

**INTERLOCAL COOPERATION AGREEMENT
AMONG NORTH TEXAS MUNICIPAL WATER DISTRICT,
THE CITY OF MCKINNEY, AND COLLIN COUNTY
FOR THE CONVEYANCE OF REAL PROPERTY**

THIS INTERLOCAL COOPERATION AGREEMENT FOR THE CONVEYANCE OF REAL PROPERTY (“Agreement”), dated as of the ____ day of _____, 2023 (“Effective Date”), is made and entered by and between the **CITY OF MCKINNEY**, a municipal corporation located in Collin County, Texas, (“McKinney”), **NORTH TEXAS MUNICIPAL WATER DISTRICT**, a political subdivision of the State of Texas (“NTMWD”) and **COLLIN COUNTY**, a political subdivision of the State of Texas (“County”) (each individually a “Party” and collectively, the “Parties”).

WHEREAS, this Agreement is being entered into pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, as amended (the “Act”); and

WHEREAS, under the Act, property may be sold, assigned, and transferred at market value or for no consideration; and

WHEREAS, McKinney owns and/or maintains 6.076 acres (264,677 square feet) of the Bloomdale Road Right-of-Way, from approximately 700 feet west of Lake Forest Drive to approximately 650 feet west of Baneberry Lane, which is depicted in Exhibit A-1 and attached hereto (the “Bloomdale Property”); and

WHEREAS, McKinney desires to convey and NTMWD desires to purchase the Bloomdale Property for capital improvement projects, including the installation of two water pipelines to support the NTMWD Regional Water System (the “Project”), to occur in two phases of construction; and

WHEREAS, Phase 1 of the Project shall include installing the 1st NTMWD Pipe and performing all work appurtenant thereto, including the relocation of certain city facilities, such as storm drainage, electrical, and communication lines, within the Bloomdale Property as needed for the construction of the 1st NTMWD Pipe and operation of the Bloomdale Road roadway system (“Road System”), as more particularly described in Exhibit B, attached hereto and incorporated by reference;

WHEREAS, Phase 2 of the Project shall include the removal of the Existing Pavement and construction of the 2nd NTMWD Pipe, as more particularly described in Exhibit B, attached hereto and incorporated by reference; and

WHEREAS, NTMWD will allow the currently existing Bloomdale Road pavement (the “Existing Pavement”) to remain open for public use until the proposed U.S. 380 Bypass Service Road from Lake Forest to Ridge Road (the “Service Road”) is constructed by the County and open to the public; and

WHEREAS, NTMWD will grant a right of way easement to McKinney (the “ROW Easement”) to maintain the existing Roadway System as well as the Bloomdale Road storm drainage system (“Drainage System”) prior to the construction of the 2nd NTMWD Pipe; and

WHEREAS, after construction of the 2nd NTMWD Pipe, the ROW Easement will be reduced to only

include a storm drainage easement for Bloomdale Road (the “Drainage Easement”); and
WHEREAS, NTMWD will clear and maintain the grass median of the Bloomdale Property; and

WHEREAS, MCKINNEY will retain the southernmost 15-foot right-of-way of Bloomdale Road for city infrastructure and franchise utilities that is separate and apart from the Bloomdale Property; and

WHEREAS, the Existing Pavement shall remain in operation until the County completes construction of the Service Road, at which time the County will barricade the Existing Pavement; and

WHEREAS, upon completion of Phase 2 of the Project, the Drainage System will be modified; and

WHEREAS, any existing crossing facilities will require NTMWD to grant easement(s) across the Bloomdale Property; and

WHEREAS, transition pavement will be provided by NTMWD, beginning at the Existing Pavement and running to County Road 123; and

WHEREAS, all work performed as a part of this Agreement shall meet the latest standards of the Code of Ordinances of the City of McKinney, Texas (“McKinney Code”).

ARTICLE ONE Incorporation of Recitals

1.01 The Recitals set forth above are hereby approved and incorporated into the body of this Agreement as if copied in their entirety.

ARTICLE TWO Purchase of Land

2.01 **Conveyance of the Bloomdale Property.** McKinney hereby agrees to sell, assign, and transfer all of its right, title, and interest in and to the Bloomdale Property, containing 6.076 acres of land (264,677 square feet), as described collectively in Exhibits A-2 and A-3, to support NTMWD’s capital improvement projects, including the installation of two water pipelines supporting the NTMWD Regional Water System. Additionally, McKinney and County shall convey to NTMWD a variable width (estimated to be 15 to 30 feet) temporary construction easement, depending on NTMWD’s needs, along the northern boundary of the Bloomdale Road Right-of-Way during the construction of Phase 1 of the Project. McKinney shall convey Parcel 22A and Parcel 22C of the Bloomdale Property, as described in the field notes contained within Exhibit A-2, to NTMWD by special warranty deed. McKinney shall convey whatever right, title, and interest it has in and to Parcel 22B and Parcel 22D of the Bloomdale Property, as described in the fields notes contained in Exhibit A-3, to NTMWD through a deed without warranty as these parcels were each dedicated to McKinney and/or the public by plat.

2.02 **Purchase Price.** The total consideration to be paid by NTMWD for the Bloomdale Property is \$1,000.00 total.

2.03 **Existing Pavement, Pavement, and Maintenance.** NTMWD will allow the Existing Pavement to remain for public use within, along, and through the Bloomdale Property until the County

completes construction of the Service Road and is open to the public, until which time McKinney will pay for and maintain the existing Road System. NTMWD will clear and maintain the grass median of the Bloomdale Property in compliance with the McKinney Code. NTMWD shall remove the existing asphalt pavement lane from the Existing Pavement to existing County Road 123 (approx. 500 feet east of Baneberry Lane). Once NTMWD paves from existing County Road 123 to Bloomdale Road, NTMWD shall not be responsible for any maintenance or expenses related to said pavement.

2.04 **Service Road.** Collin County, at its sole cost and expense, shall construct the Service Road to be in service for vehicular traffic previously used by the pavement of Bloomdale Road, prior to the demolition of the Existing Pavement, which must occur prior to the commencement of any work performed pursuant to Phase 2 of the Project.

2.05 **15-foot Right of Way.** McKinney will retain the southernmost 15-foot Right-of-Way of Bloomdale Road that is separate and apart from the Bloomdale Property for existing infrastructure including sidewalk, waterline, and franchise utilities.

2.06 **Utility Coordination.** Upon request by McKinney, NTMWD at its own expense shall relocate city facilities out of the Bloomdale Property prior to commencement of Phase 1.

2.07 **Closing.** The Parties agree to close the purchase and sale of the Bloomdale Property no later than 120 days after the Effective Date at a Title Company to be agreed to by the parties.

2.08 **Bloomdale Property Vegetation.** The Bloomdale Property shall be kept clear of vegetation other than grass. If McKinney requires mitigation, then McKinney and NTMWD must negotiate regarding same.

2.09 **Access Drives.** Access shall be provided to the north and south of Bloomdale Road at all existing access locations unless reductions are approved by each of the Parties.

ARTICLE THREE

Effective Date

3.01 This Agreement shall be effective upon approval by the McKinney City Council, the County Commissioners Court for Collin County, Texas, and the NTMWD Board of Directors and subsequent execution by the Parties respective duly authorized representatives. The effective date will be the latter of the dates this Agreement is executed by the Parties authorized representatives (the "Effective Date").

ARTICLE FOUR

Hold Harmless

4.01 Each Party does hereby agree to waive all claims against, release, and hold harmless the other Party and its respective officials, officers, directors, agents, employees, in both their public and private capacities, from and against any and all liability, claims, suits, demands, losses, damages, attorney's fees, including all expenses of litigation or settlement, or cause of action which may arise by reason of injury to or death of any person or for loss of, damage to, or loss of use of any property arising out of or in connection with this Agreement.

4.02 In the event of joint or concurrent negligence of the Parties, responsibility, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas without, however, waiving any governmental immunity or defense available to any party individually under Texas law. McKinney shall be responsible for its sole negligence. NTMWD shall be responsible for its sole negligence. The provisions of this paragraph are solely for the benefit of the Parties and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

ARTICLE FIVE
Immunity

5.01 It is expressly understood and agreed that, in the execution of this agreement, neither Party waives, nor shall be deemed hereby to have waived any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions. By entering into this Agreement, the Parties do not create any obligations, expressed or implied, other than those set forth herein, and this Agreement shall not create any rights in parties not signatories hereto.

ARTICLE SIX
Notices

6.01 All notices required under the provisions of this Agreement must be in writing, hand-delivered or sent by registered or certified mail, with a copy sent via email, to the addresses below:

McKinney:

Attention:

Collin County:

Attention:

NTMWD:

Jennafer P. Covington
Executive Director and General Manager
P.O. Box 2408
Wylie, TX 75098
jcovington@ntmwd.com

The name, address, and email address for notification may be changed by notice to the other parties.

ARTICLE SEVEN
Severability

7.01 The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause or phrase of this Agreement is for any reason held by a court of competent jurisdiction to be contrary to law or contrary to any rule or regulation having the force and effect of the law, the remaining portions of the Agreement shall be enforced as if the invalid provision had never been included.

ARTICLE EIGHT
Successors and Assigns

8.01 This Agreement shall be binding upon the Parties hereto, their successors and assigns. Neither Party will assign or transfer an interest in this Agreement without the written consent of the other Party.

ARTICLE NINE
Venue

9.01 The laws of the State of Texas shall govern the interpretation, validity, performance and enforcement of this Agreement. The Parties agree that this Agreement is performable in Collin County, Texas, and that exclusive venue shall lie in a state court in Collin County, Texas.

ARTICLE TEN
Interpretation

10.01 This Agreement has been negotiated by and between the Parties, and any presumption that an ambiguity contained in this Agreement shall be construed against the party that caused this Agreement to be drafted shall not apply to the interpretation of this Agreement.

ARTICLE ELEVEN
Remedies, Non-Waiver

11.01 No right or remedy granted herein or reserved to the Parties is exclusive of any right or remedy granted by law or equity, but each shall be cumulative of every right or remedy given hereunder. No covenant or condition of this Agreement may be waived without the express written consent of the Parties. It is further agreed that one or more instances of forbearance by either Party in the exercise of its respective rights under this Agreement shall in no way constitute a waiver thereof.

ARTICLE TWELVE
Entire Agreement

12.01 This Agreement embodies the entire agreement between the Parties and may only be modified in writing executed by both Parties.

[Signature Pages Follow]

CITY OF MCKINNEY, TEXAS
a Texas municipal corporation

By: _____
PAUL G. GRIMES
City Manager

Date: _____

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared PAUL G. GRIMES of City of McKinney, known to me to be one of the persons whose names are subscribed to the foregoing instrument; he acknowledged to me that he is the duly authorized representative of and for the City of McKinney, and he executed the said instrument for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2023.

Notary Public in and for the State of Texas
My Commission Expires:

COLLIN COUNTY, TEXAS
A Texas political subdivision

By: _
Chris Hill, County Judge

Date: _____

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chris Hill, County Judge of Collin County, Texas, known to me to be one of the persons whose names are subscribed to the foregoing instrument; he/she acknowledged to me that he/she is the duly authorized representative of and for the County of Collin, a Texas political subdivision, and he/she executed the said instrument for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of __, 2023.

Notary Public in and for the State of Texas
My Commission Expires:

NORTH TEXAS MUNICIPAL WATER DISTRICT

By:
Jennafer P. Covington
Executive Director/General Manager

Date:

STATE OF TEXAS
COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared JENNAFER P. COVINGTON, known to me to be one of the persons whose names are subscribed to the foregoing instrument; she acknowledged to me that she is the duly authorized representative of and for the NORTH TEXAS MUNICIPAL WATER DISTRICT, a Texas political subdivision, and she executed the said instrument for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this day of , 2023.

Notary Public in and for the State of Texas
My Commission Expires:

EXHIBIT "A-1"
BLOOMDALE PROPERTY



EXHIBIT "A-2"
PROPERTY DESCRIPTION AND DEPICTION OF
PARCELS 22A and 22C
(Consisting of the following 27 pages)

EXHIBIT "A"
NORTH TEXAS MUNICIPAL WATER DISTRICT
McKINNEY DELIVERY POINT NO. 3 TO
McKINNEY DELIVERY POINT NO. 4 PIPELINE
NTMWD PROJECT NO. 101-0505-18

PARCEL NO. 22A
OWNER: CITY OF McKINNEY
FEE SIMPLE PARCEL
ANDREW STAPP SURVEY, ABSTRACT NO. 833
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

Being a 6,305 square feet (0.1447 acres) fee simple parcel situated in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, said 6,305 square feet (0.1447 acres) fee simple parcel being a portion of a called 2.554 acre tract of land conveyed by Donation Right-of-Way Warranty Deed for C.R. 123, also known as Bloomdale Road (variable width right-of-way) to the City of McKinney as recorded in Instrument No. 20110927001029100 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), said 6,305 square feet (0.1447 acres) fee simple parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with yellow cap found (controlling monument) for an angle point on the southerly right-of-way line of said C.R. 123 and the north line of a called 20.1593 acre tract of land conveyed to Boilermaker Investments LLC as recorded in Instrument No. 20150821001060720, O.P.R.C.C.T.,

THENCE South 89 degrees 17 minutes 01 seconds West, with the southerly right-of-way line of said C.R. 123 and the north line of said 20.1593 acre tract, a distance of 292.66 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for the **POINT OF BEGINNING**, said point having a grid coordinate of N= 7,141,339.975 and E= 2,524,046.741;

THENCE South 89 degrees 17 minutes 01 seconds West, continuing with the southerly right-of-way line of said C.R. 123 and the north line of said 20.1593 acre tract, a distance of 116.55 feet to a 5/8 inch iron rod with yellow cap stamped "RPLS 3963" found (controlling monument) on the east line of the remainder 62.949 acre tract to ADG Heatherwood, LLC as recorded in Instrument No. 20120329000364630, O.P.R.C.C.T. for the northwest corner of said 20.1593 acre tract, the southeast corner of the Right-Of-Way Dedication as per platted subdivision for said C.R. 123, also known as Bloomdale Road and the northeast corner of Common area W-4, Block W of Heatherwood Phase Three C, an addition to the City of McKinney, Collin County, Texas according to the plat thereof recorded in Instrument No. 20130429010001230, O.P.R.C.C.T.;

THENCE North 00 degrees 42 minutes 43 seconds West, departing the southerly right-of-way line of said C.R. 123, along the east line of said remainder 62.949 acre tract, the west line of said 2.554 acre tract, and the east line of said Heatherwood Phase Three C addition, a distance of 95.92 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner, from which a mag nail found (controlling monument) bears North 00 degrees 42 minutes 43 seconds West, a distance of 27.22 feet for the northwest corner of said 2.554 acre tract and the northeast corner of said Heatherwood Phase Three C addition;

THENCE departing the east line of said remainder 62.949 acre tract, the west line of said 2.554 acre tract, and the east line of said Heatherwood Phase Three C addition, over and across said 2.554 acre tract the following two (2) courses and distances to wit:

North 89 degrees 14 minutes 11 seconds East, a distance of 14.90 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner;

South 47 degrees 22 minutes 16 seconds East, a distance of 139.77 feet to the **POINT OF BEGINNING** and containing 6,305 square feet or 0.1447 acres of land.

A plat of even survey date herewith accompanies this legal description.

All bearings are based on the Texas Coordinate System of 1983, North Central Zone 4202, North American Datum 1983 (N.A.D. 83) (2011 ADJ.), Epoch 2010.00, Geoid 12A Model derived from the Alterra Central RTK Network by GPS observations with a grid to surface adjustment factor of 1.000152710 (Collin County). All distances and area shown are surface values and in U.S. Survey feet.

I, Heath W. Brown, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this legal description and attached plat accurately depict an actual survey made on the ground under my supervision.

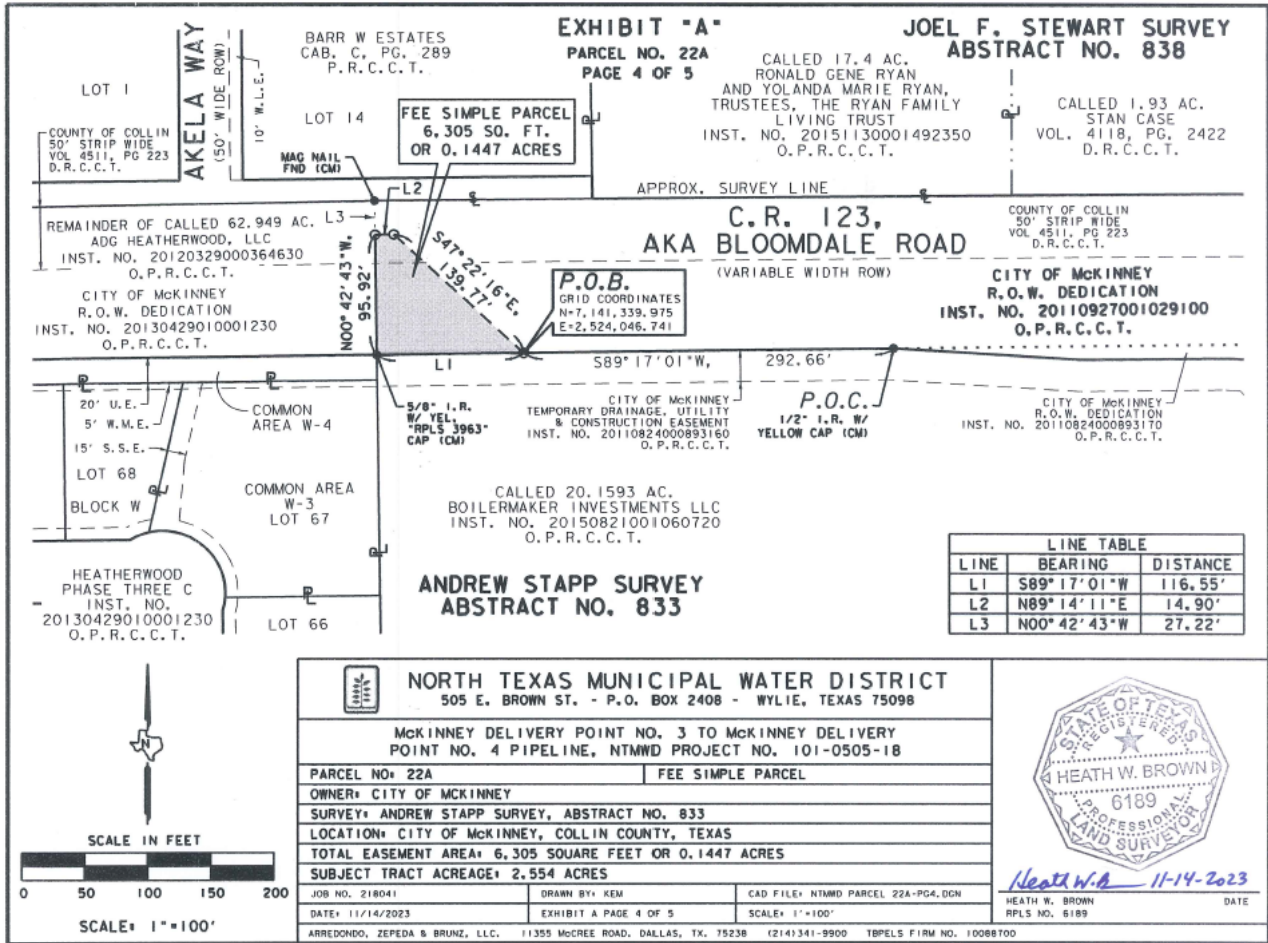
Heath W. B.

