

RESOLUTION NO. 15-2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, CONSENTING TO THE CREATION OF A MUNICIPAL UTILITY DISTRICT CURRENTLY DESIGNATED TO BE KNOWN AS LAKE VISTA RANCH MUNICIPAL UTILITY DISTRICT NO. 1, A PORTION OF WHICH LIES WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION.

WHEREAS, Section 54.016 of the Texas Water Code requires that an applicant request a city's written consent to create Municipal Utility Districts within the city's extraterritorial jurisdiction; and

WHEREAS, Article I-C of the Mesquite Subdivision Ordinance extends plat regulations to all applicable development activity within the extraterritorial jurisdiction of the City of Mesquite; and

WHEREAS, on February 14, 2002, the City Secretary's office of the City of Mesquite received the necessary petitions requesting the City's consent to the creation of a Municipal Utility District.

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

SECTION 1. That the City Council of the City of Mesquite ("City") hereby grants its permission for the creation of the Municipal Utility District ("MUD") currently designated to be known as Lake Vista Ranch Municipal Utility District No. 1 ("LVRMUD No. 1") and being approximately 145 acres located as shown in the green-highlighted area in Exhibit "A" attached hereto and is part of the property described more fully in the field notes in Exhibit "B" attached hereto, and the City Manager is hereby authorized to execute any documents necessary to create LVRMUD No. 1.

SECTION 2. That as a condition of the consent given by the City pursuant to Texas Water Code Section 54.016(e) and (g), LVRMUD No. 1 shall be subject to the following terms and provisions:

- (a) That LVRMUD No. 1 must construct all facilities in accordance with plans and specifications which have been approved by the City.
- (b) That the City shall have the right to inspect all facilities being constructed by LVRMUD No. 1.
- (c) That LVRMUD No. 1 may only issue bonds for the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:
 - (i) Provide a water supply for municipal uses, domestic uses and commercial purposes;

- (ii) Collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state;
 - (iii) Gather, conduct, divert and control local storm water or other local harmful excesses of water in LVRMUD No. 1; and
 - (iv) Provide payment of organization expenses and operation expenses during construction and interest during construction.
- (d) That the City shall be entitled to injunctive relief or a writ of mandamus issued by a court of competent jurisdiction restraining, compelling or requiring LVRMUD No. 1 and its officials to observe and comply with the terms and provisions prescribed by this resolution.

SECTION 3. That the City Council of the City of Mesquite further hereby notifies LVRMUD No. 1, its residents and property owners that the Texas Local Government Code allows the City to annex any portion of the district located within the City's extraterritorial jurisdiction, and the City hereby requests that LVRMUD No. 1 include a statement in the form required under Section 49.455 of the Texas Water Code reflecting the possibility of annexation by the City.

SECTION 4. That this resolution take effect immediately from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 18th day of March, 2002.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B. J. Smith
City Attorney

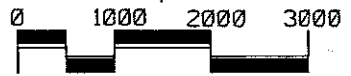
LAKE
RAY
HUBBARD

MUD NO. 4
153 ACRES

MUD NO. 3
437 ACRES

MUD NO. 2
477 ACRES

MUD NO. 1
819 ACRES



SCALE: 1" = 2000'

MUNICIPAL
UTILITY DISTRICT
BOUNDARIES

The green-highlighted area is
Mesquite's Extraterritorial
Jurisdiction

PROPERTY DESCRIPTION

MUNICIPAL UTILITY DISTRICT NO. 1

BEING A 819.4 ACRE TRACT OF LAND SITUATED IN THE I. JONES SURVEY, ABSTRACT NO. 257, THE S.C. WHITE SURVEY, ABSTRACT NO. 572, THE J.R. BRISCOE, ABSTRACT NO. 40, THE R.H. LOVE SURVEY, ABSTRACT NO. 638, THE S. WOODS SURVEY, ABSTRACT NO. 574 AND THE J.R. CONNER SURVEY, ABSTRACT NO. 100, KAUFMAN COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO B. GILL CLEMENTS, RECORDED IN VOLUME 1041, PAGE 490, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS (D.R.K.C.T.) AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN DEED TO CLEMGIL REALTY, INC. RECORDED IN VOLUME 543, PAGE 540, D.R.K.C.T. (COLLECTIVELY REFERRED TO HEREINAFTER AS THE CLEMGIL TRACT). SAID 819.4 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF F.M. HWY. NO. 740 AND THE WEST R.O.W. LINE OF F.M. HWY. NO. 460;

