

RESOLUTION NO. 2012-10-_____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, DETERMINING A PUBLIC NECESSITY TO ACQUIRE CERTAIN PROPERTIES FOR PUBLIC USE BY EMINENT DOMAIN FOR RIGHT-OF-WAY (IN FEE SIMPLE), DRAINAGE EASEMENTS AND SLOPE EASEMENTS FOR THE CONSTRUCTION, ACCESS AND MAINTENANCE ASSOCIATED WITH THE FM 543 REALIGNMENT PROJECT COMMENCING FROM US 75 CONTINUING NORTHWESTERLY FOR APPROXIMATELY 2400 FEET; AUTHORIZING THE CITY MANAGER TO ESTABLISH PROCEDURES FOR ACQUIRING THE RIGHT-OF-WAY (IN FEE SIMPLE) AND EASEMENTS ON SAID PROPERTIES, AND TAKE ALL STEPS NECESSARY TO ACQUIRE THE NEEDED PROPERTY RIGHTS

WHEREAS, the City Council of the City of McKinney, Texas, has determined that a public need and necessity exists for the construction of the FM 543 Realignment Project, from US 75 continuing northwesterly for approximately 2400 feet, the location of which is generally set forth in the map attached hereto as Exhibit A; and

WHEREAS, the City Council has considered this project and has determined that a public necessity exists for the acquisition of right of way (in fee simple) and drainage easements and slope easements, as described on Exhibits B1-B7, attached hereto and incorporated herein for all purposes (“Properties”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

- Section 1. All of the above premises to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this resolution as if copied in their entirety.
- Section 2. That the City Council of the City of McKinney, Texas hereby authorizes the City Manager to execute documents, as needed, to acquire the necessary Properties for the FM 543 Realignment Project.
- Section 3. That the City Council hereby finds and determines that a public use and necessity exists for the City of McKinney for the construction of the FM 543 Realignment Project and to acquire the necessary Properties in those certain tracts or parcels of land deemed necessary for that construction as identified in the construction plans and specifications as amended, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land described in Exhibits B1 – B7.
- Section 4. That the City Manager is authorized and directed to negotiate for and to acquire the required Properties for the City of McKinney, and to acquire said rights in compliance with State and Federal law. That the City Manager is specifically authorized and directed to do each and every act necessary to acquire the needed Properties including, but not limited to, the authority to negotiate, give notices, make written offers to purchase, prepare contracts, to designate a qualified appraiser of the Properties to be acquired when such appraisal is necessary and, where necessary, the use of Eminent Domain to condemn the Properties.
- Section 5. That the City Manager, or any individual he may so designate, is appointed as negotiator for the acquisition of the Properties and, as such, the City Manager is authorized and directed to do each and every act and deed hereinabove specified or authorized by reference, subject to the availability of funds appropriated by the City Council for such purpose. That the City Manager is specifically authorized to establish the just compensation for the acquisition of the Properties. That, if the City

Manager or his designee determines that an agreement as to damages or compensation cannot be reached, then the City Attorney or his designee is hereby authorized and directed to file or cause to be filed, against the owners and interested parties of the subject Properties, proceedings in eminent domain to acquire the above-stated interest in the Properties.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 16th DAY OF OCTOBER 2012.

CITY OF MCKINNEY, TEXAS

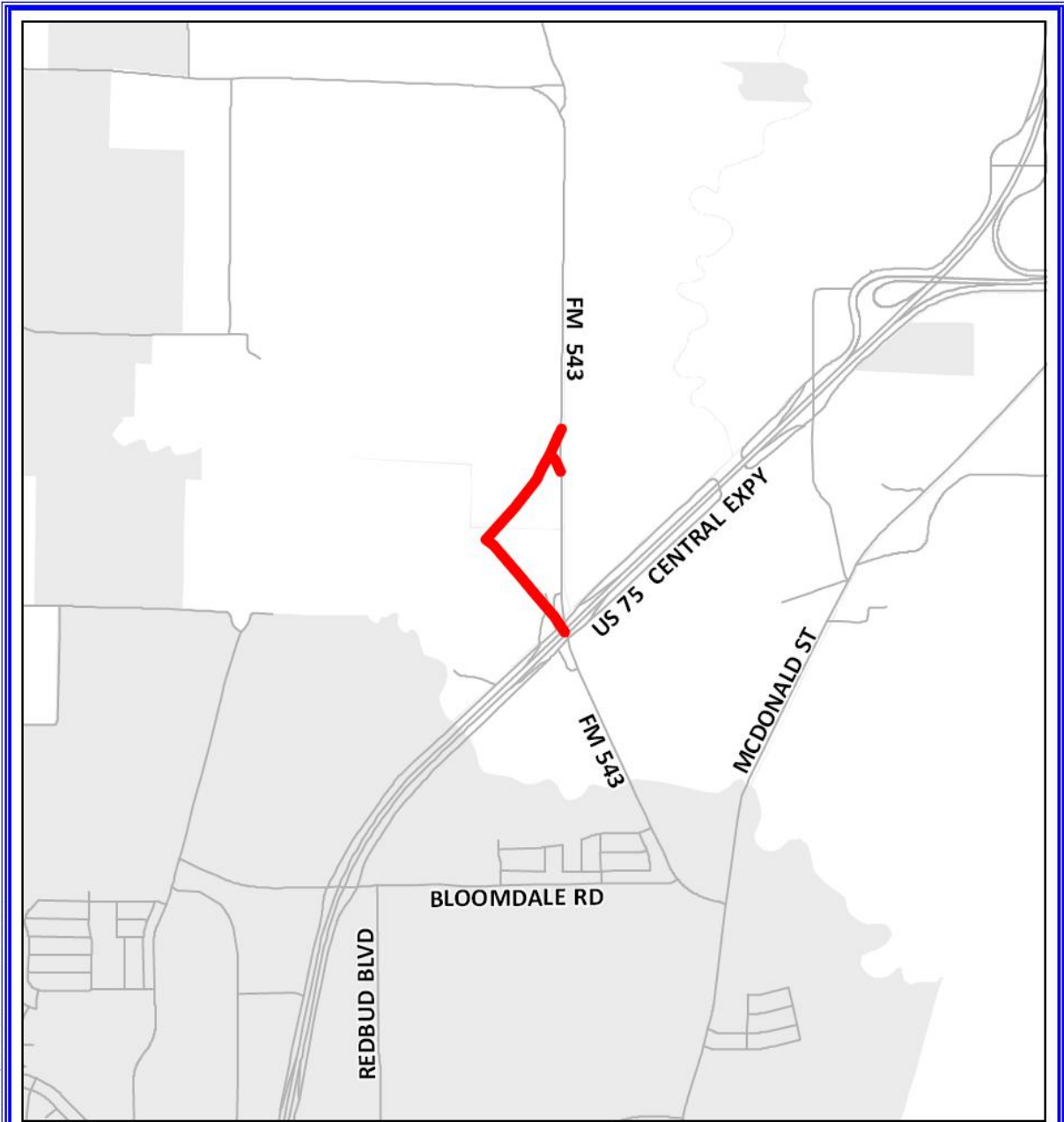
BRIAN LOUGHMILLER, Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
BLANCA GARCIA
Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney



