

Amend CSHB 3335 (Senate committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES accordingly:

ARTICLE ____ . SIENNA RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
COLLIN COUNTY

SECTION ____ .01. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8305 to read as follows:

CHAPTER 8305. SIENNA RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
COLLIN COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8305.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Director" means a board member.
- (3) "District" means the Sienna Ranch Municipal Utility District No. 1 of Collin County.

Sec. 8305.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8305.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8305.004. CONSENT OF MUNICIPALITY AND ANNEXATION INTO CORPORATE LIMITS REQUIRED. The temporary directors may not hold an election under Section 8305.003 until:

- (1) the City of Nevada has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district; and
- (2) all of the territory of the district has been annexed into the corporate limits of the city of Nevada.

Sec. 8305.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

- (b) The district is created to accomplish the purposes of:
- (1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
 - (2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation,

or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8305.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by the article creating this chapter.

(b) The boundaries and field notes contained in the article creating this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

[Sections 8305.007-8305.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8305.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8305.052, directors serve staggered four-year terms.

Sec. 8305.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act creating this chapter, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the Texas Commission on Environmental Quality requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8305.003; or

(2) the fourth anniversary of the effective date of the Act creating this chapter.

(c) If permanent directors have not been elected under Section 8305.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or

reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8305.003; or

(2) the fourth anniversary of the date of the appointment or reappointment.

(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

[Sections 8305.053-8305.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8305.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8305.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8305.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8305.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards,

subdivision requirements, and regulations of each county in which the road project is located.

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 8305.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8305.106. EFFECT OF ANNEXATION BY CITY OF NEVADA. (a) The City of Nevada may annex part of the territory of the district into its corporate limits without annexing all of the territory of the district under an agreement entered into before the effective date of the Act creating this chapter between the City of Nevada and the landowners of the land being annexed. The district continues in existence following annexation of part of the territory of the district as described by this subsection.

(b) The district shall be dissolved and its debts and obligations assumed by the City of Nevada in accordance with Chapter 43, Local Government Code, including Sections 43.075 and 43.0715, on annexation of all of the territory of the district by the City of Nevada, provided that:

(1) water, sanitary sewer, and drainage improvements, and roads have been constructed to serve at least 95 percent of the territory of the district; or

(2) the board adopts a resolution consenting to the dissolution of the district.

(c) Notwithstanding Section 54.016(f)(2), Water Code, a contract ("Allocation Agreement") between the City of Nevada and the district that provides for the allocation of the taxes or revenues of the district and the city following the date of inclusion of all the district's territory in the corporate limits of the city, may provide that the total annual ad valorem taxes collected by the city and the district from taxable property in the district may exceed the city's ad valorem tax on the property.

Sec. 8305.107. LIMITATION ON USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain outside the district to acquire a site or easement for:

- (1) a road project authorized by Section 8305.103; or
- (2) a recreational facility as defined by Section 49.462, Water Code.

[Sections 8305.108-8305.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8305.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
 - (2) contract payments described by Section 8305.153.
- (b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.

Sec. 8305.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8305.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Sec. 8305.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

[Sections 8305.154-8305.200 reserved for expansion]

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8305.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8305.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8305.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION ____ .02. The Sienna Ranch Municipal Utility District No. 1 of Collin County initially includes all the territory contained in the following area:

PARCEL 1

BEING a tract of land situated in the Denton Helmstettler Survey, Abstract No. 378, the Roger Willis Survey, Abstract No. 748, and the Willis Roberts Survey, Abstract No. 790, Collin County, Texas, the subject tract being a portion of that 1473.835 acre tract of land conveyed to Commercial Capital Investments, Inc. by Resolution Trust Corporation according to the Special Warranty Deed recorded in Collin County Clerk File number 94-0058780 of the Land Records Of Collin County Texas (LRCCT), the subject tract further being portions of three subdivision Final Plats filed in said Land Records of Collin County Texas, those being Lake Hills, Phase 1 recorded in Cabinet J, Page 134, Park Meadows Phase 1 recorded in Cabinet J, Page 137, and Sommerset Estates, Revised Phase 1 recorded in Cabinet J, Page 313, said three subdivisions being included within the above mentioned Commercial Capital Investments, Inc. 1473.835 acre tract, the subject total tract

being more particularly described as follows;

BEGINNING at a point on the south line of Farm-To-Market Road Number 1778, said south line being the same south line of that 15 feet wide strip of land dedicated by the above mentioned Park Meadows Phase 1 Final Plat (Cab. J, Pg. 137), said Beginning point further being the Northeast corner of Lot 4 of said Park Meadows Phase 1 Final Plat and northwest corner of a tract of land conveyed to Walt C. HSU according to the Warranty Deed recorded in Volume 3201, Page 795 (LRCCT), a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

THENCE, along the easterly line of the previously mentioned Park Meadows Phase 1 addition line and along the westerly lines of the following tracts; three tracts of land of land conveyed to Walt C. HSU according to two Warranty Deeds recorded in Volume 3201, Page 795 and Volume 3201, Page 797 (LRCCT), and a tract of land conveyed to Phillip Chen recorded in Volume 3584, Page 166 (LRCCT) the following:

S 00° 48' 47" E, a distance of 571.95 feet to a 60d nail found at corner;

S 00° 38' 46" E, a distance of 354.47 feet to a 60d nail found at corner;

S 00° 50' 29" E, a distance of 489.70 feet to an iron pin found at corner;

S 00° 46' 54" E, a distance of 299.68 feet to a 60d nail found at corner;

S 01° 19' 27" E, a distance of 524.53 feet to an iron pin found at an ell corner of said Commercial Capital Investments, Inc. tract, said corner further being the southwest corner of said Phillip Chen tract;

THENCE, along a north line of said Park Meadows Phase 1 and the south lines of said Phillip Chen tract, a tract conveyed to Charles Sitzes according to the deed recorded in Volume, 5746, Page 4572, (LRCCT), a tract conveyed to John A. Whitson according to the deed recorded in County Clerk File number 93-0046157 (LRCCT), and a tract conveyed to Jesus Canales according to the deed recorded in Volume 4987, Page 1808 (LRCCT) the following;

South 89° 02' 27" E, a distance of 658.56 feet to an iron

pin found at corner;

South $89^{\circ} 07' 19''$ E, a distance of 2108.54 feet to another ell corner of said Commercial Capital Investments, Inc. tract and westerly line of Price Creek Estates, an addition to Collin County according to the Final Plat recorded in Cabinet I, Page 517 (LRCCT), a 1/2" iron pin next to a fence corner post found at corner;

THENCE, S $00^{\circ} 04' 47''$ E, along the easterly line of said Park Meadows Phase 1 and a westerly line of said Price Creek Estates, a distance of 156.97 feet to an ell corner for both said Final Plats, Price Creek Estates and Park Meadows Phase 1, said point also being on the northerly line of Dearborn Acres Phase 1, an addition to Collin County according to the Final Plat recorded in Cabinet J, Page 145 (LRCCT);

THENCE, with the center of Price Creek and along the common line between said additions, Dearborn Acres Phase 1 and Park Meadows Phase 1 the following;

S $83^{\circ} 21' 39''$ W, a distance of 30.84 feet; S $71^{\circ} 03' 54''$ W, a distance of 28.06 feet;

