

By: Estes

S.B. No. 1886

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Old Celina Municipal Management District No. 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3919 to read as follows:

CHAPTER 3919. OLD CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3919.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Celina, Texas.

(3) "County" means Collin County, Texas.

(4) "Director" means a board member.

(5) "District" means the Old Celina Municipal Management District No. 1.

Sec. 3919.002. CREATION AND NATURE OF DISTRICT. The Old Celina Municipal Management District No. 1 is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3919.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city and

1 other political subdivisions to contract with the district, the
2 legislature has established a program to accomplish the public
3 purposes set out in Section 52-a, Article III, Texas Constitution.

4 (b) The creation of the district is necessary to promote,
5 develop, encourage, and maintain employment, commerce,
6 transportation, housing, tourism, recreation, the arts,
7 entertainment, economic development, safety, and the public
8 welfare in the district.

9 (c) This chapter and the creation of the district may not be
10 interpreted to relieve the city or county from providing the level
11 of services provided to the area in the district as of the effective
12 date of the Act enacting this chapter. The district is created to
13 supplement and not to supplant the city and county services
14 provided in the district.

15 Sec. 3919.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
16 The district is created to serve a public use and benefit.

17 (b) All land and other property included in the district
18 will benefit from the improvements and services to be provided by
19 the district under powers conferred by Sections 52 and 52-a,
20 Article III, and Section 59, Article XVI, Texas Constitution, and
21 other powers granted under this chapter.

22 (c) The district is created to accomplish the purposes of a
23 municipal management district as provided by general law and
24 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
25 Texas Constitution.

26 (d) The creation of the district is in the public interest
27 and is essential to:

1 (1) further the public purposes of developing and
2 diversifying the economy of the state;

3 (2) eliminate unemployment and underemployment; and

4 (3) develop or expand transportation and commerce.

5 (e) The district will:

6 (1) promote the health, safety, and general welfare of
7 residents, employers, potential employees, employees, visitors,
8 and consumers in the district, and of the public;

9 (2) provide needed funding for the district to
10 preserve, maintain, and enhance the economic health and vitality of
11 the district territory as a community and business center; and

12 (3) promote the health, safety, welfare, and enjoyment
13 of the public by providing pedestrian ways and by landscaping and
14 developing certain areas in the district, which are necessary for
15 the restoration, preservation, and enhancement of scenic beauty.

16 (f) Pedestrian ways along or across a street, whether at
17 grade or above or below the surface, and street lighting, street
18 landscaping, parking, and street art objects are parts of and
19 necessary components of a street and are considered to be a street
20 or road improvement.

21 (g) The district will not act as the agent or
22 instrumentality of any private interest even though the district
23 will benefit many private interests as well as the public.

24 Sec. 3919.005. INITIAL DISTRICT TERRITORY. (a) The
25 district is initially composed of the territory described by
26 Section 2 of the Act enacting this chapter.

27 (b) The boundaries and field notes contained in Section 2 of

the Act enacting this chapter form a closure. A mistake 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 contract;

(3) authority to borrow money or issue bonds or other obligations described by Section 3919.203 or to pay the principal and interest of the bonds or other obligations;

(4) right to impose or collect an assessment or collect other revenue; or

(5) legality or operation.

Sec. 3919.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code; or

(3) an enterprise zone created under Chapter 2303, Government Code.

(b) If the city creates a tax increment reinvestment zone described by Subsection (a), the city and the board of directors of the zone, by contract with the district, may grant money deposited in the tax increment fund to the district to be used by the district for:

(1) the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code; and

1 (2) any other district purpose, including the right to
2 pledge the money as security for any bonds or other obligations
3 issued by the district under Section 3919.203.

4 (c) If the city creates a tax increment reinvestment zone
5 described by Subsection (a), the city may determine the percentage
6 of the property in the zone that may be used for residential
7 purposes and is not subject to the limitations provided by Section
8 311.006, Tax Code.

9 Sec. 3919.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
10 DISTRICT LAW. Except as provided by this chapter, Chapter 375,
11 Local Government Code, applies to the district.

12 Sec. 3919.008. FORM OF CITY APPROVAL. (a) A statutory
13 requirement relating to the duty of the district to obtain the
14 approval or consent of the city in a manner other than the manner
15 described by Subsection (b) before the district takes an action,
16 including a requirement prescribed by Section 42.042 or Chapter
17 375, Local Government Code, or Chapter 54, Water Code, does not
18 apply to the district.