Path: Y:\GIS\IS\Work\A\Green\Engineering\Location maps\FM 543\FM 543 ST6091.mxd

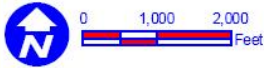
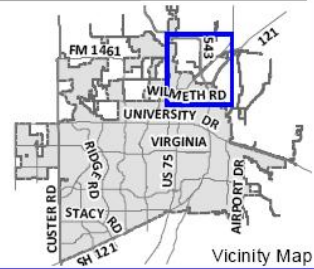


Exhibit A

ST6091 - FM 543 Alignment



DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

EXHIBIT "B-1"

Depiction and Description of Fee Simple Right of Way on Dawson Property

EXHIBIT "A" RIGHT-OF-WAY DEDICATION MEREDITH HART SURVEY, ABST. NO. 371 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

PROPERTY DESCRIPTION

BEING a tract of land situated in the Meredith Hart Survey, Abstract Number 371, City of McKinney, Collin County, Texas, and being a portion of the remainder of that certain tract of land conveyed to Elaine M. Dawson according to Warranty Deed with Vendor's Lien recorded in Volume 2874, Page 14, Deed Records of Collin County, Texas (O.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the most northerly corner of a tract of land awarded to the State of Texas for right-of-way of U.S. Highway 75 according to instrument entitled "JUDGMENT OF COURT IN ABSENCE OF OBJECTION", State of Texas v. Elaine M. Dawson, et al, as recorded in Instrument Number 20080425000500400, Official Public Records of Collin County, Texas (O.P.R.C.C.T.), same being in the west right-of-way of U.S. Highway 75 according to deed to the State of Texas recorded in Volume 644, Page 357, D.R.C.C.T., and being the southeast corner of the remainder of said Dawson tract;

THENCE South 45°58'27" West (State of Texas deed ~ North 45°55'20" East), with the southeast line of the remainder of said Dawson tract and the northwest line of said U.S. Highway 75, a distance of 90.57 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the northwest corner of said State of Texas tract bears South 45°58'27" West (State of Texas deed ~ North 45°55'20" East), a distance of 173.05 feet;

THENCE North 30°01'44" West, departing the southeast line of the remainder of said Dawson tract and the northwest line of said U.S. Highway 75, a distance of 136.94 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE North 28°30'18" West, a distance of 17.55 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, said iron rod being the beginning of a tangent curve to the left having a central angle of 03°36'05", a radius of 1223.00 feet, a tangent length of 38.45 feet, a chord bearing of North 30°15'20" West and a chord length of 76.86 feet;

THENCE, along said tangent curve to the left, an arc length of 76.87 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Dawson tract, and being in the east line of a tract of land conveyed to Central & Fannin Wilson 155, LLLP, according to Special Warranty Deed recorded in Instrument Number 20071113001536620, O.P.R.C.C.T.;

THENCE North 01°33'41" East (deed ~ North 02°14' East), with the west line of said Dawson tract, and the east line of said Central & Fannin Wilson 155, LLLP tract, a distance of 231.49 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, said iron rod being the beginning of a non-tangent curve to the right having a central angle of 11°42'56", a radius of 1,365.00 feet, a tangent length of 140.04 feet, a chord bearing of South 34°21'46" East and a chord length of 278.62 feet;

THENCE, departing the west line of said Dawson tract and the east line of said Central & Fannin Wilson 155, LLLP tract and along said non-tangent curve to the right, an arc length of 279.11 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE South 28°30'18" East, a distance of 17.73 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;



NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
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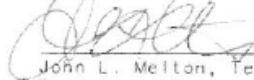
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08-12-088.23
8088.23.EX01.DWG

EXHIBIT "A"
RIGHT-OF-WAY DEDICATION
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

THENCE South 26°58'39" East, a distance of 18.56 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the east line of said Dawson tract, and being in the west line of said U.S. Highway 75;

THENCE South 00°11'37" East (State of Texas deed ~ South 00°14'44" East), with the east line of said Dawson tract, and with the west line of said U.S. 75, a distance of 106.68 feet to the POINT OF BEGINNING and containing 0.9786 acres (42,629 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.



John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

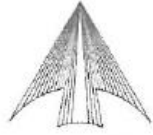
This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

NDM

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NORTH
SCALE: 1"=60'

EXHIBIT "B"
RIGHT-OF-WAY DEDICATION
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

BILLY WAYNE CLAY AND WIFE, DELORES CLAY
VOL. 3213, PG. 169
D.R.C.C.T.

O.R.W. POST FOUND
3/4" IRF

1/2" IRF
S 88°29'34" W 304.18'
(DEED - S 89°10' W 305.5')

1/2" IRS
N 01°33'41" E 231.49'
(DEED - N 02°14' E)

$\Delta = 11°42'56"$
 $R = 1365.00'$
 $T = 140.04'$
 $L = 279.11'$
 $CB = S 34°21'46" E$
 $Ch = 278.62'$

ELAINE M. DAWSON
VOL. 2874, PG. 14
D.R.C.C.T.
(REMAINDER)

0.9788 ACRES
(42,629 SQ. FT.)

S 28°30'18" E
17.73'

S 26°58'39" E
18.58'

$\Delta = 03°36'05"$
 $R = 1223.00'$
 $T = 38.45'$
 $L = 76.87'$
 $CB = N 30°18'20" W$
 $Ch = 76.86'$

CENTRAL & FANNING WILSON 153, LLP
INST. NO. 20071113015-58920
O.P.R.C.C.T.
(REMAINDER)

1/2" IRS
N 28°30'18" W
17.55'

1/2" IRS
N 30°01'44" W
136.94'

1/2" IRS
S 00°11'37" E 106.68'
(STATE OF TEXAS DEED - S 00°14'44" E)