S $44^{\circ} 28' 19''$ W, a distance of 52.54 feet; S $22^{\circ} 28' 07''$ W, a distance of 69.53 feet;

S $60^{\circ} 04' 07''$ W, a distance of 43.37 feet; N $86^{\circ} 00' 18''$ W, a distance of 25.10 feet;

S $66^{\circ} 13' 16''$ W, a distance of 140.26 feet; S $43^{\circ} 31' 15''$ W, a distance of 49.79 feet;

S $65^{\circ} 26' 13''$ W, a distance of 131.00 feet; S $36^{\circ} 26' 54''$ W, a distance of 60.05 feet;

S $72^{\circ} 04' 37''$ W, a distance of 111.47 feet; S $85^{\circ} 25' 43''$ W, a distance of 212.81 feet;

S $85^{\circ} 44' 44''$ W, a distance of 211.15 feet; S $69^{\circ} 09' 30''$ W, a distance of 143.03 feet;

S $68^{\circ} 17' 17''$ W, a distance of 67.74 feet; N $83^{\circ} 10' 43''$ W, a distance of 61.36 feet;

S $58^{\circ} 50' 34''$ W, a distance of 164.79 feet; S $52^{\circ} 22' 44''$ W, a distance of 44.73 feet;

S $62^{\circ} 21' 17''$ W, a distance of 49.51 feet; S $86^{\circ} 31' 51''$ W, a distance of 41.24 feet;

S $63^{\circ} 55' 53''$ W, a distance of 128.94 feet; S $60^{\circ} 49' 53''$ W a

distance of 131.62 feet;

S 56° 28' 41" W, a distance of 127.19 feet; S 63° 10' 56" W, a distance of 52.78 feet;

S 80° 45' 54" W, a distance of 50.46 feet; S 72° 01' 10" W, a distance of 126.88 feet to a point on the northerly line of the previously mentioned Lake Hills Phase 1 addition;

THENCE, along a creek and along the northerly and easterly line of said Lake Hills Phase 1 and the southwesterly and westerly line of said Dearborn Acres Phase 1 the following;

S 20° 07' 18" E, a distance of 35.15 feet; N 71° 06' 50" E, a distance of 42.23 feet;

S 40° 32' 52" E, a distance of 24.72 feet; S 78° 01' 18" E, a distance of 109.13 feet;

S 58° 24' 56" E, a distance of 71.87 feet; N 70° 21' 55" E, a distance of 51.93 feet;

S 58° 47' 28" E, a distance of 82.38 feet; S 87° 13' 03" E, a distance of 36.21 feet;

S 39° 30' 42" E, a distance of 38.80 feet; S 84° 53' 40" E, a distance of 32.75 feet;

S 50° 38' 42" E, a distance of 137.16 feet; S 81° 23' 41" E, a distance of feet 61.43 feet;

S 55° 18' 27" E., a distance of 59.33 feet: S 38° 02' 26" E, a distance of 77.63 feet;

S 53° 46' 10" E, a distance of 61.86 feet; S 29° 19' 27" E, a distance of 63.87 feet;

S 62° 43' 45" E, a distance of 15.41 feet; S 75° 09' 51" E, a distance of 75.61 feet;

N 51° 34' 08" E, a distance of 46.71 feet; S 61° 49' 18" E, a distance of 29.41 feet;

S 16° 04' 27" E, a distance of 27.49 feet, S 75° 25' 16" E, a distance of 92.21 feet;

S 65° 45' 26" E, a distance of 135.63 feet; S 58° 05' 24" E, a distance of 108.92 feet;

S 56° 13' 03" E, a distance of 86.50 feet; S 67° 13' 21" E, a distance of 87.18 feet;

S 65° 25' 12" E, a distance of 34.56 feet; S 03° 53' 51" E, a distance of 95.72 feet;

S 52° 16' 17" E, a distance of 69.15 feet; S 06° 27' 15" E, a distance of 67.59 feet;

S 28° 12' 59" E, a distance of 94.16 feet; S 07° 03' 34" E, a distance of 105.29 feet to an iron pin found at corner.

S 14° 12' 13" W, a distance of 566.46 feet to an iron pin found at corner;

S 00° 36' 58" W, a distance of 435.57 feet to a point on the north line of Farm-To-Market Road No. 543, said point being the southeast corner of Lot 12 of said Lake Hills Phase 1 and the southwest corner of Lot 1 of Dearborn Acres Phase 1 to a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

THENCE, along the said County Road No. 543 north line the following;

N 89° 24' 42" W, a distance of 2415.58 feet to a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

Around a tangent curve to the right having a central angle of 08° 50' 44", a radius of 1849.86 feet and a chord of N 84° 59' 20" W - 285.31 feet, an arc distance of 285.59 feet to a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

N 80° 33' 58" W, a distance of 278.01 feet to a point on an easterly line of a tract of land conveyed to the United States of America for Lake Lavon, said point further being on the westerly line of said Lake Hills Phase 1, and located at the southwest corner of Lot 1 of said Lake Hills Phase 1, a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner, from which a 5/8" iron pin found bears S 73° 23' 20" E, a distance of 0.82 feet;

THENCE, N 29° 00' 04" E, along the said Lake Hills Phase 1 westerly line and easterly line of said United States of America property, a distance of 899.16 feet to an ell corner of said United States of America property and Lake Hills Phase 1 westerly line, a concrete Government marker found at corner;

THENCE, N 57° 11' 26" W, along a northerly line of said United States of America property and southerly line of Lot 14 of Lake Hills Phase 1 and southerly line of the previously mentioned Park Meadows Phase 1, a distance of 519.49 feet to a concrete Government marker found at corner;

THENCE, S 89° 16' 26" W, continuing along the northerly line

of said USA property and along the said Park Meadows Phase 1 southerly line and a southerly line of the previously mentioned Sommerset Estates Revised Phase 1, a distance of 349.84 feet to an ell corner of said USA property and Sommerset Estates Revised Phase 1, a concrete Government marker found at corner;

THENCE, along a westerly line of said United States of America property and easterly line of said Sommerset Estates Revised Phase 1 the following;

S 42° 57' 42" W, a distance of 779.67 feet to a concrete Government marker found at corner;

S 70° 13' 25" W, a distance of 429.81 feet to a concrete Government marker found at corner;

S 47° 45' 34" W, a distance of 423.23 feet to a point on the northerly line of said Farm-To-Market Road No. 543 as dedicated by the said Final Plat of Sommerset Estates Revised Phase 1, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, along said Farm-To-Market Road No. 543 northerly line the following;

N 87° 26' 57" W, a distance of 437.75 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

N 86° 45' 05" W, a distance of 328.51 feet to a 1/2" iron pin found at corner;

N 89° 58' 53" W, a distance of 99.89 feet to the southwest corner of Lot 1 of said Sommerset Estates Revised Phase 1, said corner further being on the east line of Rocky Road, a 50 feet wide Right-Of-Way easement, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, N 01° 02' 52" E, along the west line of said Sommerset Estates Revised Phase 1 and said Rocky Road east line, a distance of 1107.07 feet to an ell corner of said Sommerset Estates Revised Phase 1, said corner further being the southwest corner of a tract of land conveyed to Teri L. Beckmeyer by the General Warranty Deed recorded in 94-0033501 (LRCCT), a 5/8" iron pin found at corner;