19 (b) If a statute, including this chapter, requires the
20 district to obtain the city's approval or consent before taking an
21 action, the district may not take that action unless the action is
22 authorized by a city resolution or ordinance approved by a majority
23 of the governing body of the city.

24 Sec. 3919.009. CONSTRUCTION OF CHAPTER. This chapter shall
25 be liberally construed in conformity with the findings and purposes
26 stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3919.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors composed of:

(1) three directors appointed by the governing body of the city;

(2) the city manager; and

(3) the city's chief financial officer.

(b) Appointed directors serve staggered terms of four years, with one or two directors' terms expiring May 31 of each even-numbered year.

Sec. 3919.052. QUALIFICATIONS OF DIRECTOR. (a) Sections 375.063 and 375.072(a) and (c), Local Government Code, do not apply to a director.

(b) Section 49.052, Water Code, does not apply to the district.

(c) Notwithstanding any other law:

(1) an officer or employee of the city may serve as a director of the district;

(2) a member of the governing body of the city may serve as a director of the district; and

(3) a person who qualifies to serve as a director is qualified to participate in all votes pertaining to the business of the district.

Sec. 3919.053. VACANCY. The governing body of the city shall appoint a director to fill a vacancy on the board for the remainder of the unexpired term.

Sec. 3919.054. DIRECTOR'S OATH OR AFFIRMATION. A director

1 shall file the director's oath or affirmation of office with the
2 district, and the district shall retain the oath or affirmation in
3 the district records.

4 Sec. 3919.055. OFFICERS. The board shall elect from among
5 the directors a chair, a vice chair, and a secretary.

6 Sec. 3919.056. COMPENSATION; EXPENSES. (a) The district
7 shall compensate as provided by Section 49.060, Water Code, each
8 director who is not a member of the governing body of the city or an
9 employee of the city.

10 (b) A director is entitled to reimbursement for necessary
11 and reasonable expenses incurred in carrying out the duties and
12 responsibilities of a director.

13 Sec. 3919.057. LIABILITY INSURANCE. The district may
14 obtain and pay for comprehensive general liability insurance
15 coverage from a commercial insurance company or other source that
16 protects and insures the directors against personal liability and
17 from all claims for actions taken as directors or actions and
18 activities taken by the district or by others acting on its behalf.

19 Sec. 3919.058. BOARD MEETINGS. The board shall hold
20 meetings at a place accessible to the public.

21 Sec. 3919.059. REMOVAL OF DIRECTORS. The governing body of
22 the city may remove a director appointed under Section
23 3919.051(a)(1).

24 Sec. 3919.060. INITIAL DIRECTORS. (a) The initial board
25 consists of the following directors:

26 (1) Mike Forman, city manager;

27 (2) Jay Toutounchian, city chief financial officer;

1 and

2 (3) three directors appointed by the governing body of
3 the city.

4 (b) Of the initial directors, the term of one director
5 appointed under Subsection (a)(3) expires May 31, 2016, and the
6 terms of the other two directors appointed under Subsection (a)(3)
7 expire May 31, 2014.

8 (c) The governing body of the city shall determine which
9 director's term expires May 31, 2016, and which directors' terms
10 expire May 31, 2014.

11 (d) This section expires September 1, 2016.

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 3919.101. GENERAL POWERS AND DUTIES. The district has
14 the powers and duties necessary to accomplish the purposes for
15 which the district is created.

16 Sec. 3919.102. IMPROVEMENT PROJECTS. The district may
17 provide, or it may enter into contracts with a governmental or
18 private entity to provide, the improvement projects described by
19 Subchapter C-1 or activities in support of or incidental to those
20 projects.

21 Sec. 3919.103. WATER DISTRICT POWERS. (a) Except as
22 provided by Subsection (b), the district has the powers provided by
23 the general laws relating to conservation and reclamation districts
24 created under Section 59, Article XVI, Texas Constitution,
25 including Chapters 49 and 54, Water Code.

26 (b) The district may not provide wholesale or retail water
27 or wastewater service.

1 (c) The district shall display a design selected by the city
2 on a water tower or tank the district constructs or finances. The
3 district may not display the name or logo of the district or of any
4 other entity on the water tower or tank.

5 Sec. 3919.104. ROAD PROJECT POWERS; LIMITATION. The
6 district has the road project powers provided by Chapter 375, Local
7 Government Code, except that the district may not impose an ad
8 valorem tax under Section 375.0921, Local Government Code.