THENCE ALONG THE WEST R.O.W. LINE OF SAID F.M. HWY. NO. 460, THE FOLLOWING COURSES AND DISTANCES:

S 07°13'10" W, A DISTANCE OF 67.35 FEET TO A POINT;

S 46°44'45" W, A DISTANCE OF 2080.20 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2910.37 FEET, A DELTA ANGLE OF 7°08'00", A CHORD BEARING S 43°10'45" W, A DISTANCE OF 362.11 FEET, AND AN ARC LENGTH OF 362.34 FEET TO A POINT;

S 39°36'45" W, A DISTANCE OF 707.10 FEET TO A POINT;

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2820.64 FEET, A DELTA ANGLE OF 6°01'00", A CHORD BEARING S 42°37'15" W, A DISTANCE OF 296.06 FEET, AND AN ARC LENGTH OF 296.20 FEET TO A POINT;

S 45°37'45" W, A DISTANCE OF 823.83 FEET TO A POINT FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID CLEMGIL TRACT;

THENCE ALONG THE SOUTH LINE OF SAID CLEMGIL TRACT, THE FOLLOWING COURSES AND DISTANCES:

S 89°06'03" W, A DISTANCE OF 1598.90 FEET TO A POINT;

N 60°31'45" W, A DISTANCE OF 404.10 FEET TO A POINT;

N 01°16'13" W, A DISTANCE OF 345.25 FEET TO A POINT;

S 87°01'08" W, A DISTANCE OF 1054.40 FEET TO A POINT;

N 77°24'19" W, A DISTANCE OF 1208.00 FEET TO A POINT FOR THE
SOUTHWEST CORNER OF SAID CLEMGIL TRACT;

THENCE ALONG THE WEST LINE OF SAID CLEMGIL TRACT, THE FOLLOWING
COURSES AND DISTANCES:

N 11°49'00" W, A DISTANCE OF 660.00 FEET TO A POINT;

N 12°58'25" E, A DISTANCE OF 74.40 FEET TO A POINT;

N 42°48'12" E, A DISTANCE OF 95.96 FEET TO A POINT;

N 71°59'32" E, A DISTANCE OF 118.50 FEET TO A POINT;

N 83°25'51" E, A DISTANCE OF 249.12 FEET TO A POINT;

N 58°07'31" E, A DISTANCE OF 147.44 FEET TO A POINT;

N 11°00'37" E, A DISTANCE OF 142.49 FEET TO A POINT;

N 43°02'13" W, A DISTANCE OF 140.98 FEET TO A POINT;

N 25°51'50" W, A DISTANCE OF 261.81 FEET TO A POINT;

N 42°48'53" W, A DISTANCE OF 245.24 FEET TO A POINT;

N 12°59'39" E, A DISTANCE OF 1721.97 FEET TO A POINT;

N 08°26'33" E, A DISTANCE OF 3560.90 FEET TO A POINT;

N 88°17'38" E, A DISTANCE OF 730.33 FEET TO A POINT;

N 44°56'33" E, A DISTANCE OF 222.00 FEET TO A POINT;

S 78°06'28" E, A DISTANCE OF 300.00 FEET TO A POINT;

N 06°36'28" W, A DISTANCE OF 100.00 FEET TO A POINT;

N 59°36'28" W, A DISTANCE OF 178.88 FEET TO A POINT;

00086

N 44°56'33" E, A DISTANCE OF 129.79 FEET TO A POINT;

N 48°34'38" E, A DISTANCE OF 435.08 FEET TO A POINT;

N 43°36'10" E, A DISTANCE OF 293.20 FEET TO A POINT IN THE
APPROXIMATE CENTERLINE OF RAY HUBBARD DRIVE;

THENCE ALONG THE APPROXIMATE CENTERLINE OF SAID RAY HUBBARD DRIVE,
THE FOLLOWING COURSES AND DISTANCES:

S 36°19'53" W, A DISTANCE OF 55.31 FEET TO A POINT;

