

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any 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.



DEED

TxDOT ROW CSJ: 2351-01-022

TxDOT Parcel No.: 46

Grantor(s), whether one or more:

City of McKinney, Texas, a Texas municipal corporation

Grantor's Mailing Address (including county):

PO Box 517
McKinney, TX 75070-8013
(Collin County)

Grantee:

The State of Texas, acting by and through the Texas Transportation Commission

Grantee's Authority:

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

Grantee's Mailing Address (including county):

Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701
(Travis County)



Consideration:

The sum of Fifty-Nine Thousand Ninety-Eight and no/100 (\$59,098.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.

Property:

All of that certain tract or parcel of land in Collin County, Texas, being more particularly described in the attached Exhibit A (the "Property").

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Collin County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit:

<u>IMPROVEMENT</u>	<u>RETENTION VALUE</u>
N/A	N/A

Grantor covenants and agrees to remove the Retained Improvements from the Property by N/A days after closing, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting or permitting requirements.

GRANTOR, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns to Warrant

and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to the claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

EXECUTED on the date(s) of acknowledgement indicated below.

GRANTOR:

City of McKinney, Texas, a Texas municipal corporation:

by: _____
Printed Name

Title

Date

Acknowledgment

State of Texas,
County of Collin:

This instrument was acknowledged before me on _____, 2018, by _____,
_____ of City of McKinney, Texas, a Texas municipal corporation.

(seal)

Notary Public, State of Texas

Notary ID#: _____

EXHIBIT A

County: Collin
Highway: FM 2478
STA. 474+95.20 to 477+74.23
R.O.W. CSJ: 2351-01-022

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December 22, 2016

Description for Parcel 46

BEING 25,798 square feet of land, more or less, situated in the G. Horn Survey Abstract Number 412, Collin County, Texas, and being all of Tract 3 as conveyed to the City of McKinney by deed recorded as County Clerks Instrument Number 20111026001149950, Deed Records, Collin County, Texas, said 25,798 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod with a cap stamped "RPS 1674" found at the northeast corner of said Tract 3, also being the northwesterly corner of that tract of land conveyed to Seeing Stars, LTD by deed recorded as County Clerks Instrument Number 20070907001252680, Deed Records, Collin County, Texas and an angle point in the southerly line of that tract of land conveyed to Haggard Rhea Mills, LLC, by deed recorded as County Clerks Instrument Number 20100610000588740, Deed Records, Collin County, Texas, said beginning point also being at Station 477+74.23, 43.75 feet left and having a surface coordinate of North 7,145,630.53, East 2,509,169.59;

- 1) THENCE South 00 degrees 25 minutes 24 seconds East, along the easterly line of said Tract 3, also being the westerly line of said Stars tract, a distance of 285.00 feet to the southeast corner of said Tract 3, also being the northeast corner of the remainder of Tract II, said Tract II was conveyed to FHC Enterprises, Inc. by deed recorded in Volume 1717, Page 6, Deed Records, Collin County, Texas;
- 2) THENCE South 87 degrees 34 minutes 57 seconds West, along the southerly line of said Tract 3, also being the northerly line of said remainder of Tract II, at a distance of 57.11 feet passing a ½ inch iron rod found with a cap stamped "RPLS 5686" and continuing in all a distance of 57.34 feet to the southwest corner of said Tract 3, also being the northwest corner of said remainder of Tract II and on the existing easterly right of way line of FM 2478 and the easterly line of that tract of land conveyed to the State of Texas by deed recorded in Volume 529, Page 611, deed Records, Collin County, Texas;
- 3) THENCE North 16 degrees 26 minutes 43 seconds West, along the westerly line of said Tract 3, also being the existing easterly right of way line of said FM 2478 and the easterly line of said State of Texas tract, a distance of 27.72 feet to the beginning of a curve to the right whose center bears North 73 degrees 34 minutes 10 seconds East a distance of 1387.40 feet, a 5/8 inch iron rod found bears South 07 degrees 08 minutes 47 seconds East, a distance of 0.73 feet;