POINT OF BEGINNING
3-1/4" ALUMINUM DISC FOUND
STAMPED "TEXAS DEPARTMENT OF
TRANSPORTATION ROW MONUMENT"

1/2" IRS
S 45°58'27" W 171.05'
(STATE OF TEXAS DEED - R 45°55'20" E)

U.S. 75
(VARIABLE WIDTH ROW)

3-1/4" ALUMINUM DISC FOUND
STAMPED "TEXAS DEPARTMENT OF
TRANSPORTATION ROW MONUMENT"

LEGEND	
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
IRF	IRON ROD FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"



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8088.Z3.EX01.DWG

EXHIBIT "B-2"
Depiction and Description of Drainage Easement on Dawson Property

EXHIBIT "A"
DRAINAGE EASEMENT
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a tract of land situated in the Meredith Hart Survey, Abstract Number 371, City of McKinney, Collin County, Texas, and being a portion of the remainder of that certain tract of land conveyed to Elaine M. Dawson according to Warranty Deed with Vendor's Lien recorded in Volume 2874, Page 14, Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the northwesterly line of a tract of land awarded to the State of Texas for right-of-way of U.S. Highway 75 according to instrument entitled "JUDGMENT OF COURT IN ABSENCE OF OBJECTION", State of Texas v. Elaine M. Dawson, et al, as recorded in Instrument Number 20080425000500400, Official Public Records of Collin County, Texas (O.P.R.C.C.T.), same being the southeast line of the remainder of said Dawson tract, from whence a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the most northerly corner of said State of Texas tract bears North 45°58'27" East (State of Texas deed ~ North 45°55'20" East), a distance of 90.57 feet, said aluminum disc being in the west right-of-way of U.S. Highway 75 according to deed to the State of Texas recorded in Volume 644, Page 357, D.R.C.C.T. and being the southeast corner of the remainder of said Dawson tract;

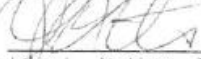
THENCE South 45°58'27" West (State of Texas deed ~ North 45°55'20" East), with the southeast line of the remainder of said Dawson tract and the northwest line of said U.S. Highway 75, a distance of 173.05 feet to a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the northwest corner of said State of Texas tract, same being the southwest corner of the remainder of said Dawson tract and the southeast corner of the remainder of a tract of land conveyed to Central & Fannin Wilson 155, LLLP, according to Special Warranty Deed recorded in Instrument Number 20071113001536620, O.P.R.C.C.T.;

THENCE North 01°33'41" East (deed ~ North 02°14' East), departing the northwest line of said U.S. Highway 75 and with the west line of said Dawson tract and the east line of said Central & Fannin Wilson 155, LLLP tract, a distance of 35.72 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE North 45°58'27" East, departing the west line of said Dawson tract and the east line of said Central & Fannin Wilson 155, LLLP tract, a distance of 153.77 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE South 30°01'44" East, a distance of 25.77 feet to the POINT OF BEGINNING and containing 0.0938 acres (4,085 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.



John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

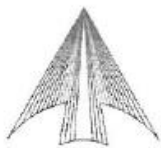


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EXHIBIT "B"
DRAINAGE EASEMENT
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS



NORTH
 SCALE: 1"=60'

BILLY WAYNE CLAY AND WIFE, DELORES CLAY
 VOL. 3213, PG. 189
 D.R.C.C.T.

O.R.O.W. POST FOUND

1/2" IRF
 S 88°29'34" W 304.18'
 (DEED -- S 89°10' W 305.5')

3/4" IRF

F.M. 543
 (VARIABLE WIDTH ROW)

CENTRAL & FANNIN INC-501 153, LLLP
 INST. NO. 2007113601348320
 O.P.R.C.C.T.
 (REMAINDER)

ELAINE M. DAWSON
 VOL. 2874, PG. 14
 D.R.C.C.T.
 (REMAINDER)

3-1/4" ALUMINUM DISC FOUND
 STAMPED "TEXAS DEPARTMENT OF
 TRANSPORTATION ROW MONUMENT"

N 45°58'27" E 90.57'
 (STATE OF TEXAS DEED -- N 45°58'20" E)

U.S. 75
 (VARIABLE WIDTH ROW)

1/2" IRF

N 45°58'27" E 153.77'

DRAINAGE ESMT.
0.0938 ACRES (4,085 SQ. FT.)

POINT OF BEGINNING
 1/2" IRF

S 45°58'27" W 173.05'
 (STATE OF TEXAS DEED -- N 45°55'20" E)

1/2" IRF

(DEED -- N 02°14' E)
 N 01°33'41" E
 35.72'

3-1/4" ALUMINUM DISC FOUND
 STAMPED "TEXAS DEPARTMENT OF
 TRANSPORTATION ROW MONUMENT"

LEGEND	
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
ESMT.	EASEMENT
ROW	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
IRF	IRON ROD FOUND
IRF W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"



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EXHIBIT 'B-3'

Depiction and Description of Slope Easement No. 1 on Dawson Property

EXHIBIT "A"
SLOPE EASEMENT NO. 1
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

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BEGINNING at a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of the aforementioned Dawson tract, said west line also being the east line the remainder of a tract of land conveyed to Central & Fannin Wilson 155, LLLP, according to Special Warranty Deed recorded in Instrument Number 20071113001536620, Official Public Records of Collin County, Texas (O.P.R.C.C.T.), from whence a 1/2 inch iron rod found for the northwest corner of said Dawson Tract bears North 01°33'41" East (deed ~ North 02°14' East), a distance of 291.14 feet, said 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner being the beginning of a non-tangent curve to the right having a central angle of 03°36'05", a radius of 1223.00 feet, a tangent length of 38.45 feet, a chord which bears South 30°18'20" East, a distance of 76.86 feet;

THENCE, departing the west line of said Dawson tract and the east line of said Central & Fannin Wilson 155, LLLP tract and with said non-tangent curve to the right, on arc distance of 76.87 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE South 28°30'16" East, a distance of 17.55 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE South 30°01'44" East, a distance of 136.94 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the northwest line of a tract of land awarded to the State of Texas for right-of-way of U.S. Highway 75 according to instrument entitled "JUDGMENT OF COURT IN ABSENCE OF OBJECTION", State of Texas v. Elaine M. Dawson, et al, as recorded in Instrument Number 20080425000500400, O.P.R.C.C.T., same being the southeast line of the remainder of said Dawson tract, from whence a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the most northerly corner of said State of Texas tract bears North 45°58'27" East (State of Texas deed ~ North 45°55'20" East), a distance of 90.57 feet, said aluminum disc being in the west right-of-way of U.S. Highway 75 according to deed to the State of Texas recorded in Volume 644, Page 357, D.R.C.C.T. and being the southeast corner of the remainder of said Dawson tract;