THENCE, S 88° 17' 44" E, along the south line of said Teri L. Beckmeyer tract and north line of Lot 2 of said Sommerset Estates Revised Phase 1, a distance of 593.43 feet to an ell corner of said Sommerset Estates Revised Phase 1, a 1/2" iron pin with a red cap

stamped Tipton Eng, Inc. set at corner;

THENCE, along a west line of said Sommerset Estates Revised Phase 1 and the east line of said Teri, L. Beckmeyer, and the east lines of the following tracts, a tract conveyed to Harry E. Shibler and Teri. L. Beckmeyer according to the Warranty Deed with Vendor's Lien recorded in County Clerk File Number 94-0056623 (LRCCT), two tracts conveyed to John Clentis Simpson, Sr. according to the Special Warranty Deed recorded in Volume 5936, Page 4879 (LRCCT), and that tract conveyed to Carol Chamberlain and Allen Chamberlain according to the Warranty Deed With Vendor's Lien recorded in Volume 4704, Page 1799 the following;

N 00° 47' 24" W, a distance of 296.21 feet to a 1/2" iron pin found at corner;

N 01° 08' 33" W, a distance of 240.54 feet to a 1/2" iron pin found at corner;

N 00° 36' 15" W, a distance of 195.04 feet to a 1/2" iron pin found at corner;

N 01° 29' 49" W, a distance of 193.39 feet to a 1/2" iron pin found at corner;

N 00° 42' 09" W, a distance of 467.62 feet to an ell corner of said Sommerset Estates Revised Phase 1, said corner being on a south line of a tract of land conveyed to JoAnne Gambrell Airhart and Tom Patterson Airhart, according to the Warranty Deed With Vendor's Lien recorded in Volume 4510, Page 1852 (LRCCT), a 1/2" iron pin found at corner;

THENCE, S 89° 17' 05" E, along the south line of said JoAnne Gambrell Airhart and Tom Patterson Airhart tract part of the way, along the south line of a tract of land owned by Karen Webb Bennet Ind Exec according to the deed recorded in Volume 1769, Page 435 (LRCCT) and along a north line of said Sommerset Estates Revised Phase 1, a distance of 1660.39 feet to an ell corner of said Sommerset Estates Revised Phase 1 and southeast corner of said Karen Webb Bennet Ind Exec tract, a 1/2" iron pin found 3.7 feet east of a fence corner post at corner;

THENCE, along the a west line of said Sommerset Estates Revised Phase 1 addition and along the east lines of said Karen Webb Bennet Ind Exec tract, that tract conveyed to Altis L. Powell Et Ux

according to the deed recorded in Volume 377, Page 119 (LRCCT), the following;

N 01° 02' 36" E, a distance of 1376.06 feet to a 60d nail found at corner;

N 00° 50' 16" E, a distance of 547.97 feet to a 1/2" iron pin found at corner;

N 00° 48' 18" E, a distance of 340.88 feet to the southwest corner of Lot 1 of said Park Meadows Phase 1, a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

THENCE, S 89° 35' 45" E, along the south line of said Lot 1 of Park Meadows Phase 1, a distance of 80.60 feet to a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

THENCE, N 86° 52' 56" E, continuing along the said Lot 1 of Park Meadows Phase 1 south line, a distance of 137.15 feet to the southeast corner of said Lot 1 of Park Meadows Phase 1, a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

THENCE, N 00° 04' 54" W, along the east line of said Lot 1 of Park Meadows Phase 1, a distance of 414.78 feet to a point on the previously mentioned south line of Farm-To-Market Road No. 1778, a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

THENCE, N 86° 24' 17" E, along the said Farm-To-Market Road Number 1778 southerly line, a distance of 811.78 feet to the Place of Beginning with the subject tract containing 15,226,847 Square Feet or 349.5603 acres of land.

PARCEL 2

BEING a tract of land situated in the Silvester Williams Survey, Abstract No. 955 and Willis Roberts Survey, Abstract No. 790, Collin County, Texas, the subject tract being a portion of that 1473.835 acre tract of land conveyed to Commercial Capital Investments, Inc. by Resolution Trust Corporation according to the Special Warranty Deed recorded in Collin County Clerk File number 94-0058780 of the Land Records Of Collin County Texas (LRCCT), the subject tract being more particularly described as follows;

BEGINNING at a point on the southerly line of County Road No. 543 and at the southwest corner of that tract of land conveyed to Collin County (for road purposes) according to the Deed recorded in

County Clerk File Number 99-0040895 (LRCCT), said beginning point being on the west line of said Commercial Capital Investments, Inc. 1473.835 acre tract and further being S 01° 04' 17" W, a distance of 61.64 feet from the intersection of the north line of County Road No. 543 and the east line of Rocky Road as shown on the Final Plat of Sommerset Estates, an addition to Collin County according to said Final Plat recorded in Cabinet J, Page 313 (LRCCT), a 1/2" iron pin found at corner;

THENCE, along the said County Road No. 543 southerly line the following;

S 88° 52' 45" E, a distance of 169.88 feet to a 1/2" iron pin found at corner;

S 84° 33' 39" E, a distance of 606.25 feet to a point on an easterly line of said Commercial Capital Investments, Inc. 1473.835 acre tract and northwesterly line of a tract of land conveyed to the United States Of America, a 1/2" iron pin found at corner;

THENCE, S 47° 45' 34" W, along the said Commercial Capital Investments, Inc. 1473.835 acre tract southeasterly line and United States of America tract northwesterly line, a distance of 1750.27 feet to a US Government marker in concrete found at corner;

THENCE, along a southerly and westerly line of said Commercial Capital Investments, Inc. 1473.835 acres tract and a northerly and easterly line of said United States of America tract the following;

N 46° 24' 25" W, a distance of 265.29 feet to a US Government marker in concrete found at corner;

N 12° 08' 44" E, a distance of 594.70 feet to a US Government marker in concrete found at corner;

THENCE, S 84° 49' 00" E, along a northerly line of said Commercial Capital Investments, Inc. 1473.835 acres tract and part of the way along a southerly line of a United States of America tract and south line of a tract of land conveyed to J. B. Justice according to the deed recorded in Volume 645, Page 055 (LRCCT), a distance of 581.99 feet to the southeast corner of said J. B. Justice tract and an ell corner of said Commercial Capital Investments, Inc. 1473.835 acres tract, a US Government marker in concrete found at corner;

THENCE, N 01° 04' 08" E, along a west line of said Commercial Capital Investments, Inc. 1473.835 acres tract and east line of said J. B. Justice tract, a distance of 525.75 feet to the Place of Beginning with the subject tract containing 654,044 Square Feet or 15.0148 Acres of Land.