S 37°29'33" W, A DISTANCE OF 261.43 FEET TO A POINT;

S 35°45'40" W, A DISTANCE OF 64.83 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 700.33 FEET, A DELTA
ANGLE OF 17°05'32", A CHORD BEARING S 27°12'54" W, A DISTANCE OF
208.15 FEET, AND AN ARC LENGTH OF 208.92 FEET TO A POINT;

S 18°40'07" W, A DISTANCE OF 94.60 FEET TO A POINT;

S 17°32'05" W, A DISTANCE OF 82.78 FEET TO A POINT;

S 12°21'44" W, A DISTANCE OF 132.28 FEET TO A POINT;

S 04°47'48" W, A DISTANCE OF 28.22 FEET TO A POINT;

S 07°03'37" W, A DISTANCE OF 163.18 FEET TO A POINT;

S 07°35'10" W, A DISTANCE OF 180.68 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 418.78 FEET, A DELTA
ANGLE OF 50°28'27", A CHORD BEARING S 17°39'03" E, A DISTANCE OF 357.11
FEET, AND AN ARC LENGTH OF 368.92 FEET TO A POINT;

S 42°53'30" E, A DISTANCE OF 37.53 FEET TO A POINT;

S 45°19'05" E, A DISTANCE OF 146.93 FEET TO A POINT;

S 45°08'23" E, A DISTANCE OF 354.80 FEET TO A POINT;

S 44°53'11" E, A DISTANCE OF 190.00 FEET TO A POINT;

S 48°49'06" E, A DISTANCE OF 48.28 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 255.32 FEET, A DELTA ANGLE OF 36°00'54", A CHORD BEARING S 66°49'37" E, A DISTANCE OF 157.86 FEET, AND AN ARC LENGTH OF 160.49 FEET TO A POINT;

S 84°50'05" E, A DISTANCE OF 73.00 FEET TO A POINT;

S 88°58'31" E, A DISTANCE OF 73.77 FEET TO A POINT;

S 89°35'46" E, A DISTANCE OF 179.93 FEET TO A POINT;

N 89°19'30" E, A DISTANCE OF 200.60 FEET TO A POINT;

S 89°49'32" E, A DISTANCE OF 199.30 FEET TO A POINT;

S 87°08'33" E, A DISTANCE OF 101.91 FEET TO A POINT;

S 84°24'10" E, A DISTANCE OF 102.77 FEET TO A POINT;

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 752.63 FEET, A DELTA ANGLE OF 38°06'56", A CHORD BEARING S 65°20'42" E, A DISTANCE OF 491.50 FEET, AND AN ARC LENGTH OF 500.68 FEET TO A POINT;

S 46°17'13" E, A DISTANCE OF 100.45 FEET TO A POINT;

S 43°11'55" E, A DISTANCE OF 1431.04 FEET TO A POINT;

THENCE N 44°25'37" E, OVER AND ACROSS SAID CLEMGIL TRACT, A DISTANCE OF 1078.25 FEET TO A POINT IN THE EAST LINE OF SAID CLEMGIL TRACT;

THENCE S 44°00'44" E, ALONG THE EAST LINE OF SAID CLEMGIL TRACT, A DISTANCE OF 857.25 FEET TO A POINT IN THE WEST R.O.W. LINE OF SAID F.M. HWY. NO. 740;

THENCE ALONG THE WEST R.O.W. LINE OF SAID F.M. HWY. NO. 740, THE FOLLOWING COURSES AND DISTANCES:

S 06°38'15" W, A DISTANCE OF 352.81 FEET TO A POINT;

S 07°05'15" W, A DISTANCE OF 346.99 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1477.38 FEET, A DELTA ANGLE OF 5°33'05", A CHORD BEARING S 04°18'42" W, A DISTANCE OF 143.09 FEET, AND AN ARC LENGTH OF 143.15 FEET TO A POINT;

THENCE ALONG THE EAST LINE OF SAID CLEMGIL TRACT, THE FOLLOWING

COURSES AND DISTANCES:

N 88°33'36" W, A DISTANCE OF 154.88 FEET TO A POINT;

S 45°27'35" W, A DISTANCE OF 271.85 FEET TO A POINT IN THE NORTH R.O.W.
LINE OF SAID RAY HUBBARD DRIVE;