THENCE South 45°58'27" West (State of Texas deed ~ North 45°55'20" East), with the southeast line of the remainder of said Dawson tract and the northwest line of said U.S. Highway 75, a distance of 37.10 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the northwest corner of said State of Texas tract, same being the southwest corner of the remainder of said Dawson tract and the southeast corner of the remainder of the aforementioned Central & Fannin Wilson 155, LLLP tract, bears South 45°58'27" West (State of Texas deed ~ North 45°55'20" East), a distance of 135.95 feet;

THENCE North 30°01'44" West, departing the southeast line of the remainder of said Dawson tract and the northwest line of said U.S. Highway 75, a distance of 146.39 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;



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EXHIBIT "A"
SLOPE EASEMENT NO. 1
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

THENCE North 28°30'18" West, a distance of 18.03 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner at the beginning of a longent curve to the left having a central angle of 00°53'45", a radius of 1187.00 feet, a tangent length of 9.28 feet and a chord which bears North 28°57'10" West, a distance of 18.56 feet;

THENCE, with said curve to the left, on arc distance of 18.56 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of said Dawson tract and the east line of said Central & Fannin Wilson 155, LLLP tract;

THENCE North 01°33'41" East (deed ~ North 02°14' East), with the west line of said Dawson tract and the east line of said Central & Fannin Wilson 155, LLLP tract, a distance of 67.32 feet to the POINT OF BEGINNING and containing 0.1715 acres (7,471 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.


John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

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This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

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EXHIBIT "B"
SLOPE EASEMENT NO. 1
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS



CENTRAL & CANNON WILSON 155 (LLP)
 INST. NO. 200711500-535620
 D.P. & C.C.T.
 (REMAINDER)

(DEED - N 02'14" E)
 N 01'33'41" E 291.14'

BILLY WAYNE CLAY AND WIFE, DELORES CLAY
 VOL. 3213, PG. 169
 D.R.C.C.T.

R.O.W. POST FOUND

1/2" IRF S 88°19'34" W 304.18'
 (DEED - S 89°10' W 305.5')

F.M. 543
 (VARIABLE WIDTH ROW)

ELAINE M. DAWSON
 VOL. 2874, PG. 14
 D.R.C.C.T.
 (REMAINDER)

POINT OF BEGINNING
 1/2" IRS

$\Delta=03'36'05"$
 $R=1223.00'$
 $T=38.45'$
 $L=76.87'$
 $CB=S 30'18'20" E$
 $CL=76.86'$

(DEED - N 02'14" E)
 N 01'33'41" E 67.32'

$\Delta=00'53'45"$
 $R=1187.00'$
 $T=9.28'$
 $L=18.56'$
 $CB=N 28'57'10" W$
 $CL=18.56'$

N 28'30'18" W 18.03'

1/2" IRS S 28'30'18" E ~17.55'

S 30'01'44" E 138.94'
 0.1715 ACRES
 (7,471 SQ. FT.)

N 30'01'44" W 140.39'

1/2" IRS N 45'58'27" E ~90.57'

3-1/4" ALUMINUM DISC FOUND
 STAMPED "TEXAS DEPARTMENT OF
 TRANSPORTATION ROW MONUMENT"

1/2" IRS S 45'58'27" W 37.10'

(STATE OF TEXAS DEED - N 02'55'20" E)

U.S. 75
 (VARIABLE WIDTH ROW)

3-1/4" ALUMINUM DISC FOUND
 STAMPED "TEXAS DEPARTMENT OF
 TRANSPORTATION ROW MONUMENT"

LEGEND	
G.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
IRF	IRON ROD FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"



NATHAN D. MAIER CONSULTING ENGINEERS, INC.
 TBPE FIRM REG. NO. F-356
 TBPLS FIRM REG. NO. 100189-00
 Two Park Lane Place / 8080 Park Lane / Suite 600
 Dallas, Texas 75231 / Ph. (214) 739-4741

PAGE 1 OF 1

09/20/2012
 08-12-088.Z3
 8088.Z3.ESD1-SL1-R.DWG

EXHIBIT "B-4"
Depiction and Description of Slope Easement No. 2 on Dawson Property

EXHIBIT "A"
SLOPE EASEMENT NO. 2
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a tract of land situated in the Meredith Hart Survey, Abstract Number 371, City of McKinney, Collin County, Texas, and being a portion of the remainder of that certain tract of land conveyed to Elaine M. Dawson according to Warranty Deed with Vendor's Lien recorded in Volume 2874, Page 14, Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of the aforementioned Dawson tract, said northwest corner also being the southwest corner of that certain tract of land conveyed to Billy Wayne Clay and wife, Delores Clay according to Warranty Deed recorded in Volume 3213, Page 169, D.R.C.C.T. and being in the east line of the remainder of a tract of land conveyed to Central & Fannin Wilson 155, LLLP, according to Special Warranty Deed recorded in Instrument Number 20071113001536620, Official Public Records of Collin County, Texas (O.P.R.C.C.T.);

THENCE North 88°29'34" East (deed ~ South 89°10' West), with the north line of said Dawson tract and the south line of said Clay tract, a distance of 12.54 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100185-00" set for corner at the beginning of a non-tangent curve to the right having a central angle of 10°57'16", a radius of 1415.00 feet, a tangent length of 135.68 feet and a chord which bears South 36°13'38" East, a distance of 270.12 feet, from whence a 3/4 inch iron rod found for the northeast corner of said Dawson tract bears North 88°29'34" East (deed ~ South 89°10' West), a distance of 291.64 feet, said northeast corner also being the southeast corner of said Clay tract and being in the west right-of-way line of F.M. 543, (variable width right-of-way) according to deed to the State of Texas recorded in Volume 522, Page 13, D.R.C.C.T.;

THENCE, departing the north line of said Dawson tract and the south line of said Clay tract and with said non-tangent curve to the right, an arc distance of 270.53 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the east line of said Dawson tract, said east line being the west right-of-way line of U.S. Highway 75 (variable width right-of-way) according to deed to the State of Texas recorded in Volume 644, Page 357, D.R.C.C.T.;