PARCEL 3

BEING a tract of land situated in the Roger Willis Survey, Abstract No. 748, and the Silvester Williams Survey, Abstract No. 955 Collin County, Texas, the subject tract being a portion of that 1473.835 acre tract of land conveyed to Commercial Capital Investments, Inc. by Resolution Trust Corporation according to the Special Warranty Deed recorded in Collin County Clerk File number 94-0058780 of the Land Records Of Collin County Texas (LRCCT), the subject tract further being a portion of Shalimar Acres, an addition to Collin County Texas according to the Final Plat recorded in Cabinet J, Page 136, (LRCCT), land in said plat being included in the above mentioned Commercial Capital Investments, Inc. 1473.835 acre tract, the subject tract being more particularly described as follows;

BEGINNING at the intersection of the southerly line of County Road No. 543 and the west line of County Road No. 544, said point further being located at the northeast corner of Lot 1 of said Shalimar Acres, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, S 00° 07' 23" W, along the said County Road No. 544 west line, a distance of 2065.10 feet to the southeast corner of Lot 16, of Shalimar Acres, said corner being located on the north line of a tract of land conveyed to the United States Of America, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner, from which a US Government marker in concrete found bears N 73° 18' 15" E, a distance of 9.85 feet;

THENCE, along the southerly and westerly line of said Shalimar Acres and a northerly and easterly line of said United States of America tract the following;

S 73° 18'15" W, a distance of 493.72 feet to a US Government marker in concrete found at corner;

N 67° 31' 55" W, a distance of 619.64 feet to a US Government

marker in concrete found at corner;

S 89° 05' 23" W, a distance of 570.02 feet to a US Government marker in concrete found at corner;

N 36° 58' 31" E, a distance of 919.31 feet to a US Government marker in concrete found at corner;

N 26° 55' 54" E, a distance of 499.80 feet to a US Government marker in concrete found at corner;

N 64° 31' 34" E, a distance of 464.89 feet to a US Government marker in concrete found at corner;

N 29° 01' 25" E, a distance of 699.51 feet to a point on the previously mentioned County Road No. 543 south line, said point further being the northwest corner of the previously mentioned Lot 1 of Shalimar Acres, a US Government marker in concrete found at corner;

THENCE, S 81° 18' 52" E, along said County Road No. 543 south line, a distance of 82.46 feet to the Place Of Beginning with the subject tract containing 1,820,913 Square Feet or 41.8024 acres of land.

PARCEL 4

BEING a tract of land situated in the Roger Willis Survey, Abstract No. 748, Collin County, Texas, the subject tract being a portion of that 1473.835 acre tract of land conveyed to Commercial Capital Investments, Inc. by Resolution Trust Corporation according to the Special Warranty Deed recorded in Collin County Clerk File number 94-0058780 of the Land Records Of Collin County Texas (LRCCT), the subject tract further being a portion of Shalimar Acres, an addition to Collin County Texas according to the Final Plat recorded in Cabinet J, Page 136, (LRCCT), land in said plat being included in the above mentioned Commercial Capital Investments, Inc. 1473.835 acre tract, the subject tract being more particularly described as follows;

BEGINNING at the intersection of the southerly line of County Road No. 543 and the east line of County Road No. 544 as dedicated by said Shalimar Acres Final Plat, said Beginning Point further being located at the northwest corner of Lot 2 of said Shalimar Acres, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, S 80° 33' 58" E, along the southerly line of said

County Road No. 543 a distance of 177.59 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, continuing along said County Road No, 543 southerly and around a tangent curve to the left having a central angle of 08° 34' 08", a radius of 1969.86 feet, and a chord of S 84° 51' 02" E with a distance of 294.33 feet, an arc distance of 294.60 feet to the northeast corner of Lot 4 of said Shalimar Acres and the southwest corner of a tract of land conveyed to Collin County for right-of-way according to the Deed recorded in County Clerk File No. 2000-0070885 (LRCCT), a 1/2" iron pin found at corner;

THENCE, S 00° 36' 54" E, along the east line of said Shalimar Acres and a west line of a tract of land conveyed to John Lindsley McCraw, Jr. and Marjorie Elizabeth Gantt according to the Warranty Deed recorded in Volume 627, page 69 (LRCCT), a distance of 313.35 feet to an ell corner of said Shalimar Acres and John Lindsley McCraw, Jr. and Marjorie Elizabeth Gantt tract, a US Government marker in concrete found at corner);

THENCE, S 88° 28' 08" W, along a south line of said Shalimar Acres and a north line of said John Lindsley McCraw, Jr. and Marjorie Elizabeth Gantt tract, a distance of 472.68 feet to a point on the previously mentioned County Road No, 544, said point further being the southwest corner of Lot 2 of said Shalimar Acres, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, N 00° 07' 23" E, along said County Road No, 544 east line, a distance of 381.49 feet to the Place Of Beginning with the subject tract containing 160,368 Square Feet or 3.6815 Acres of land.

PARCEL 5

BEING a tract of land situated in the Roger Willis Survey, Abstract No. 748, and the Silvester Williams Survey, Abstract No. 955 Collin County, Texas, the subject tract being a portion of that 1473.835 acre tract of land conveyed to Commercial Capital Investments, Inc. by Resolution Trust Corporation according to the Special Warranty Deed recorded in Collin County Clerk File number 94-0058780 of the Land Records Of Collin County Texas (LRCCT), the subject tract being more particularly described as follows;

COMMENCING at the intersection of the southerly line of

County Road No. 543 and the west line of County Road No. 544 as dedicated by said Shalimar Acres Final Plat, said point further being located at the northeast corner of Lot 1 of said Shalimar Acres, a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, N 81° 19' 37" W, along the said County Road No. 543 south line, a distance of 82.52 feet to the Place Of Beginning of the here-in described tract of land and northwest corner of said Lot 1 of Shalimar Acres, said corner further being located at an ell corner of a tract of land conveyed to the United States Of America, a US Government marker in concrete found at corner;

THENCE, leaving the addition line of said Shalimar Acres and along a common line between that Commercial Capital Investments, Inc. 1473.835 acres tract and the previously mentioned United States of America tract the following;

N 89° 15' 55" W, a distance of 473.20 feet to a 1/2" iron pin found at corner;

N 00° 45' 29" E, a distance of 92.19 feet to a 1/2" iron pin found at corner;

THENCE, continuing along the previously mentioned common property lines and along the approximate centerline of said County Road No. 543 the following;

N 88° 56' 29" E, a distance of 107.30 feet to a 1/2" iron pin found at corner;

S 84° 41' 46" E, a distance of 286.48 feet;

S 81° 15' 53" E, a distance of 112.04 feet;

THENCE, S 33° 09' 52" E, leaving said County Road No. 543 north line and along a portion of that County Road No. 543 right-of-way dedication by said Shalimar Acres, a distance of 69.05 feet;

THENCE, N 89° 06' 54" W, continuing along said County Road No. 543 right-of-way dedication by said Shalimar Acres, a distance of 69.12 feet to the Place Of Beginning with the subject tract containing 42,403 Square Feet or 0.9734 acres of land.