THENCE S 44°32'25" E, ALONG THE NORTH R.O.W. LINE OF SAID RAY HUBBARD
DRIVE, A DISTANCE OF 422.14 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 166.37 FEET, A
DELTA ANGLE OF 51°34'25", A CHORD BEARING S 19°07'31" E, A DISTANCE OF
144.75 FEET, AND AN ARC LENGTH OF 149.75 FEET TO A POINT IN THE SOUTH
R.O.W. OF SAID RAY HUBBARD DRIVE;

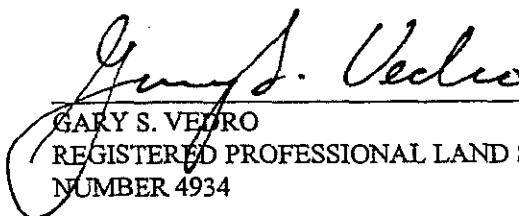
THENCE S 44°54'45" E, ALONG THE SOUTH R.O.W. OF SAID RAY HUBBARD DRIVE,
A DISTANCE OF 422.12 FEET TO A POINT IN THE WEST R.O.W. LINE OF F.M. HWY.
NO. 740;

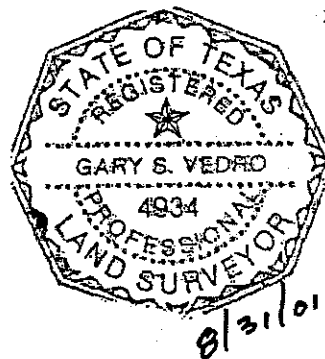
THENCE ALONG THE WEST R.O.W. LINE OF F.M. HWY. NO. 740 THE FOLLOWING
COURSES AND DISTANCES:

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1477.38 FEET, A
DELTA ANGLE OF 8°10'18", A CHORD BEARING S 40°49'36" E, A DISTANCE OF
210.53 FEET, AND AN ARC LENGTH OF 210.71 FEET TO A POINT;

S 44°54'45" E, A DISTANCE OF 153.28 FEET TO THE POINT OF BEGINNING,
AND CONTAINING 819.355 ACRES OF LAND, MORE OR LESS.

THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN
ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN
REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE
CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR
WHICH IT WAS PREPARED.


GARY S. VEDRO
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 4934



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



THE STATE OF TEXAS
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a Texas Commission on Environmental Quality document, which is filed in the permanent records of the Commission. Given under my hand and the seal of office on

LeDonna Castanuela FEB 24 2003

LeDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality

AN ORDER GRANTING THE APPLICATION FOR CREATION OF LAKE VISTA RANCH MUNICIPAL UTILITY DISTRICT NO. 1 AND APPOINTING TEMPORARY DIRECTORS

An application by Travis Ranch Development, L.P., (hereafter "Applicant") was presented to the Executive Director of the Texas Commission on Environmental Quality (hereafter "Commission") for approval of the creation of Lake Vista Ranch Municipal Utility District No. 1 (hereafter "District") pursuant to Article XVI, Section 59 of the TEXAS CONSTITUTION and TEX. WATER CODE ANN., Chapters 49 and 54.

The Commission has jurisdiction to consider this matter, and the following Findings of Fact and Conclusions of Law are appropriate after examining the application and supporting documentation:

FINDINGS OF FACT

1. On September 5, 2002, an application for the creation of Lake Vista Ranch Municipal Utility District No. 1 was filed with the Commission pursuant to TEX. WATER CODE ANN., Chapter 54.
 - a. The petition was signed by a duly authorized officer of the applicant, which represents it holds a majority in value of title of the land to be included within the proposed District's boundaries in accordance with TEX. WATER CODE ANN. § 54.014 (Vernon 1972 & Supp. 2002).
 - b. The application contains the matters required by TEX. WATER CODE ANN. § 54.015 (Vernon 1972) and Title 30 TAC § 293.11.
 - c. There are no lien holders on the property to be included in the proposed District.
2. Proper notice of this application was given pursuant to TEX. WATER CODE ANN. § 49.011 (Vernon 2000) and Title 30 TAC § 293.12.
 - a. Proper notice of the application was published on December 6, 2002, and December 13, 2002, in the Terrell Tribune, a newspaper regularly published and generally circulated in Kaufman County, Texas, which is the county in which the proposed District is to be located.
 - b. On December 3, 2002, proper notice of the application was posted on the bulletin board used for posting legal notices in Kaufman County, Texas, which is the county in which the proposed District is to be located.