9 Sec. 3919.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The
10 district has the powers provided by Chapter 372, Local Government
11 Code, to a municipality or county.

12 Sec. 3919.106. CONTRACT POWERS. The district may contract
13 with a governmental or private entity, on terms determined by the
14 board, to carry out a power or duty authorized by this chapter or to
15 accomplish a purpose for which the district is created.

16 Sec. 3919.107. LIMITATIONS ON EMERGENCY SERVICES POWERS.
17 Sections 49.216 and 49.351, Water Code, do not apply to the
18 district.

19 Sec. 3919.108. ECONOMIC DEVELOPMENT. The district may
20 engage in activities that accomplish the economic development
21 purposes of the district.

22 Sec. 3919.109. ADDING OR REMOVING TERRITORY. As provided
23 by Subchapter J, Chapter 49, Water Code, the board may add territory
24 inside the boundaries of the city or the extraterritorial
25 jurisdiction of the city to the district or remove territory inside
26 the boundaries of the city or the extraterritorial jurisdiction of
27 the city from the district, except that:

1 (1) the addition or removal of the territory must be
2 approved by the city;

3 (2) the addition or removal may not occur without
4 petition by the owners of the territory being added or removed; and

5 (3) territory may not be removed from the district if
6 bonds or other obligations of the district payable wholly or partly
7 from assessments assessed on the territory are outstanding.

8 Sec. 3919.110. NO TOLL ROADS OR MASS TRANSIT. The district
9 may not construct, acquire, maintain, or operate a toll road or mass
10 transit system.

11 Sec. 3919.111. NO EMINENT DOMAIN POWER. The district may
12 not exercise the power of eminent domain.

13 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

14 Sec. 3919.151. IMPROVEMENT PROJECTS AND SERVICES. Except
15 as otherwise provided by this chapter, the district may provide,
16 design, construct, acquire, improve, relocate, operate, maintain,
17 or finance an improvement project or service using any money
18 available to the district, or contract with a governmental or
19 private entity to provide, design, construct, acquire, improve,
20 relocate, operate, maintain, or finance an improvement project or
21 service authorized under this chapter or Chapter 372 or 375, Local
22 Government Code.

23 Sec. 3919.152. BOARD DETERMINATION REQUIRED. The district
24 may not undertake an improvement project unless the board
25 determines the project is necessary to accomplish a public purpose
26 of the district.

27 Sec. 3919.153. LOCATION OF IMPROVEMENT PROJECT. An

improvement project may be located or provide service inside or outside the district.

Sec. 3919.154. CITY REQUIREMENTS. (a) An improvement project in the city must comply with any applicable requirements of the city, including codes and ordinances.

(b) The district may not provide, conduct, or authorize any improvement project on the city's streets, highways, rights-of-way, or easements without the consent of the city.

Sec. 3919.155. ADDITIONAL CITY POWERS REGARDING IMPROVEMENT PROJECTS. (a) The city may:

(1) by ordinance or resolution require that title to all or any portion of an improvement project vest in the city; or

(2) by ordinance or resolution authorize the district to own, encumber, maintain, and operate an improvement project or convey the project to the city at a later date.

(b) The district shall immediately comply with any city ordinance or resolution adopted under this section.

Sec. 3919.156. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE AREA. The district may undertake an improvement project or service that confers a special benefit on a definable area in the district and levy and collect a special assessment on benefited property in the district in accordance with:

(1) Chapter 372, Local Government Code; or

(2) Chapter 375, Local Government Code.

Sec. 3919.157. CONTRACTS. A contract to design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project is considered a contract for a good or service

1 under Subchapter I, Chapter 271, Local Government Code.

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

3 Sec. 3919.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4 board by resolution shall establish the number of directors'
5 signatures and the procedure required for a disbursement or
6 transfer of the district's money.

7 Sec. 3919.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.
8 The district may undertake and provide an improvement project or
9 service authorized by this chapter using any money available to the
10 district.

11 Sec. 3919.203. BORROWING MONEY; OBLIGATIONS. (a) The
12 district may borrow money for a district purpose, including the
13 acquisition or construction of improvement projects authorized by
14 this chapter and the reimbursement of a person who develops or owns
15 an improvement project authorized by this chapter, without holding
16 an election by issuing bonds, notes, time warrants, or other
17 obligations, or by entering into a contract or other agreement
18 payable wholly or partly from an assessment, a contract payment, a
19 grant, other district revenue, or a combination of these sources.