EXHIBIT A

County: Collin
Highway: FM 2478
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Description for Parcel 46

- 4) THENCE Northwesterly, along the westerly line of said Tract 3, also being the existing easterly right of way line of said FM 2478 and the easterly line of said State of Texas tract and with said curve, through a central angle of 10 degrees 52 minutes 36 seconds an arc length of 263.38 feet to a ½ inch iron rod found with a cap stamped "RPLS 5686", being the northwest corner of said Tract 3, also being the southwest corner of said Rhea Mills tract, a 5/8 inch iron rod found bears South 32 degrees 05 minutes 36 seconds East, a distance of 1.13 feet;
- 5) THENCE North 88 degrees 38 minutes 48 seconds East, along the northerly line of said Tract 3, also being the southerly line of said Rhea Mills tract, a distance of 113.21 feet to the POINT OF BEGINNING and containing 25,798 square feet of land, more or less.

EXHIBIT A

County: Collin
Highway: FM 2478
STA. 474+95.20 to 477+74.23
R.O.W. CSJ: 2351-01-022

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Description for Parcel 46

Bearings of lines shown hereon refer to Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83 (2011) Epoch 2010) as derived locally from the TxDOT Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. An average Combination Factor of 1.000152710 was used to scale grid coordinates and distances to surface. All coordinates shown are surface.

** The monument described in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker at or near the end of construction of the highway project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

The Station and Offset Information refers to the baseline described in the map sheet for TxDOT Right of Way Mapping Project Control-Section-Number 2351-01-022 & 2351-02-015.

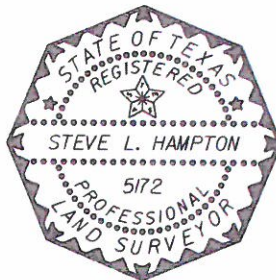
I, Steve L. Hampton, a Registered Professional Land Surveyor in the State of Texas, hereby certify that the land description and plat represent an actual survey made on the ground under my supervision.

 12/22/16

Date

Steve L. Hampton, RPLS
Registered Professional Land Surveyor
Texas Registration No. 5172

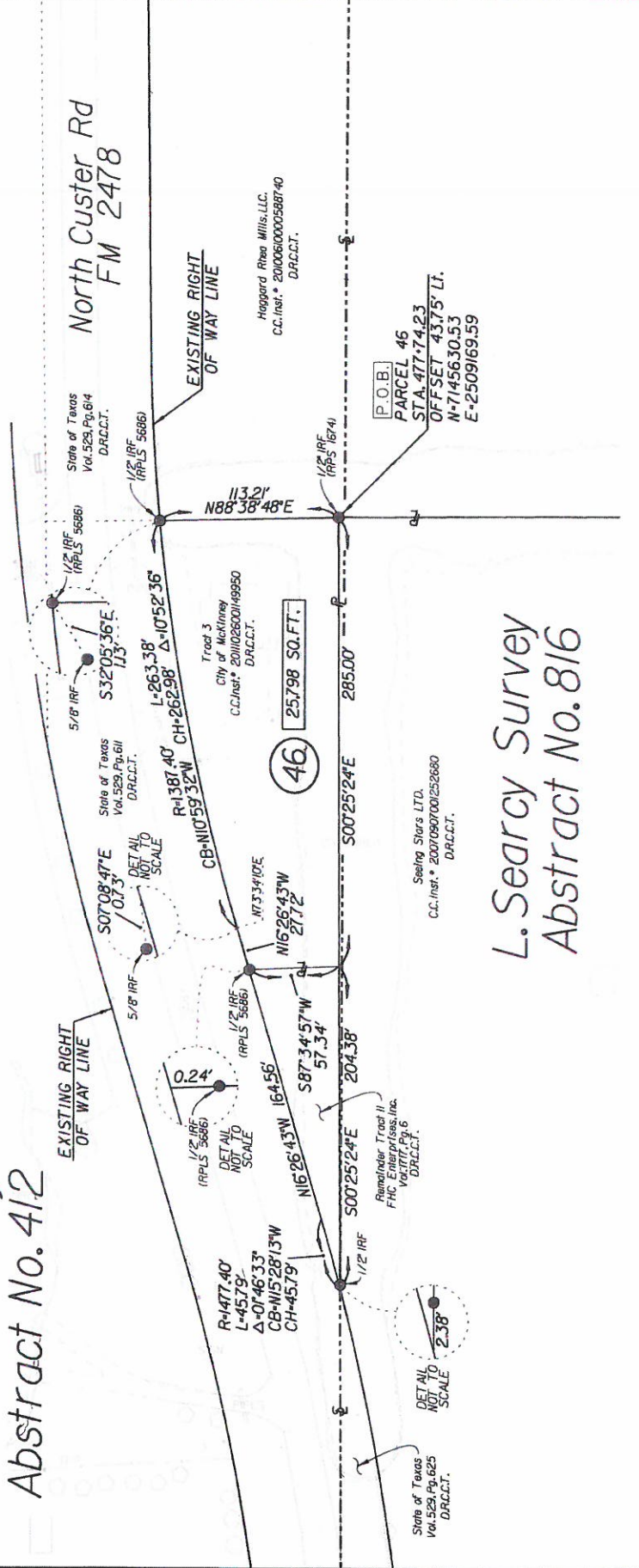
Teague Nall and Perkins, Inc.
5237 N. Riverside Drive, Suite 100
Fort Worth, Texas 76137
Ph. (817) 336-5773
TBPLS Firm No. 100116-00