3. The appropriate and necessary deposits and fees associated with the filing of the application for creation of the proposed District have been paid to the Commission.
4. The affidavits of three proposed temporary directors of the proposed District have been received. The proposed temporary directors are:

Greg Cannon Henry Kostman
Robert W. Hinds

5. Each of the persons named in Finding of Fact No. 4 is qualified to serve as a temporary director of the proposed District as each: (1) is at least 18 years old; (2) is a resident of the State of Texas; (3) either owns land subject to taxation within the proposed District, or is a qualified voter within the proposed District; and (4) has completed and filed with the Commission an application for consideration of appointment as temporary director in the form and substance required by the Rules of the Commission.
6. The entire proposed District will be situated within the extraterritorial jurisdiction of the Cities of Dallas, Forney, and Mesquite, Texas and wholly within the boundaries of Kaufman County, Texas, and no part of the proposed District will be located within the corporate limits or extraterritorial jurisdiction of any other city, town or village of the State of Texas.
7. The metes and bounds description of the proposed District has been checked by the Commission's staff and was found to form an acceptable closure.
8. By Resolution No. 02-0685, effective February 13, 2002, the City of Dallas, Texas, gave its consent to create the District. By Resolution No. 15-2002, effective March 18, 2002, the City of Mesquite, Texas, gave its consent to create the District. By Resolution No. 02-02, effective March 19, 2002, the City of Forney, Texas, gave its consent to create the District. These consents satisfy the requirements of TEX. WATER CODE ANN. § 54.016 (Vernon 1972 & Supp. 2002) and TEX. LOC. GOV'T CODE ANN. § 42.042 (Vernon 1999).
9. The proposed project as set out in the application is feasible and practicable.
 - a. There is an ample supply of water available, and the terrain of the area to be included in the proposed District is such that waterworks, wastewater, and drainage and storm sewer systems can be constructed or acquired at reasonable cost.
 - b. The projected construction cost for the proposed project is reasonable at approximately \$16,800,000.
 - c. The proposed District's combined projected tax rate of \$0.380 per \$100 assessed valuation is reasonable and comparable to tax rates in the surrounding area.
 - d. The projected water and wastewater rates are reasonable.
 - e. A market study was provided which indicates that there is growth potential to support the proposed District.

10. The creation of the proposed District as set out in the application is necessary and would be a benefit to the land to be included in the proposed District.
11. The proposed District and its system and subsequent development within the District will not have an unreasonable effect on the following: land elevations; subsidence; groundwater level within the region; recharge capability of a groundwater source; natural run-off rates and drainage; and water quality.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction to consider this application and is authorized to make and enter its Findings of Fact, Conclusions of Law, and Orders with respect to the creation of the proposed District.
2. All of the proposed land and property may be included within the proposed District.
3. All statutory and regulatory requirements for creation of Lake Vista Ranch Municipal Utility District No. 1 have been fulfilled in accordance with TEX. WATER CODE ANN. § 54.021 (Vernon 1972 & Supp. 2002) and Title 30 TAC §§ 293.11-293.13.

NOW THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY THAT:

1. The application for the creation of Lake Vista Ranch Municipal Utility District No. 1 is hereby granted.
2. The District is created under the terms and conditions of Article XVI, Section 59 of the Texas Constitution and TEX. WATER CODE ANN., Chapter 54.
3. The District shall have all of the rights, powers, privileges, authority, and functions conferred and shall be subject to all duties imposed by the Texas Commission on Environmental Quality and the general laws of the State of Texas relating to municipal utility districts.
4. The District shall be composed of the area situated wholly within Harris County, Texas, described by metes and bounds in Exhibit "A" attached hereto, and incorporated herein for all purposes.
5. The following three persons are hereby named and appointed as temporary directors of the District, to serve until their successors are elected or have been appointed in accordance with applicable law:

Greg Cannon Henry Kostman
Robert W. Hinds

6. The foregoing temporary directors shall, as soon as practicable after the date of entry of this Order, execute their official bonds and take their official oath of office. All such bonds shall be approved by the Board of Directors of the District and each bond and oath shall be filed with the District and retained in its records.