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Arredondo, Zepeda & Brunz, LLC
11355 McCree Road, Dallas, Texas 75238
Ph. 214-341-9900
TBPELS FIRM NO. 10088700

11-14-2023

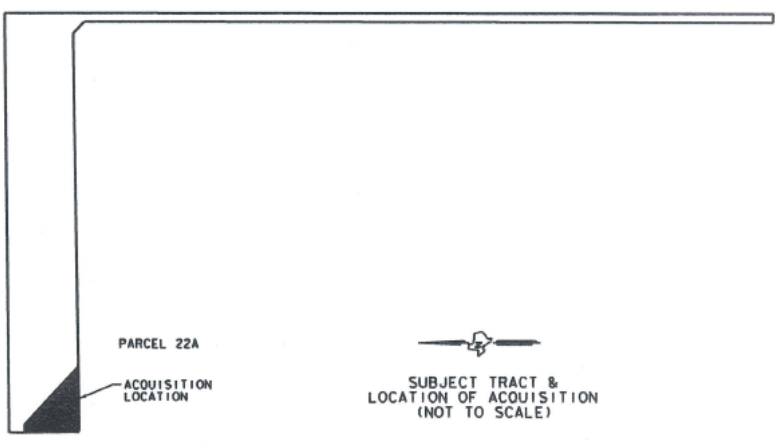
Date





- LEGEND**
- EXISTING ROW LINE
 - PROPERTY LINE
 - COUNTY LINE
 - SURVEY LINE
 - CITY LIMITS
 - EXISTING EASEMENTS
 - PERMANENT EASEMENTS
 - I.R. = IRON ROD
 - I.P. = IRON PIPE
 - CM = CONTROLLING MONUMENT
 - P.O.C. = POINT OF COMMENCING
 - P.O.B. = POINT OF BEGINNING
 - = FOUND MONUMENT, SIZE AND TYPE AS NOTED.
 - = 5/8" I.R. W/ YELLOW CAP STAMPED "AZB" SET.
 - INST. NO. = INSTRUMENT NUMBER
 - VOL. PG. = VOLUME, PAGE
 - DOC. NO. = DOCUMENT NUMBER
 - D.R.C.C.T. = DEED RECORDS OF COLLIN COUNTY TEXAS
 - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
 - O.P.R.R.P.C.C.T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF COLLIN COUNTY TEXAS
 - P.R.C.C.T. = PLAT RECORDS OF COLLIN COUNTY TEXAS
 - [Hatched Box] = FEE SIMPLE PARCEL

EXHIBIT "A"
PARCEL NO. 22A
PAGE 5 OF 5



- NOTES:**
- ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM 1983 (NAD83) (2011 ADJ.), EPOCH 2010.00, GEOID 12A MODEL DERIVED FROM THE ALLTERRA CENTRAL RTK NETWORK BY GPS OBSERVATIONS WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000152710 (COLLIN COUNTY). ALL DISTANCES AND AREA SHOWN ARE SURFACE VALUES IN U.S. SURVEY FEET.
 - CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
 - A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

<p>NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098</p>		
<p>MCKINNEY DELIVERY POINT NO. 3 TO MCKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18</p>		
PARCEL NO:	22A	FEE SIMPLE PARCEL
OWNER:	CITY OF MCKINNEY	
SURVEY:	ANDREW STAPP SURVEY, ABSTRACT NO. 833	
LOCATION:	CITY OF MCKINNEY, COLLIN COUNTY, TEXAS	
TOTAL EASEMENT AREA:	6,305 SQUARE FEET OR 0.1447 ACRES	
SUBJECT TRACT ACREAGE:	2.554 ACRES	
JOB NO.:	218041	DRAWN BY: KEM
DATE:	11/14/2023	SCALE: 1"=100'
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11355 MCCREE ROAD, DALLAS, TX. 75238		CAD FILE: NTMWD PARCEL 22A-PG5.DGN



AFTER RECORDING, RETURN TO:

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

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

DONATION RIGHT OF WAY WARRANTY DEED

(Prepared Without Benefit of Title Examination)

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **JFB MCKINNEY/2003, LTD.**, a Texas limited partnership ("Grantor"), whether one or more, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF MCKINNEY**, a Texas municipal corporation ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, has this day DONATED, and by these presents does GRANT, GIVE and CONVEY unto the said Grantee all of the following described real estate, to-wit:

BEING 111,265 square feet or 2.554 acres in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, and being more particularly described in Exhibit "A" and depicted on Exhibit "B" attached hereto and made a part hereof ("ROW Tract").

The warranty contained herein is subject to: (i) any and all mineral reservations, restrictions, covenants, conditions and easements, if any, relating to the above-described property, but only to the extent that they are still in effect and shown of record in Collin County, Texas; and (ii) all zoning law regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect and relate to the above-described property.

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

And Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the said premises unto the said Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof.

WITNESS THE GRANTOR'S HAND this 16th day of September, 2011.

GRANTOR:

JFB McKINNEY/2003, LTD.,
a Texas limited partnership

By: J. Baker Corporation,
a Texas corporation

Its: General Partner

By: 

Michael D. Hesse,
Authorized Representative

UNOFFICIAL

ACCEPTED:

CITY OF MCKINNEY

By: [Signature]
JASON GRAY By Rick Chaffin, Deputy City Manager
City Manager and authorized signatory

ATTEST:

[Signature] 9/26/11
SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary



APPROVED AS TO FORM:

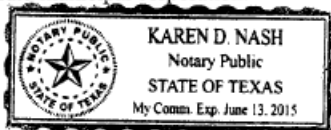
[Signature]
Printed Name: Mark S. Houser
Title: City Attorney
Office of the City Attorney

UNOFFICIAL

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the 27th day of September, 2011, by ^{Deputy} ~~JASON~~ GRAY, as City Manager of the *CITY OF MCKINNEY*, a Texas municipal corporation, on behalf of said municipal corporation. *Rick Chaffin*



Karen D. Nash
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the 16th day of September, 2011, by MICHAEL D. HESSE, the Authorized Representative of J. Baker Corporation, a Texas corporation, the General Partner of *JFB MCKINNEY/2003, LTD.*, a Texas limited partnership, on behalf of said limited partnership.



Susan J. Russell
Notary Public, State of Texas

UNOFFICIAL

EXHIBIT "A"

**RIGHT-OF-WAY DEDICATION
BLOOMDALE ROAD and LAKE FOREST DRIVE**

BEING a 2.554 acre tract of land situated in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, and being part of a 130.3106 acre tract of land described in deed to JFB McKinney/2003, Ltd., as recorded in Volume 5728, Page 922, said 2.554 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the southeast corner of a 20.22 acre tract of land described in deed to YSIS Partners, LP, as recorded in Volume 5863, Page 1150 of said Deed Records and the northeast corner of a 19.137 acre tract of land described in deed to McKinney Heatherwood III, LTD, as recorded in Instrument 20100303000202250 of said Deed Records;

THENCE North 00 degrees 05 minutes 04 seconds East, with the east boundary line of said 20.22 acre tract, a distance of 1210.12 feet to a point for corner;

THENCE North 45 degrees 18 minutes 59 seconds West, with the northeast boundary line of said 20.22 acre tract, a distance of 28.09 feet to a point for corner;

THENCE South 89 degrees 16 minutes 58 seconds West, with the north boundary line of said 20.22 acre tract, a distance of 706.97 feet to the northwest corner of said 20.22 acre tract, said corner being in the east boundary line of a 62.949 acre tract of land described in Instrument 20101026001165470 of said Deed Records,

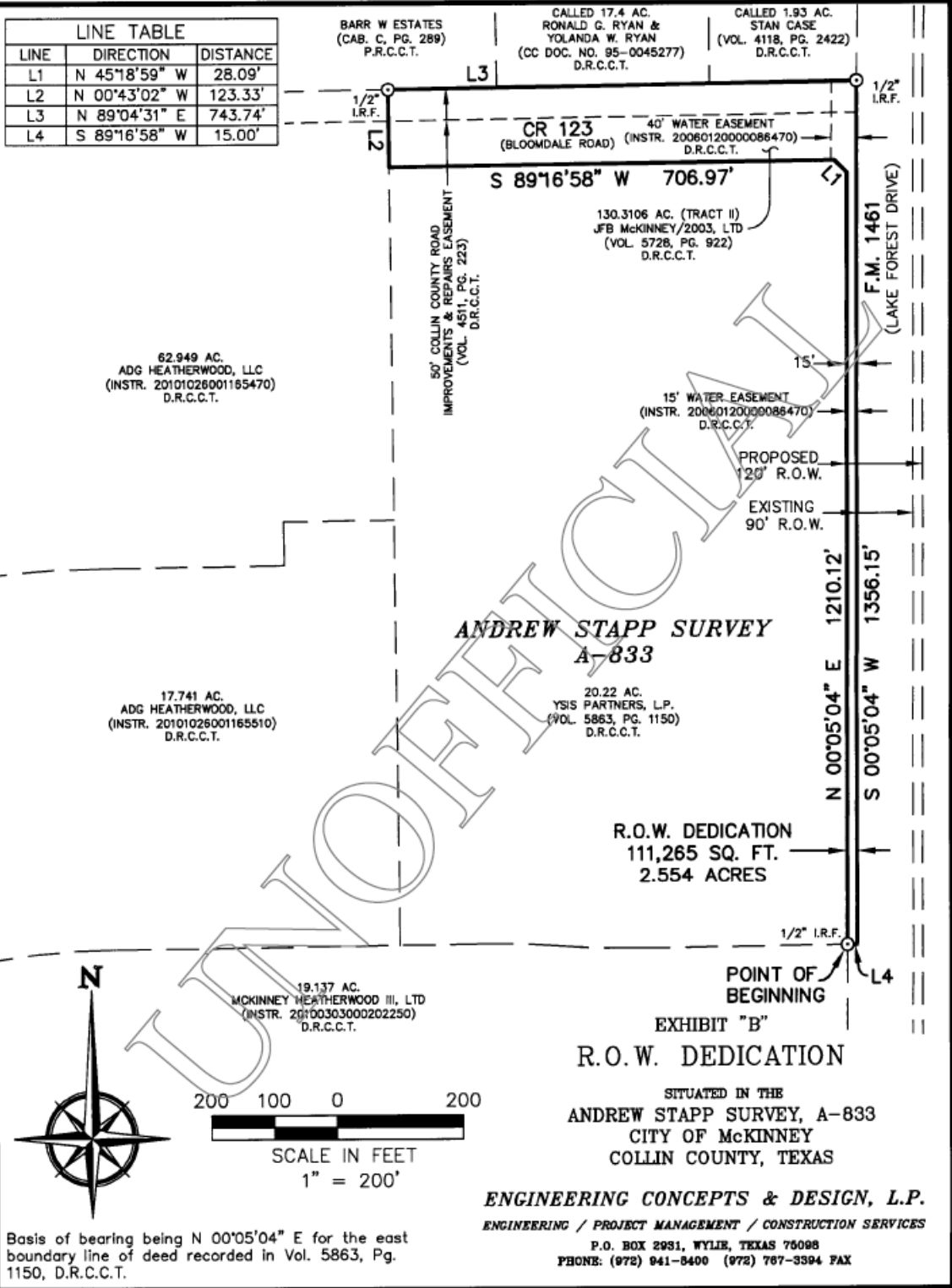
THENCE North 00 degrees 43 minutes 02 seconds West, with the east boundary line of said 62.949 acre tract, a distance of 123.33 feet to a 1/2-inch iron rod found for the northeast corner of said 62.949 acre tract, said corner being in the north boundary line of said 130.3106 acre tract and the center of Bloomdale Road, an undedicated Public Road;

THENCE North 89 degrees 04 minutes 31 seconds East, with the north boundary line of said 130.3106 acre tract and the center of said Bloomdale Road, a distance of 743.74 feet to a 1/2-inch iron rod found for the northeast corner of said 130.3106 acre tract, said corner being in the west right-of-way line of Lake Forest Drive (Farm to Market Road 1461) a 90 ft. right-of-way at this point;

THENCE South 00 degrees 05 minutes 04 seconds West, with the east boundary line of said 130.3106 acre tract and the west right-of-way line of said Lake Forest Drive, a distance of 1356.15 feet to a point for corner;

THENCE South 89 degrees 16 minutes 58 seconds West, a distance of 15.00 feet to the POINT OF BEGINNING AND CONTAINING 111,265 square feet or 2.554 acres of land.

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N 45°18'59" W	28.09'
L2	N 00°43'02" W	123.33'
L3	N 89°04'31" E	743.74'
L4	S 89°16'58" W	15.00'



DATE: NOVEMBER 12, 2010

03405\dwg\3405 Exhibit Commercial ROW.dwg

UNOFFICIAL

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
09/27/2011 02:21:28 PM
\$40.00 DFOSTER
20110927001029100



Stacey Kemp

Parcel 22A Closure Report:

Start Coordinates: North: 7141339.975 East: 2524046.741 (GRID VALUES)

1. Bearing: S 89° 17' 01" W Distance: 116.55
2. Bearing: N 0° 42' 43" W Distance: 95.92
3. Bearing: N 89° 14' 11" E Distance: 14.90
4. Bearing: S 47° 22' 16" E Distance: 139.77

End Coordinates: North: 7141339.975 East: 2524046.741

Error North: -0.00 Error East: 0.00
Error Direction: N 27° 16' 10" W Total Distance Error: 0.01
Error of Closure: 1/66945.63
Perimeter: 367.14

Area: sq. Feet: 6304.93 Acres: 0.1447

EXHIBIT "A"
NORTH TEXAS MUNICIPAL WATER DISTRICT
McKINNEY DELIVERY POINT NO. 3 TO
McKINNEY DELIVERY POINT NO. 4 PIPELINE
NTMWD PROJECT NO. 101-0505-18

PARCEL NO. 22C
OWNER: CITY OF MCKINNEY
FEE SIMPLE PARCEL
ANDREW STAPP SURVEY, ABSTRACT NO. 833
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

Being a 107,865 square feet (2.476 acres) fee simple parcel situated in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, said 107,865 square feet (2.476 acres) fee simple parcel being a portion of a called 3.743 acre tract of land conveyed by Donation Right-of-Way Warranty Deed for C.R. 123, also known as Bloomdale Road (variable width right-of-way) to the City of McKinney as recorded in Instrument No. 20121221001631430 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.), said 107,865 square feet (2.476 acres) fee simple parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with yellow cap stamped "RPLS 5587" found (controlling monument) for the southeast corner of said 3.743 acre tract and the northernmost northeast corner of Common area T-1, Block T of Heatherwood Phase Four, an addition to the City of McKinney, Collin County, Texas according to the plat thereof recorded in Instrument No. 20141125010003930, O.P.R.C.C.T., an angle point on the west line of Heatherwood Phase Three C, an addition to the City of McKinney, Collin County, Texas as recorded in Instrument No. 20130429010001230, O.P.R.C.C.T., and on the west line of the remainder 62.949 acre tract to ADG Heatherwood, LLC as recorded in Instrument No. 20120329000364630, O.P.R.C.C.T., from which an "X" cut found bears South 45 degrees 42 minutes 43 seconds East, a distance of 35.36 feet for the easternmost northeast corner of said Common area T-1, Block T of Heatherwood Phase Four;

THENCE North 00 degrees 37 minutes 02 seconds West, along the east line of said 3.743 acre tract, the west line of said Heatherwood Phase Three C addition, and the west line of said remainder 62.949 acre tract, a distance of 15.00 feet to an "X" cut set for the **POINT OF BEGINNING**, having a grid coordinate of N= 7,141,338.189 and E= 2,522,710.743;

THENCE South 89 degrees 16 minutes 58 seconds West, departing the east line of said 3.743 acre tract, the west line of said Heatherwood Phase Three C addition, and the west line of said remainder 62.949 acre tract, over and across said 3.743 acre tract, a distance of 1,348.47 feet to an "X" cut set for corner in the east line of the remainder of a called 40.035 acre tract of land conveyed to CADG McKinney Bloomridge 40, LLC as recorded in Instrument No. 20150423000461190, O.P.R.C.C.T., the west line of said 3.743 acre tract, and the east line of Bloomridge Addition Phase 1, an addition to the City of McKinney, Collin County, Texas according to the plat thereof recorded in Instrument No. 20170609010002760, O.P.R.C.C.T.;

THENCE North 00 degrees 25 minutes 18 seconds West, along the west line of said 3.743 acre tract, the east line of said remainder 40.035 acre tract, and the east line of said Bloomridge Addition Phase 1, a distance of 80.00 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner;

THENCE departing the west line of said 3.743 acre tract, the east line of said remainder 40.035 acre tract, and the east line of said Bloomridge Addition Phase 1, over and across said 3.743 acre tract the following two (2) courses and distances to wit:

North 89 degrees 16 minutes 58 seconds East, a distance of 1,348.02 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner;

North 89 degrees 14 minutes 11 seconds East, a distance of 0.17 feet to a point in the east line of said 3.743 acre tract, the west line of said remainder 62.949 acre tract, and the west line of said Heatherwood Phase Three C addition;

THENCE South 00 degrees 37 minutes 02 seconds East, along the east line of said 3.743 acre tract, the west line of said remainder 62.949 acre tract, and the west line of said Heatherwood Phase Three C addition, a distance of 80.00 feet to the **POINT OF BEGINNING** and containing 107,865 square feet or 2.476 acres of land.

A plat of even survey date herewith accompanies this legal description.