THENCE South 00°11'37" East (State of Texas deed ~ South 00°14'44" East), with the east line of said Dawson tract and said west right-of-way line of U.S. 75, a distance of 104.18 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the most northerly corner of a tract of land awarded to the State of Texas for right-of-way of U.S. Highway 75 according to instrument entitled "JUDGMENT OF COURT IN ABSENCE OF OBJECTION", State of Texas v. Elaine M. Dawson, et al, as recorded in Instrument Number 20080425000500400, O.P.R.C.C.T., bears South 00°11'37" East (State of Texas deed ~ South 00°14'44" East), a distance of 106.68 feet, said most northerly corner also being the southeast corner of the remainder of said Dawson tract;

THENCE North 26°58'39" West, departing the east line of said Dawson tract and said west right-of-way line of U.S. 75, a distance of 18.56 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE North 28°30'18" West, a distance of 17.73 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner at the beginning of a tangent curve to the left having a central angle of 11°42'56", a radius of 1365.00 feet, a tangent length of 140.04 feet and a chord which bears North 34°21'46" West, a distance of 278.62 feet;



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TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
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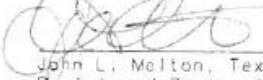
09/20/2012
08-12-088.Z3
8088.Z3.ES01-SL2.DWG

EXHIBIT "A"
SLOPE EASEMENT NO. 2
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

THENCE, with said tangent curve to the left, an arc distance of 279.11 feet to a 1/2 inch iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the west line of the aforementioned Dawson tract and the east line of the aforementioned Central & Fannin Wilson 155, LLLP tract, from whence a 3-1/4 inch aluminum disc stamped "Texas Department of Transportation ROW Monument" found for the northwest corner of the aforementioned tract of land awarded to the State of Texas for right-of-way of U.S. Highway 75 bears South 01°33'41" West (deed ~ North 02°14' East), a distance of 552.23 feet, said northwest corner also being the southwest corner of the remainder of said Dawson Tract and the southeast corner of the remainder of said Central & Fannin Wilson 155, LLLP tract;

THENCE North 01°33'41" East (deed ~ North 02°14' East), with the west line of said Dawson tract and the east line of said Central & Fannin Wilson 155, LLLP tract, a distance of 59.65 feet to the POINT OF BEGINNING and containing 0.3438 acres (14,977 square feet) of land, more or less;

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.


John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

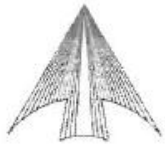
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NATHAN D. MAIER CONSULTING ENGINEERS, INC.
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TBPLS FIRM REG. NO. 100189-00
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EXHIBIT "B"
SLOPE EASEMENT NO. 2
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS



NORTH
 SCALE: 1"=60'

POINT OF BEGINNING
 1/2" IRF

N 01°33'41" E
 59.65'
 (DEED ~ N 02°14' E)

BILLY WAYNE CLAY AND WIFE, DELORES CLAY
 VOL. 3213, PG. 169, D.R.C.C.T.

(DEED ~ S 89°10' W)
 N 88°29'34" E ~12.54'

(DEED ~ S 89°10' W)
 N 88°29'34" E ~291.64'

R.O.W. POST FOUND

3/4" IRF

1/2" IRS

N 88°29'34" E ~291.64'
 (DEED ~ S 89°10' W)

Δ=10°57'18"
 R=1415.00'
 T=135.68'
 L=270.53'
 CB=S 36°13'38" E
 CL=270.12'

0.3438 ACRES
 (14,917 SQ. FT.)

F.M. 543
 (VARIABLE WIDTH ROW)

Δ=11°42'58"
 R=1365.00'
 T=140.04'
 L=279.11'
 CB=N 34°21'46" W
 CL=278.62'

ELAINE M. DAWSON
 VOL. 2874, PG. 14
 D.R.C.C.T.
 (REMAINDER)

CENTRAL & FAHMY WILSON ISS, LLP
 INST. NO. 2007113001538630
 O.P.R.C.C.T.
 (REMAINDER)

(DEED ~ N 02°14' E)
 S 01°33'41" W 552.23'

1/2" IRS

N 28°30'18" W ~17.73'
 N 26°58'39" W ~18.56'

1/2" IRS

1/2" IRS

S 00°11'37" E ~104.18'
 (STATE OF TEXAS DEED N 5 00°14'44" E)

S 00°11'37" E ~106.68'
 (STATE OF TEXAS DEED N 5 00°14'44" E)

3-1/4" ALUMINUM DISC FOUND
 STAMPED "TEXAS DEPARTMENT OF
 TRANSPORTATION ROW MONUMENT"

U.S. 75
 (VARIABLE WIDTH ROW)

3-1/4" ALUMINUM DISC FOUND
 STAMPED "TEXAS DEPARTMENT OF
 TRANSPORTATION ROW MONUMENT"

LEGEND

O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
IRF	IRON ROD FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"



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 TEMPLS FIRM REG. NO. 100189-00
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09/20/2012
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 8088.Z3.E501-SL2.DWG

EXHIBIT "B-5"
Depiction and Description of Fee Simple Right of Way on Cole Property

EXHIBIT "A"
RIGHT-OF-WAY DEDICATION
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

PROPERTY DESCRIPTION

BEING a tract of land situated in the Meredith Hart Survey, Abstract No. 371, City of McKinney, Collin County, Texas, and being a portion of that certain 16.856 acre tract of land conveyed to Evelyn Cole Family, Ltd. and described in Exhibit "J" of the Warranty Deed recorded in Volume 4652, Page 2413 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the northeast corner of the aforementioned Evelyn Cole Family, Ltd. tract, said northeast corner also being the southeast corner of that certain 16.857 acre tract of land conveyed to Tom B. Wilson, Sr. and described as Tract 1-C in the Warranty Deed recorded in Volume 935, Page 598, D.R.C.C.T., and being in the west right-of-way line of F.M. 543 (90' wide right-of-way) as conveyed to the State of Texas according to the Right-of-way Deed recorded in Volume 516, Page 563, D.R.C.C.T.;

THENCE S 00°13'30" E (deed ~ S 0°35' W), with the east line of said Evelyn Cole Family, Ltd. tract and said west right-of-way line of F.M. 543, 341.47 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, from whence the southeast corner of said Evelyn Cole Family, Ltd. tract bears S 00°13'30" E (deed ~ S 0°35' W), 205.42 feet, said iron rod being the beginning of a non-tangent curve to the right having a central angle of 09°26'38", a radius of 1,110.00 feet, a tangent length of 91.69 feet and a chord which bears S 29°28'48" W, 182.75 feet;

