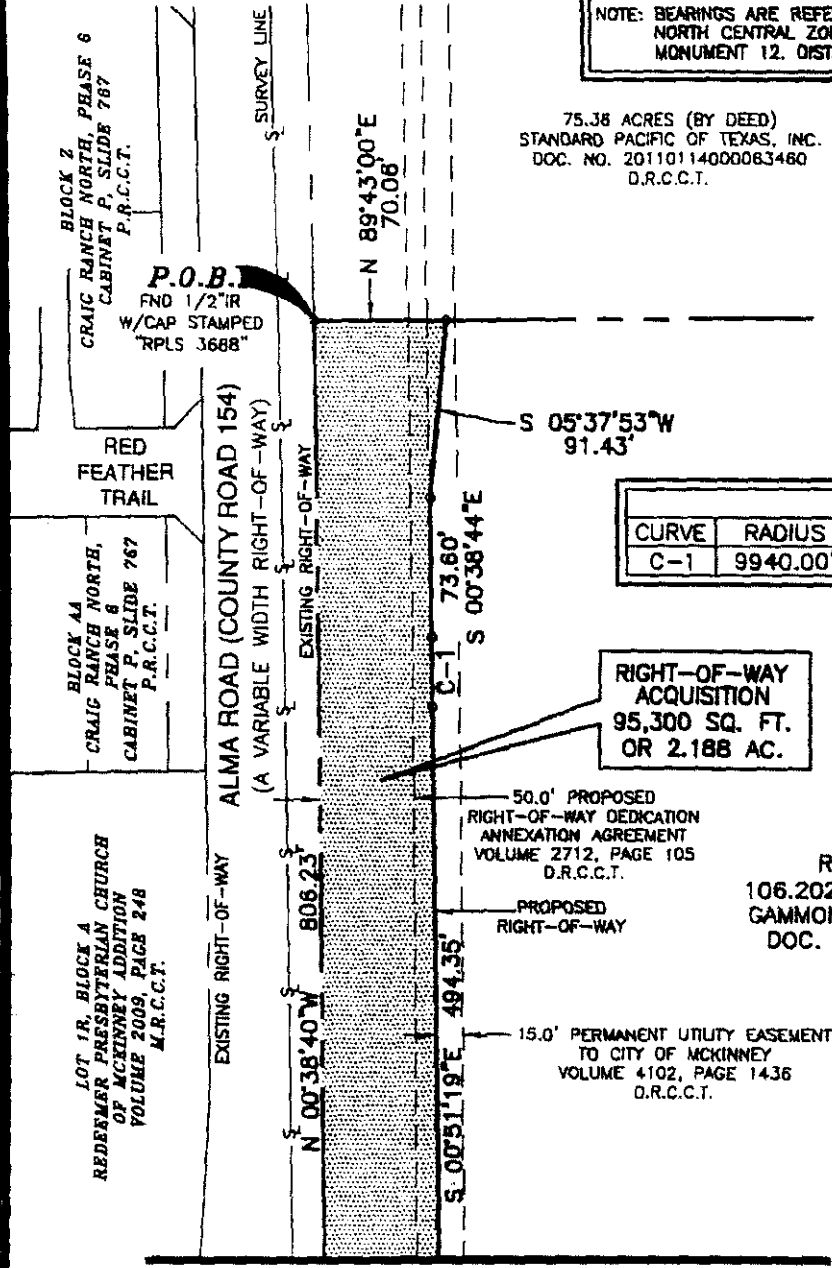
(Exhibit "A") Page 3 of 6

# PLAT OF EXHIBIT "A"

NOTE: BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, NORTH CENTRAL ZONE, BASED ON THE CITY OF MCKINNEY GPS CONTROL MONUMENT 12. DISTANCES AND AREAS SHOWN ARE SURFACE.

75.38 ACRES (BY DEED)  
STANDARD PACIFIC OF TEXAS, INC.  
DOC. NO. 20110114000063460  
D.R.C.C.T.

NOTE: 5/8" IRON ROD WITH CAP  
STAMPED "GORRONDONA" SET  
UNLESS NOTED OTHERWISE.