All bearings are based on the Texas Coordinate System of 1983, North Central Zone 4202, North American Datum 1983 (N.A.D. 83) (2011 ADJ.), Epoch 2010.00, Geoid 12A Model derived from the Alterra Central RTK Network by GPS observations with a grid to surface adjustment factor of 1.000152710 (Collin County). All distances and area shown are surface values and in U.S. Survey feet.

I, Heath W. Brown, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this legal description and attached plat accurately depict an actual survey made on the ground under my supervision.

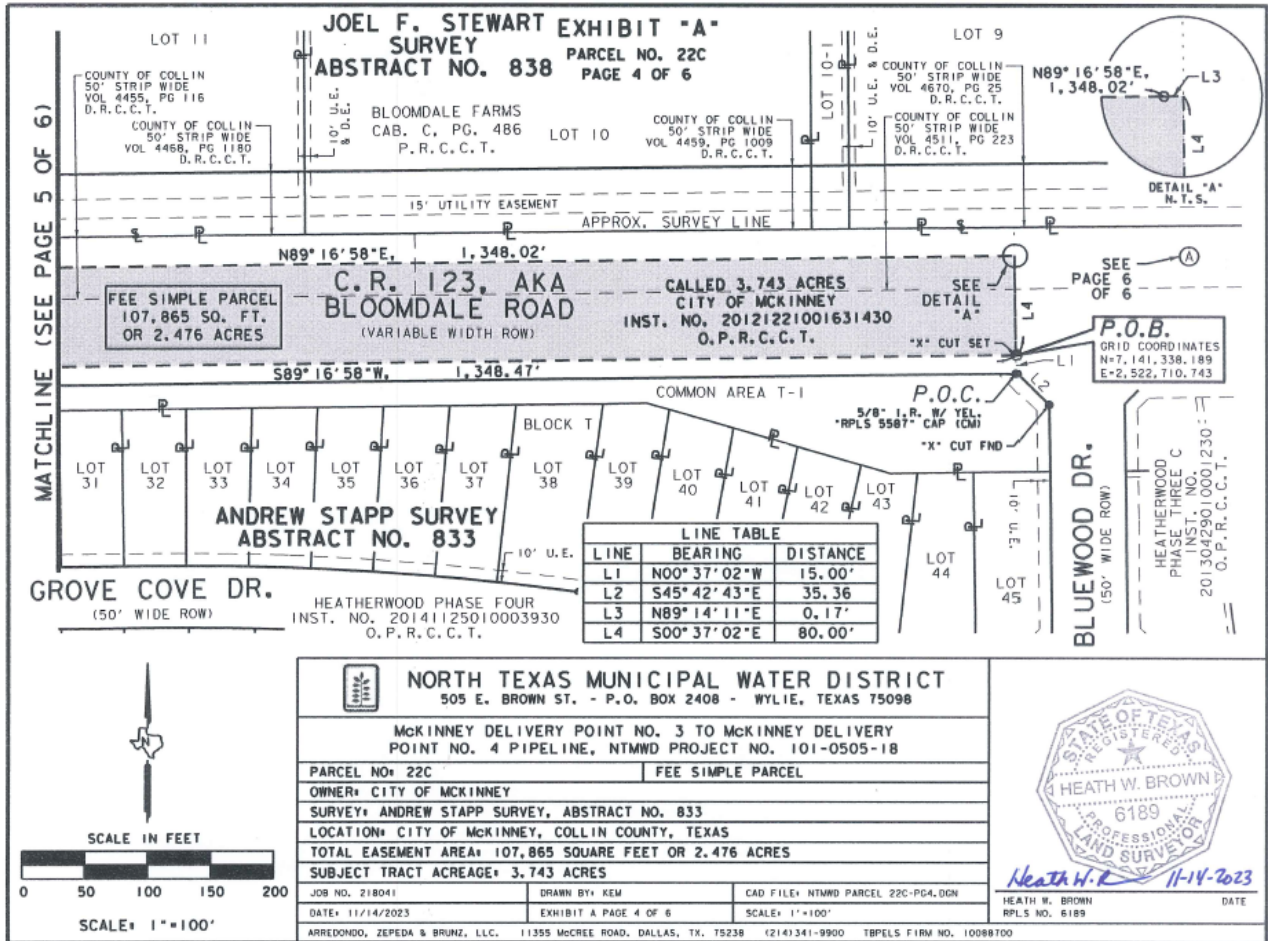
Heath W. B.

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Arredondo, Zepeda & Brunz, LLC
11355 McCree Road, Dallas, Texas 75238
Ph. 214-341-9900
TBPELS FIRM NO. 10088700

11-14-2023

Date

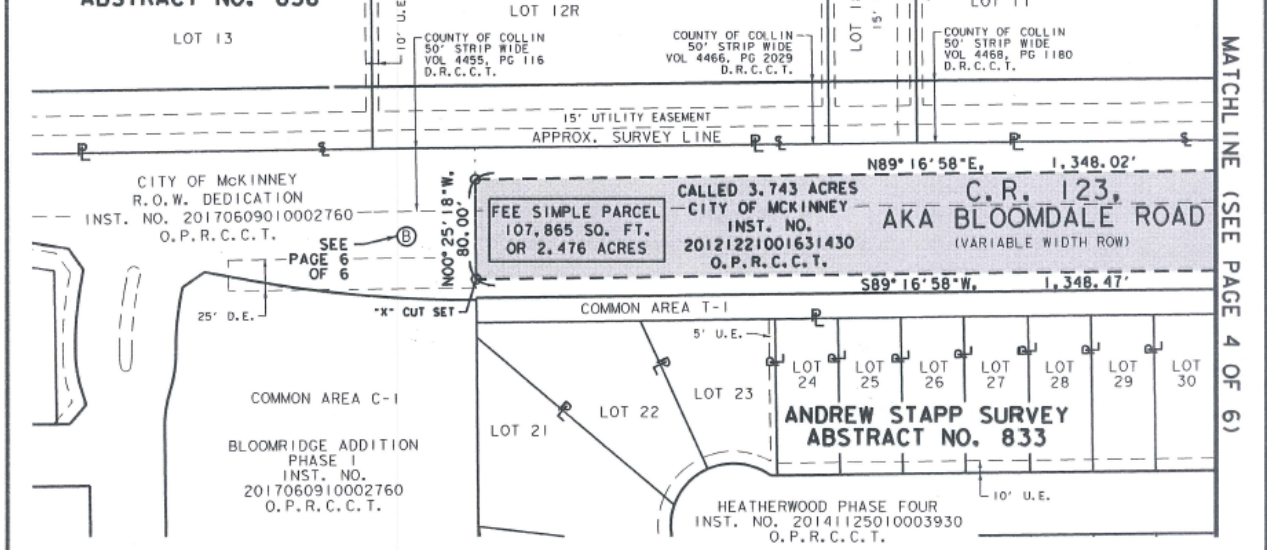




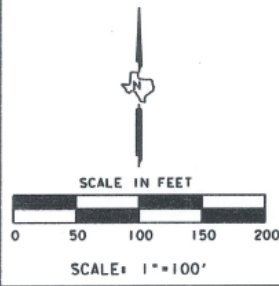
JOEL F. STEWART
SURVEY
ABSTRACT NO. 838

EXHIBIT "A"
PARCEL NO. 22C
PAGE 5 OF 6

BLOOMDALE FARMS
CAB. C. PG. 486
P. R. C. C. T.



MATCHLINE (SEE PAGE 4 OF 6)



NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098		
MCKINNEY DELIVERY POINT NO. 3 TO MCKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18		
PARCEL NO. 22C	FEE SIMPLE PARCEL	
OWNER: CITY OF MCKINNEY		
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833		
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS		
TOTAL EASEMENT AREA: 107,865 SQUARE FEET OR 2.476 ACRES		
SUBJECT TRACT ACREAGE: 3.743 ACRES		
JOB NO. 218041	DRAWN BY: KEM	CAD FILE: NTMWD PARCEL 22C-PGS.DGN
DATE: 11/14/2023	EXHIBIT A PAGE 5 OF 6	SCALE: 1"=100'
ARREDONDO, ZEPEDA & BRUNZ, L.L.C. 11355 MCCREE ROAD, DALLAS, TX. 75238 12141341-9900 TBP/ELS FIRM NO. 1008700		

Heath W. Brown 11-14-2023

LEGEND

EXISTING ROW LINE
PROPERTY LINE
COUNTY LINE
SURVEY LINE
CITY LIMITS
EXISTING EASEMENTS
PERMANENT EASEMENTS
I.R. = IRON ROD
I.P. = IRON PIPE
CM = CONTROLLING MONUMENT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
● = FOUND MONUMENT, SIZE AND TYPE AS NOTED.
○ = 5/8" I.R. W/ YELLOW CAP STAMPED "AZB" SET.
INST. NO. = INSTRUMENT NUMBER
VOL., PG. = VOLUME, PAGE
DOC. NO. = DOCUMENT NUMBER
D.R.C.C.T. = DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
O.P.R.R.P.C.C.T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF COLLIN COUNTY TEXAS
P.R.C.C.T. = PLAT RECORDS OF COLLIN COUNTY TEXAS
[] = FEE SIMPLE PARCEL

EXHIBIT "A"
PARCEL NO. 22C
PAGE 6 OF 6

ACQUISITION LOCATION

PARCEL 22C

SUBJECT TRACT & LOCATION OF ACQUISITION (NOT TO SCALE)

SEE PAGE 4 & 5 FOR THE FOLLOWING:

(A) REMAINDER OF CALLED 62.949 AC. ADG HEATHERWOOD, LLC
INST. NO. 20120329000364630
O.P.R.C.C.T.

CITY OF MCKINNEY
R.O.W. DEDICATION
INST. NO. 20130429010001230
O.P.R.C.C.T.

(B) REMAINDER OF CALLED 40.035 AC. CADG MCKINNEY BLOOMRIDGE 40, LLC
INST. NO. 20150423000461190
O.P.R.C.C.T.

NOTES:

- ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM 1983 (NAD83) (2011 ADJ.), EPOCH 2010.00, GEOID IZA MODEL DERIVED FROM THE ALLTERRA CENTRAL RTK NETWORK BY GPS OBSERVATIONS WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000152710 (COLLIN COUNTY). ALL DISTANCES AND AREA SHOWN ARE SURFACE VALUES IN U.S. SURVEY FEET.
- CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
- A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

<p>NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098</p>		
<p>MCKINNEY DELIVERY POINT NO. 3 TO MCKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18</p>		
PARCEL NO: 22C	FEE SIMPLE PARCEL	
OWNER: CITY OF MCKINNEY		
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833		
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS		
TOTAL EASEMENT AREA: 107,865 SQUARE FEET OR 2.476 ACRES		
SUBJECT TRACT ACREAGE: 3.743 ACRES		
JOB NO. 218041	DRAWN BY: KEM	CAD FILE: NTMWD PARCEL 22C-PG6.DGN
DATE: 11/14/2023	EXHIBIT A PAGE 6 OF 6	SCALE: 1"=100'
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11395 MCCREE ROAD, DALLAS, TX. 75238 (214)341-9900 TPPELS FIRM NO. 10088700		

Heath W. Brown 11-14-2023
HEATH W. BROWN DATE
RPLS NO. 6189



20121221001631430 12/21/2012 10:40:13 AM D1 1/7

AFTER RECORDING, RETURN TO:

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

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

DONATION RIGHT OF WAY WARRANTY DEED

(Prepared Without Benefit of Title Examination)

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COLLIN

That **ADG HEATHERWOOD, LLC**, a Texas limited liability company, ("Grantor"), whether one or more, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by the **CITY OF MCKINNEY**, a Texas municipal corporation ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, has this day DONATED, and by these presents does GRANT, GIVE, and CONVEY unto the said Grantee all the following described real estate, to-wit:

BEING 163,029 square feet or 3.743 acres in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, and being more particularly described in Exhibit "A" and depicted on Exhibit "B" attached hereto and made a part hereof ("ROW Tract").

The warranty contained herein is subject to: (i) any and all mineral reservations, restrictions, covenants, conditions and easements, if any, relating to the above-described property, but only to the extent that they are still in effect and shown of record in Collin County, Texas; and (ii) all zoning law regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect and relate to the above-described property.

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

And Grantor does hereby bind Grantor, Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the said premises unto the said Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or attempting to claim the same or any part thereof.

WITNESS THE GRANTOR'S HAND this 7th day of December, 2012.

ADG HEATHERWOOD, LLC,

a Texas limited liability company

By: 

Name: Robert Ray

Title: Manager

ACCEPTED:

CITY OF MCKINNEY

By: _____

JASON GRAY
City Manager

By Rob Daake, Deputy City Manager
and authorized signatory

ATTEST:

Sandy Hart 12/19/12

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary



APPROVED AS TO FORM:

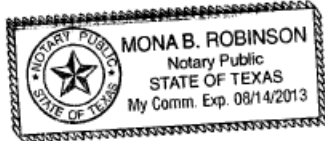
[Signature]

Printed Name: *Mark S. Hansen*
Title: *City Attorney*
Office of the City Attorney

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the 19th day of December, 2012, by ^{Deputy} ~~JASON~~ *Rob Dacke* GRAY, as City Manager of the *CITY OF MCKINNEY*, a Texas municipal corporation, on behalf of said municipal corporation.



Mona B. Robinson
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF COLLIN

This instrument was acknowledged on this the 7th day of December, 2012, by Robert Ray as Manager of *ADG HEATHERWOOD, LLC*, a Texas limited liability company, on behalf of said limited liability company.

Susan G. Murra
Notary Public, State of Texas

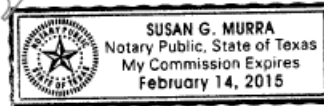


EXHIBIT "A"

**RIGHT-OF-WAY DEDICATION
BLOOMDALE ROAD**

FIELD NOTES

BEING a 3.743 acre tract of land situated in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, and being part of a 62.949 acre tract of land described in deed to ADG Heatherwood, LLC, as recorded in Instrument 20120329000364630, Deed Records, Collin County, Texas; said 3.743 acre tract being more particularly described by metes and bounds as follows:

BEGINNING a 3/4-inch iron rod found for the northwest corner of said 62.949 acre tract and the northeast corner of a called 54.615 acre tract described in deed to Four Christie Investment Properties, LTD., as recorded in Instrument 2008111400133535 of said Deed Records, said corner being within Bloomdale Road (CR 123), an undedicated 24 ft. gravel public road;

THENCE Easterly, with the northerly boundary lines of said 62.949 acre tract and said Bloomdale Road, the following courses:

North 89 degrees 26 minutes 12 seconds East, a distance of 859.81 feet to a 1/2-inch iron rod found for corner;

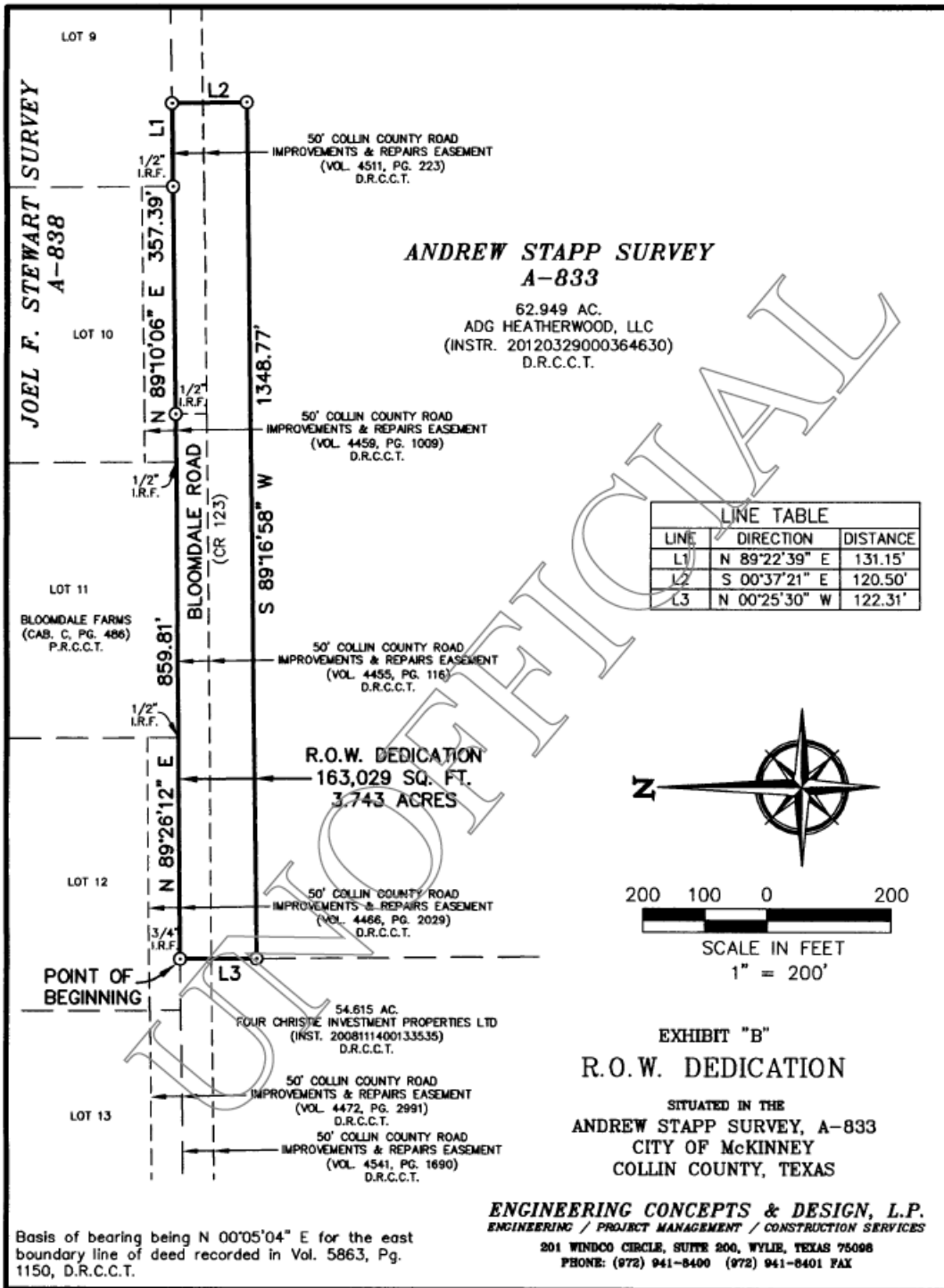
North 89 degrees 10 minutes 06 seconds East, a distance of 357.39 feet to a 1/2-inch iron rod found for corner;

North 89 degrees 22 minutes 39 seconds East, a distance of 131.15 feet;

THENCE South 00 degrees 37 minutes 21 seconds East, a distance of 120.50 feet;

THENCE South 89 degrees 16 minutes 58 seconds West, a distance of 1348.77 feet to a point for corner in the common boundary line of said 54.615 acre tract and said 62.949 acre tract;

THENCE North 00 degrees 25 minutes 30 seconds West, with the common boundary line of said 54.615 acre tract and said 62.949 acre tract, a distance of 122.31 feet to the POINT OF BEGINNING AND CONTAINING 163,029 square feet or 3.743 acres of land.