THENCE, departing the east line of said Evelyn Cole Family, Ltd. Tract and said west right-of-way line of F.M. 543 and with said non-tangent curve to the right, an arc distance of 182.96 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 09°26'12" E, 21.58 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 53°28'28" E, 39.49 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the south line of the aforementioned Evelyn Cole Family, Ltd. tract, said south line also being the most easterly north line of a called 155.1207 acre tract of land conveyed to Central & Fannin Wilson 156, LLLP according to the Special Warranty Deed recorded in Instrument No. 20071113001536620 of the Official Public Records of Collin County, Texas;

THENCE N 88°24'58" W (deed ~ N 87°33' W), with the south line of said Evelyn Cole Family, Ltd. tract and the most easterly north line of said Central & Fannin Wilson 156, LLLP tract, 217.92 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, said iron rod being the beginning of a non-tangent curve to the left having a central angle of 34°54'06", a radius of 990.00 feet, a tangent length of 311.21 feet and a chord which bears N 24°34'13" E, 593.78 feet;

THENCE, departing the south line of said Evelyn Cole Family, Ltd. tract and the most easterly north line of said Central & Fannin Wilson 156, LLLP tract and with said non-tangent curve to the left, an arc distance of 603.06 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the common north line of said Evelyn Cole Family, Ltd. tract and south line of the aforementioned Tom B. Wilson, Sr. tract, from whence a 3/8" iron rod found for the common northwest corner of said Evelyn Cole Family, Ltd. tract and southwest corner of said Tom B. Wilson, Sr. tract bears N 88°23'19" W (deed ~ S 87°33' E), 1311.96 feet;

NDM

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8088.Z3 EX03.dwg

EXHIBIT "A"
RIGHT-OF-WAY DEDICATION
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

THENCE S 88°23'19" E. (deed ~ S 87°33' E), with the common north line of said Evelyn Cole Family, Ltd. tract and south line of said Tom B. Wilson, Sr. tract, passing a found bent 1/2" iron pipe at 22.69 feet and continuing a total distance of 24.28 feet to the POINT OF BEGINNING and containing 1.2141 acres (52,888 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.



John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

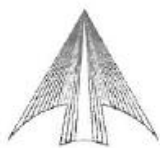
NDM

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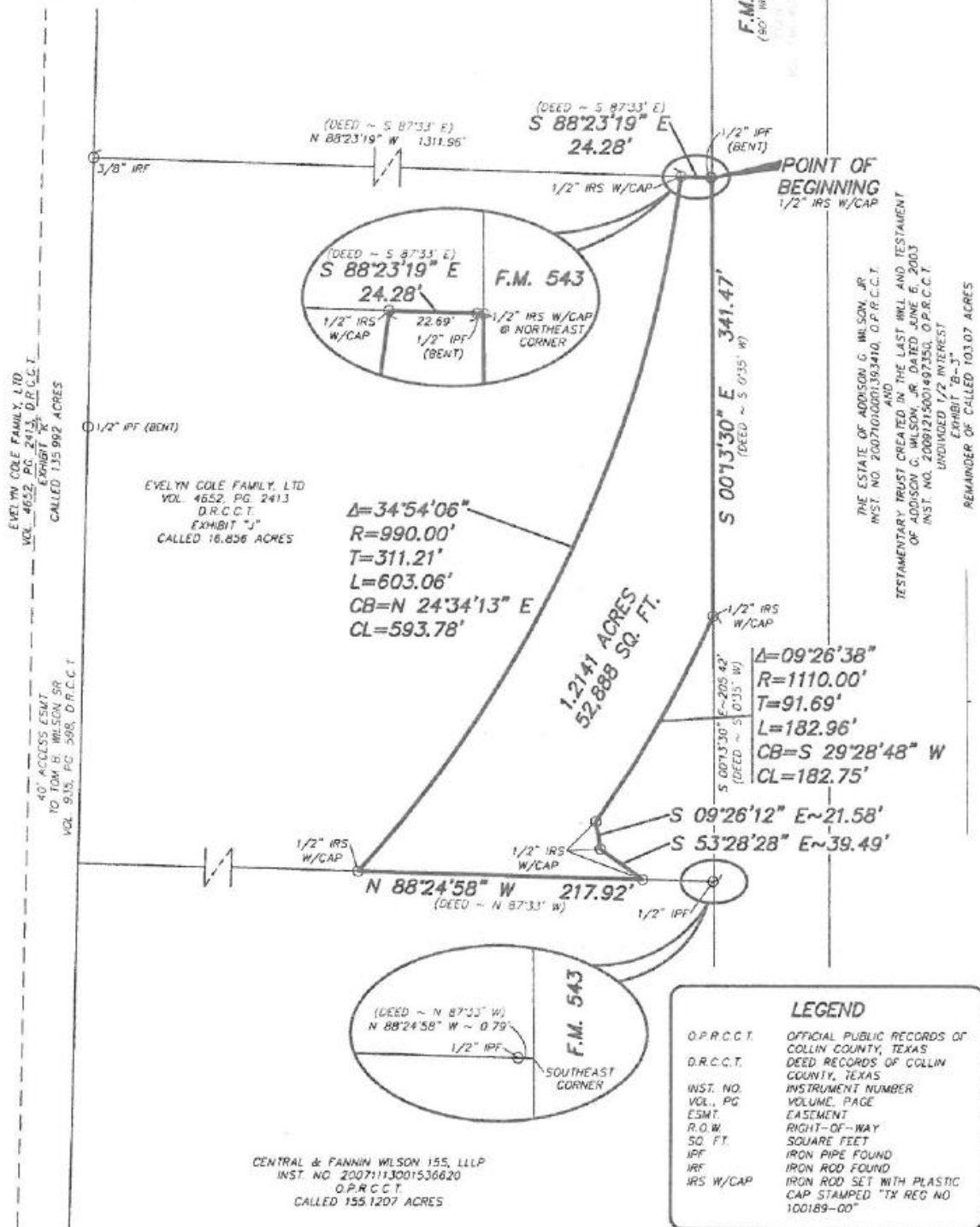
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08-12-088 Z3
8088.Z3.EX03.dwg

EXHIBIT "B"
RIGHT-OF-WAY DEDICATION
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS



NORTH
 SCALE: 1"=100'

TOM B. WILSON, SR.
 VOL. 935, PG. 598
 D.R.C.C.T.
 TRACT 1-C
 CALLED 16.857 ACRES



LEGEND	
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
ESMT.	EASEMENT
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

