

AFTER RECORDING, RETURN TO:

City Secretary
City of McKinney
P.O. Box 517
222 N. Tennessee Street
McKinney, Texas 75069

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

SANITARY SEWER and TEMPORARY CONSTRUCTION EASEMENT

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That ***POGUEROSA INVESTMENTS II, LP***, a Texas limited partnership, hereinafter called "Grantor," for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by the ***CITY OF MCKINNEY***, a Texas municipal corporation, hereinafter called "Grantee," the receipt and sufficiency of which are hereby acknowledged, does hereby give, grant, and convey unto Grantee, subject to the terms and provisions hereinafter stated, an easement and right to enter upon the hereinafter described property to construct, reconstruct, and to perpetually maintain a sanitary sewer line together with all necessary appurtenances thereto (the "Facilities") and for no other purpose, in, on, under, over and across the following described property:

BEING 1.142 acres (49,735 square feet) of land in the Meredith Hart Survey, Abstract No. 371, City of McKinney, Collin County, Texas, and being more

particularly described in Exhibit A, Page 1 of 3, and depicted on Exhibit A, Pages 2 and 3 of 3, attached hereto and made a part hereof (the "Easement Property").

TOGETHER with a 10 feet wide temporary construction easement east of, parallel with and abutting the west line of the above described permanent utility easement, containing 0.288 of an acre (12,528 square feet) of land, more or less, being more particularly described in Exhibit B, Page 1 of 3, and depicted on Exhibit B, Page 3 of 3, attached hereto and made a part hereof ("Temporary Construction Easement-Tract 1"); and

TOGETHER with a 10 feet wide temporary construction easement west of, parallel with and abutting the west line of the above described permanent utility easement, containing 0.093 of an acre (4,054 square feet) of land, more or less, being more particularly described in Exhibit B, Page 2 of 3, and depicted on Exhibit B, Page 3 of 3, attached hereto and made a part hereof ("Temporary Construction Easement-Tract 2").

Improvements approved by the Grantee may be placed on the Easement Property which are compatible with the use of this easement and the Facilities.

The Grantee herein, its successors and assigns, shall have, and it is hereby granted, the right of ingress and egress over that portion of the servient estate as is reasonably necessary to and for the limited purpose of accessing the Easement Property herein granted.

The Temporary Construction Easement, described and depicted in Exhibit B, is hereby conveyed with rights of ingress and egress for the construction of the Facilities and related improvements, such Temporary Construction Easement terminating upon completion of said improvements, or December 31, 2017, whichever is earlier. The Temporary Construction Easement and rights granted herein are expressly made upon the condition that the Grantee, its successors and assigns, will after performing any work in connection with the construction, reconstruction or repair of said Facilities, immediately restore said premises to as near as is practicable to the condition in which they were found

before such work was undertaken, including removal of all construction material, waste, and any spoils.

In addition to the consideration recited hereinabove, Grantee also agrees to waive any applicable pro rata sewer charges assessed under Section 110-29, 110-30, 110-32, or 142-39(c) or other applicable sections of the Code of Ordinances of the City of McKinney arising out of the City's construction of the Facilities within the Easement Property for the approximately 85-acre tract over which this Utility Easement is granted. A metes and bounds description of the 85-acre parent tract is set out in the copy of the Special Warranty Deed with Vendor's Lien that is attached hereto for all purposes allowed by law as Exhibit C. (The waiver granted hereunder does not include the waiver of any tap fees, connection fees, inspection fees, meter fees, impact fees or any other such fees.)

The easement and rights granted herein are expressly made subject to any and all existing easements, conditions, restrictions, liens, encumbrances, and other matters of record and affecting the Easement Property.

TO HAVE AND TO HOLD the Easement Property unto the Grantee for the purposes herein set forth, Grantor hereby binds itself, its successors and assigns, to warrant and forever defend the easement and rights granted herein unto Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

[Signatures continued on following page.]

WITNESS THE GRANTOR'S HAND to be EFFECTIVE as of the ___ day of May, 2016.

Poguerosa Investments II, LP,
a Texas Limited Partnership, acting by and through Pogan David Investments, LLC, a Texas Limited Liability Company, its General Partner

By: MD
Name: Mark David
Title: Member

Date of Execution 7 July 2016

AGREED AND ACCEPTED:

CITY OF MCKINNEY

By: _____
TOM MUEHLENBECK
Interim City Manager

ATTEST:

SANDY HART, TRMC, MMC,
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

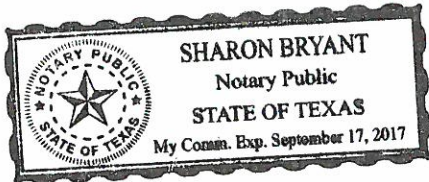
APPROVED AS TO FORM:

Printed Name: _____
Title: _____
Office of the City Attorney

STATE OF TEXAS
COUNTY OF COLLIN

This instrument was acknowledged before me on the 7th day of July, 2016, by W. Mark David, in his capacity as Member of Pogan David Investments, LLC, a Texas Limited Liability Company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that Pogan David Investments, LLC, is the General Partner of **POGUEROSA INVESTMENTS II, LP**, a Texas Limited Partnership, and that he executed the same on behalf of and as the act of the Limited Partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 7th DAY OF July, 2016.



Sharon Bryant
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF COLLIN

This instrument was acknowledged before me on the ___ day of May, 2016, by TOM MUEHLENBECK, Interim City Manager of the **CITY OF MCKINNEY**, a Texas municipal corporation, on behalf of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ___ DAY OF MAY, 2016.