G. Horn Survey
Abstract No. 412

North Custer Rd
FM 2478

Bearings of lines shown herein refer to Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83 (2011) Epoch 2010) as derived locally from the TxDOT Continuously Operating Reference Stations (CORS). All bearings are true meridians. (RTM) methods. An average Combination Factor of 10.00152710 was used to convert grid coordinates and distances to surface. All coordinates shown are surface.



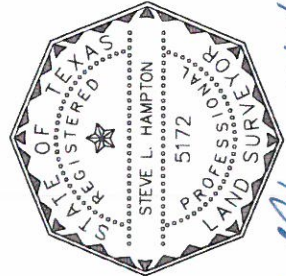
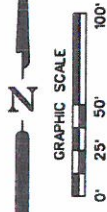
LEGEND

- EXISTING ROADWAY RIGHT OF WAY BOUNDARY LINE
- NEW RIGHT OF WAY LINE
- PROPERTY LINE
- SURVEY LINE
- EXISTING EASEMENT LINE
- D.R.C.T. = Deed Records Collin County Texas
- M.R.C.C.T. = Map Records Collin County Texas
- P.O.B. = POINT OF BEGINNING
- C.C. Inst. = County Clerk's Instrument Number
- IRF = Iron Rod Found
- Vol. = Volume
- Pg. = Page

** = This monument, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker at or near the end of construction of the highway project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.
 O = A 5/8" iron rod set w/ a 1-3/4" Pink plastic cap Stamped "TxDOT".
 ● = Marker found as noted.
 * = Monument was unable to be set due to access denied.

L. Searcy Survey
Abstract No. 816

A PLAT OF A SURVEY OF
 PARCEL 46
 FOR FARM MARKET HIGHWAY 2478
 RIGHT OF WAY CSJ: 2351-01-022
 A 0.592 AC [25,798 SQ. FT.]
 TRACT OF LAND IN THE
 G. HORN SURVEY
 ABSTRACT No. 412
 COLLIN COUNTY, TEXAS



Steve L. Hampton
 Steve L. Hampton, RPLS No. 5172
 December 22, 2016
 TBPLS FIRM No. 100116-00

EXHIBIT "A"
Addendum

County: Collin
Highway: FM 2478
Limits: US 380 to FM 1461
RCSJ: 2351-01-022
Parcel 46

The property described above relates to a "whole" property acquisition, so that there is no remainder or remaining property owned by the Grantors that was originally out of or a part of the property described above. Therefore, there are no access rights retained or remaining in Grantors, their successors and assigns, out of or relating to the property described above.