PARCEL 6

BEING a tract of land situated in the Thomas Toby Survey, Abstract No. 925 in the Sylvester William Survey, Abstract No. 955, Collin County, Texas being all of a called 16.105 acre tract of land

conveyed by Angela Olivo Ramos to WYA Lake Lavon Ltd., a Texas limited partnership, according to the General Warranty Deed with Vendor's Lien recorded in County Clerk's File Number 20071126001578660 of the Land Records of Collin County, Texas (LRCCT), the subject tract being more particularly described as follows;

BEGINNING at a 1/2" iron pin found with a red cap in the easterly right-of-way of State Highway No. 78 same being the southwest corner of the subject tract and the northwest corner of a tract of land conveyed to W.B. Montgomery;

THENCE, N 15° 54' 36" W, along the easterly line of said State Highway No. 78, a distance of 453.48 feet to a 1/2" iron pin with a red cap stamped Tipton Eng. Inc. set at corner, from which a wood right-of-way monument bears S 16° 24' 09" E, a distance of 63.19 feet;

THENCE, continuing along the easterly line of said State Highway No. 78 and around a curve to the right having a central angle of 04° 27' 04", a radius of 1382.93 feet, a chord of N 13° 41' 04" W - 107.37 feet, an arc distance of 107.39 feet to a 1/2" iron pin with a red cap stamped Tipton Eng. Inc. set at corner;

THENCE, N 89° 45' 00" E, along the south line of a tract of land conveyed to Angela Olivo Ramos, according to the Warranty Deed recorded in County Clerk File Number 20060208000171830 (LRCCT), a distance of 1364.23 feet to the northeast corner of the subject tract and a point in the west line of a called 23.764 acres tract of land conveyed by Billy G. Roan and wife, Merle Ann Roan to WYA Lake Lavon Ltd., a Texas limited partnership according to the Special Warranty Deed with Vendor's Lien recorded in County Clerk File Number 20080111000045480 (LRCCT), a 1/2" iron pin with a red cap stamped Tipton Eng. Inc set at corner from which a 5/8" iron pin found with a red cap stamped "Clark" bears N 00° 09' 30" W, a distance of 515.87 feet;

THENCE, S 00° 15' 00" E, along the east line of said 16.105 acres WYA Lake Lavon Ltd., tract and west line of said WYA Lake Lavon Ltd. 23.764 acres tract, a distance of 547.75 feet to a 1/2" iron pin found at corner;

THENCE, N 89° 05' 05" W, along the south line of said WYA Lake

Lavon Ltd. 16.105 acres tract and the north line of said WYA Lake Lavon Ltd. 23.764 acres tract, a distance of 205.28 feet to a common northerly corner of said WYA Lake Lavon Ltd. 23.764 acres tract and an 18.8098 acres tract of land conveyed by JDI Investors, LP to WYA Lake Lavon Ltd., a Texas limited partnership according to according to the Special Warranty Deed with Vendor's Lien recorded in CC# 20080702000812420 (LRCCT), a 1/2" iron pin found with a red cap stamped "Clark" found 1 foot NW of a fence corner post at corner;

THENCE, S 89° 53' 31" W, along the north line of said WYA Lake Lavon Ltd 18.8098 acres tract of land and the south line of the subject WYA Lake Lavon Ltd. 16.105 acres tract of land, passing a 1/2" iron pin found at the northeast corner of said Montgomery Tract at a distance of 592.68 feet and continuing along the north line of said Montgomery Tract for a total distance of 1011.65 feet to the PLACE OF BEGINNING with the subject tract containing 701,534 square feet or 16.105 acres of land.

PARCEL 7

BEING a tract of land situated in the Sylvester William Survey, Abstract No. 955, Collin County, Texas and being all of a called 23.764 acres tract of land conveyed by Billy G. Roan and wife, Merle Ann Roan to WYA Lake Lavon Ltd., a Texas limited partnership according to the Special Warranty Deed with Vendor's Lien recorded in County Clerk File Number 20080111000045480 (LRCCT), the subject tract being more particularly described as follows;

BEGINNING at a 5/8" iron pin with a red cap stamped " Clark" found for corner at the intersection of the South right-of-way of County Road 543, the west boundary line of said 23.764 acres tract and the east boundary line of a 1.001 acre tract owned by Dario M. Castillo according to the warranty deed recorded in Volume 5734, Page 2748 (LRCCT), said beginning point further being located at the southwest corner of a 0.4622 acre tract described in conveyance from Bill G. Roan to County of Collin, dated May 24, 2000 and recorded in Volume 4677, Page 1545 (LRCCT), said beginning point further being 1303.91 feet easterly, along said County Road 543 south line, from the point of intersection of the south line of County Road No. 543 (Vol. 4837, Page 725 LRCCT), a variable width

ROW and the east line of State Highway Number 78;

THENCE with the south right-of-way of County Road 543 and the south boundary line of said 0.4622 acre tract the following;

S 89° 25' 22" E, a distance of 30.49 feet to a 1/2" iron rod found for corner;

N 89° 06' 30" E, a distance of 430.67 feet to the northeast corner of the said subject 23.764 acres tract, said point further being located on the west line of a 15.23 acres tract conveyed by Emma Nowlin, et al to the United States of America dated September 21, 1972, recorded in Volume 837, Page 367 (LRCCT), a 1/2" iron rod found at corner;

THENCE, S 30° 07' 59" E, a distance of 531.40 feet to a concrete corporation monument found for corner and 1.2 feet north of a fence corner, said corner being an interior corner of the United States of America 15.23 acres tract;

THENCE, along the east line of said WYA Lake Lavon Ltd. 23.764 acres tract and the west line of said United States of America tract the following;

S 57° 08' 27" W, a distance of 564.72 feet to a concrete corporation monument found near a fence corner at corner,

S 30° 05' 11" E, a distance of 310.04 feet to a concrete corporation monument found at corner;

S 06° 02' 06" W, passing a concrete corporation monument found at a distance of 499.80 feet and continuing to make a total distance of 899.52 feet to the most southerly southeast corner of said WYA Lake Lavon Ltd. 23.764 acres tract, a concrete corporation monument found at corner;

THENCE, S 77° 58' 17" W, along the south line of said WYA Lake Lavon Ltd. 23.764 acres tract and the north line of said United States of America 15.23 acres tract, a distance of 530.53 feet to the southwest corner of the subject WYA Lake Lavon Ltd. 23.764 acres tract and the southeast corner of that 18.8098 acres tract of land conveyed by JDI Investors, LP to WYA Lake Lavon Ltd., a Texas limited partnership according to according to the Special Warranty Deed with Vendor's Lien recorded in CC# 20080702000812420 (LRCCT), a 1/2" iron pin with a red cap stamped "Wisdom" found at corner, from which a fence corner post bears S 04° 44" 01" E, a distance of

5.32 feet and a metal pole of a power line bears S 59° 34' 51" E, a distance of 70.91 feet;

THENCE N 00° 12' 05" E, along the east line of said WYA Lake Lavon Ltd. 18.8098 acres tract and the west line of said WYA Lake Lavon Ltd. 23.764 acres tract and generally along or near a barbed wire fence, a distance of 972.68 to a point on the south line of a 16.105 acre tract of land conveyed by Angela Olivo Ramos to WYA Lake Lavon Ltd., a Texas limited partnership, according to the General Warranty Deed with Vendor's Lien recorded in County Clerk's File Number 20071126001578660 of the Land Records of Collin County, Texas (LRCCT), a 1/2" iron pin with a red cap stamped "Clark" found 1 foot NW of a fence corner post at corner;

THENCE, S 89° 05' 05" E, along the north line of the subject WYA Lake Lavon Ltd. 23.764 acres tract and the south line of said WYA Lake Lavon Ltd. 16.105 acres tract, a distance of 205.28 feet to a 1/2" iron pin found at corner;

THENCE, N 00° 15' 00" W, along the subject WYA Lake Lavon Ltd. 23.764 acres tract west line and east lines of the said WYA Lake Lavon Ltd. 16.105 acres tract and that 16.1066 acres tract of land owned by Angela Olivo Ramos, according to the warranty deed recorded in County Clerk's File Number 20060208000171830 (LRCCT), a distance of 970.04 feet to a 1/2" iron pin with a cap stamped Stovall & Associates found at corner;

THENCE, N 00° 03' 27" E, along the east line of said Dario M. Castillo 1.001 acre tract and the west line of the subject WYA Lake Lavon Ltd. 23.764 acres tract, a distance of 93.64 feet to the Place of Beginning with the subject tract containing 1,035,320 Square Feet or 23.7677 acres of land.