Notary Public, State of Texas

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
Sanitary Sewer Easement

LEGAL DESCRIPTION

BEING a tract of land situated in the Meredith Hart Survey, Abstract No. 371, City of McKinney, Collin County, Texas; and being part of a tract of land described in Special Warranty Deed with Vendor's Lien to Pogueosa Investments II, LP recorded in Instrument No. 20070218000228480 of the Official Public Records of Collin County, Texas; and being more particularly described as follows:

COMMENCING at a 5/8 Iron rod with cap stamped "POGUE ENG & DEV" found for the northeast corner of a 3.953 acre tract described in Right-Of-Way Warranty Deed to City of McKinney for Bloomdale Road recorded in Instrument No. 20190527000334800 of said Official Public Records; and being in an east line of said Pogueosa Investments II, LP tract; and being in the north right-of-way line of Bloomdale Road (a variable width right-of-way);

THENCE with said north right-of-way line of Bloomdale Road, the following courses and distances:

North 89°21'43" West, a distance of 24.48 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 0°08'18", a radius of 1740.00 feet, a chord bearing and distance of North 87°50'58" West, 63.92 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 83.93 feet to a 5/8 Iron rod with cap stamped "POGUE ENG & DEV" found

North 88°47'48" West, a distance of 96.28 feet to a 5/8 iron rod with cap stamped "POGUE ENG & DEV" found at the beginning of a tangent curve to the left having a central angle of 0°48'28", a radius of 1860.00 feet, a chord bearing and distance of North 87°12'04" West, 26.22 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 28.22 feet to the **POINT OF BEGINNING**; said point being the beginning of a curve to the left having a central angle of 0°55'29", a radius of 1860.00 feet, a chord bearing and distance of North 88°04'03" West, 30.02 feet.

THENCE in a northwesterly direction, continuing with said north right-of-way line Bloomdale Road and with said curve to the left, an arc distance of 30.02 feet to a point for corner.

THENCE departing said north right-of-way line of Bloomdale Road, the following courses and distances:

North 0°00'00" East, a distance of 20.86 feet to a point for corner;

North 45°00'00" East, a distance of 157.83 feet to a point for corner;

North 7°18'10" West, a distance of 1077.73 feet to a point for corner;

North 43°32'58" East, a distance of 410.31 feet to a point for corner in the south line of a sanitary sewer easement to North Texas Municipal Water District recorded in Instrument No. 93-0030204 of said Official Public Records;

THENCE with said south line of the North Texas Municipal Water District easement, South 56°08'55" East, a distance of 29.38 feet to a point for corner,

THENCE continuing with said south line of the North Texas Municipal Water District easement, South 80°18'30" East, a distance of 1.28 feet to a point for corner;

THENCE departing said south line of the North Texas Municipal Water District easement, the following courses and distances:

South 43°52'58" West, a distance of 401.68 feet to a point for corner;

South 7°18'10" East, a distance of 1078.20 feet to a point for corner;

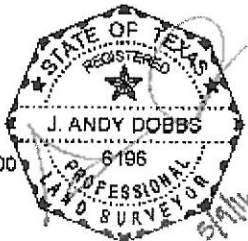
South 45°00'00" West, a distance of 160.13 feet to a point for corner;

South 0°00'00" East, a distance of 8.44 feet to the **POINT OF BEGINNING** and containing 1.142 acres or 49,735 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (+202), North American Datum of 1983.

SANITARY SEWER EASEMENT
MEREDITH HART SURVEY,
ABSTRACT NO. 371
CITY OF MCKINNEY
COLLIN COUNTY, TEXAS

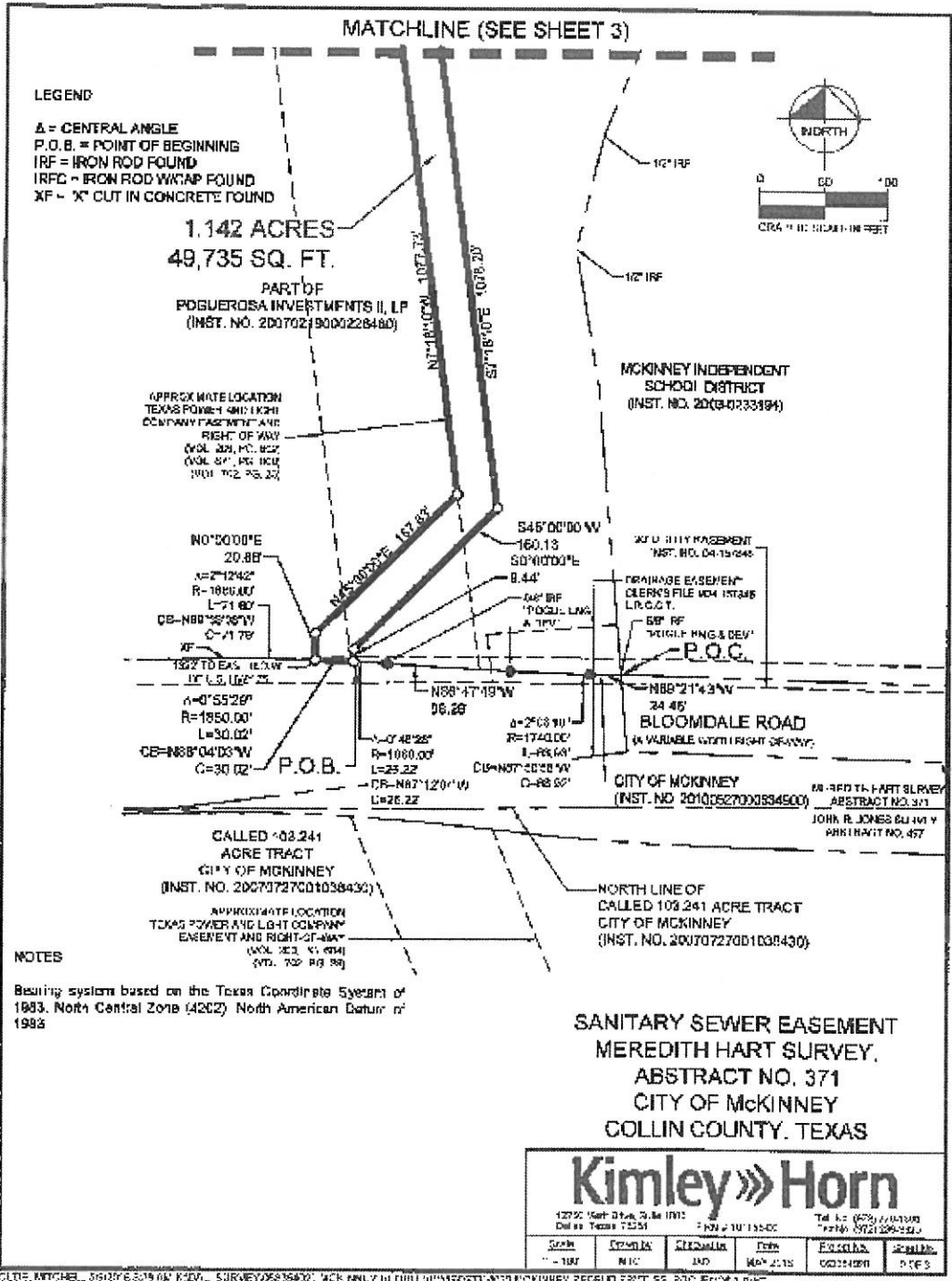
J. ANDY DOBBS
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6196
12750 MERIT DRIVE, SUITE 1000
DALLAS TEXAS 75251
PH. 972-770-1300
andy.dobbs@kimley-horn.com