DATE: NOVEMBER 1, 2012

03407\dwg\3407 Exhibit ROW.dwg

UNOFFICIAL

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
12/21/2012 10:40:13 AM
\$40.00 DLAIRD
20121221001631430



Stacey Kemp

Parcel 22C Closure Report:

Start Coordinates: North: 7141338.189 East: 2522710.743 (GRID VALUES)

1. Bearing: S 89° 16' 58" W Distance: 1348.47
2. Bearing: N 0° 25' 18" W Distance: 80.00
3. Bearing: N 89° 16' 58" E Distance: 1348.02
4. Bearing: N 89° 14' 11" E Distance: 0.17
5. Bearing: S 0° 37' 02" E Distance: 80.00

End Coordinates: North: 7141338.189 East: 2522710.733

Error North: -0.00 Error East: -0.01
Error Direction: N 82° 40' 52" E Total Distance Error: 0.01
Error of Closure: 1/408026.09
Perimeter: 2856.66

Area: sq. Feet: 107864.69 Acres: 2.476

EXHIBIT "A-3"

PROPERTY DESCRIPTION AND DEPICTION OF
PARCELS 22B and 22D
(Consisting of the following 35 pages)

EXHIBIT "A"
NORTH TEXAS MUNICIPAL WATER DISTRICT
McKINNEY DELIVERY POINT NO. 3 TO
McKINNEY DELIVERY POINT NO. 4 PIPELINE
NTMWD PROJECT NO. 101-0505-18

PARCEL NO. 22B
OWNER: ADG HEATHERWOOD, LLC
FEE SIMPLE PARCEL
ANDREW STAPP SURVEY, ABSTRACT NO. 833
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

Being a 97,694 square feet (2.243 acres) fee simple parcel situated in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, said 97,694 square feet (2.243 acres) fee simple parcel being a portion of the remainder of a called 62.949 acre tract of land conveyed by Special Warranty Deed with Vendor's Lien to ADG Heatherwood, LLC as recorded in Instrument No. 20120329000364630 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.) and a portion of a certain tract of land conveyed by Right-Of-Way Dedication as per platted subdivision of Heatherwood Phase Three C, an addition to the City of McKinney, Collin County, Texas for C.R. 123, also known as Bloomdale Road (variable width right-of-way) to the City of McKinney as recorded in Instrument No. 20130429010001230, O.P.R.C.C.T., said 97,694 square feet (2.243 acres) fee simple parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with yellow cap found (controlling monument) for an angle point on the southerly right-of-way line of a called 2.554 acre tract of land conveyed by Donation Right-of-Way Warranty Deed for said C.R. 123 as recorded in Instrument No. 20110927001029100, O.P.R.C.C.T., and the north line of a called 20.1593 acre tract of land conveyed to Boilermaker Investments LLC as recorded in Instrument No. 20150821001060720, O.P.R.C.C.T.,

THENCE South 89 degrees 17 minutes 01 seconds West, with the southerly right-of-way line of said C.R. 123 and the north line of said 20.1593 acre tract, a distance of 409.21 feet to a 5/8 inch iron rod with yellow cap stamped "RPLS 3963" found (controlling monument) for the **POINT OF BEGINNING**, having a grid coordinate of N= 7,141,338.518 and E= 2,523,930.217, said point being on the east line of said remainder 62.949 acre tract for the northwest corner of said 20.1593 acre tract, the southeast corner of said Right-Of-Way Dedication for C.R. 123 and the northeast corner of Common area W-4, Block W of said Heatherwood Phase Three C;

THENCE departing the southerly right-of-way line of said C.R. 123, over and across said remainder 62.949 acre tract and said Right-Of-Way Dedication for C.R. 123 the following two (2) courses and distances to wit:

North 47 degrees 22 minutes 16 seconds West, a distance of 23.18 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner;

South 89 degrees 14 minutes 11 seconds West, a distance of 1,202.71 feet to an "X" cut set for corner in the west line of said Heatherwood Phase Three C addition and the east line of a called 3.743 acre tract of land conveyed by Donation Right-of-Way Warranty Deed for said C.R. 123 as recorded in Instrument No. 20121221001631430, O.P.R.C.C.T., from which a 5/8 inch iron rod with yellow cap stamped "RPLS 5587" found (controlling monument) bears South 00 degrees 37 minutes 02 seconds East, a distance of 15.00 feet for an angle point on the west line of said Heatherwood Phase Three C addition, the southeast corner of said 3.743 acre tract and the northernmost northeast corner of Common area T-1, Block T of Heatherwood Phase Four, an addition to the City of McKinney, Collin County, Texas according to the plat thereof recorded in Instrument No. 20141125010003930, O.P.R.C.C.T.;

THENCE North 00 degrees 37 minutes 02 seconds West, along the west line of said Heatherwood Phase Three C addition and the east line of said 3.743 acre tract, a distance of 80.00 feet to a point;

THENCE North 89 degrees 14 minutes 11 seconds East, over and across said remainder 62.949 acre tract and said Right-Of-Way Dedication for C.R. 123, a distance of 1,219.44 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner on the east line of said remainder 62.949 acre tract, the east line of said Heatherwood Phase Three C addition, and the west line of said 2.554 acre tract, from which a mag nail found (controlling monument) bears North 00 degrees 42 minutes 43 seconds West, a distance of 27.22 feet for the northeast corner of said remainder 62.949 acre tract, northwest corner of said 2.554 acre tract, and the northeast corner of said Heatherwood Phase Three C addition;

THENCE South 00 degrees 42 minutes 43 seconds East, along the east line of said remainder 62.949 acre tract, the east line of said Heatherwood Phase Three C addition, and the west line of said 2.554 acre tract, a distance of 95.92 feet to the **POINT OF BEGINNING** and containing 97,694 square feet or 2.243 acres of land.

A plat of even survey date herewith accompanies this legal description.

All bearings are based on the Texas Coordinate System of 1983, North Central Zone 4202, North American Datum 1983 (N.A.D. 83) (2011 ADJ.), Epoch 2010.00, Geoid 12A Model derived from the Alterra Central RTK Network by GPS observations with a grid to surface adjustment factor of 1.000152710 (Collin County). All distances and area shown are surface values and in U.S. Survey feet.

I, Heath W. Brown, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this legal description and attached plat accurately depict an actual survey made on the ground under my supervision.

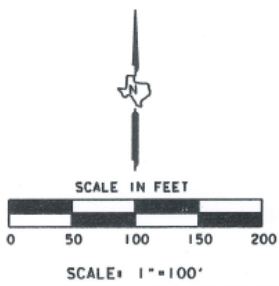
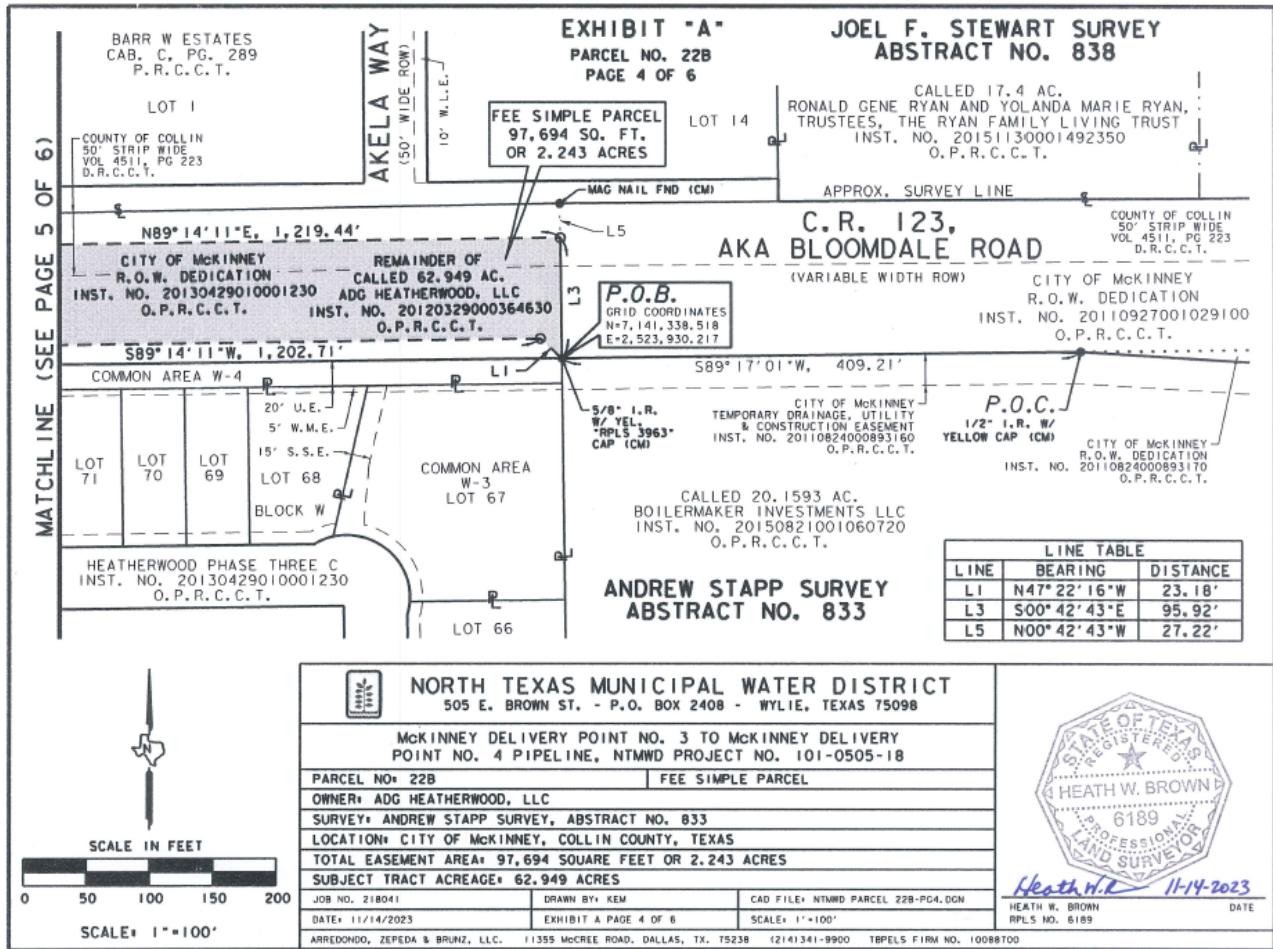
Heath W. B.

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Arredondo, Zepeda & Brunz, LLC
11355 McCree Road, Dallas, Texas 75238
Ph. 214-341-9900
TBPELS FIRM NO. 10088700

11-14-2023

Date





NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098	
McKINNEY DELIVERY POINT NO. 3 TO McKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18	
PARCEL NO: 22B	FEE SIMPLE PARCEL
OWNER: ADG HEATHERWOOD, LLC	
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833	
LOCATION: CITY OF McKINNEY, COLLIN COUNTY, TEXAS	
TOTAL EASEMENT AREA: 97,694 SQUARE FEET OR 2.243 ACRES	
SUBJECT TRACT ACREAGE: 62.949 ACRES	
JOB NO. 218041	DRAWN BY: KEM
DATE: 11/14/2023	EXHIBIT A PAGE 4 OF 6
CAD FILE: NTMWD PARCEL 22B-PG4.DGN	
SCALE: 1"=100'	
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11355 MCCREE ROAD, DALLAS, TX. 75238 (214)361-9900 TBP&S FIRM NO. 10088700	

HEATH W. BROWN
 R.P.L.S. NO. 6189
 DATE 11-14-2023

**JOEL F. STEWART SURVEY
ABSTRACT NO. 838**

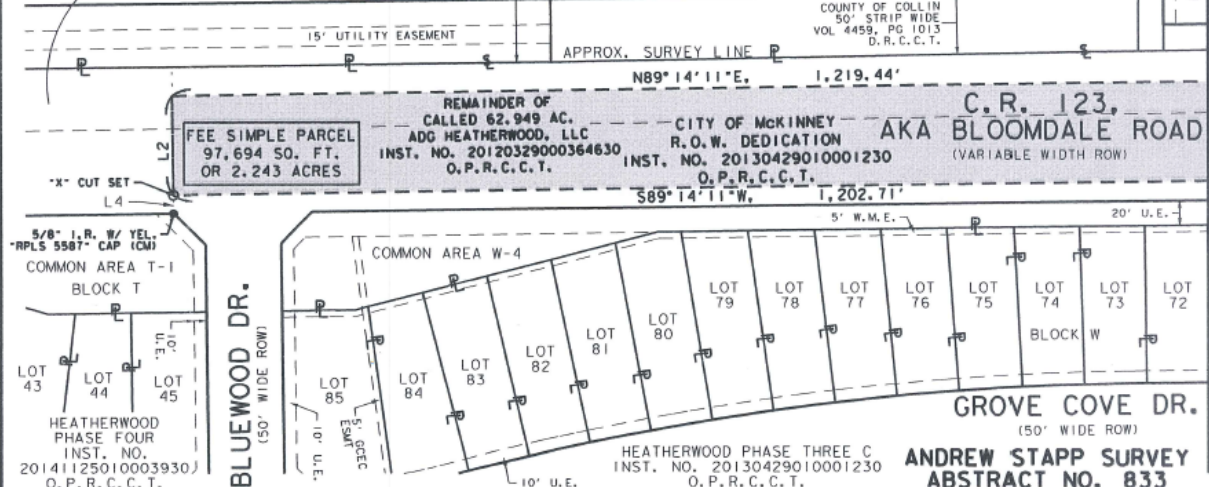
CALLED 3.743 ACRES
CITY OF MCKINNEY
INST. NO.
20121221001631430
O. P. R. C. C. T.

BLOOMDALE FARMS
CAB. C. PG. 486
P. R. C. C. T.
LOT 9
COUNTY OF COLLIN
50' STRIP WIDE
VOL. 4670, PG. 25
D. R. C. C. T.

EXHIBIT "A"
PARCEL NO. 22B
PAGE 5 OF 6

CALLLED 5.00 AC.
FRANK J. MORRIS AND PATSY A. MORRIS
REVOCABLE LIVING TRUST
VOL. 5869, PG. 28, D. R. C. C. T.

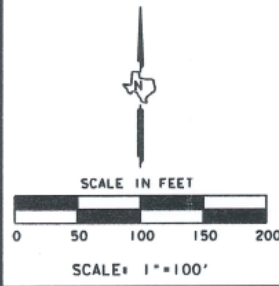
LINE TABLE		
LINE	BEARING	DISTANCE
L2	N00° 37' 02" W	80.00'
L4	S00° 37' 02" E	15.00'



5/8" I.R. W/ YEL.
"RPLS 5587" CAP (CM)
COMMON AREA T-1
BLOCK T
LOT 43
LOT 44
LOT 45
HEATHERWOOD
PHASE FOUR
INST. NO.
20141125010003930
O. P. R. C. C. T.

BLUEWOOD DR.
(50' WIDE ROW)

GROVE COVE DR.
(50' WIDE ROW)
**ANDREW STAPP SURVEY
ABSTRACT NO. 833**



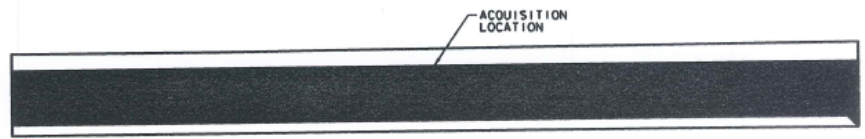
NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098		
MCKINNEY DELIVERY POINT NO. 3 TO MCKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18		
PARCEL NO. 22B	FEE SIMPLE PARCEL	
OWNER: ADG HEATHERWOOD, LLC		
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833		
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS		
TOTAL EASEMENT AREA: 97,694 SQUARE FEET OR 2.243 ACRES		
SUBJECT TRACT ACREAGE: 62.949 ACRES		
JOB NO. 218041	DRAWN BY: KEM	CAD FILE: NTMWD PARCEL 22B-PGS.DGN
DATE: 11/14/2023	EXHIBIT A PAGE 5 OF 6	SCALE: 1"=100'
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11355 MCCREE ROAD, DALLAS, TX. 75238 12141341-9900 TBPELS FIRM NO. 10088700		

MATCHLINE (SEE PAGE 4 OF 6)

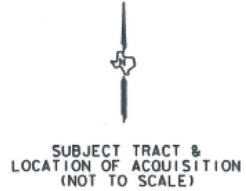
LEGEND

EXISTING ROW LINE
PROPERTY LINE
COUNTY LINE
SURVEY LINE
CITY LIMITS
EXISTING EASEMENTS
PERMANENT EASEMENTS
I. R. = IRON ROD
I. P. = IRON PIPE
CM = CONTROLLING MONUMENT
P. O. C. = POINT OF COMMENCING
P. O. B. = POINT OF BEGINNING
● = FOUND MONUMENT, SIZE AND TYPE AS NOTED.
○ = 5/8" I. R. W/ YELLOW CAP STAMPED "AZB" SET.
INST. NO. = INSTRUMENT NUMBER
VOL., PG. = VOLUME, PAGE
DOC. NO. = DOCUMENT NUMBER
D. R. C. C. T. = DEED RECORDS OF COLLIN COUNTY TEXAS
O. P. R. C. C. T. = OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
O. P. R. P. C. C. T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF COLLIN COUNTY TEXAS
P. R. C. C. T. = PLAT RECORDS OF COLLIN COUNTY TEXAS
[] = FEE SIMPLE PARCEL

EXHIBIT "A"
PARCEL NO. 22B
PAGE 6 OF 6




PARCEL 22B



NOTES:

- ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM 1983 (NAD83) (2011 ADJ.), EPOCH 2010.00, GEOID IZA MODEL DERIVED FROM THE ALLTERRA CENTRAL RTK NETWORK BY GPS OBSERVATIONS WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000152710 (COLLIN COUNTY). ALL DISTANCES AND AREA SHOWN ARE SURFACE VALUES IN U. S. SURVEY FEET.
- CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
- A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

 NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098		
McKINNEY DELIVERY POINT NO. 3 TO McKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18		
PARCEL NO: 22B	FEE SIMPLE PARCEL	
OWNER: ADG HEATHERWOOD, LLC		
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833		
LOCATION: CITY OF McKINNEY, COLLIN COUNTY, TEXAS		
TOTAL EASEMENT AREA: 97,694 SQUARE FEET OR 2.243 ACRES		
SUBJECT TRACT ACREAGE: 62.949 ACRES		
JOB NO. 218041	DRAWN BY: KEM	CAD FILE: NTMWD PARCEL 22B-PG6.DGN
DATE: 11/14/2023	EXHIBIT A PAGE 6 OF 6	SCALE: 1"=100'
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11355 MCCREE ROAD, DALLAS, TX. 75238 (214)341-9900 TPPELS FIRM NO. 10088700		



Heath W. B. 11-14-2023
HEATH W. BROWN DATE
RPLS NO. 6189

HFFA#

PKI 2635160/DBH

20120329000364630 03/29/2012 12:39:02 PM D1 1/7

AFTER RECORDING RETURN TO:

Tim Hagen
Glast, Phillips & Murray, P.C.
14801 Quorum Drive
Suite 500
Dallas, Texas 75254

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

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

STATE OF TEXAS

COUNTY OF COLLIN

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

THAT, ADG LAND HEATHERWOOD, LLC, a Texas limited liability company (hereinafter referred to as "Grantor," whether one or more), whose mailing address is 3308 Preston Road, Suite 350-145, Plano, Texas 75093, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by ADG HEATHERWOOD, LLC, a Texas limited liability company (hereinafter referred to as "Grantee," whether one or more), whose mailing address is 3308 Preston Road, Suite 350-145, Plano, Texas 75093, the receipt and sufficiency of which are hereby acknowledged, and for the further consideration of the execution and delivery by Grantee of one certain promissory note ("Note") dated of even date herewith, in the original principal amount of \$3,089,130.00, and being payable to the order of First Continental Investment Co., Ltd. ("Lender") as therein provided, the payment of the Note being secured by the vendor's lien and superior title hereinafter reserved and retained and being further secured by the lien of a Deed of Trust and Security Agreement of even date herewith executed and delivered by Grantee in favor of Bruce W. Merwin, Trustee, for the benefit of Lender, conveying to the Trustee the hereinafter described property, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL, and CONVEY to Grantee, that certain real property situated in Collin County, Texas, and described on Exhibit "A" attached hereto and made a part hereof for all purposes, together with all and singular the rights, benefits, privileges, easements, tenements, interests, hereditaments, and appurtenances pertaining to such real property, including any and all improvements and fixtures currently attached to and located thereon (collectively, the "Property").