PARCEL 8

BEING a tract of land situated in the Thomas Toby Survey, Abstract No. 925 and the Sylvester William Survey, Abstract No. 955, Collin County, Texas, the subject tract being all of that 18.8098 acres tract of land conveyed by JDI Investors, LP to WYA Lake Lavon Ltd., a Texas limited partnership according to according to the Special Warranty Deed with Vendor's Lien recorded in CC# 20080702000812420 of the Land Records of Collin County, Texas (LRCCT), the subject tract being more particularly described as

follows;

COMMENCING at the point intersection of the south line of County Road No. 543 (Vol. 4837, Page 725 LRCCT), a variable width ROW at this point and the east line of State Highway Number 78, said point being the most northerly northwest corner of a tract of land conveyed to Alfred Olivo according to the warranty deed recorded in County Clerk's File Number 20060208000171820 (LRCCT), a 1/2" iron pin with a red cap stamped "Boundary Solutions" found at corner, from which a 1/2" iron pin found bears N 31° 40' 42" W, a distance of 176.28 feet;

THENCE, along the said State Highway Number 78 easterly line the following;

S 45° 09' 02" W, a distance of 131.71 feet;

S 00° 36' 13" E, a distance of 184.23 feet;

Around a non-tangent curve to the left having a central angle of 15° 42' 46", a radius of 1382.39 feet and a chord of S 08° 03' 17" E - 377.92 feet, an arc distance of 379.10 feet;

S 15° 54' 36" E, a distance of 453.48 feet to the southwest corner of a 16.105 acres tract of land conveyed to WYA Lake Lavon Ltd., according to the according to the General Warranty Deed With Vendor's Lien recorded in CC# 20071126001578660 (LRCCT);

THENCE, N, 89° 53' 31" E, along the south line of said WYA Lake Lavon Ltd., 16.105 acres tract, a distance of 418.96 feet to the PLACE OF BEGINNING of the herein described tract, said Beginning Point being the most northerly northwest corner of the subject WYA Lake Lavon Ltd., 18.8098 acres tract and the northeast corner of a tract of land conveyed to Willie B. Montgomery according to the deed recorded in Volume 463, Page 496 (LRCCT), a 1/2" iron pin with a red cap stamped "Wisdom" found at corner;

THENCE, N 89° 53' 31" E, along the south line of said WYA Lake Lavon Ltd., 16.105 acres tract and the north line of said WYA Lake Lavon Ltd., 18.8098 acres tract, a distance of 592.69 feet to the northeast corner of said WYA Lake Lavon Ltd., 18.8098 acres tract, said corner also being located at an angle point of a 23.764 acre tract of land conveyed to WYA Lake Lavon Ltd., a Texas limited partnership, according to the Warranty Deed With Vendor's Lien recorded in CC# 20080111000045480 (LRCCT), a 1/2" iron pin with a

red cap stamped "Clark" found 1 foot NW of a fence corner post at corner;

THENCE, S 00° 11' 58" W, along the east line of said WYA Lake Lavon Ltd., 18.8098 acres tract and west line of said WYA Lake Lavon Ltd., 23.764 acres tract, and generally along or near a barbed wire fence, a distance of 972.52 feet to the southeast corner of said WYA Lake Lavon Ltd., 18.8098 acres tract, a 1/2" iron pin with a red cap stamped "Wisdom" found at corner, from which a fence corner post bears S 04° 44' 01" E, a distance of 5.32 feet and a metal pole of a power line bears S 59° 34' 51" E, a distance of 70.91 feet;

THENCE, S 89° 52' 50" W, along the south line of said WYA Lake Lavon Ltd., 18.8098 acres tract and the north line of a tract of land conveyed to the United States Of America according to the Condemnation document recorded in Volume 714, page 825 (LRCCT), and proceeding approximately 5.3 feet to 6 feet northerly of a barbed wire fence, a distance of 811.92 feet to a concrete Government marker stamped 1918-1-1 found at corner, from which a fence corner post bears S 02° 51' 19" E, a distance of 6.1 feet;

THENCE, N 04° 36' 49" W, along the westerly line of said WYA Lake Lavon Ltd., 18.8098 acres tract and an easterly line of a tract of land conveyed to the United States Of America and identified as Tract 1918-1 according to the Condemnation document recorded in Volume 755, Page 612 (LRCCT), a distance of 460.09 feet to a concrete Government marker stamped 1918-1-2 found at corner,

THENCE, S 88° 38' 36" W, along a south line of said WYA Lake Lavon Ltd., 18.8098 acres tract and the north line of said United States Of America north line (755, Page 612), a distance of 49.97 feet to a concrete Government marker stamped 1918-1-3 found at corner,

THENCE, along said State Highway No. 78 easterly line and the westerly line of said WYA Lake Lavon Ltd., 18.8098 acres tract the following;

Around a non-tangent curve to the left having a central angle of 13° 07' 52", a radius of 1373.25 feet and a chord of N 09° 20' 40" W - 314.03 feet, an arc distance of 314.72 feet to a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner;

N 15° 54' 36" W, a distance of 89.62 feet to a 1/2" iron pin

with a red cap stamped Tipton Engineering, Inc. set at corner, from which a Highway Department wood monument found bears N 24° 06' E, a distance of 0.28 foot and a 1/2" iron pin with a red cap stamped "Wisdom" found bears S 15° 54' 36" E, a distance of 10.13 feet;

THENCE, N 89° 53' 31" E, along the south line of the previously mentioned Willie B. Montgomery tract and a north line of said WYA Lake Lavon Ltd., 18.8098 acres tract, a distance of 383.16 feet to a 1/2" iron pin with a red cap stamped Tipton Engineering, Inc. set at corner, from which a 60d nail found in top of 3 feet tall power pole bears S 07' 17' 23" E, a distance of 9.94 feet;

THENCE, N 00° 57' 15" E. along a west line of said WYA Lake Lavon Ltd., 18.8098 acres tract and the east line of said Willie B. Montgomery tract, a distance of 118.97 feet to the Place Of Beginning with the subject tract containing 819,355 Square Feet or 18.8098 Acres of Land.