Kimley»Horn

12750 Merit Drive, Suite 1000 Dallas, Texas 75251 Phone: 972-770-1300

2000	2001	2002	2003	2004	2005
USA	INTL	IND	MAY 2018	2018-2019	2019-2020



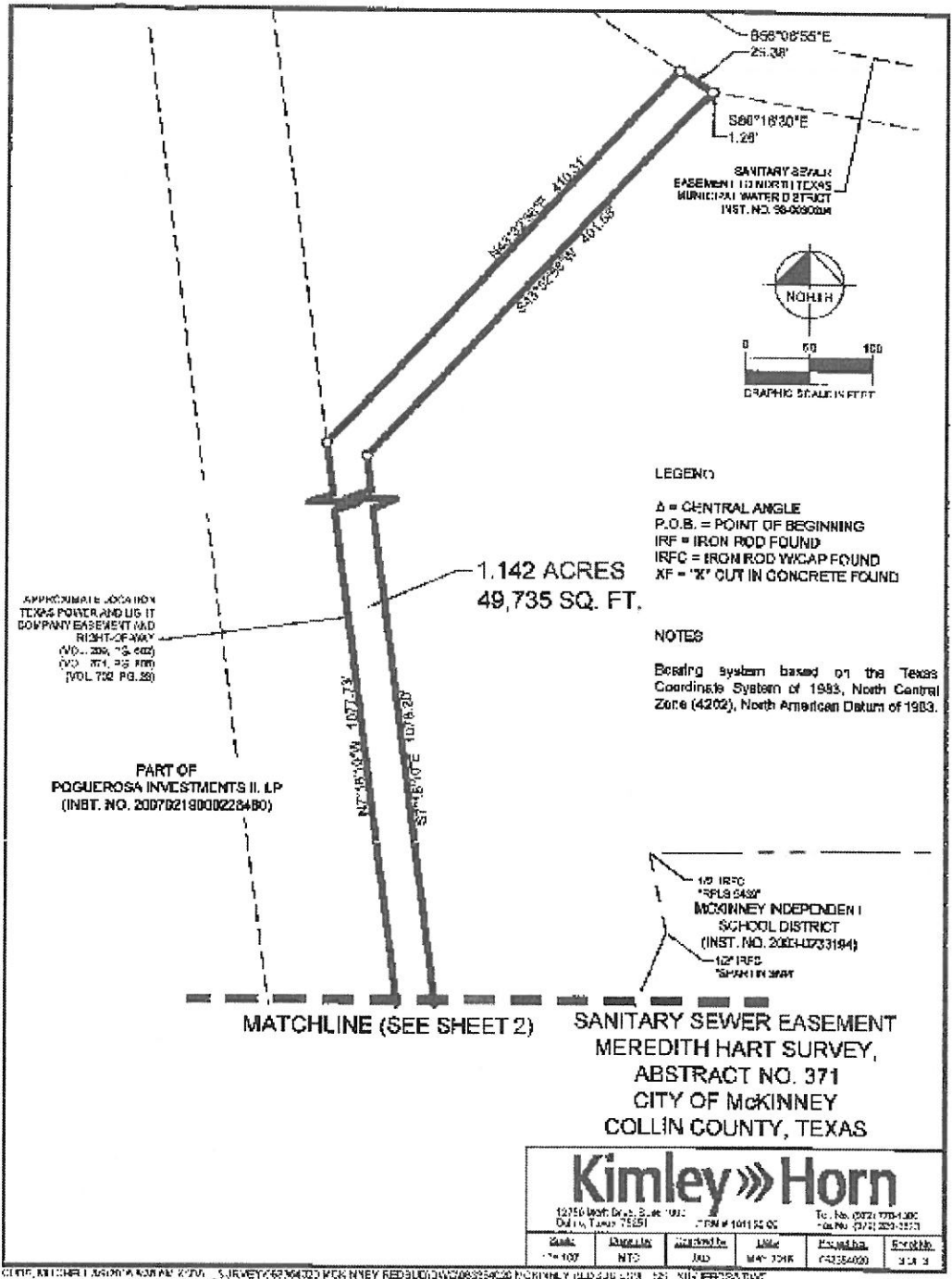


EXHIBIT B
Temporary Construction Easement

LEGAL DESCRIPTION
TRACT 1

BEING a tract of land situated in the Meredith Hart Survey, Abstract No. 371, City of McKinney, Collin County, Texas; and being part of a tract of land described in Special Warranty Deed with Vendor's Lien to Poguerosa Investments II, LP recorded in Instrument No. 20070219000228480 of the Official Public Records of Collin County, Texas; and being more particularly described as follows:

COMMENCING at a 5/8 iron rod with cap stamped "POGUE ENG & DEV" found for the northeast corner of a 3.953 acre tract described in Right-Of-Way Warranty Deed to City of McKinney for Bloomdale Road recorded in Instrument No. 20100527000534800 of said Official Public Records; and being in an east line of said Poguerosa Investments II, LP tract; and being in the north right-of-way line of Bloomdale Road (a variable width right-of-way);

THENCE with said north right-of-way line of Bloomdale Road, the following courses and distances:

- North 89°21'49" West, a distance of 24.46 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 02°08'18", a radius of 1740.00 feet, a chord bearing and distance of North 87°50'58" West, 83.92 feet; in a northwesterly direction, with said curve to the left, an arc distance of 83.93 feet to a 5/8 iron rod with cap stamped "POGUE ENG & DEV" found;
- North 86°47'48" West, a distance of 98.28 feet to a 5/8 iron rod with cap stamped "POGUE ENG & DEV" found at the beginning of a tangent curve to the left having a central angle of 0°29'58", a radius of 1660.00 feet, a chord bearing and distance of North 87°02'49" West, 16.21 feet;
- In a northwesterly direction, with said curve to the left, an arc distance of 16.21 feet to the **POINT OF BEGINNING**; said point being the beginning of a tangent curve to the left having a central angle of 0°18'30", a radius of 1880.00 feet, a chord bearing and distance of North 87°27'03" West, 10.01 feet.

THENCE in a northwesterly direction, with said curve to the left, and arc distance of 10.01 feet to a point for corner;

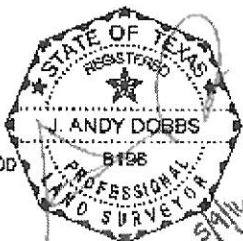
THENCE departing said north right-of-way line of Bloomdale Road, the following courses and distances:

- North 0°00'00" East, a distance of 9.44 feet to a point for corner;
- North 45°00'00" East, a distance of 160.13 feet to a point for corner;
- North 7°18'10" West, a distance of 1078.20 feet to a point for corner;
- North 43°33'12" East, a distance of 12.88 feet to a point for corner;
- South 7°18'10" East, a distance of 1091.25 feet to a point for corner;
- South 45°00'00" West, a distance of 160.90 feet to a point for corner;
- South 0°00'00" East, a distance of 5.75 feet to the **POINT OF BEGINNING** and containing 12,528 square feet or 0.288 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

**TEMPORARY
 CONSTRUCTION EASEMENT
 MEREDITH HART SURVEY,
 ABSTRACT NO. 371
 CITY OF MCKINNEY
 COLLIN COUNTY, TEXAS**

J. ANDY DOBBS
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 8196
 12750 MERIT DRIVE, SUITE 1000
 DALLAS, TEXAS 75257
 PH. 972-770-1300
 andy.dobbs@kimley-horn.com



Kimley»Horn

12400 West Loop West, Suite 1000 Dallas, Texas 75241 P.O. # 01-1542 Tel. # (972) 797-1500 Fax # (972) 208-8002

DATE	DRAWN BY	CHECKED BY	DATE	PROJECT NO.	SHEET NO.
05/11/10	M.J.	J.D.	MAY 2010	08254000	1 OF 3

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TRACT 2

BEING a tract of land situated in the Meredith Hart Survey, Abstract No. 371, City of McKinney, Collin County, Texas; and being part of a tract of land described in Special Warranty Deed with Vendor's Lien to Poguerosa Investments II, LP recorded in Instrument No. 20070219000226480 of the Official Public Records of Collin County, Texas; and being more particularly described as follows:

COMMENCING at a 5/8 iron rod with cap stamped "POGUE ENG & DEV" found for the northeast corner of a 3.963 acre tract described in Right-Of-Way Warranty Deed to City of McKinney for Bloomdale Road recorded in Instrument No. 20100527000534900 of said Official Public Records; and being in an east line of said Poguerosa Investments II, LP tract; and being in the north right-of-way line of Bloomdale Road (a variable width right-of-way);

THENCE with said north right-of-way line of Bloomdale Road, the following courses and distances:

North 88°21'43" West, a distance of 24.48 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 02°06'18", a radius of 1740.00 feet, a chord bearing and distance of North 87°50'58" West, 63.92 feet; In a northwesterly direction, with said curve to the right, an arc distance of 63.93 feet to a 5/8 iron rod with cap stamped "POGUE ENG & DEV" found; North 88°47'49" West, a distance of 24.98 feet to a point in an east line of the Texas Power and Light Company Easement recorded in Volume 209 Page 802, Volume 671, Page 808 and Volume 702, Page 23;

THENCE departing said north right-of-way line of Bloomdale Road and with said east line of the Texas Power and Light Company Easement, North 7°18'10" West, a distance of 1217.71 to the POINT OF BEGINNING;

THENCE continuing with said east line of the Texas Power and Light Company Easement, North 7°18'10" West, a distance of 12.89 feet to a point for corner;

THENCE departing said east line of the Texas Power and Light Company Easement, North 43°32'55" East, a distance of 409.46 feet to a point for corner in the south line of a sanitary sewer easement to North Texas Municipal Water District recorded in Instrument No. 03-0030204 of said Official Public Records;

THENCE with said south line of the North Texas Municipal Water District easement, South 56°06'55" East, a distance of 10.15 feet to a point for corner;

THENCE departing said south line of the North Texas Municipal Water District easement, South 43°32'56" West, a distance of 410.31 feet to the POINT OF BEGINNING and containing 4,054 square feet or 0.093 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