7. This Order shall in no event be construed as an approval of any proposed agreements or of any particular item in any document provided in support of the application for creation, nor as a commitment or requirement of the Commission in the future to approve or disapprove any particular item or agreement in future applications submitted by the District for Commission consideration.
8. This Order shall not constitute approval or recognition of the validity of any provision in City of Dallas, Texas, Resolution No. 02-0685 adopted February 13, 2002, or the City of Mesquite, Texas, Resolution No. 15-2002, adopted March 18, 2002, or the City of Forney, Texas, Resolution No. 02-02 adopted March 19, 2002, nor any other ordinance/resolution incorporated therein by reference to the extent that such provision exceeds the authority granted by the laws of the State of Texas.
9. The District shall pursue sharing in water supply and wastewater treatment facilities with neighboring districts and utility systems, if feasible.
10. The Chief Clerk of the Commission shall forward a copy of this Order to all affected persons.
11. If any provision, sentence, clause or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

Issue Date: FEB 13 2003

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY



For the Commission

EXHIBIT A

PROPERTY DESCRIPTION PROPOSED LAKEVIEW RANCH MUNICIPAL UTILITY DISTRICT NO. 1

BEING A 819.4 ACRE TRACT OF LAND SITUATED IN THE I. JONES SURVEY, ABSTRACT NO. 257, THE S.C. WHITE SURVEY, ABSTRACT NO. 572, THE J.R. BRISCOE, ABSTRACT NO. 40, THE R.H. LOVE SURVEY, ABSTRACT NO. 638, THE S. WOODS SURVEY, ABSTRACT NO. 574 AND THE J.R. CONNER SURVEY, ABSTRACT NO. 100, KAUFMAN COUNTY, TEXAS AND BEING ALL OF THAT TRACT OF LAND DESCRIBED IN DEED TO B. GILL CLEMENTS, RECORDED IN VOLUME 1041, PAGE 490, OF THE DEED RECORDS OF KAUFMAN COUNTY, TEXAS (D.R.K.C.T.) AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN DEED TO CLEMGIL REALTY, INC. RECORDED IN VOLUME 543, PAGE 540, D.R.K.C.T. (COLLECTIVELY REFERRED TO HEREINAFTER AS THE CLEMGIL TRACT). SAID 819.4 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE ALONG THE APPROXIMATE CENTERLINE OF SAID RAY HUBBARD DRIVE, THE FOLLOWING COURSES AND DISTANCES:

S 36°19'53" W, A DISTANCE OF 55.31 FEET TO A POINT;

S 37°29'33" W, A DISTANCE OF 261.43 FEET TO A POINT;

S 35°45'40" W, A DISTANCE OF 64.83 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 700.33 FEET, A DELTA ANGLE OF 17°05'32", A CHORD BEARING S 27°12'54" W, A DISTANCE OF 208.15 FEET, AND AN ARC LENGTH OF 208.92 FEET TO A POINT;

S 18°40'07" W, A DISTANCE OF 94.60 FEET TO A POINT;

S 17°32'05" W, A DISTANCE OF 82.78 FEET TO A POINT;

S 12°21'44" W, A DISTANCE OF 132.28 FEET TO A POINT;

S 04°47'48" W, A DISTANCE OF 28.22 FEET TO A POINT;

S 07°03'37" W, A DISTANCE OF 163.18 FEET TO A POINT;

S 07°35'10" W, A DISTANCE OF 180.68 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 418.78 FEET, A DELTA ANGLE OF 50°28'27", A CHORD BEARING S 17°39'03" E, A DISTANCE OF 357.11 FEET, AND AN ARC LENGTH OF 368.92 FEET TO A POINT;

S 42°53'30" E, A DISTANCE OF 37.53 FEET TO A POINT;

S 45°19'05" E, A DISTANCE OF 146.93 FEET TO A POINT;

S 45°08'23" E, A DISTANCE OF 354.80 FEET TO A POINT;

S 44°53'11" E, A DISTANCE OF 190.00 FEET TO A POINT;