RAY-580F\SWDeed #5033288

For the same consideration recited above, Grantor has GRANTED, BARGAINED, SOLD, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, and CONVEY to Grantee, without warranty, express or implied, all interest of Grantor, if any, in (1) strips or gores, if any, between the Property and any abutting properties, whether owned or claimed by deed, limitations, or otherwise, and whether located inside or outside the Property; and (2) any land lying in or under the bed of any creek, stream, or waterway or any highway, avenue, street, road, alley, easement or right-of-way, open or proposed, in, across, abutting or adjacent to the Property.

This conveyance is made by Grantor and accepted by Grantee subject to any and all matters of record, including, but not limited to, restrictions, reservations, outstanding mineral interests held by third parties, covenants, conditions, rights-of-way, easements, charges, assessments, plats, if any, of record in said county (the "Exceptions"), but only to the extent such matters are valid, subsisting, and affect the Property.

TO HAVE AND TO HOLD the Property, subject to the Exceptions, together with any and all of the rights and appurtenances thereto in anywise belonging to Grantor, unto Grantee and Grantee's heirs, executors, administrators, successors, legal representatives, and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, successors, legal representatives, and assigns to WARRANT and FOREVER DEFEND, all and singular, the Property, subject to the Exceptions, unto Grantee and Grantee's heirs, executors, administrators, successors, legal representatives, and assigns, against every person whomsoever lawfully claiming or to claim the Property or any part thereof, by, through, or under Grantor, but not otherwise.

GRANTOR EXPRESSLY DISCLAIMS AND GRANTEE ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED MAKING ANY REPRESENTATIONS, WARRANTIES, OR ASSURANCES WITH RESPECT TO THE PROPERTY, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, ORAL OR WRITTEN, INCLUDING, BUT NOT LIMITED TO, REPRESENTATIONS OR WARRANTIES AS TO MATTERS OF TITLE (EXCEPT AS SET FORTH HEREIN), ZONING, TAX CONSEQUENCES, PHYSICAL CONDITION, OPERATING HISTORY OR PROJECTIONS, VALUATIONS, GOVERNMENTAL APPROVALS OR GOVERNMENTAL REGULATIONS, HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. GRANTEE ACCEPTS THE PROPERTY IN ITS "AS IS" CONDITION, WITH ALL FAULTS, AND WITHOUT WARRANTY AS TO MERCHANTABILITY OR FITNESS FOR ANY SPECIFIC PURPOSE.

Current ad valorem and real property taxes and assessments applicable to the Property have been prorated by Grantor and Grantee as of the date of this Deed, and the payment thereof is assumed by Grantee.

It is expressly agreed and stipulated that a vendor's lien and the superior title in and to the Property are hereby reserved and retained against the Property until the unpaid principal balance of the Note and all interest thereon are fully and finally paid according to the face, tenor, effect, and reading thereof, whereupon this Deed shall become absolute. Lender, at the request of

RAY-580F\SWDeed #5033269

Grantee, has advanced and paid in cash to Grantor a portion of the purchase price of the Property as is evidenced by the Note, and Grantor hereby transfers, sets over, assigns and conveys to Lender, its successors and assigns, without recourse on or warranty, express or implied, by Grantor, the vendor's lien and superior title reserved and retained herein.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED AND DELIVERED on this the 29 day of March, 2012.

ADG LAND HEATHERWOOD, LLC,
a Texas limited liability company

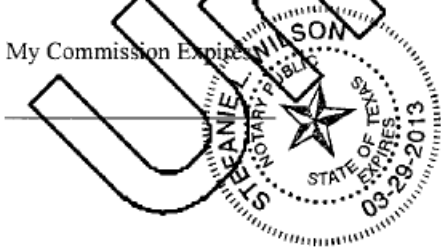
By: [Signature]
Robert M. Ray, Manager

STATE OF TEXAS
COUNTY OF COLLIN

This instrument was acknowledged before me on March 29, 2012, by ROBERT M. RAY, Manager of ADG LAND HEATHERWOOD, LLC, a Texas limited liability company, on behalf of said company.

[Signature]
Notary Public, State of Texas

My Commission Expires _____



(Printed or Typed Name of Notary)

EXHIBIT "A"

62.949 ACRE TRACT

FIELD NOTES

BEING a 62.949 acre tract of land situated in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, and being all of a 26.05 acre tract of land (Tract I) and part of a 130.3106 acre tract of land (Tract II) described in deed to JFB McKinney/2003, Ltd., as recorded in Volume 5728, Page 922, Deed Records, Collin County, Texas; said 62.949 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 3/4-inch iron rod found for the northwest corner of said 26.05 acre tract and the northeast corner of a called 54.615 acre tract of land described in deed to Four Christie Investments Properties, LTD, as recorded in Instrument 2008111400133535 of said Deed Records, said corner being within Bloomdale Road, an undedicated public road;

THENCE North 89 degrees 26 minutes 12 seconds East, with the north boundary line of said 26.05 acre tract, a distance of 859.81 feet to a 1/2-inch iron rod found for the northeast corner of said 26.05 acre tract and the most northerly northwest corner of said 130.3106 acre tract.

THENCE Easterly, with the north boundary lines of said 130.3106 acre tract, the following courses and distances:

North 89 degrees 10 minutes 06 seconds East, a distance of 357.39 feet to a 1/2-inch iron rod found for corner;

North 89 degrees 22 minutes 39 seconds East, a distance of 432.80 feet to a 3/8-inch iron rod found for corner;

North 89 degrees 04 minutes 31 seconds East, a distance of 917.73 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 00 degrees 43 minutes 02 seconds East, passing the northwest corner of a 20.22 acre tract of land described in deed to YSIS Partners, LP, as recorded in Volume 5863, Page 1150 of said Deed Records at a distance of 125.33 feet and continuing with the west boundary line of said 20.22 acre tract, a total distance of 674.61 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner

THENCE South 89 degrees 16 minutes 58 seconds West, a distance of 175.00 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 00 degrees 43 minutes 02 seconds East, a distance of 68.71 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 89 degrees 16 minutes 58 seconds West, a distance of 282.44 feet to a 1/2 inch iron rod set, capped RDS, INC., for the beginning of a tangent curve to the left having a radius of 1775.00 feet;

RAY-580FISWDeed #5033269

THENCE Southwesterly, with said curve to the left, through a central angle of 14 degrees 14 minutes 53 seconds, an arc distance of 441.40 feet to a 1/2 inch iron rod set, capped RDS, INC., for the beginning of a reverse curve to the right having a radius of 775.00 feet;

THENCE Southwesterly, with said curve to the right, through a central angle of 14 degrees 14 minutes 53 seconds, an arc distance of 192.72 feet to a 1/2 inch iron rod set, capped RDS, INC., for the end of said curve;

THENCE South 89 degrees 16 minutes 58 seconds West, a distance of 128.10 feet to a 1/2 inch iron rod set, capped RDS, INC., for the beginning of a non-tangent curve to the right having a radius of 270.00 feet, whose chord bears South 22 degrees 02 minutes 51 seconds West, a distance of 13.03 feet;

THENCE Southwesterly, with said curve to the right, through a central angle of 02 degrees 45 minutes 52 seconds, an arc distance of 13.03 feet to a 1/2 inch iron rod set, capped RDS, INC., for the beginning of a reverse curve to the left having a radius of 530.00 feet;

THENCE Southwesterly, with said curve to the left, through a central angle of 11 degrees 13 minutes 43 seconds, an arc distance of 103.87 feet to a 1/2 inch iron rod set, capped RDS, INC., for the end of said curve;

THENCE South 50 degrees 20 minutes 12 seconds West, a distance of 23.33 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 10 degrees 53 minutes 17 seconds West, a distance of 51.04 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 48 degrees 25 minutes 41 seconds East, a distance of 22.21 feet to a 1/2 inch iron rod set, capped RDS, INC., for the beginning of a non-tangent curve to the left having a radius of 530.00 feet whose chord bears South 01 degrees 23 minutes 10 seconds West, a distance of 38.91 feet;

THENCE Southwesterly, with said curve to the left, through a central angle of 04 degrees 12 minutes 24 seconds, an arc distance of 38.91 feet to a 1/2 inch iron rod set, capped RDS, INC., for the end of said curve;

THENCE South 00 degrees 43 minutes 02 seconds East, a distance of 181.18 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 44 degrees 16 minutes 58 seconds West, a distance of 21.21 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 00 degrees 43 minutes 02 seconds East, a distance of 50.00 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 45 degrees 43 minutes 02 seconds East, a distance of 21.21 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner;

THENCE South 00 degrees 43 minutes 02 seconds East, a distance of 110.00 feet to a 1/2 inch iron rod found for the northwest corner of a 19.137 acre tract of land described in deed to McKinney Heatherwood III, LTD, as recorded in Instrument 20100303000202250 of said Deed Records and the northeast corner of a 10.070 acre tract of land described in deed to the City of McKinney, as recorded in Instrument 20071010001392590 of said Deed Records

THENCE Westerly, with the northerly boundary lines of said 10.070 acre tract, the following courses and distances:

South 89 degrees 16 minutes 58 seconds West, a distance of 15.00 feet to a 1/2 inch iron rod set, capped RDS, INC., for the beginning of a tangent curve to the right having a radius of 1375.00 feet;

Northwesterly, with said curve to the right, through a central angle of 14 degrees 14 minutes 53 seconds, an arc distance of 341.93 feet to a 1/2 inch iron rod set, capped RDS, INC., for the beginning of a reverse curve to the left having a radius of 1175.00 feet;

Northwesterly, with said curve to the left, through a central angle of 14 degrees 14 minutes 53 seconds, an arc distance of 292.19 feet to a 1/2 inch iron rod set, capped RDS, INC., for the end of said curve;

South 89 degrees 16 minutes 58 seconds West, passing a 1/2 inch iron rod found for the northwest corner of said 10.070 acre tract at a distance of 438.37 feet and continuing a total distance of 660.17 feet to a 1/2 inch iron rod set, capped RDS, INC., for corner in a westerly boundary line of the aforementioned 130.3106 acre tract and an easterly boundary line of a tract of land described in deed to Robinson Ridge Estates, Ltd, as recorded in Volume 5347, Page 8654 of said Deed Records;

THENCE North 25 degrees 33 minutes 31 seconds West, with the west boundary line of said 130.3106 and the east line of said Robridge Investments tract, a distance of 22.44 feet to a 3/8-inch iron rod found for the southwest corner of the aforementioned 26.05 acre tract and the most southerly northwest corner of said 130.3106 acre tract;

THENCE North 00 degrees 20 minutes 41 seconds West, generally along and/or near a meandering barbed wire fence and with the west line of said 26.05 acre tract, passing a 1/2-inch iron rod found for the southeast corner of the aforementioned 54.615 acre tract at a distance of 17.71 feet and continuing a total distance of 121.67 feet to a 1/2 inch iron rod with cap stamped "RPLS 5439" found for corner;

THENCE Northerly, generally along and/or near a meandering barbed wire fence and with the common boundary lines of said 26.05 acre tract and said 54.615 acre tract, the following courses and distances:

North 00 degrees 14 minutes 15 seconds West, a distance of 655.75 feet to a 1/2-inch iron rod with cap stamped "RPLS 5439" found for corner;

North 00 degrees 25 minutes 30 seconds West, a distance of 544.56 feet to the POINT OF BEGINNING AND CONTAINING 2,742,042 square feet or 62.949 acres of land.

RAY-580F\SWDeed #5033269

ELECTRONICALLY RECORDED DOCUMENT

COLLIN COUNTY, TEXAS
STACEY KEMP, COUNTY CLERK

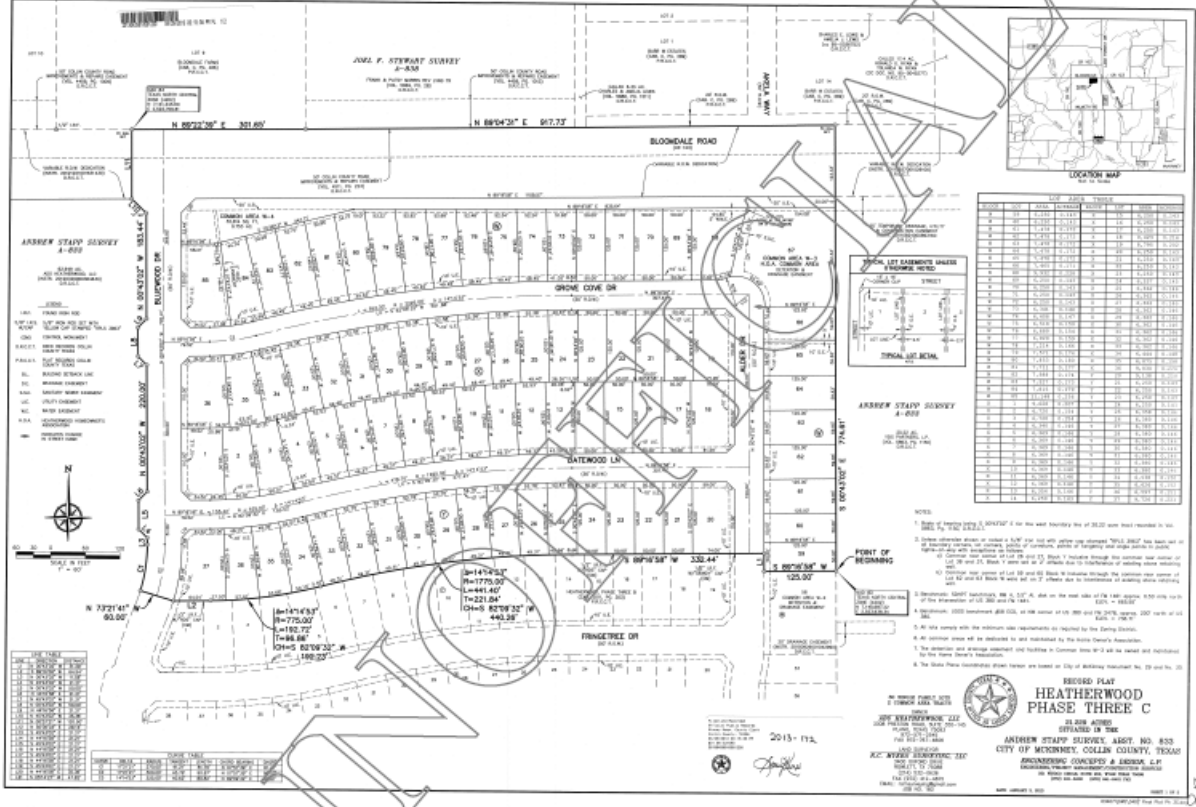
RECEIVED FROM AND RECORDED ON BEHALF OF
HEXTER-FAIR TITLE COMPANY

Unofficial



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
03/29/2012 12:39:02 PM
\$40.00 DLAIRD
20120329000364630

Stacey Kemp



Kenneth L. Maun
Tax Assessor/Collector
Collin County



2300 Bloomdale Road Ste. 2324
P.O. Box 8046
McKinney, Texas 75071
Ph: 972-547-5020
Metro: 972-424-1460 ext. 5020

TAX CERTIFICATE FOR ACCOUNT : R683300000401
 AD NUMBER: 2666247
 GF NUMBER:
 CERTIFICATE NO : 6632061

DATE : 2/11/2013
 FEE : \$10.00

PAGE 1 OF 1

COLLECTING AGENCY

Collin County
 2300 Bloomdale Road Ste. 2324
 P.O. Box 8046
 McKinney TX 75071

PROPERTY DESCRIPTION

ABS A0833 ANDREW STAPP SURVEY,
 TRACT 4, 24.5671 ACRES

0000000
 24.5671 ACRES

REQUESTED BY

ADG LAND HEATHERWOOD LLC

PROPERTY OWNER

ADG LAND HEATHERWOOD LLC

3308 PRESTON RD STE 350-145
 PLANO TX 75093-7471

3308 PRESTON RD STE 350-145
 PLANO TX 75093-7471

THIS IS TO CERTIFY THAT AFTER A CAREFUL CHECK OF THE TAX RECORDS, ALL TAXES DUE THE TAX ASSESSOR COLLECTOR OF COLLIN COUNTY ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN PAID UP TO AND INCLUDING THE CURRENT YEAR TAXES WITH ANY ABOVE LISTED EXCEPTIONS.