PARCEL 9

BEING a tract of land situated in the Thomas Toby Survey, Abstract No. 925 and the Sylvester William Survey, Abstract No. 955, Collin County, Texas, the subject tract being all of that tract of land conveyed to Alfred Olivo, according to the warranty deed recorded in County Clerk's File Number 20060208000171830 of the Land Records of Collin County, Texas (LRCCT), the subject tract being more particularly described as follows;

BEGINNING at the point intersection of the south line of County Road No. 543 (Vol. 4837, Page 725 LRCCT), a variable width ROW and the east line of State Highway Number 78, said point being the northwest corner of said Alfred Olivo subject tract, a 1/2" iron pin with a red cap stamped "Boundary Solutions" found at corner, from which a 1/2" iron pin found bears N 31° 40' 42" W, a distance of 176.28 feet;

THENCE, along the said County Road No. 543 south line the following;

S 89° 21' 07" E (deed = S 89° 24' 48" E), a distance of 225.74 feet to a 5/8" iron pin with a red cap found at corner;

S 88° 24' 19" E (deed = S 88° 23' 30" E), a distance of 742.45 feet to the most northerly northeast corner of said Alfred Olivo tract and northwest corner of a tract of land owned by Dario M.

Castillo according to the warranty deed recorded in Volume 5734, Page 2748 (LRCCT), a 1/2" iron pin with a red cap stamped Tipton Eng., Inc. set at corner, from which a 5/8" iron pin with a red cap stamped " Clark" found bears N 71° 03' 30" W, a distance of 284.97 feet;

THENCE, S 00° 47' 36" W, along an east line of said Alfred Olivo tract and west line of said Dario M. Castillo tract, a distance of 91.56 feet to a 1/2" iron pin with a cap stamped Stovall & Associates found at corner;

THENCE, S 89° 18' 46" E (deed = S 89° 19' 33" E), along a north line of said Alfred Olivo tract and south line of said Dario M. Castillo tract, a distance of 331.89 feet to the most easterly northeast corner of said Alfred Olivo tract, said corner further being located at a point on the west line of a tract of land conveyed by Billy G. Roan and wife, Merle Ann Roan to WYA Lake Lavon Ltd., a Texas limited partnership according to the Special Warranty Deed with Vendor's Lien recorded in County Clerk File Number 20080111000045480 (LRCCT), a 1/2" iron pin with a cap stamped Stovall & Associates found at corner;

THENCE, S 00° 15' 00" E, along the east line of said Alfred Olivo tract and said WYA Lake Lavon Ltd., 23.764 acres tract west line, a distance of 422.28 feet to the southeast corner of said Alfred Olivo tract, a 1/2" iron pin with a red cap stamped Tipton Eng. Inc. found at corner;

THENCE, S 89° 45' 00" W, along the south line of said Alfred Olivo tract and the north line of a tract of land conveyed by Angela Olivo Ramos to WYA Lake Lavon Ltd., a Texas limited partnership, according to the General Warranty Deed with Vendor's Lien recorded in County Clerk's File Number 20071126001578660 (LRCCT), a distance of 1364.23 feet to the southwest corner of said Alfred Olivo tract and a point on the east line of said State Highway No. 78, a 1/2" iron pin with a red cap stamped Tipton Eng. Inc. found at corner, from which a 5/8" iron pin with a yellow cap stamped RPLS 3949 bears S 39° 23' 34" W, a distance of 161.44 feet;

THENCE, along the west line of said Alfred Olivo tract and the east line of said State Highway No. 78 the following,

Around a non-tangent curve to the right having a central

angle of $11^{\circ} 15' 42''$, a radius of 1382.39 feet and a chord of $N 05^{\circ} 49' 42'' W - 271.28$ feet, an arc distance of 271.72 feet to a 1/2" iron pin with a red cap stamped "Boundary Solutions" found at corner;

$N 00^{\circ} 36' 13'' W$ (deed = $N 00^{\circ} 11' 36'' W - 184.40$ feet), a distance of 184.23 feet to a wood monument found at corner, from which the corner of an old house bears $N 89^{\circ} 36' 11'' E - 61.68$ feet and another wood monument across State Highway No, 78 bears $N 78^{\circ} 09' 24'' W$, a distance of 224.39 feet;

$N 45^{\circ} 09' 02'' E$ (deed = $N 44^{\circ} 48' 24'' E - 130.44$ feet), a distance of 131.71 feet to the PLACE OF BEGINNING with the subject tract containing 701,603 square feet or 16.1066 acres of land.

PARCEL 10

BEING a tract of land situated in the Roger Willis Survey, Abstract No. 748, Collin County, Texas, the subject tract being a portion of that 1473.835 acre tract of land conveyed to Commercial Capital Investments, Inc. by Resolution Trust Corporation according to the Special Warranty Deed recorded in Collin County Clerk File number 94-0058780 of the Land Records Of Collin County Texas (LRCCT), the subject tract further being a portion of Wenners Park, an addition to Collin County Texas according to the Final Plat recorded in Cabinet J, Page 136, (LRCCT), which is included in the above mentioned Commercial Capital Investments, Inc. 1473.835 acre tract, the subject tract being more particularly described as follows;

BEGINNING at a point on the south line of County Road No. 543 (a 120' ROW), said point being located at the Northwest corner of Lot 1 of said Wenners Park and the southeast corner of that tract of land conveyed to the County Of Collin for road purposes according to the Deed recorded in County Clerk File No. 2000-0070885 (LRCCT), said Beginning Point further being at the northeast corner of a tract of land owned by John Lindsley McCraw and Marjorie Elizabeth McCraw according to the Warranty deed recorded in Volume 627, Page 69 (LRCCT), a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

THENCE, along the said County Road No. 543 southerly line the following;

$S 89^{\circ} 24' 06'' E$, a distance of 890.66 feet to a 1/2" iron pin

with a red cap stamped Tipton Eng, Inc. set at corner;

Around a tangent curve to the left having a central angle of $14^{\circ} 46' 02''$, a radius of 1249.86 feet, and a chord of $N 83^{\circ} 12' 53'' E-321.24$ feet, an arc distance of 322.13 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

$N 75^{\circ} 49' 52'' E$, a distance of 216.93 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

Around a tangent curve to the right having a central angle of $14^{\circ} 22' 13''$, a radius of 1129.86 feet, and a chord of $N 83^{\circ} 00' 59'' E-282.64$ feet, an arc distance of 283.38 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

$S 89^{\circ} 47' 55'' E$, a distance of 817.15 feet to the northeast corner of Lot 12 of said Wenners Park and the southwest corner of a tract of land conveyed to the County Of Collin for road purposes according to the Deed recorded in County Clerk File No. 99-0115447 (LRCCT), a 1/2" iron pin found at corner;

THENCE, along or westerly of the west line of a tract of land conveyed to Boyce Creek Estates Partnership, according to the Warranty Deed recorded in County Clerk File No. 20071205001626340 (LRCCT) and the east line of said Wenners Park the following;

$S 00^{\circ} 48' 53'' W$, a distance of 913.39 feet to a 1/2" iron pin found at corner;

$S 01^{\circ} 05' 39'' W$, a distance of 117.27 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

$S 00^{\circ} 24' 39'' E$, a distance of 1169.17 feet to a 1/2" iron pin found at corner;