S 48°49'06" E, A DISTANCE OF 48.28 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 255.32 FEET, A DELTA ANGLE OF 36°00'54", A CHORD BEARING S 66°49'37" E, A DISTANCE OF 157.86 FEET, AND AN ARC LENGTH OF 160.49 FEET TO A POINT;

S 84°50'05" E, A DISTANCE OF 73.00 FEET TO A POINT;

S 88°58'31" E, A DISTANCE OF 73.77 FEET TO A POINT;

S 89°35'46" E, A DISTANCE OF 179.93 FEET TO A POINT;

N 89°19'30" E, A DISTANCE OF 200.60 FEET TO A POINT;

S 89°49'32" E, A DISTANCE OF 199.30 FEET TO A POINT;

S 87°08'33" E, A DISTANCE OF 101.91 FEET TO A POINT;

S 84°24'10" E, A DISTANCE OF 102.77 FEET TO A POINT;

ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 752.63 FEET, A DELTA ANGLE OF 38°06'56", A CHORD BEARING S 65°20'42" E, A DISTANCE OF 491.50 FEET, AND AN ARC LENGTH OF 500.68 FEET TO A POINT;

S 46°17'13" E, A DISTANCE OF 100.45 FEET TO A POINT;

S 43°11'55" E, A DISTANCE OF 1431.04 FEET TO A POINT;

THENCE N 44°25'37" E, OVER AND ACROSS SAID CLEMGIL TRACT, A DISTANCE OF 1078.25 FEET TO A POINT IN THE EAST LINE OF SAID CLEMGIL TRACT;

THENCE S 44°00'44" E, ALONG THE EAST LINE OF SAID CLEMGIL TRACT, A DISTANCE OF 857.25 FEET TO A POINT IN THE WEST R.O.W. LINE OF SAID F.M. HWY. NO. 740;

THENCE ALONG THE WEST R.O.W. LINE OF SAID F.M. HWY. NO. 740, THE FOLLOWING COURSES AND DISTANCES:

S 06°38'15" W, A DISTANCE OF 352.81 FEET TO A POINT;

S 07°05'15" W, A DISTANCE OF 346.99 FEET TO A POINT;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1477.38 FEET, A DELTA ANGLE OF 5°33'05", A CHORD BEARING S 04°18'42" W, A DISTANCE OF 143.09 FEET, AND AN ARC LENGTH OF 143.15 FEET TO A POINT;

THENCE ALONG THE EAST LINE OF SAID CLEMGIL TRACT, THE FOLLOWING

COURSES AND DISTANCES:

N 88°33'36" W, A DISTANCE OF 154.88 FEET TO A POINT;

S 45°27'35" W, A DISTANCE OF 271.85 FEET TO A POINT IN THE NORTH R.O.W.
LINE OF SAID RAY HUBBARD DRIVE;

THENCE S 44°32'25" E, ALONG THE NORTH R.O.W. LINE OF SAID RAY HUBBARD
DRIVE, A DISTANCE OF 422.14 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 166.37 FEET, A
DELTA ANGLE OF 51°34'25", A CHORD BEARING S 19°07'31" E, A DISTANCE OF
144.75 FEET, AND AN ARC LENGTH OF 149.75 FEET TO A POINT IN THE SOUTH
R.O.W. OF SAID RAY HUBBARD DRIVE;

THENCE S 44°54'45" E, ALONG THE SOUTH R.O.W. OF SAID RAY HUBBARD DRIVE,
A DISTANCE OF 422.12 FEET TO A POINT IN THE WEST R.O.W. LINE OF F.M. HWY.
NO. 740;

THENCE ALONG THE WEST R.O.W. LINE OF F.M. HWY. NO. 740 THE FOLLOWING
COURSES AND DISTANCES:

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1477.38 FEET, A DELTA
ANGLE OF 8°10'18", A CHORD BEARING S 40°49'36" E, A DISTANCE OF 210.53
FEET, AND AN ARC LENGTH OF 210.71 FEET TO A POINT;

S 44°54'45" E, A DISTANCE OF 153.28 FEET TO THE POINT OF BEGINNING,
AND CONTAINING 819.355 ACRES OF LAND, MORE OR LESS.

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GARY S. VEDRO
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 4934