TEMPORARY
CONSTRUCTION EASEMENT
MEREDITH HART SURVEY,
ABSTRACT NO. 371
CITY OF MCKINNEY
COLLIN COUNTY, TEXAS

Kimley»Horn

17701 North Texas Suite 910 P.O. Box 1001 95021 TEL: 940.352.7700 FAX: 940.352.8233

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17701 North Texas Suite 910 P.O. Box 1001 95021 TEL: 940.352.7700 FAX: 940.352.8233

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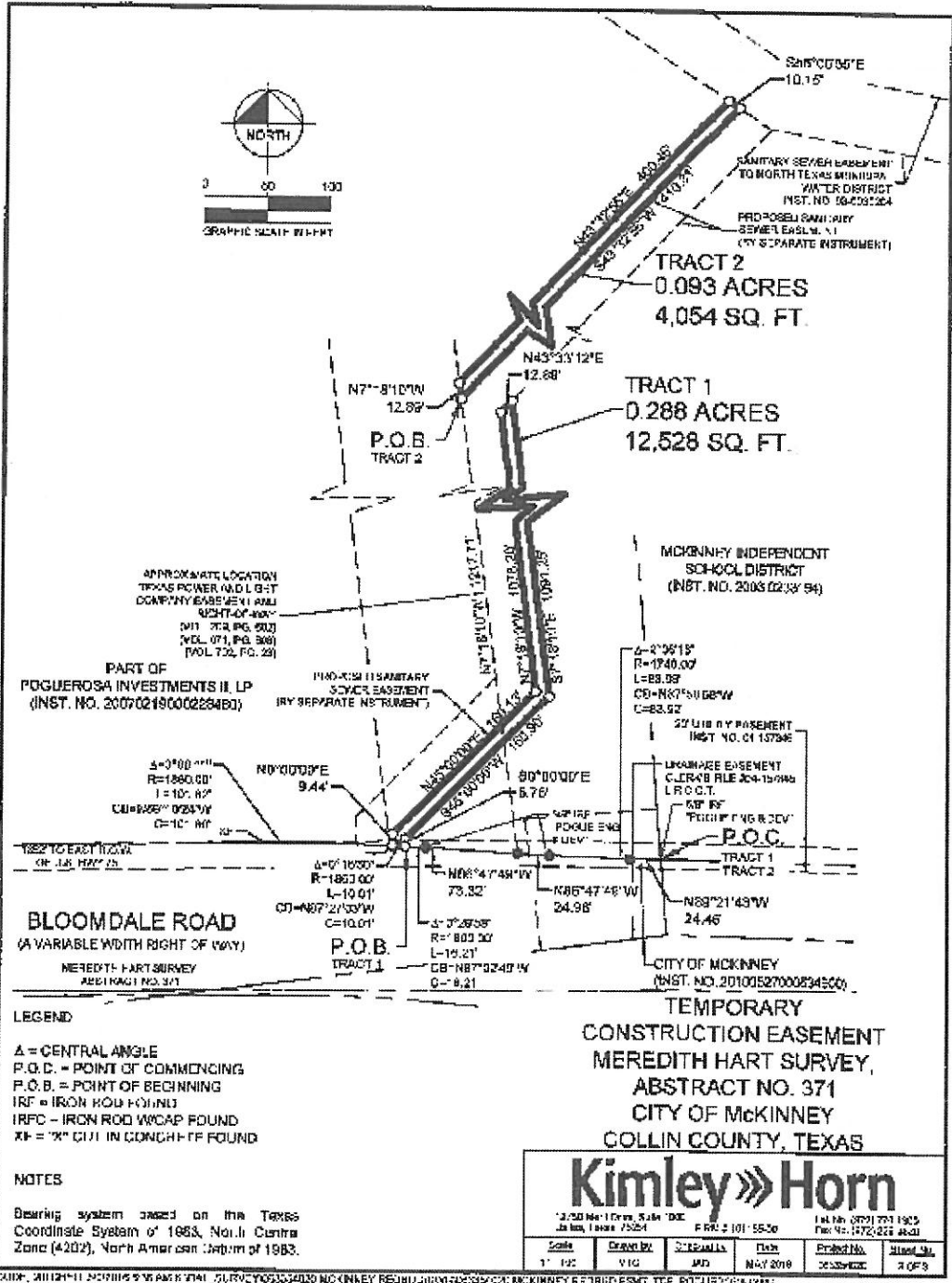


EXHIBIT C
85-Acre Parent Tract



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"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 Drivers' License Number."

**SPECIAL WARRANTY DEED
WITH VENDOR'S LIEN**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF COLLIN §

THAT BLOOMDALE-543, LIMITED PARTNERSHIP, a Texas limited partnership (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery to LEGACYTEXAS BANK by Grantee of Grantee's promissory note of even date herewith in the principal amount of THREE MILLION TWO HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$3,280,000.00) bearing interest as therein specified, payable as therein specified, the payment of which note is secured by the Vendor's Lien herein retained, and is additionally secured by a Deed of Trust of even date herewith to ALAN R. WILLIAMS and/or TOM COVERT and/or MARK RAMSEY, Trustee, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto POGUEROSA INVESTMENTS II, L.P, whose mailing address is 405 Interchange, McKinney, Texas 75071 (herein referred to as "Grantee"), all of the following described real property in Collin County, Texas (hereinafter referred to as the "Property"), to-wit:

Situating in the County of Collin, State of Texas, being a part of the Meredith Hart Survey, Abstract No. 371, containing 85.00 acres being more fully described in Exhibit "A" attached hereto and incorporated herein by reference

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

This conveyance is expressly made subject to the following:

1. Reservation of undivided one-half (1/2) interest in all oil, gas & minerals as reserved by grantor in Deed executed by John Richard Henderson et al, to McKinney 149, Ltd., dated September 30, 1983, recorded in/under Volume 1747, Page 552 of the Real Property Records of Collin County, Texas.
2. Easement granted to North Collin Water Supply Corporation by Hazel Henderson et al, dated July 27, 1977, filed August 5, 1977, recorded in Volume 1064, Page 28, Collin County Land Records.
3. Easement granted to Texas Power and Light Company by J.C. Erwin and wife, Evelyn Erwin, dated April 9, 1917, filed April 21, 1917, recorded in Volume 209, Page 602, Collin County Deed Records; and as supplemented in Volume 671, Page 808 (Clerk's File No. 3338), Collin County Deed Records; and as supplemented in Volume 702, Page 23 (Clerk's File No. 10200), Collin County Land Records.
4. Easement granted to North Texas Municipal Water District by Resolution Trust Corporation, dated March 25, 1993, filed April 23, 1993, recorded in Clerk's File No. 93-30204, Collin County Land Records.
5. Easement granted to State of Texas by Judgment from Court Suit No. 11345, dated February 18, 1957, filed February 28, 1957, recorded in Volume 527, Page 67, Collin County Land Records.
6. Easement granted to Texas Power and Light Company by Jo Hazel Mockbee Henderson, dated April 22, 1966, filed August 12, 1966, recorded in Volume 677, Page 769 (Clerk's File No. 6620), Collin County Land Records.
7. Easement executed by Bloomdale-543, L.P., a Texas limited partnership, to City of McKinney, dated September 1, 2004, filed October 29, 2004, recorded in/under CC# 04-157342 of the Real Property Records of Collin County, Texas.
8. Easement executed by Bloomdale-543, L.P., a Texas limited partnership, to City of McKinney, dated September 1, 2004, filed October 29, 2004, recorded in/under CC# 04-157343 of the Real Property Records of Collin County, Texas.

9. Easement executed by Bloomdale-543, L.P., a Texas limited partnership, to City of McKinney, dated September 1, 2004, filed October 29, 2004, recorded in/under CC# 04-157344 of the Real Property Records of Collin County, Texas.
10. Easement executed by Bloomdale-543, L.P., a Texas limited partnership, to City of McKinney, dated September 1, 2004, filed October 29, 2004, recorded in/under CC# 04-157345 of the Real Property Records of Collin County, Texas.
11. Easement executed by Bloomdale-543, L.P., a Texas limited partnership, to City of McKinney, dated September 1, 2004, filed October 29, 2004, recorded in/under CC# 04-157346 of the Real Property Records of Collin County, Texas.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns; and Grantor hereby binds itself, its successors assigns to **WARRANT AND FOREVER DEFEND** all and singular the said Property unto the said Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through and under Grantor, but not otherwise subject, however, to the aforesaid exceptions.

But it is expressly agreed that the **VENDOR'S LIEN**, as well as the Superior Title in and to the above described Property, is retained against the above described Property, premises and improvements until the above described note and all interest are fully paid according to the face, tenor, effect, and reading thereof, when this Deed shall become absolute.

LEGACYTEXAS BANK, at the instance and request of the Grantee herein, having advanced and paid in cash to the Grantor herein, that portion of the purchase price of the herein described Property as is evidenced by the hereinbefore described **THREE MILLION TWO HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$3,280,000.00)** note, the Vendor's Lien, together with the Superior Title to said Property is retained herein for the benefit of the said **LEGACYTEXAS BANK** and the same are hereby **TRANSFERRED AND ASSIGNED** to the said

LEGACYTEXAS BANK and LEGACYTEXAS BANK, its successors or assigns shall have the right to release said Vendor's Lien upon the payment of said note.

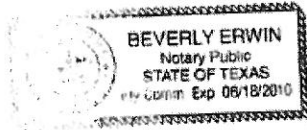
EXECUTED on the dates of the acknowledgments, but to be EFFECTIVE on the 15th day of February, 2007.

BLOOMDALE-543 LIMITED PARTNERSHIP

BY: *Mark Ragon*
MARK RAGON, General Partner

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 12 day of February, 2007, by MARK RAGON, General Partner of BLOOMDALE-543 LIMITED PARTNERSHIP, a Texas partnership, on its behalf.



Beverly Erwin
NOTARY PUBLIC STATE OF TEXAS

AFTER RECORDING RETURN TO:

POGUEROSA INVESTMENTS II, LP
405 Interchange
McKinney, Texas 75071

Exhibit A

SITUATED in the County of COLLIN, State of Texas, being a part of the MEREDITH HART SURVEY, Abstract No. 371, being a part of a 149.5504 acre tract of land (described as 156.4324 acres LESS 6.882 acres) conveyed by Diamond Partnership, Ltd., and TYP Partnership, Ltd. to Bloomdale-543 Limited Partnership by deed dated July 2, 1997, recorded at County Clerks file no. 97-0053321 Volume 3946, Page 3100, Deed Records, Collin County, Texas, being all of the 6.843 acre tract of land conveyed by Robert Goldberg to Bloomdale-543 Limited Partnership by deed dated July 3, 1997, recorded at County Clerks file no. 97-0053908, Deed Records, Collin County, Texas, and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at a set 1/2 inch rebar for the Southwest corner of said 149.5504 acre tract, the Northwest corner of a 12.819 acre tract of land conveyed by Michael Bach Hong Yee Trust, et al to Central Blooms, L.P. by deed dated December 29, 1997, recorded in Volume 4303, Page 2192, Deed Records, Collin County, Texas, at the intersection of a public road known as Bloomdale Road with the East right-of-way line of U. S. Highway No. 75, from which a found 3/8 inch rebar bears South 16 deg. 02 min. 45 sec. West, a distance of 2.02 feet;

THENCE in a Northeasterly direction with the West line of said 149.5504 acre tract, the East right-of-way line of said U. S. Highway No. 75, the following calls and distances:

North 23 deg. 35 min. 52 sec. East, a distance of 16.51 feet to a wood right-of-way monument;
North 33 deg. 33 min. 36 sec. West, a distance of 53.06 feet to a found 3/4 inch rebar;
North 22 deg. 23 min. 49 sec. East, a distance of 36.16 feet to the East base of a wood right-of-way monument;
North 15 deg. 54 min. 45 sec. East, a distance of 319.64 feet a found aluminum capped right-of-way monument at highway station 979+74.10, an angle point for a proposed new East right-of-way line of said highway;

THENCE North 35 deg. 39 min. 08 sec. East, with the proposed new East right-of-way line of said U. S. Highway No. 75, a distance of 411.61 feet to a found aluminum capped right-of-way monument;

THENCE North 28 deg. 06 min. 48 sec. East, continuing with the proposed new East right-of-way line, a distance of 258.18 feet to a found aluminum capped right-of-way monument at highway station 986+67.43 on the original East right-of-way line;

THENCE North 33 deg. 18 min. 23 sec. East, with the original East right-of-way line of said U. S. Highway No. 75, a distance of 146.06 feet to a found aluminum capped right-of-way monument at highway station 988+18.77, an angle point for said proposed new right-of-way line;

THENCE North 47 deg. 15 min. 50 sec. East, again with the proposed new right-of-way line, a distance of 174.32 feet to a found aluminum capped right-of-way monument;

THENCE North 43 deg. 45 min. 46 sec. East, continuing with the proposed new East right-of-way line, a distance of 1213.06 feet to found wood right-of-way monument at highway station 1002+44.73 on the original East right-of-way line;

THENCE North 47 deg. 28 min. 07 sec. East, again with the original East right-of-way line of said U. S. Highway No. 75, a distance of 60.70 feet to the Northwest corner of said 149.5504 acre tract, at a point 0.48 feet West of a found 1/2 inch rebar, and at the intersection of said original East right-of-way line with the center of the old channel of Honey Creek, now abandoned, and filled in, and on the South line of an 80.65 acre tract of land described in two tracts in deed from Ewing Baker Jr., et al to W. E. Black, et ux, dated November 16, 1957, recorded in Volume 534, Page 469, Deed Records, Collin County, Texas;

THENCE in a Southeasterly direction with the center of said old channel of Honey Creek, the North line of said 149.5504 acre tract, the South line of said 80.65 acre tract, the following calls and distances:

South 28 deg. 09 min. 51 sec. East, a distance of 76.55 feet to a found 1/2 inch rebar;
South 67 deg. 30 min. 39 sec. East, a distance of 114.21 feet to a found 1/2 inch rebar;
South 79 deg. 41 min. 36 sec. East, at a distance of 118.93 feet passing a set 1/2 inch rebar on the West bank of the existing channel of said Honey Creek, and continuing for a total distance of 147.82 feet to a point in the center of the existing channel of Honey Creek;

THENCE in an Easterly direction with the existing channel of said Honey Creek, and continuing with the North line of said 149.5504 acre tract, the South line of said 80.65 acre tract, and with the South line of a 28.814 acre tract of land conveyed by George W. Jageman, et ux to Associated Texas Development-543-Joint Venture by deed dated October 30, 1984, recorded in Volume 2007, Page 427, Deed Records, Collin County, Texas, the following calls and distances;

South 20 deg. 57 min. 24 sec. East, a distance of 202.32 feet;
South 74 deg. 56 min. 20 sec. East, a distance of 127.16 feet;
South 85 deg. 42 min. 38 sec. East, a distance of 135.36 feet;
South 75 deg. 53 min. 04 sec. East, a distance of 242.99 feet;
South 50 deg. 39 min. 54 sec. East, a distance of 90.77 feet;

South 77 deg. 10 min. 26 sec. East, a distance of 118.10 feet;
South 86 deg. 27 min. 09 sec. East, a distance of 103.84 feet;
North 73 deg. 29 min. 03 sec. East, a distance of 103.98 feet;
North 59 deg. 20 min. 51 sec. East, a distance of 65.31 feet;
North 74 deg. 07 min. 10 sec. East, a distance of 73.35 feet;
South 57 deg. 34 min. 30 sec. East, a distance of 99.50 feet;
South 43 deg. 24 min. 29 sec. East, a distance of 117.28 feet;
South 28 deg. 34 min. 34 sec. East, a distance of 134.22 feet;
South 57 deg. 09 min. 32 sec. East, a distance of 55.94 feet;
North 78 deg. 19 min. 35 sec. East, a distance of 159.12 feet;
North 43 deg. 49 min. 45 sec. East, a distance of 70.68 feet;
North 30 deg. 35 min. 23 sec. East, a distance of 126.53 feet;
North 44 deg. 50 min. 33 sec. East, a distance of 76.41 feet;
North 64 deg. 35 min. 28 sec. East, a distance of 55.48 feet;
South 70 deg. 40 min. 27 sec. East, a distance of 231.65 feet;
North 71 deg. 55 min. 47 sec. East, a distance of 273.15 feet;

THENCE in a Southerly direction continuing with the North line of said 149.5504 acre tract, the South line of said 29.814 acre tract, leaving the existing channel of Honey Creek, and again continuing with the center of the old channel of Honey Creek, now abandoned, and filled in, the following calls and distances;

South 25 deg. 20 min. 50 sec. East, a distance of 99.60 feet to a set 1/2 inch rebar;
South 18 deg. 32 min. 10 sec. West, a distance of 92.00 feet to a set 1/2 inch rebar;
South 22 deg. 57 min. 50 sec. East, a distance of 64.00 feet to a set 1/2 inch rebar;
South 70 deg. 34 min. 50 sec. East, a distance of 70.00 feet to a set 1/2 inch rebar;
North 89 deg. 53 min. 19 sec. East, a distance of 64.83 feet to a

set 1/2 inch rebar for the Northeast corner of said 149.5504 acre tract, the Southeast corner of said 28.914 acre tract, at the intersection of said old abandoned channel with the West right-of-way line of F. M. Highway No. 543;