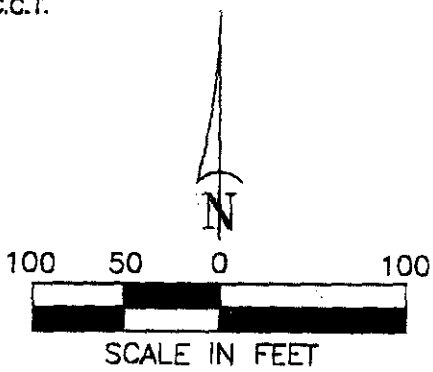


CURVE TABLE					
CURVE	RADIUS	DELTA	BEARING	CHORD	ARC
C-1	9940.00'	00°12'34"	S 00°45'02"E	36.35'	36.35'

RIGHT-OF-WAY ACQUISITION  
95,300 SQ. FT.  
OR 2.188 AC.

GEORGE HERNDON SURVEY  
ABSTRACT No. 390

REMAINDER OF  
106.202 ACRES (BY DEED)  
GAMMON PARTNERS I, L.P.  
DOC. NO. 92-0077779  
D.R.C.C.T.

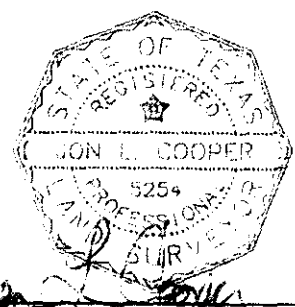


MATCH LINE "A"



## CITY OF MCKINNEY

222 NORTH TENNESSEE MCKINNEY, TEXAS 75069



PROJECT: ALMA ROAD(COUNTY ROAD 154) & SILVERADO TRAIL(COUNTY ROAD 152)  
 PARCEL NO. 7 ROW | PROJECT NO. ST9114  
 OWNER: GAMMON PARTNERS I, L.P.  
 SURVEY: GEORGE HERNDON SURVEY, ABSTRACT NO. 390  
 LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS  
 RIGHT-OF-WAY ACQUISITION ACREAGE: 95,300 SQ.FT. OR 2.188 ACRES  
 WHOLE PROPERTY ACREAGE: 14.931 ACRES (CALCULATED)

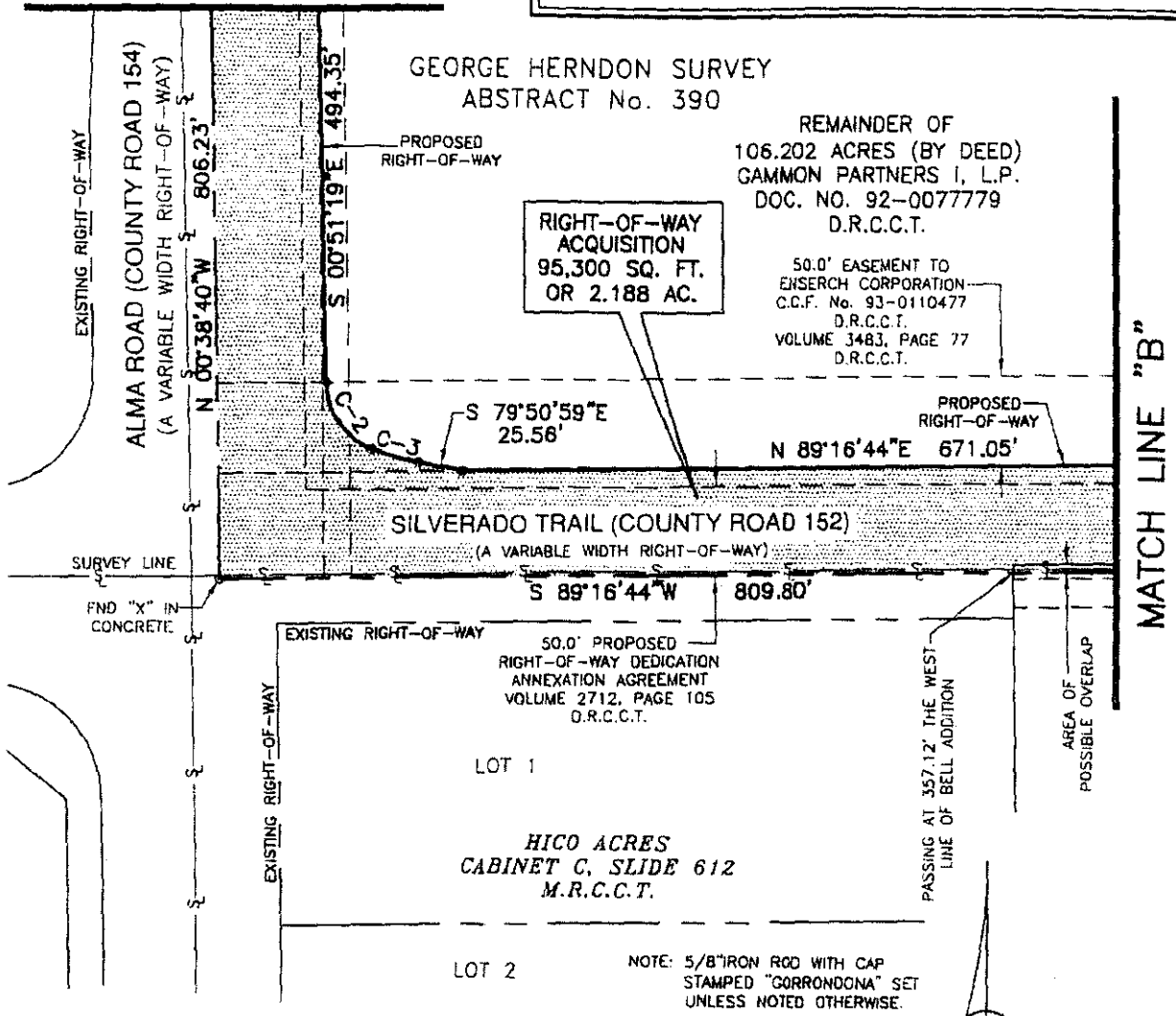
JOB NO. KCL1101.00 | DRAWN BY: JLC | CAD FILE: 1732B ROW DOC.DWG  
 DATE: DECEMBER 13, 2011 | PAGE 4 OF 5 | SCALE: 1" = 100'