CENTRAL & FANNIN WILSON 155, L.L.P.
 INST. NO. 20071113001536620
 O.P.R.C.C.T.
 CALLED 155.1207 ACRES

THE ESTATE OF ADDISON G. WILSON, JR.
 INST. NO. 200701001303410, O.P.R.C.C.T.
 AND
 TESTAMENTARY TRUST CREATED IN THE LAST WILL AND TESTAMENT
 OF ADDISON G. WILSON, JR. DATED JUNE 6, 2003
 INST. NO. 20081215001497350, O.P.R.C.C.T.
 UNDIVIDED 1/2 INTEREST
 EXHIBIT "B-1"
 REMAINDER OF CALLED 101.07 ACRES



NATHAN D. MAIER CONSULTING ENGINEERS, INC.
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 TBPLS FIRM REG. NO. 100189-00
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 8088.Z3.EX03.dwg

EXHIBIT "B-6"
Depiction and Description of Drainage Easement on Cole Property

EXHIBIT "A"
DRAINAGE EASEMENT
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a tract of land situated in the Meredith Hart Survey, Abstract No. 371, City of McKinney, Collin County, Texas, and being a portion of that certain called 16.856 acre tract of land conveyed to Evelyn Cole Family, Ltd. and described in Exhibit "J" of the Warranty Deed recorded in Volume 4652, Page 2413 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for the southeast corner of the aforementioned Evelyn Cole Family, Ltd. tract, said southeast corner also being the northeast corner of a called 155.1207 acre tract of land conveyed to Central & Fannin Wilson 156, LLLP according to the Special Warranty Deed recorded in Instrument No. 20071113001536620 of the Official Public Records of Collin County, Texas, and being in the west right-of-way line of F.M. 543 (90' wide right-of-way) as conveyed to the State of Texas according to the Right-of-way Deed recorded in Volume 516, Page 563, D.R.C.C.T.;

THENCE N 88°24'58" W (deed ~ N 87°33' W), departing said west right-of-way line of F.M. 543 and with the south line of said Evelyn Cole Family, Ltd. tract and the most easterly north line of said Central & Fannin Wilson 156, LLLP tract, passing a found 1/2" iron pipe at 0.79 feet and continuing a total distance of 55.49 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 53°28'28" W, departing the south line of said Evelyn Cole Family, Ltd. tract and the most easterly north line of said Central & Fannin Wilson 156, LLLP tract, 39.49 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

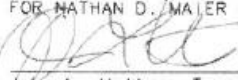
THENCE N 09°26'12" W, 21.58 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, said iron rod being the beginning of a non-tangent curve to the left having a central angle of 01°01'46", a radius of 1110.00 feet, a tangent length of 9.97 feet and a chord which bears N 33°41'14" E, 19.94 feet;

THENCE, with said non-tangent curve to the left, an arc distance of 19.94 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE S 53°07'25" E, 99.59 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the east line of the aforementioned Evelyn Cole Family, Ltd. tract and the west right-of-way line of F.M. 543, from whence the northeast corner of said Evelyn Cole Family, Ltd. tract bears N 00°13'30" W (deed ~ S 0°35' W), 543.73 feet;

THENCE S 00°13'30" E (deed ~ S 0°35' W), with the east line of said Evelyn Cole Family, Ltd. tract and said west right-of-way line of F.M. 543, 3.16 feet to the POINT OF BEGINNING and containing 0.0607 acres (2,646 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.


John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

NDM

NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / Ph. (214) 739-4741

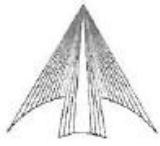
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09/20/2012
08-12-088.Z3
8088.Z3.ES03-DRG.dwg

EXHIBIT "B"

DRAINAGE EASEMENT

MEREDITH HART SURVEY, ABST. NO. 371 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS



NORTH
SCALE: 1"=100'

TOM B. WILSON, SR.
VOL. 935, PG. 598
D.R.C.C.T.
TRACT 1-C
CALLED 16.857 ACRES

EVELYN COLE FAMILY, LTD.
VOL. 4652, PG. 2413
D.R.C.C.T.
EXHIBIT "J"
CALLED 135.997 ACRES

EVELYN COLE FAMILY, LTD.
VOL. 4652, PG. 2413
D.R.C.C.T.
EXHIBIT "J"
CALLED 16.856 ACRES

40' ACCESS ESMT
TO TOM B. WILSON SR.
VOL. 935, PG. 598, D.R.C.C.T.

CENTRAL & FANNIN WILSON 155, LLLP
INST. NO. 20071113001536620
O.P.R.C.C.T.
CALLED 155.1207 ACRES

F.M. 543
(90' WIDE R.O.W.)

THE ESTATE OF ADDISON G. WILSON, JR.
INST. NO. 20071010001363410, O.P.R.C.C.T.
AND
TESTAMENTARY TRUST CREATED IN THE LAST WILL AND TESTAMENT
OF ADDISON G. WILSON, JR. DATED JUNE 6, 2003
INST. NO. 20031215004487250, O.P.R.C.C.T.
UNDIVIDED 1/2 INTEREST
EXHIBIT "B"-J
REMAINDER OF CALLED 103.07 ACRES

$\Delta=01^{\circ}01'46''$
 $R=1110.00'$
 $T=9.97'$
 $L=19.94'$
 $CB=N\ 33^{\circ}41'14''\ E$
 $CL=19.94'$

0.0607 ACRES
2,646 SQ. FT.

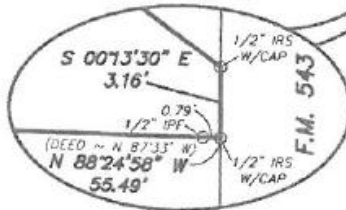
$N\ 09^{\circ}26'12''\ W\ \sim\ 21.58'$
 $N\ 53^{\circ}28'28''\ W\ \sim\ 39.49'$

$S\ 53^{\circ}07'25''\ E\ \sim\ 99.59'$

$S\ 00^{\circ}13'30''\ E\ \sim\ 3.16'$
(DEED ~ S 0335' W)

(DEED ~ N 8733' W)
 $N\ 88^{\circ}24'58''\ W\ \sim\ 55.49'$

POINT OF BEGINNING
1/2" IRS W/CAP



LEGEND

O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY, TEXAS
D.R.C.C.T.	DEED RECORDS OF COLLIN COUNTY, TEXAS
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
ESMT	EASEMENT
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
IRS W/CAP	IRON ROD SET WITH PLASTIC CAP STAMPED "TX REG NO 100189-00"