THE ABOVE DESCRIBED PROPERTY TAX HAS/IS RECEIVING SPECIAL VALUATION BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL VALUATION. SPTB RULE 155.40 (B) PARAGRAPH 6.

CURRENT VALUES			
LAND MKT VALUE:	\$1,031,818.00	IMPROVEMENT :	\$0.00
AG LAND VALUE:	\$0.00	DEF HOMESTEAD:	\$0.00
APPRAISED VALUE:	\$1,031,818.00	LIMITED VALUE:	\$0.00
EXEMPTIONS:			
LAWSUITS:			

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2012	COLLIN COLLEGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2012	COLLIN COUNTY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2012	MCKINNEY CITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2012	PROSPER ISD	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2012 SUB TOTAL							\$0.00

TOTAL CERTIFIED TAX DUE 2/2013 : \$ 0.00

ISSUED TO : ADG LAND HEATHERWOOD LLC
 ACCOUNT NUMBER: R683300000401

CERTIFIED BY :

[Handwritten Signature]



Collin County Property Tax Off

UNOFFICIAL

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
04/29/2013 03:15:36 PM
\$31.00 DLAIRD
20130429010001230

2013

172-173



Stacey Kemp

Parcel 22B Closure Report:

Start Coordinates: North: 7141338.518 East: 2523930.217 (GRID VALUES)

1. Bearing: N 47° 22' 16" W Distance: 23.18
2. Bearing: S 89° 14' 11" W Distance: 1202.71
3. Bearing: N 0° 37' 02" W Distance: 80.00
4. Bearing: N 89° 14' 11" E Distance: 1219.44
5. Bearing: S 0° 42' 43" E Distance: 95.92

End Coordinates: North: 7141338.518 East: 2523930.217

Error North: 0.00 Error East: 0.00
Error Direction: S 41° 04' 30" W Total Distance Error: 0.01
Error of Closure: 1/458251.19
Perimeter: 2621.25

Area: sq. Feet: 97694.46 Acres: 2.243

EXHIBIT "A"
NORTH TEXAS MUNICIPAL WATER DISTRICT
McKINNEY DELIVERY POINT NO. 3 TO
McKINNEY DELIVERY POINT NO. 4 PIPELINE
NTMWD PROJECT NO. 101-0505-18

PARCEL NO. 22D
OWNER: CADG MCKINNEY BLOOMRIDGE 40, LLC
FEE SIMPLE PARCEL
ANDREW STAPP SURVEY, ABSTRACT NO. 833
CITY OF MCKINNEY, COLLIN COUNTY, TEXAS

Being a 51,614 square feet (1.185 acres) fee simple parcel situated in the Andrew Stapp Survey, Abstract No. 833, City of McKinney, Collin County, Texas, said 51,614 square feet (1.185 acres) fee simple parcel being a portion of the remainder of a called 40.035 acre tract of land conveyed by Special Warranty Deed with Vendor's Lien to CADG McKinney Bloomridge 40, LLC as recorded in Instrument No. 20150423000461190 of the Official Public Records of Collin County, Texas (O.P.R.C.C.T.) and a portion of a certain tract of land conveyed by Right-Of-Way Dedication as per platted subdivision of Bloomridge Addition Phase 1, an addition to the City of McKinney, Collin County, Texas for C.R. 123, also known as Bloomdale Road (variable width right-of-way) to the City of McKinney as recorded in Instrument No. 20170609010002760, O.P.R.C.C.T., said 51,614 square feet (1.185 acres) fee simple parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with cap stamped "Corwin E" found (controlling monument) for the southwest corner of Common Area A1 and the northwest corner of Lot 10 of Block A of said Bloomridge Addition Phase 1, and being in the east line of the remainder of a called 54.615 acre tract of land conveyed to Four Christie Investment Properties, LTD as recorded in Instrument No. 20081114001335350, O.P.R.C.C.T., from which a mag nail found (controlling monument) bears South 00 degrees 48 minutes 19 seconds East, a distance of 105.14 feet for the west corner of Lot 10 and the northwest corner of Lot 11 of Block A of said Bloomridge Addition Phase 1;

THENCE North 00 degrees 48 minutes 19 seconds West, with the west line of said Bloomridge Addition Phase 1 and the east line of the remainder of said 54.615 acre tract, a distance of 31.49 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for the **POINT OF BEGINNING**, said point having a grid coordinate of N= 7,141,367.574 and E= 2,520,450.446, said point being on the west line of said remainder 40.035 acre tract;

THENCE North 00 degrees 48 minutes 19 seconds West, continuing with the west line of said Bloomridge Addition Phase 1, the east line of the remainder of said 54.615 acre tract, and the west line of said remainder 40.035 acre tract, a distance of 46.75 feet to a point in the north survey line of said Andrew Stapp Survey, Abstract No. 833 and the south survey line of Joel F. Stewart Survey, Abstract No. 838, said point being the northeast corner of the remainder of said 54.615 acre tract and northwest corner of said remainder 40.035 acre tract on the south line of Lot 15 of Bloomdale Farms, an addition to the City of McKinney, Collin County, Texas according to the plat thereof recorded in Cabinet C, Page 486 of the Plat Records of Collin County, Texas (P.R.C.C.T.), from which a PK nail found for reference bears North 00 degrees 48 minutes 19 seconds West, a distance of 1.41 feet;

THENCE North 89 degrees 12 minutes 27 seconds East, departing the east line of the remainder of said 54.615 acre tract and the west line of said remainder 40.035 acre tract, with the south line of Lot 15, Lot 14 and Lot 13 of said Bloomdale Farms and the common survey line, pass at a distance of 444.11 feet to a mag nail with shiner stamped "Halff" found (controlling monument) for the southeast corner of Lot 14 and the southwest corner of Lot 13 of said Bloomdale Farms, in all a total distance of 695.06 feet to a mag nail set with washer stamped "AZB" for corner;

THENCE departing the south line of said Lot 13 and said common survey line, over and across said C.R. 123 and said remainder 40.035 acre tract, the following three (3) courses and distances to wit:

South 79 degrees 44 minutes 36 seconds East, a distance of 20.96 feet to a mag nail set with shiner for corner and the beginning of a non-tangent curve to the left;

Southeasterly, with said non-tangent curve to the left for a central angle of 14 degrees 02 minutes 20 seconds, a radius of 803.17 feet, an arc distance of 196.80 feet, and a chord bearing and distance of South 84 degrees 28 minutes 16 seconds East, a distance of 196.31 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner;

North 89 degrees 16 minutes 58 seconds East, a distance of 1.34 feet to a 5/8 inch iron rod set with yellow plastic cap stamped "AZB" for corner on the east line of said City of McKinney Right-Of-Way Dedication tract, the east line of said remainder 40.035 acre tract, and the west line of a called 3.743 acre tract of land conveyed by Donation Right-of-Way Warranty Deed for said C.R. 123 to the City of McKinney as recorded in Instrument No. 20121221001631430, O.P.R.C.C.T.;

THENCE South 00 degrees 25 minutes 18 seconds East, along the east line of said Bloomridge Addition Phase 1, the east line of said remainder 40.035 acre tract, and the west line of said 3.743 acre tract, a distance of 80.00 feet to an "X" cut set for corner;

THENCE departing the east line of said Bloomridge Addition Phase 1, the east line of said remainder 40.035 acre tract, and the west line of said 3.743 acre tract, over and across said C.R. 123 and said remainder 40.035 acre tract, the following six (6) courses and distances to wit:

South 89 degrees 16 minutes 58 seconds West, a distance of 0.40 feet to an "X" cut set for corner and the beginning of a non-tangent curve to the right;

Northwesterly, with said non-tangent curve to the right for a central angle of 13 degrees 53 minutes 49 seconds, a radius of 883.17 feet, an arc distance of 214.21 feet, and a chord bearing and distance of North 84 degrees 30 minutes 22 seconds West, a distance of 213.68 feet to an "X" cut set for corner;

North 79 degrees 44 minutes 36 seconds West, a distance of 110.19 feet to an "X" cut set for corner and the beginning of a non-tangent curve to the left;

Northwesterly, with said non-tangent curve to the left for a central angle of 10 degrees 51 minutes 54 seconds, a radius of 1,004.67 feet, an arc distance of 190.51 feet, and a chord bearing and distance of North 85 degrees 22 minutes 22 seconds West, a distance of 190.23 feet to a mag nail set with shiner for corner;

South 89 degrees 11 minutes 41 seconds West, a distance of 380.61 feet to an "X" cut set for corner and the beginning of a non-tangent curve to the left;

Southwesterly, with said non-tangent curve to the left for a central angle of 00 degrees 22 minutes 21 seconds, a radius of 3,217.39 feet, an arc distance of 20.92 feet, and a chord bearing and distance of South 79 degrees 31 minutes 53 seconds West, a distance of 20.92 feet to the **POINT OF BEGINNING** and containing 51,614 square feet or 1.185 acres of land.

A plat of even survey date herewith accompanies this legal description.

All bearings are based on the Texas Coordinate System of 1983, North Central Zone 4202, North American Datum 1983 (N.A.D. 83) (2011 ADJ.), Epoch 2010.00, Geoid 12A Model derived from the Alterra Central RTK Network by GPS observations with a grid to surface adjustment factor of 1.000152710 (Collin County). All distances and area shown are surface values and in U.S. Survey feet.

I, Heath W. Brown, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this legal description and attached plat accurately depict an actual survey made on the ground under my supervision.

Heath W. B.

Heath W. Brown
Registered Professional Land Surveyor
Texas No. 6189
Arredondo, Zepeda & Brunz, LLC
11355 McCree Road, Dallas, Texas 75238
Ph. 214-341-9900
TBPELS FIRM NO. 10088700

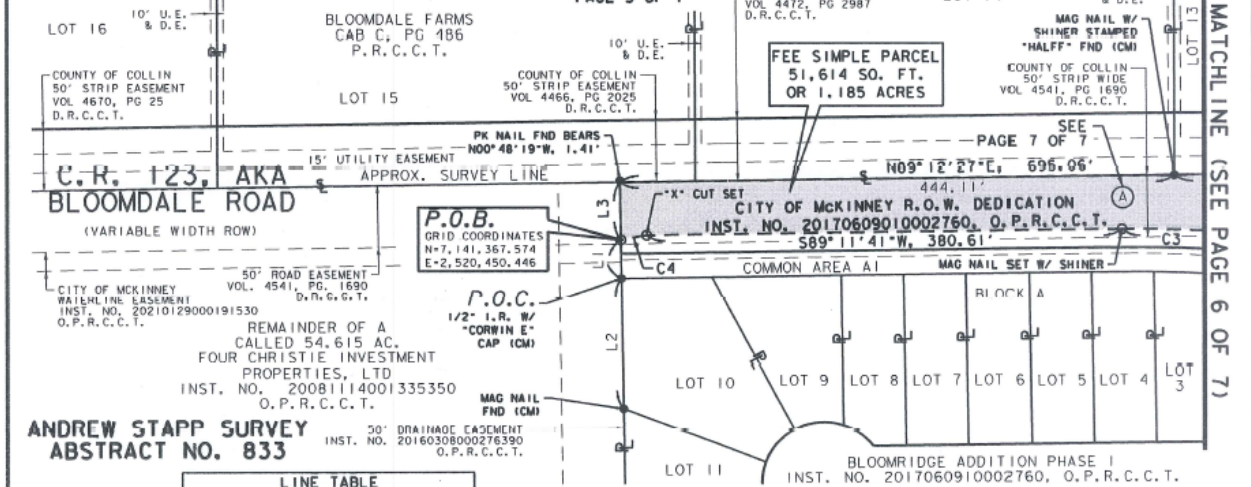
11-14-2023

Date



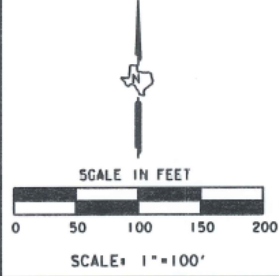
**JOEL F. STEWART SURVEY
ABSTRACT NO. 838**

**EXHIBIT "A"
PARCEL NO. 22D
PAGE 5 OF 7**



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°48'19"W	31.49'
L2	S00°48'19"E	105.14'
L3	N00°48'19"W	46.75'

CURVE TABLE					
CURVE	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C3	10°51'54" (LT)	1,004.67'	190.51'	N85°22'22"W	190.23'
C4	00°22'21" (LT)	3,217.39'	20.92'	S79°31'53"W	20.92'



NORTH TEXAS MUNICIPAL WATER DISTRICT
505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098

McKINNEY DELIVERY POINT NO. 3 TO McKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18

PARCEL NO: 22D	FEE SIMPLE PARCEL	
OWNER: CADG MCKINNEY BLOOMRIDGE 40, LLC		
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833		
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS		
TOTAL EASEMENT AREA: 51,614 SQUARE FEET OR 1.185 ACRES		
SUBJECT TRACT ACREAGE: 40.035 ACRES		
JOB NO. 218041	DRAWN BY: KEM	CAD FILE: NTMWD PARCEL 22D-P05.DGN
DATE: 11/14/2023	EXHIBIT A PAGE 5 OF 7	SCALE: 1"=100'
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11355 MCCREE ROAD, DALLAS, TX. 75238 (214) 341-9900 TBPELS FIRM NO. 10088700		

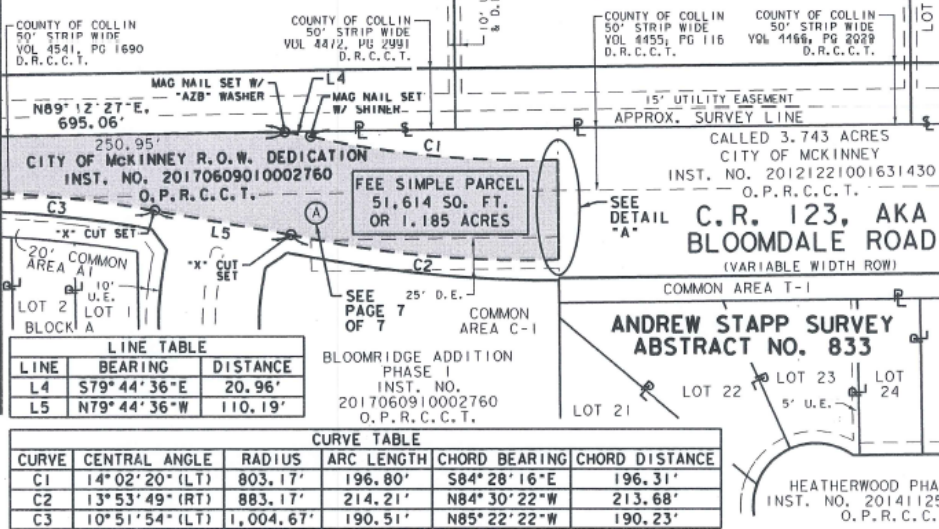
Heath W. Brown
11-14-2023

**JOEL F. STEWART SURVEY
ABSTRACT NO. 838**

**EXHIBIT "A"
PARCEL NO. 22D
PAGE 6 OF 7**

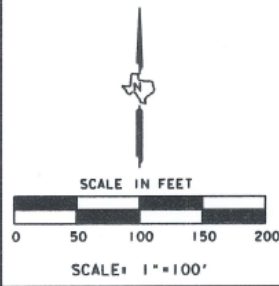
BLOOMDALE FARMS
CAB. C, PG. 486
P. R. C. C. T.

MATCHLINE (SEE PAGE 5 OF 7)



LINE TABLE		
LINE	BEARING	DISTANCE
L4	S79°44'36\"E	20.96'
L5	N79°44'36\"W	110.19'

CURVE TABLE					
CURVE	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	14°02'20\"(LT)	803.17'	196.80'	S84°28'16\"E	196.31'
C2	13°53'49\"(RT)	883.17'	214.21'	N84°30'22\"W	213.68'
C3	10°51'54\"(LT)	1,004.67'	190.51'	N85°22'22\"W	190.23'



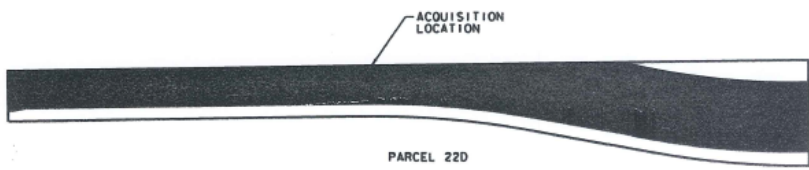
NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098	
McKINNEY DELIVERY POINT NO. 3 TO McKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18	
PARCEL NO: 22D	FEE SIMPLE PARCEL
OWNER: CADG MCKINNEY BLOOMRIDGE 40, LLC	
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833	
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS	
TOTAL EASEMENT AREA: 51,614 SQUARE FEET OR 1.185 ACRES	
SUBJECT TRACT ACREAGE: 40.035 ACRES	
JOB NO. 218041	DRAWN BY: KEM
DATE: 11/14/2023	EXHIBIT A PAGE 6 OF 7
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11355 MCCREE ROAD, DALLAS, TX. 75238	CAD FILE: NTMWD PARCEL 22D-P06.DGN
	SCALE: 1"=100'



LEGEND

EXISTING ROW LINE
PROPERTY LINE
COUNTY LINE
SURVEY LINE
CITY LIMITS
EXISTING EASEMENTS
PERMANENT EASEMENTS
I.R. = IRON ROD
I.P. = IRON PIPE
CM = CONTROLLING MONUMENT
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
● = FOUND MONUMENT, SIZE AND TYPE AS NOTED.
○ = 5/8" I.R. W/ YELLOW CAP STAMPED "AZB" SET.
INST. NO. = INSTRUMENT NUMBER
VOL., PG. = VOLUME, PAGE
DOC. NO. = DOCUMENT NUMBER
D.R.C.C.T. = DEED RECORDS OF COLLIN COUNTY TEXAS
O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS OF COLLIN COUNTY TEXAS
O.P.R.R.P.C.C.T. = OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF COLLIN COUNTY TEXAS
P.R.C.C.T. = PLAT RECORDS OF COLLIN COUNTY TEXAS
[] = FEE SIMPLE PARCEL

EXHIBIT "A"
PARCEL NO. 22D
PAGE 7 OF 7




SUBJECT TRACT & LOCATION OF ACQUISITION (NOT TO SCALE)

SEE PAGES 5 & 6 FOR THE FOLLOWING:
 (A) REMAINDER OF CALLED 40.035 AC. CADG MCKINNEY BLOOMRIDGE 40, LLC
 INST. NO. 20150423000461190
 O.P.R.C.C.T.