JON L. COOPER  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5254

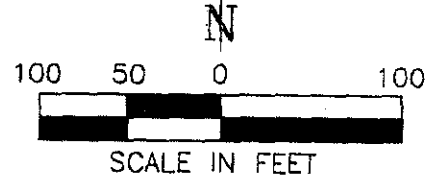
# PLAT OF EXHIBIT "A"

NOTE: BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, NORTH CENTRAL ZONE, BASED ON THE CITY OF MCKINNEY GPS CONTROL MONUMENT 12. DISTANCES AND AREAS SHOWN ARE SURFACE.

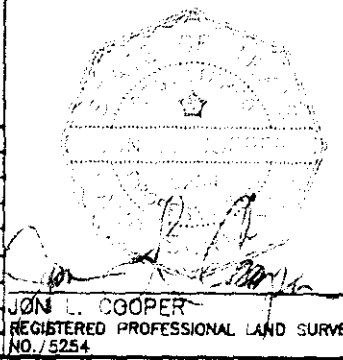
MATCH LINE "A"



CURVE TABLE					
CURVE	RADIUS	DELTA	BEARING	CHORD	ARC
C-2	41.00'	67°09'22"	S 34°26'00"E	45.35'	48.06'
C-3	134.00'	11°50'18"	S 73°55'50"E	27.64'	27.69'



**CITY OF MCKINNEY**  
222 NORTH TENNESSEE MCKINNEY, TEXAS 75069



PROJECT: ALMA ROAD (COUNTY ROAD 154) & SILVERADO TRAIL (COUNTY ROAD 152)	
PARCEL NO. 7 ROW	PROJECT NO. ST9114
OWNER: GAMMON PARTNERS I, L.P.	
SURVEY: GEORGE HERNDON SURVEY, ABSTRACT NO. 390	
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS	
RIGHT-OF-WAY ACQUISITION ACREAGE: 95,300 SQ.FT. OR 2.188 ACRES	
WHOLE PROPERTY ACREAGE: 14.931 ACRES (CALCULATED)	
JOB NO. KCI_1101.00	DRAWN BY: JLC
DATE: DECEMBER 3, 2011	PAGE 5 OF 5
CADD FILE: 1732B ROW DOC.DWG	SCALE: 1" = 100'