THENCE South 33 deg. 18 min. 51 sec. East, with the East line of said 149.5504 acre tract, the West right-of-way line of said F. M. Highway No. 543, a distance of 101.12 feet to a set 1/2 inch rebar;

THENCE South 24 deg. 47 min. 00 sec. East, continuing with the East line of said 149.5504 acre tract, the West right-of-way line of said F. M. Highway No. 543, a distance of 369.07 feet to a set 1/2 inch rebar for the Northeast corner of Pecan Ridge Estates, Phase One, an Addition to the City of McKinney, Texas as shown by plat of record in Cabinet "R", Page 192, Plat Records, Collin County, Texas;

THENCE in a Northwesterly, and Southwesterly direction with the North line of said Pecan Ridge Estates, Phase One, the following calls and distances:

North 54 deg. 41 min. 59 sec. West, a distance of 123.97 feet to a set 1/2 inch rebar;

North 73 deg. 20 min. 30 sec. West, a distance of 205.56 feet to a set 1/2 inch rebar;

South 80 deg. 40 min. 12 sec. West, a distance of 372.24 feet to a set 1/2 inch rebar;

South 75 deg. 54 min. 43 sec. West, a distance of 301.38 feet to a point in a rock wall;

South 71 deg. 02 min. 18 sec. West, a distance of 198.77 feet to set steel cotton spindle at the North edge of the above mentioned rock wall, and at the most Easterly Southeast corner of Pecan Ridge Estates, Phase Two to the City of McKinney, Texas as shown by plat of record in Cabinet "R", Slide 194, Plat Records, Collin County, Texas;

THENCE North 15 deg. 27 min. 10 sec. West, with an East line of said Pecan Ridge Estates, Phase Two, a distance of 304.85 feet to a found 1/2 inch rebar maintaining its Northeast corner;

THENCE South 89 deg. 22 min. 54 sec. West, with the North line of said Pecan Ridge Estates, Phase Two, a distance of 1112.46 feet to a found 1/2 inch rebar maintaining its Northwest corner;

THENCE South 00 deg. 16 min. 30 sec. East, with the West line of said Pecan Ridge Estates, Phase Two, a distance of 137.00 feet to a found 1/2 inch rebar maintaining the Northeast corner of a 10.00 acre tract of land previously conveyed out of said 149.5504 acre tract by deed from Bloomdale-543 Limited Partnership to McKinney Independent School District, dated November 26, 2003, recorded at County Clerk file no.

2003-0233194, Deed Records, Collin County, Texas;

THENCE South 89 deg. 22 min. 54 sec. West, with the northerly North line of said 10.00 acre tract, a distance of 171.69 feet to a found 1/2 inch rebar maintaining its most Northerly Northwest corner;

THENCE South 00 deg. 16 min. 30 sec. East, with a West line of said 10.00 acre tract, a distance of 269.99 feet to a found 1/2 inch rebar maintaining an ell corner of said tract;

THENCE South 89 deg. 22 min. 54 sec. West, with a North line of said 10.00 acre tract, a distance of 344.24 feet to a found 1/2 inch capped rebar stamped 5439 maintaining its most Westerly Northwest corner;

THENCE in a Southerly direction with the most Westerly West line of said 10.00 acre tract, the following calls and distances:

South 11 deg. 39 min. 19 sec. East, a distance of 64.59 feet to a set 1/2 inch rebar;

South 23 deg. 13 min. 05 sec. West, a distance of 137.87 feet to a set 1/2 inch rebar;

South 13 deg. 59 min. 41 sec. West, a distance of 92.35 feet to a found 1/2 inch rebar;

South 09 deg. 19 min. 07 sec. East, a distance of 107.38 feet to a found 1/2 inch rebar;

South 04 deg. 17 min. 26 sec. East, a distance of 293.13 feet to a set 1/2 inch rebar for the Southwest corner of said 10.00 acre tract, on the South line of said 149.5504 acre tract, the apparent most Northerly North line of a 102.52 acre tract of land conveyed by Frank W. Smith, et ux to Anthony E. Vita, et al by deed dated November 29, 1972, recorded in Volume 845, Page 559, Deed Records, Collin County, Texas

THENCE in a Westerly direction with the South line of said 149.5504 acre tract, the apparent most Northerly North line of said Vita 102.52 acre tract, the following calls and distances:

South 82 deg. 59 min. 28 sec. West, a distance of 499.05 feet to a set spike nail at a wood post;

South 89 deg. 33 min. 25 sec. West, a distance of 412.63 feet to a found 3/8 inch rebar;

North 01 deg. 03 min. 17 sec. East, a distance of 17.12 feet to a found 3/8 inch rebar;

THENCE South 89 deg. 57 min. 18 sec. West, continuing with the South line of said 149.5504 acre tract, the apparent North line of said

102.52 acre tract, at a distance of 120.76 feet passing a found 1/2 inch rebar maintaining the most Northerly Northwest corner of said 102.52 acre tract, the Northeast corner of the McLarry Cemetery, and continuing with the North line of said cemetery, passing its Northwest corner, the Northeast corner of the above mentioned Central Blooms, L.P. 12.819 acre tract at the intersection of the above mentioned Bloomdale road and a public road running South known as County Road 273, and continuing with the North line of said 12.819 acre tract for a total distance of 654.00 feet to the PLACE OF BEGINNING, and containing 85.00 acres of land, more or less.

UNOFFICIAL

Filed and Recorded
Official Public Records
Stacey Kemp
Collin County, TEXAS
02/19/2007 03:05:48 PM
\$52.00 BPETERSON
20070219000228490



A handwritten signature in cursive script, appearing to read "Stacey Kemp".