$S 01^{\circ} 16' 49'' E$, a distance of 426.06 feet to the southeast corner of said Wenners Park, said corner being located on the north line of a tract of land conveyed to Thomas A. Adcox according to the Warranty Deed recorded in County Clerk File No. 93-0055843 (LRCCT), a 1" iron pipe found at corner from which a fence corner post found bears $N 58^{\circ} 58' 10'' E - 1.72$ feet;

THENCE, $N 88^{\circ} 15' 15'' W$, a distance of 234.65 feet along the south line of said Wenners Park and south of the found north line of a tract of land conveyed to Thomas A. Adcox according to the Warranty Deed recorded in County Clerk File No. 93-0055843 (LRCCT) to a 5/8" iron pin found at corner;

THENCE, N 88° 28' 43" W, continuing along the Wenners Park south line along the north line of a tract of land conveyed to Ronald D. Townsend according to the Warranty Deed With vendor's Lien recorded in County Clerk File No. 95.0095541 (LRCCT), a distance of 138.01 feet to the northwest corner of said Ronald D. Townsend tract;

THENCE, continuing along the Wenners Park south line and along or north of the north line of a tract of land conveyed to Arapaho East, Inc. according to the Warranty Deed With Vendor's Lien recorded in County Clerk File No. 2007125000110590 the following; N 87° 28' 53" W, a distance of 106.30 feet to a 1/2" iron pin found at corner;

N 89° 09' 24" W, a distance of 660.91 feet;

N 89° 15' 04" W, a distance of 329.10 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

S 89° 19' 08" W, a distance of 200.98 feet to a point being the northwest corner of said Arapaho East, Inc. tract and the northeast corner of a tract of land conveyed to John Yeager according to the Warranty Deed recorded in County Clerk File No. 95-0018001 (LRCCT), from said point a 1/2" iron pin with a yellow cap stamped R.S.C.I. RPLS 5034 bears N 46° 38' 55" E- 3.09 feet;

THENCE, S 89° 49' 14" W, continuing along said Wenners Park south line, and the north line of said John Yeager tract, a distance of 831.17 feet to a common property corner being the southwest corner of said Wenners Park, a northwesterly corner of said John Yeager tract, and at a corner of a tract of land conveyed to the United States Of America, no monument found at corner.

THENCE, along the west line of said Wenners Park, and part of the way along an east line of said United States of America, and on or near the east line of said John Lindsley McCraw and Marjorie Elizabeth McCraw tract the following;

N 01° 20' 52" W, a distance of 63.19 feet to a US Government monument in concrete found at corner;

N 00° 05' 48" E, a distance of 350.50 feet to a 1/2" iron pin found at corner;

N 00° 00' 20" W, a distance of 428.47 feet to a 1/2" iron pin found at corner;

N 01° 04' 04" W, a distance of 564.64 feet to a 1/2" iron pin with a red cap stamped Tipton Eng, Inc. set at corner;

N 00° 25' 45" W, a distance of 1081.22 feet to the Place of Beginning with the subject tract containing 6,354,268 Square Feet or 145.8739 acres of land.

PARCEL 11

BEING a tract of land situated in the Roger Willis Survey, Abstract No. 748 and the James Osgood Survey, Abstract No. 673, in Collin County, Texas, the subject tract being all of that 122.085 acre tract of land conveyed to Boyce Creek Estates Partnership, a Texas General Partnership according to the Warranty deed recorded in County Clerk File Number 20071205001626340 (LRCCT), the subject tract being more particularly described as follows;

BEGINNING at a point on the south line of County Road No. 543 (a 120' ROW), said point being located at the Northeast corner of Lot 12 of Wenners Park, an addition to Collin County Texas according to the Final Plat recorded in Cabinet J, Page 136, (LRCCT), said point further being the northwest corner of said Boyce Creek Estates Partnership 122.085 acre tract, a 1/2" iron pin found next to a fence corner post at corner,

THENCE, N 89° 42' 04" E, along the south line of said County Road Number 543, a distance of 645.18 feet to the northwest corner of a remaining tract of land conveyed to Commercial Capital Investments, Inc. according to the deed recorded in County Clerk File Number 94-0058780 (LRCCT), a 1/2" iron pin found at corner;

THENCE, S 00° 17' 56" E, along the west line of said Commercial Capital Investments, Inc. tract, a distance of 116.02 feet;

THENCE, N 89° 51' 51" E, along the south line of said Commercial Capital Investments, Inc. tract, a distance of 450.80 feet;

THENCE, N 00° 17' 56" W, along the east line of said Commercial Capital Investments, Inc. tract, a distance of 117.32 feet to a point on the said County Road Number 543 south line, a 1/2" iron pin found at corner;

THENCE, N 89° 42' 04" E, along said County Road Number 543 south line, a distance of 943.24 feet to the northeast corner of said Boyce Creek Estates Partnership tract, said point further

being the northwest corner of a 11.430 acre tract of land conveyed to Raymond and Mary Estrello as recorded in Volume 1268, Page 498 (LRCCT);

THENCE, S 00° 13' 19" E, along the west line of said 11.430 acre tract, a distance of 449.65 feet to a 1/2" iron pin found at corner;

THENCE, S 00° 05' 23" W, along a fence, a distance of 1068.33 feet to the existing southwest corner of a 2.600 acre tract of land conveyed to Ray Estrello according to the deed recorded in Collin County Clerk File Number 96-0033461 (LRCCT);

THENCE, S 00° 01' 45" E, along a fence, a distance of 350.10 feet to the southwest corner of an 8.00 acre tract of land conveyed to Keenan and Janice Lusk according to the deed recorded in Collin County Clerk File Number 96-0010294 (LRCCT), a 3/8" iron pin found at corner;

THENCE, S 00° 03' 28" E, along a fence, a distance of 750.92 feet to the southeast corner of said Boyce Creek Estates Partnership tract and the southwest corner of a 14.500 acre tract of land conveyed to Rick and Terry Rabon according to the deed recorded Collin County Clerk File Number 96-0055479 (LRCCT);

THENCE, along the south line of said Boyce Creek Estates Partnership tract the following;

S 88° 49' 18" W, a distance of 322.40 feet to a 3/8" iron pin found at corner;

S 89° 32' 40" W, a distance of 641.39 feet;

S 89° 42' 16" W, a distance of 1073.83 feet to the southwest corner of said Boyce Creek Estates Partnership tract, a 1" iron pipe found at corner, said corner further being the southeast corner of the previously mentioned Wenners Park addition;

THENCE, along the west line of said Boyce Creek Estates Partnership tract the following;

N 00° 42' 50" W, passing 4.2 feet east of an angle point of said Wenners Park at a distance of 426.03 feet and continuing to make a total distance of 837.78 feet;

N 00° 38' 25" W, a distance of 519.80 feet;

N 00° 36' 47" E, passing 4.2 feet east of a 1/2" iron pin with a red cap stamped Tipton Eng., Inc. found at corner at a distance of

237.57 feet and passing 3.2 feet east of a 1/2" iron pin found at a distance of 354.83 feet and continuing to make a total distance of 1268.21 feet to the Place of Beginning with the subject tract containing 5,317,920 Square Feet or 122.0827 acres of land.

SECTION ____ .03. (a) The legal notice of the intention to introduce this article, setting forth the general substance of this article, has been published as provided by law, and the notice and a copy of this article have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and this article to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this article with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this article are fulfilled and accomplished.

ESTES