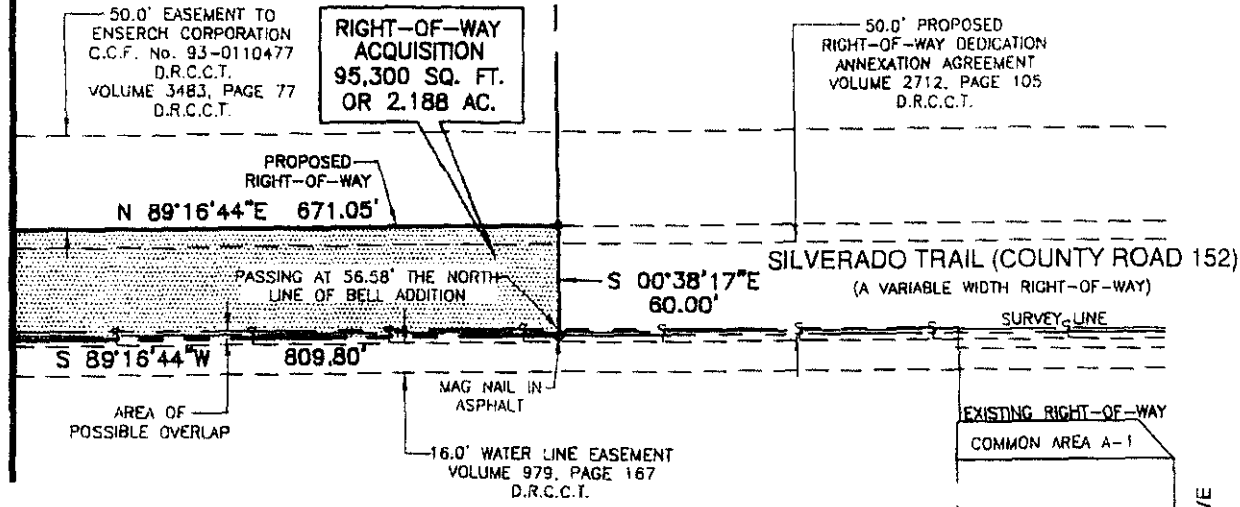
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GEORGE HERNDON SURVEY  
ABSTRACT No. 390

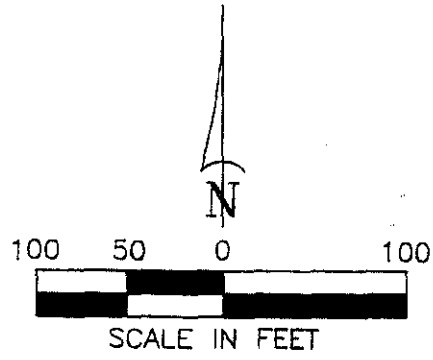
REMAINDER OF  
106.202 ACRES (BY DEED)  
GAMMON PARTNERS I, L.P.  
DOC. NO. 92-0077779  
D.R.C.C.T.

15.092 ACRES (BY DEED)  
FRISCO INDEPENDENT SCHOOL DISTRICT  
DOC. NO. 20110307000246660  
D.R.C.C.T.

MATCH LINE "B"



**BELL ADDITION**  
CABINET G, SLIDE 47  
M.R.C.C.T.



NOTE: BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NAD-83, NORTH CENTRAL ZONE, BASED ON THE CITY OF MCKINNEY GPS CONTROL MONUMENT 12. DISTANCES AND AREAS SHOWN ARE SURFACE.



## CITY OF MCKINNEY

222 NORTH TENNESSEE MCKINNEY, TEXAS 75069

PROJECT: ALMA ROAD(COUNTY ROAD 154) & SILVERADO TRAIL(COUNTY ROAD 152)		
PARCEL NO. 7 ROW		PROJECT NO. ST9114
OWNER: GAMMON PARTNERS I, L.P.		
SURVEY: GEORGE HERNDON SURVEY, ABSTRACT NO. 390		
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS		
RIGHT-OF-WAY ACQUISITION ACREAGE: 95,300 SQ.FT. OR 2.188 ACRES		
WHOLE PROPERTY ACREAGE: 14.931 ACRES (CALCULATED)		
JOB NO. KCI_1101.00	DRAWN BY: JLC	CADD FILE: 1732B ROW SOC.DWG
DATE: DECEMBER 13, 2011	PAGE 6 OF 6	SCALE: 1" = '00'

**JON L. COOPER**  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 3254