NOTES:

- ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE 4202, NORTH AMERICAN DATUM 1983 (NAD83) (2011 ADJ.), EPOCH 2010.00, GEOID 12A MODEL DERIVED FROM THE ALLTERRA CENTRAL RTK NETWORK BY GPS OBSERVATIONS WITH A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000152710 (COLLIN COUNTY). ALL DISTANCES AND AREA SHOWN ARE SURFACE VALUES IN U.S. SURVEY FEET.
- CONTROL MONUMENTS USED FOR BOUNDARY SOLUTIONS ARE NOTED AS (CM) FOR CONTROLLING MONUMENT.
- A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

 NORTH TEXAS MUNICIPAL WATER DISTRICT 505 E. BROWN ST. - P.O. BOX 2408 - WYLIE, TEXAS 75098		
McKINNEY DELIVERY POINT NO. 3 TO McKINNEY DELIVERY POINT NO. 4 PIPELINE, NTMWD PROJECT NO. 101-0505-18		
PARCEL NO: 22D	FEE SIMPLE PARCEL	
OWNER: CADG MCKINNEY BLOOMRIDGE 40, LLC		
SURVEY: ANDREW STAPP SURVEY, ABSTRACT NO. 833		
LOCATION: CITY OF MCKINNEY, COLLIN COUNTY, TEXAS		
TOTAL EASEMENT AREA: 51,614 SQUARE FEET OR 1.185 ACRES		
SUBJECT TRACT ACREAGE: 40.035 ACRES		
JOB NO.: 218041	DRAWN BY: KEV	CAD FILE: NTMWD PARCEL 22D-PG7.DGN
DATE: 11/14/2023	EXHIBIT A PAGE 7 OF 7	SCALE: 1"=100'
ARREDONDO, ZEPEDA & BRUNZ, LLC. 11355 MCCREE ROAD, DALLAS, TX. 75238 (214)341-9900 TPPELS FIRM NO. 10088700		



Heath W. B. 11-14-2023
 HEATH W. BROWN
 RPLS NO. 6189
 DATE

2018-146979



42

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 THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

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

MEGATEL HOMES III, LLC, a Texas limited liability company, ("Grantor") for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to it in hand paid by CAUG McKinney Bloomridge 40, LLC, a Texas limited liability company ("Grantee") the receipt and sufficiency of which are hereby acknowledged, and the further consideration of one promissory note in the principal amount of Two Million and 00/100 Dollars (\$2,000,000.00), payable to the order of CGS Holdings, L.P., ("Beneficiary"), bearing interest at the rate therein specified, and being further secured by a Vendor's Lien retained herein in favor of Grantor and assigned to Beneficiary, also being secured by a Deed of Trust of even date herewith from Grantee to CGS Holdings, L.P., has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee all that certain lot, tract or parcel of land, together with all improvements thereon, lying and being situated in the State of Texas and County of Collin (the "Property"), more particularly described as follows, to wit:

SITUATED in the State of Texas and the County of Collin, being part of the Andrew Stapp Survey, Abstract No. 833, being all of a called 54.615 acre tract of land conveyed to Four Christie Investment Properties, LTD by deed recorded in Document No. 20081114001335350 of the Deed Records of Collin County, Texas and these premises being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the west line of a tract of land conveyed to ADG Heatherwood, LLC by deed recorded in Document No. 20120302000364630 of the Deed Records of Collin County, Texas and marking the northeast corner of a tract of land conveyed to Gehan Homes, LTD by deed recorded in Document No. 20120302000248700 of the Deed Records of Collin County, Texas and the southeast corner of said 54.615 acre tract;

THENCE with the north line of said Gehan Homes, LTD tract and the south line of said 54.615 acre tract, South 88°54'23" West, 1822.17 feet to a 1/2 inch iron rod found for corner in the approximate centerline of County Road 161, in the east line of a called 29.041 acre tract conveyed to One Longhorn Land I, L.P. by deed recorded in Document No. 20070124000105190 of the Deed Records of Collin County, Texas and marking the northwest corner of said Gehan Homes, LTD tract and the southwest corner of said 54.615 acre tract;

THENCE with said road, the east line of said 29.041 acre tract and the west line of said 54.615 acre tract, North 00°42'37" West, 610.01 feet to a Roome PK nail set for corner;

THENCE crossing said 54.615 acre tract as follows:

North 88°54'23" East, 916.86 to a 1/2 inch iron rod capped "Roome" set for corner, and

North 01°05'37" West, 694.46 feet to a Roome PK nail set for corner in the approximate centerline of County Road 123, in the south line of Lot 15 of Bloomdale Farms, an addition to the City of McKinney, Texas, according to the plat thereof recorded in Volume C, Page 486 of the Plat Records of Collin County, Texas and in the north line of said 54.615 acre tract;

THENCE with the centerline of County Road 123, the south line of said Bloomdale Farms, the south line of Lot 12R of Bloomdale Farms Lots 12R & 18, an addition to the City of McKinney, Texas, according to the plat thereof recorded in Volume 2013, Page 102 of the Plat Records of Collin County, Texas and the north line of said 54.615 acre tract, North 88°54'23" East, 912.25 feet to a Roome PK nail set for corner marking the northwest corner of a called 3.743 acre tract conveyed to the City of McKinney for road right-of-way by deed recorded in Document No. 20121221001631430 of the Deed Records of Collin County, Texas and the northeast corner of said 54.615 acre tract;

THENCE with the west line of said 3.743 acre tract, the west line of said ADG Heatherwood, LLC tract and the east line of said 54.615 acre tract as follows:

South 00°42'36" East, 544.56 feet to an iron rod capped "EC & D 5439" found for an angle point,

South 80°31'34" East, 635.75 feet to an iron rod capped "EC & D 5439" found for an angle point, and

South 00°30'34" East, 104.20 feet to the Point of Beginning and containing 40.035 acres of land, more or less.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns to WARRANT AND FOREVER

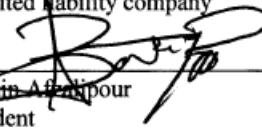
DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through and under Grantor but not otherwise, subject, however, to the Permitted Title Exceptions applicable to the Property set forth on Exhibit "A" attached hereto and incorporated herein by this reference.

GRANTOR SPECIFICALLY DISCLAIMS ANY AND ALL WARRANTIES AND REPRESENTATIONS, EXPRESS OR IMPLIED, AS TO THE STATE OF THE PROPERTY TO BE CONVEYED HERewith, ITS CONDITION, QUALITY, QUANTITY, CHARACTER, SIZE, DESCRIPTION OR SUITABILITY OR FITNESS FOR ANY USE OR PURPOSE WHETHER EXISTING OR CONTEMPLATED, EXCEPT AS SPECIFICALLY SET FORTH IN THE CONTRACT DATED APRIL 17, 2015 BETWEEN GRANTOR, AS SELLER, AND GRANTEE, AS PURCHASER, COVERING THE SALE OF THE PROPERTY. GRANTOR CONVEYS THE PROPERTY AND GRANTEE ACCEPTS THE PROPERTY "AS IS, WHERE IS" WITH ALL FAULTS OF ANY KIND, INCLUDING ENVIRONMENTAL (WHETHER ABOVE, WITHIN OR UNDER THE PROPERTY), AND GRANTOR MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE FITNESS, ENVIRONMENTAL COMPLIANCE, MERCHANTABILITY OR HABITABILITY OF THE PROPERTY OR OTHERWISE, EXCEPT AS SPECIFIED IN THE SAID CONTRACT AND THE SPECIAL WARRANTY OF TITLE CONTAINED HEREIN.

Ad valorem taxes for the year 2015 with respect to the Property have been prorated between Grantor and Grantee as of the date hereof.

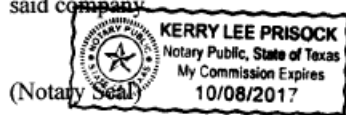
Executed to be effective as of the 23rd day of April, 2015.

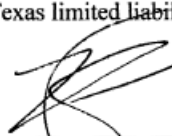
MEGATEL HOMES III, LLC,
a Texas limited liability company

By: 
Name: Armin Afsharipour
Title: President

THE STATE OF TEXAS §
 §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the 23rd day of April, 2015, by Armin Afzalipour, President of Megatel Homes III, LLC, a Texas limited liability company on behalf of said company.





Notary Public in and for the State of Texas

Grantee's Address:
CADG McKinney Bloomridge 40, LLC
1800 Valley View Lane, #300
Farmers Branch, TX 75234

EXHIBIT A

PERMITTED EXCEPTIONS

1. Standby fees, taxes and assessments by any taxing authority for the year 2015, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership.
2. Rights, if any, of third parties with respect to any portion of the subject property lying within the boundaries of a public or private road.
3. Rights of parties in possession and rights of tenants under any unrecorded leases or rental agreements.
4. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records to the extent they are recorded in the Real Property Records of Collin County, Texas and still in effect.
5. Easement granted by Betty Irwin Dunham and Frank George Dunham, Jr. to Matador Pipeline, Inc., filed 07/20/1981, recorded in Volume 1408, Page 854, Real Property Records, Collin County, Texas. Assignment filed 09/14/1992, recorded in cc# 92-0062592, Real Property Records, Collin County, Texas. Assignment and Assumption of Property Rights Agreement filed 07/20/2005, recorded in Volume 5963, Page 5052, Real Property Records, Collin County, Texas. As shown on survey of Michael Cuzzo, R.P.L.S. #5693, dated 09/25/2014.
6. All encumbrances, violations, variations, or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land, including, without limitation, all visible and apparent easements or uses and all underground easements or uses, the existence of which may arise by unrecorded grant or by use.
7. Easement granted by Anne Malone Christie and Bill Corbet Christie to Matador Pipeline, Inc., filed 07/20/1981, recorded in Volume 1408, Page 855, Real Property Records, Collin County, Texas. Assignment filed 09/14/1992, recorded in cc# 92-0062592, Real Property Records, Collin County, Texas. Assignment and Assumption of Property Rights Agreement filed 07/20/2005, recorded in Volume 5963, Page 5052, Real Property Records, Collin County, Texas. As shown on survey of Michael Cuzzo, R.P.L.S. #5693, dated 09/25/2014.
8. Easement granted by Four Christie Investment Properties, Ltd. to the City of McKinney, filed 09/04/2013, recorded in cc# 20130904001248640, Real Property Records, Collin County, Texas. As shown on survey of Michael Cuzzo, R.P.L.S. #5693, dated 09/25/2014.
9. Easement granted by Bill Corbett Christie Sr., et al to the County of Collin, filed 11/11/1999, recorded in Volume 4541, Page 1690, Real Property Records, Collin County, Texas. As shown on survey of Michael Cuzzo, R.P.L.S. #5693, dated 09/25/2014.
10. Rights of third parties with respect to those portions of the property lying within the boundaries of County Road No. 123 as shown on survey of Michael Cuzzo, R.P.L.S. #5693, dated 09/25/2014.

11. Rights of third parties with respect to those portions of the property lying within the boundaries of County Road No. 161 as shown on survey of Michael Cuzzo, R.P.L.S. #5693, dated 09/25/2014.

12. Easement rights of third parties, if any, as to overhead line(s) and power pole(s) as shown on survey of Michael Cuzzo, R.P.L.S. #5693, dated 09/25/2014.

13. Oral crop lease between Four Christie Investment Properties, Ltd., a Texas limited partnership and crop tenant for the purpose of harvesting existing crops.

Unofficial

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
04/23/2015 03:40:35 PM
\$42.00 DFOSTER
20150423000461190



Stacey Kemp

STATE OF TEXAS
COUNTY OF COLLIN
COUNTY CLERK
COUNTY CLERK'S OFFICE
200 NORTH BRIDGE STREET, SUITE 100
MCKENZIE, TEXAS 75069-5400
(972) 967-1300
FAX: (972) 967-1301
WWW.COLLINCOUNTYTX.GOV

SHOW THEREAFTER, ALL MEAS BY THESE PRESENTS:
The City of Flower Mound, Texas, is hereby approving the subdivision of the land described in the following:
The number of lots to be created is 144 lots.
The subdivision is located in the City of Flower Mound, Texas, and is bounded by the following:
- West: Flower Mound City Limits
- South: Flower Mound City Limits
- East: Flower Mound City Limits
- North: Flower Mound City Limits
The subdivision is located in the City of Flower Mound, Texas, and is bounded by the following:
- West: Flower Mound City Limits
- South: Flower Mound City Limits
- East: Flower Mound City Limits
- North: Flower Mound City Limits



TABLE

Lot No.	Area (sq. ft.)	Acres	Remarks
1	1,234,567	0.28	100.00' x 123.45'
2	1,234,567	0.28	100.00' x 123.45'
3	1,234,567	0.28	100.00' x 123.45'
4	1,234,567	0.28	100.00' x 123.45'
...
144	1,234,567	0.28	100.00' x 123.45'

TOTAL ACRES 25.787
TOTAL RESIDENTIAL LOTS 144
TOTAL COMMON AREA LOTS 2
SCALE: 1" = 60'
DATE: 10/11/2017
PREPARED BY: CORVINE ENGINEERING, INC.
300 W. BLANCKLEY STREET
MCKENZIE, TEXAS 75069
(972) 967-1300
WWW.COLLINCOUNTYTX.GOV

NOTES:
1. THIS PLAN IS PREPARED BY CORVINE ENGINEERING, INC. (CEI) AND IS TO BE USED IN CONNECTION WITH THE SUBDIVISION OF THE LAND DESCRIBED IN THE FOLLOWING:
2. THIS PLAN IS SUBJECT TO THE CITY OF FLOWER MOUND, TEXAS, AND IS TO BE USED IN CONNECTION WITH THE SUBDIVISION OF THE LAND DESCRIBED IN THE FOLLOWING:
3. THIS PLAN IS SUBJECT TO THE CITY OF FLOWER MOUND, TEXAS, AND IS TO BE USED IN CONNECTION WITH THE SUBDIVISION OF THE LAND DESCRIBED IN THE FOLLOWING:
4. THIS PLAN IS SUBJECT TO THE CITY OF FLOWER MOUND, TEXAS, AND IS TO BE USED IN CONNECTION WITH THE SUBDIVISION OF THE LAND DESCRIBED IN THE FOLLOWING:
5. THIS PLAN IS SUBJECT TO THE CITY OF FLOWER MOUND, TEXAS, AND IS TO BE USED IN CONNECTION WITH THE SUBDIVISION OF THE LAND DESCRIBED IN THE FOLLOWING:

Kenneth L. Maun
Tax Assessor/Collector
Collin County



2300 Bloomdale Road Ste. 2324
 P.O. Box 8046
 McKinney, TX 75071
 Ph: 972-547-5020
 Metro: 972-424-1460 ext. 5020

TAX CERTIFICATE FOR ACCOUNT : R683300003901
 AD NUMBER: 2718024
 GF NUMBER:
 CERTIFICATE NO : 23447849

DATE : 5/24/2017
 FEE : \$10.00

PAGE 1 OF 1

COLLECTING AGENCY

Collin County
 2300 Bloomdale Road Ste. 2324
 P.O. Box 8046
 McKinney TX 75071

PROPERTY DESCRIPTION

ABS A0833 ANDREW STAPP SURVEY,
 TRACT 39, 40.035 ACRES

0000000
 40.035 ACRES

REQUESTED BY

CENTURION AMERICAN DEV GRP

PROPERTY OWNER

CADG MCKINNEY BLOOMRIDGE 40 LLC

1800 VALLEY VIEW LN STE 300
 FARMERS BRANCH TX 75234

1800 VALLEY VIEW LN STE 300
 DALLAS TX 75234-8945

THIS IS TO CERTIFY THAT AFTER A CAREFUL CHECK OF THE TAX RECORDS, ALL TAXES DUE THE TAX ASSESSOR COLLECTOR OF COLLIN COUNTY ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN PAID UP TO AND INCLUDING THE CURRENT YEAR TAXES WITH ANY ABOVE LISTED EXCEPTIONS

THE ABOVE DESCRIBED PROPERTY TAX HAS/IS RECEIVING SPECIAL VALUATION BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL VALUATION. SPTB RULE 155.40 (B) PARAGRAPH 6.