NDM

NATHAN D. MAIER CONSULTING ENGINEERS, INC.
TBPE FIRM REG. NO. F-356
TBPLS FIRM REG. NO. 100189-00
Two Park Lane Place / 8080 Park Lane / Suite 600
Dallas, Texas 75231 / Ph. (214) 739-4741

PAGE 1 OF 1

09/20/2012
08-12-088.23
8088.23.ES03-DRG.dwg

EXHIBIT "B-7"
Depiction and Description of Slope Easement on Cole Property

EXHIBIT "A"
SLOPE EASEMENT
MEREDITH HART SURVEY, ABST. NO. 371
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

EASEMENT DESCRIPTION

BEING a tract of land situated in the Meredith Hart Survey, Abstract No. 371, City of McKinney, Collin County, Texas, and being a portion of that certain called 16.856 acre tract of land conveyed to Evelyn Cole Family, Ltd. and described in Exhibit "J" of the Warranty Deed recorded in Volume 4652, Page 2413 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner in the east line of the aforementioned Evelyn Cole Family, Ltd. tract, said east line being the west right-of-way line of F.M. 543 (90' wide right-of-way) as conveyed to the State of Texas according to the Right-of-way Deed recorded in Volume 516, Page 563, D.R.C.C.T., from whence the northeast corner of said Evelyn Cole Family, Ltd. tract bears N 00°13'30" W (deed ~ S 0°35' W), 341.47 feet;

THENCE S 00°13'30" E (deed ~ S 0°35' W), with the east line of said Evelyn Cole Family, Ltd. tract and said west right-of-way line of F.M. 543, 67.18 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, said iron rod being the beginning of a non-tangent curve to the right having a central angle of 07°11'51", a radius of 1140.00 feet, a tangent length of 71.70 feet and a chord which bears S 31°25'07" W, 143.11 feet, from whence the southeast corner of said Evelyn Cole Family, Ltd. tract bears S 00°13'30" E (deed ~ S 0°35' W), 138.24 feet;

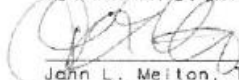
THENCE, departing the east line of said Evelyn Cole Family, Ltd. tract and said west right-of-way line of F.M. 543 and with said non-tangent curve to the right, an arc distance of 143.21 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 53°28'28" W, 15.01 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner;

THENCE N 09°26'12" W, 21.58 feet to a 1/2" iron rod with plastic cap stamped "TX REG NO 100189-00" set for corner, said iron rod being the beginning of a non-tangent curve to the left having a central angle of 09°26'38", a radius of 1110.00 feet, a tangent length of 91.69 feet and a chord which bears N 29°28'48" E, 182.75 feet;

THENCE, with said non-tangent curve to the left, an arc distance of 182.96 feet to the POINT OF BEGINNING and containing 0.1145 acres (4,989 square feet) of land, more or less.

FOR NATHAN D. MAIER CONSULTING ENGINEERS, INC.



John L. Melton, Texas R.P.L.S. No. 4268
Registered Professional Land Surveyor



NOTES:

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, North Central Zone 4202, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

This survey was performed without the benefit of a title commitment and may be subject to liens, encumbrances, easements, rights-of-way, restrictions, covenants, reservations or other conditions of record which the undersigned has not been advised of or is aware of. No additional research for easements was performed by Nathan D. Maier Consulting Engineers, Inc. in the preparation of this survey.

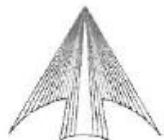


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09/20/2012
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8088.Z3.ES03-SL.dwg

EXHIBIT "B"
SLOPE EASEMENT
 MEREDITH HART SURVEY, ABST. NO. 371
 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS



NORTH
 SCALE: 1"=100'

TOM B. WILSON, SR.
 VOL. 935, PG. 598
 D.R.C.C.T.
 TRACT 1-C
 CALLED 16.857 ACRES

F.M. 543
 (90' WIDE R.O.W.)

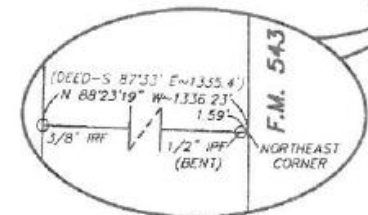
THE ESTATE OF ADDISON G. WILSON, JR.
 INST. NO. 2007010001393410, O.P.R.C.C.T.
 AND
 TESTAMENTARY TRUST CREATED IN THE LAST WILL AND TESTAMENT
 OF ADDISON G. WILSON, JR. DATED JUNE 6, 2003
 INST. NO. 20090121-5001492350, O.P.R.C.C.T.
 UNDIVIDED 1/2 INTEREST
 EXHIBIT "B-J"
 REMAINDER OF CALLED 103.07 ACRES

EVELYN COLE FAMILY, L.T.D.
 VOL. 4652, PG. 2413
 D.R.C.C.T.
 EXHIBIT "J"
 CALLED 16.856 ACRES

90' ACCESS ESMT.
 TO TOM B. WILSON, SR.
 VOL. 935, PG. 598, D.R.C.C.T.

EVELYN COLE FAMILY, L.T.D.
 VOL. 4652, PG. 2413
 D.R.C.C.T.
 EXHIBIT "J"
 CALLED 16.856 ACRES

(DEED-S 87'33" E-1335.4')
 N 88'23'19" W-1336.23'



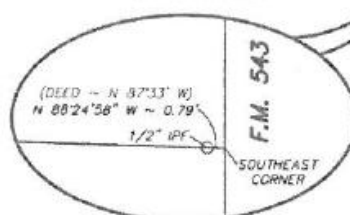
0.1145 ACRES
 4,989 SQ. FT.

$\Delta=09^{\circ}26'38"$
 $R=1110.00'$
 $T=91.69'$
 $L=182.96'$
 $CB=N 29^{\circ}28'48" E$
 $CL=182.75'$

N 09'26'12" W ~ 21.58'
 N 53'28'28" W ~ 15.01'

POINT OF BEGINNING
 1/2" IRS W/CAP

(DEED ~ S 03'35" W)
 S 00'13'30" E ~ 67.18'
 1/2" IRS W/CAP
 $\Delta=07^{\circ}11'51"$
 $R=1140.00'$
 $T=71.70'$
 $L=143.21'$
 $CB=S 31^{\circ}25'07" W$
 $CL=143.11'$



CENTRAL & FANNIN WILSON 155, L.L.P.
 INST. NO. 20071113001536620
 O.P.R.C.C.T.
 CALLED 155.1207 ACRES

LEGEND	
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