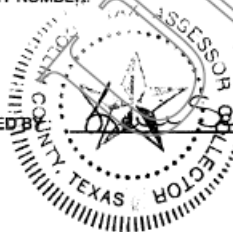
CURRENT VALUES			
LAND MKT VALUE:	\$1,383,487.00	IMPROVEMENT :	\$0.00
AG LAND VALUE:	\$793,497.00	DEF HOMESTEAD:	\$0.00
APPRAISED VALUE:	\$2,176,984.00	LIMITED VALUE:	\$0.00
EXEMPTIONS:	Ag 1D1		
LAWSUITS:			

YEAR	TAX UNIT	LEVY	PEN	INT	DEF INT	ATTY	AMOUNT DUE
2016	COLLIN COLLEGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2016	Collin County	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2016	PROSPER ISD	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2016 SUB TOTAL							\$0.00

TOTAL CERTIFIED TAX DUE 5/2017 : \$ 0.00

ISSUED TO : CENTURION AMERICAN DEV GRP
 ACCOUNT NUMBER: R683300003901

CERTIFIED BY _____



Collin County Property Tax Off

UNOFFICIAL

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
06/09/2017 08:08:06 AM
\$31.00 SCAPELA
20170609010002760

2017-442



Stacey Kemp

Parcel 22D Closure Report:

Start Coordinates: North: 7141367.574 East: 2520450.446 (GRID VALUES)

1. Bearing: N 0° 48' 19" W Distance: 46.75
2. Bearing: N 89° 12' 27" E Distance: 695.06
3. Bearing: S 79° 44' 36" E Distance: 20.96
4. Rad: 803.17
Delta: 14° 02' 20" (LT)
Arc: 196.80
Degree: 7° 08' 01"
Tan: 98.89
Mid Ord: 6.02
Ext: 6.07
Chord Bearing: S 84° 28' 16" E
Chord Distance: 196.31
5. Bearing: N 89° 16' 58" E Distance: 1.34
6. Bearing: S 0° 25' 18" E Distance: 80.00
7. Bearing: S 89° 16' 58" W Distance: 0.40
8. Rad: 883.17
Delta: 13° 53' 49" (RT)
Arc: 214.21
Degree: 6° 29' 15"
Tan: 107.63
Mid Ord: 6.49
Ext: 6.53
Chord Bearing: N 84° 30' 22" W
Chord Distance: 213.68
9. Bearing: N 79° 44' 36" W Distance: 110.19
10. Rad: 1004.67
Delta: 10° 51' 54" (LT)
Arc: 190.51
Degree: 5° 42' 11"
Tan: 95.54
Mid Ord: 4.51
Ext: 4.53
Chord Bearing: N 85° 22' 22" W
Chord Distance: 190.23
11. Bearing: S 89° 11' 41" W Distance: 380.61
12. Rad: 3217.39
Delta: 0° 22' 21" (LT)
Arc: 20.92
Degree: 1° 46' 51"

Parcel 22D Closure Report:

Tan: 10.46
Mid Ord: 0.02
Ext: 0.02
Chord Bearing: S 79° 31' 53" W
Chord Distance: 20.92

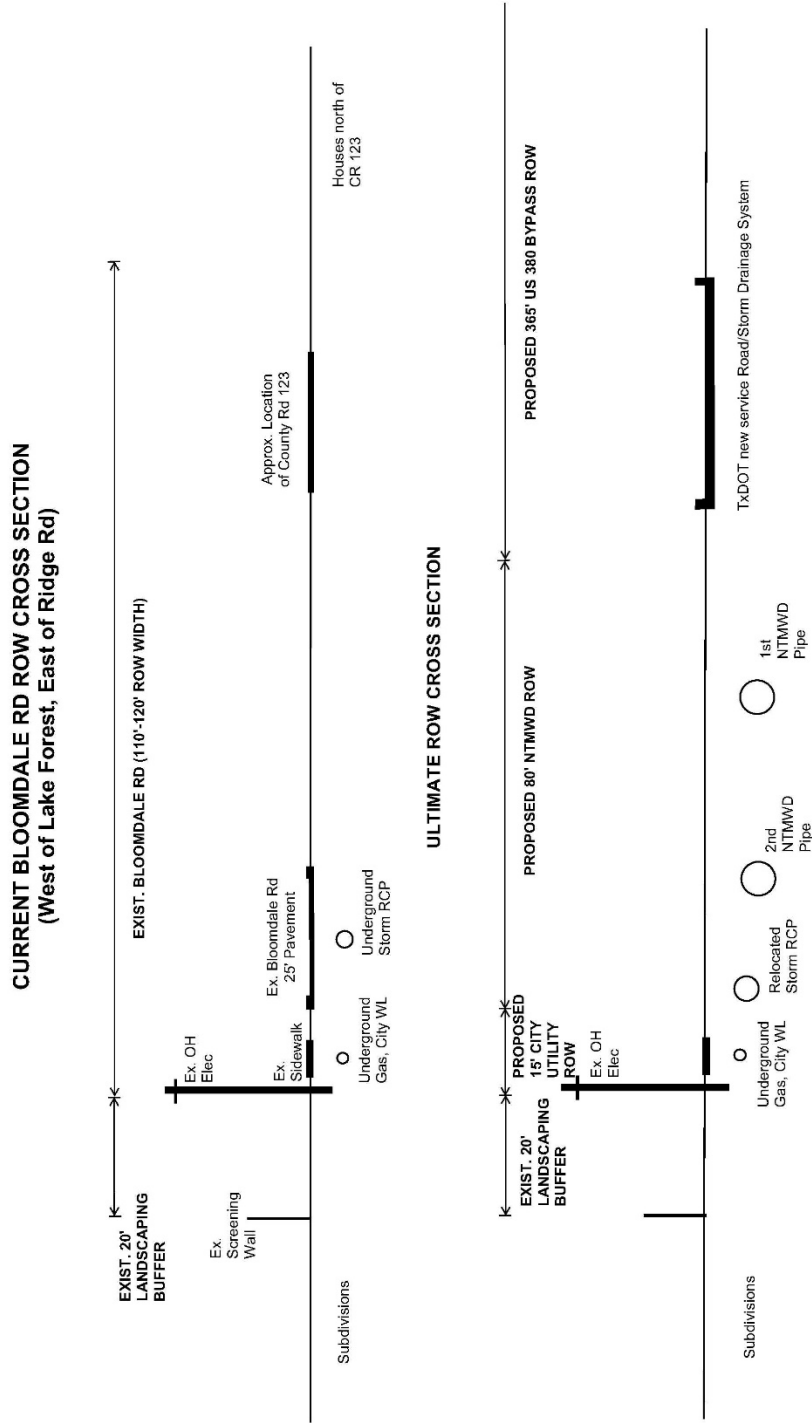
End Coordinates: North: 7141367.574 East: 2520450.456

Error North: 0.00 Error East: 0.01
Error Direction: S 82° 32' 09" W Total Distance Error: 0.01
Error of Closure: 1/376155.80
Perimeter: 1957.75

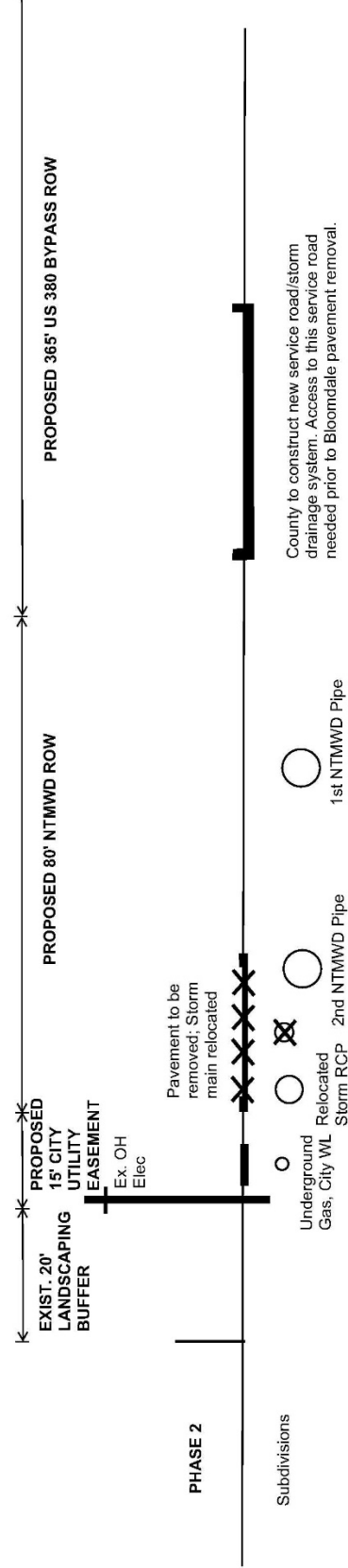
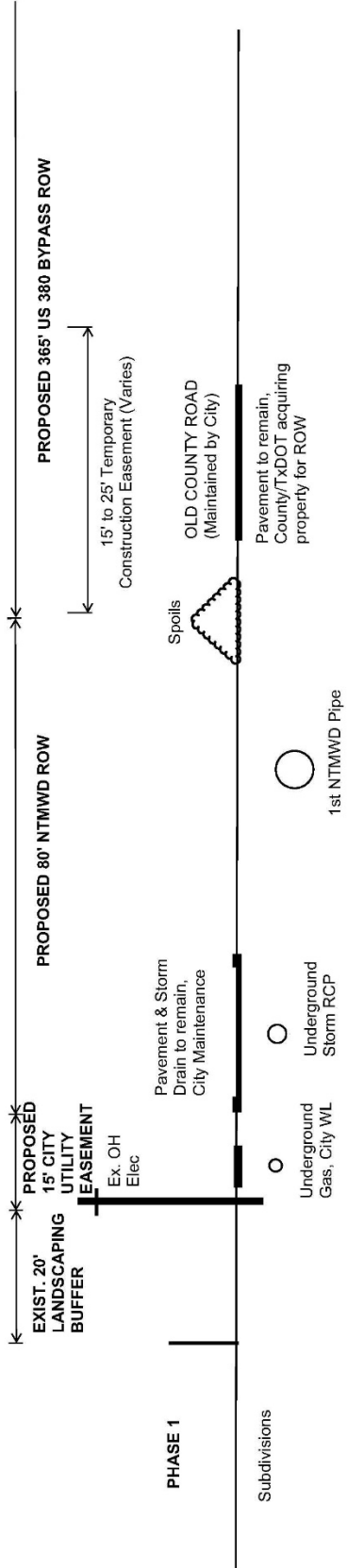
Area: sq. Feet: 51613.75 Acres: 1.185

EXHIBIT "B"

PHASE 1 AND PHASE 2 (Consisting of the following 5 pages)



INTERLOCAL AGREEMENT SEQUENCE FOR BLOOMDALE RD ROW CROSS SECTION

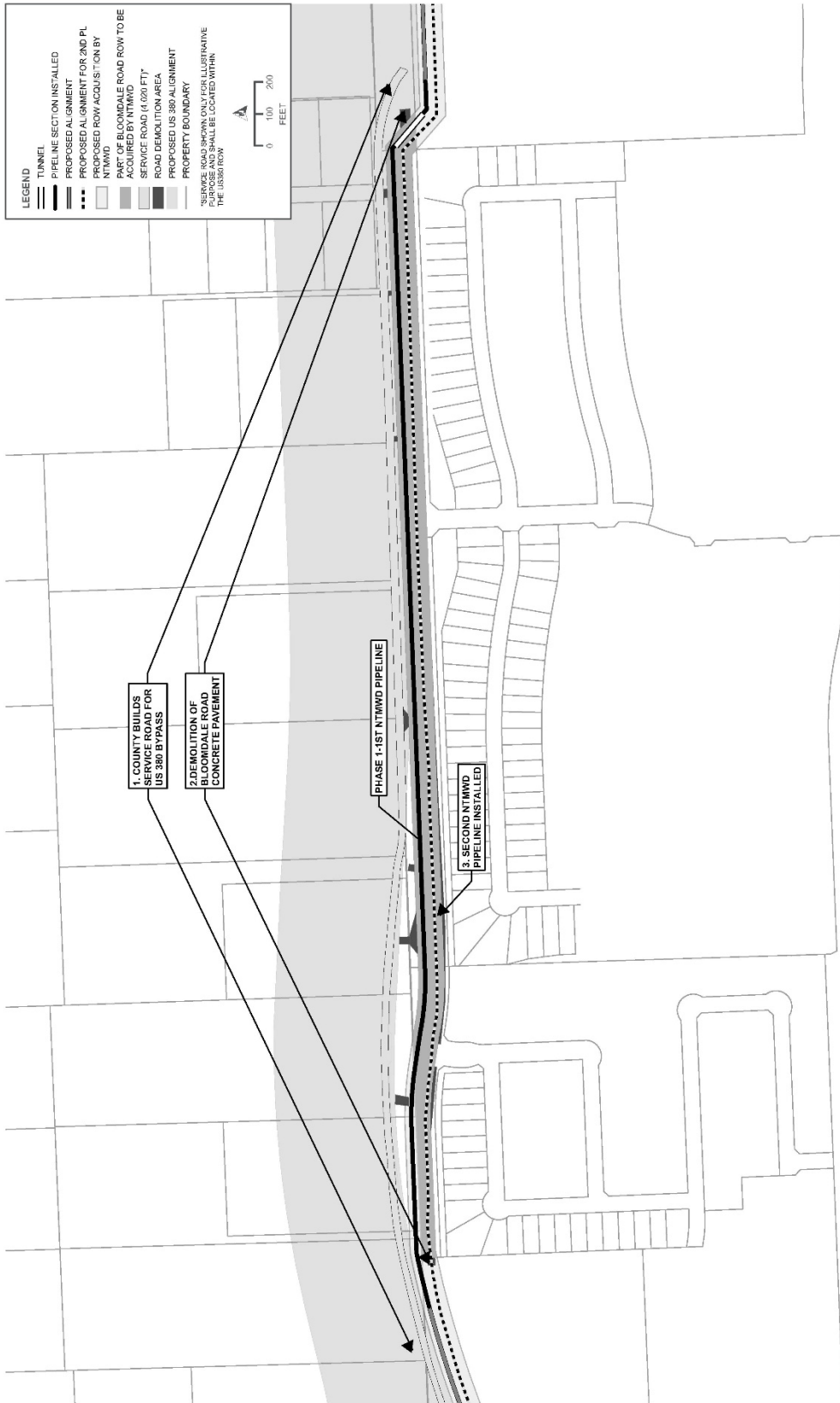




**BLOOMDALE ROAD PHASE 1: INSTALL PIPELINE, BUILD TRANSITION PAVEMENT
MCKINNEY DELIVERY POINT NO. 3 TO MCKINNEY DELIVERY POINT NO. 4 PIPELINE**



DATE: 05/15/2014 10:11 AM; PROJECT: SCOURNEY PIPELINE PROJECT; PHASE: PHASE 1; DRAWING: BLDG TRANSITION PAVEMENT; SHEET: 04-01-001



- LEGEND**
- TUNNEL
 - PIPELINE SECTION INSTALLED
 - PROPOSED ALIGNMENT FOR 2ND PL
 - PROPOSED ROW ACQUISITION BY NTMWD
 - NTMWD BLOOMDALE ROAD ROW TO BE ACQUIRED BY NTMWD
 - SERVICE ROAD (4,020 FT)
 - ROAD DEMOLITION AREA
 - PROPOSED US 380 ALIGNMENT
 - PROPERTY BOUNDARY
 - NOTE: ALL DIMENSIONS ARE FOR ILLUSTRATIVE PURPOSES AND SHALL BE LOCATED WITHIN THE US380 ROW.



1. COUNTY BUILDS SERVICE ROAD FOR US 380 BYPASS

2. DEMOLITION OF BLOOMDALE ROAD CONCRETE PAVEMENT

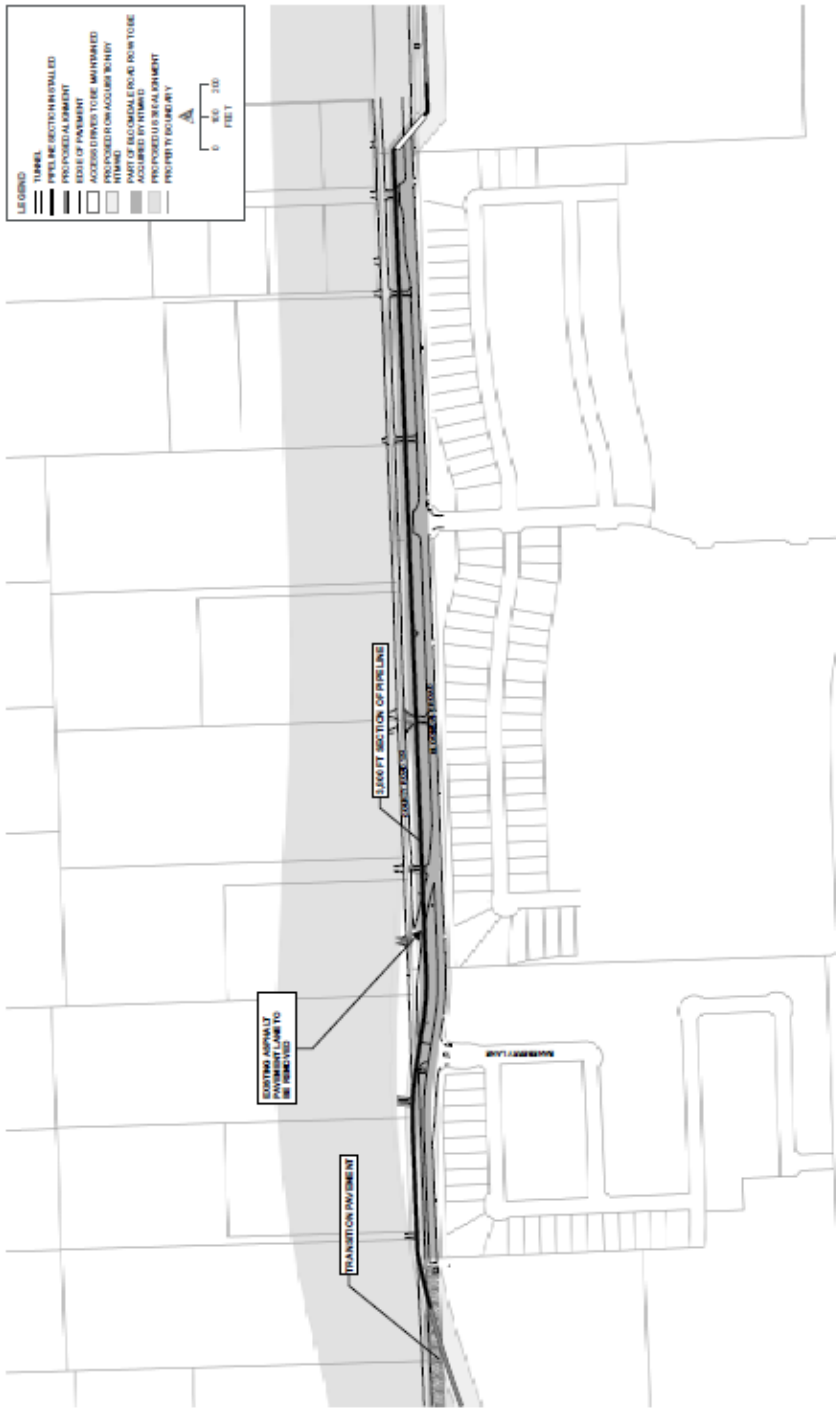
PHASE 1 - 1ST NTMWD PIPELINE

3. SECOND NTMWD PIPELINE INSTALLED

BLOOMDALE ROAD PHASE 2: COUNTY BUILD NEW SERVICE ROAD, DEMO BLOOMDALE ROAD, INSTALL 2ND PIPELINE
 MCKINNEY DELIVERY POINT NO. 3 TO MCKINNEY DELIVERY POINT NO. 4 PIPELINE



DATE: 03/22/2011, 1:45 PM, PROJECT: MCKINNEY PARKWAY, PHASE: 2, DRAWING: BLOOMDALE ROAD PHASE 2, SHEET: BLOOMDALE ROAD PHASE 2 - 04



BLOOMDALE ROAD PHASE 1: INSTALL PIPELINE, BUILD TRANSITION PAVEMENT
 MCKINNEY DELIVERY POINT NO. 3 TO MCKINNEY DELIVERY POINT NO. 4 PIPELINE