20 (b) An obligation described by Subsection (a):

21 (1) may bear interest at a rate determined by the
22 board; and

23 (2) may include a term or condition as determined by
24 the board.

25 Sec. 3919.204. ASSESSMENTS. (a) Except as provided by
26 Subsection (b), the district may impose an assessment on property
27 in the district to pay for an obligation described by Section

1 3919.203 in the manner provided for:

2 (1) a district under Subchapter F, Chapter 375, Local
3 Government Code; or

4 (2) a municipality or county under Subchapter A,
5 Chapter 372, Local Government Code.

6 (b) The district may not impose an assessment on a
7 municipality, county, or other political subdivision.

8 Sec. 3919.205. NOTICE OF ASSESSMENTS. (a) The board shall
9 annually file written notice with the secretary of the city that
10 specifies the assessments the district will impose in the
11 district's next fiscal year in sufficient clarity to describe the
12 assessments for the operation and maintenance of the district and
13 the assessments for the payment of debt service of obligations
14 issued or incurred by the district.

15 (b) The board shall annually record in the deed records of
16 the county a current assessment roll approved by the city.

17 (c) The assessment roll must clearly state that the
18 assessments in the assessment roll are in addition to the ad valorem
19 taxes imposed by other political subdivisions that tax real
20 property in the district.

21 (d) The district shall generate and implement a program to
22 provide notice modeled on the notice described by Section
23 49.452(c), Water Code, to a prospective purchaser of property in
24 the district of the assessments that have been approved and are
25 imposed by the district.

26 Sec. 3919.206. RESIDENTIAL PROPERTY NOT EXEMPT. Section
27 375.161, Local Government Code, does not apply to the district.

1 Sec. 3919.207. NO IMPACT FEES. The district may not impose
2 an impact fee.

3 Sec. 3919.208. NO AD VALOREM TAX. The district may not
4 impose an ad valorem tax.

5 SUBCHAPTER E. DISSOLUTION

6 Sec. 3919.251. DISSOLUTION BY CITY. (a) The city may
7 dissolve the district by ordinance.

8 (b) The city may not dissolve the district until:

9 (1) the district's outstanding debt or contractual
10 obligations have been repaid or discharged; or

11 (2) the city agrees to succeed to the rights and
12 obligations of the district.

13 Sec. 3919.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

14 (a) If the dissolved district has bonds or other obligations
15 outstanding secured by and payable from assessments or other
16 revenue, the city succeeds to the rights and obligations of the
17 district regarding enforcement and collection of the assessments or
18 other revenue.

19 (b) The city shall have and exercise all district powers to
20 enforce and collect the assessments or other revenue to pay:

21 (1) the bonds or other obligations when due and
22 payable according to their terms; or

23 (2) special revenue or assessment bonds or other
24 obligations issued by the city to refund the outstanding bonds or
25 obligations of the district.

26 Sec. 3919.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
27 After the city dissolves the district, the city assumes the

obligations of the district, including any bonds or other debt payable from assessments or other district revenue.

(b) If the city dissolves the district, the board shall transfer ownership of all district property to the city.

SECTION 2. The Old Celina Municipal Management District No. 1 initially includes all the territory contained in the following area:

West Tract

All that certain tract or parcel of land situated in the Henry Bentley Survey, Abstract Number 124 and the B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin, State of Texas, said tract being all of a called 30.45 acre tract as described in deed to Dorothea Cornelius, filed 24 April 2007, and recorded in county clerks number 07-000549120 of the deed records of the County of Collin, State of Texas, and said tract being part of a called 11.13 acre tract as described in deed to Cornelius Family Revocable Trust, filed 24 April 2007, and recorded In county clerks number 07-000549090 of said deed records, and being more fully described as follows;

Beginning for the southwest corner of the tract being described herein at a found 1/2 inch rebar, said rebar being the southwest corner of said Cornelius 30 acre tract, some being the southeast corner of a called 99.028 acre tract as described in deed to Old Celina, Ltd filed 11 June 2002, and recorded in volume 5208 page 3408 of said deed records, said rebar also being on the north line of a called 73.558 acre tract as described in deed to Old Celina, Ltd, filed 11 June 2002, and recorded in volume 5208 page 3382 of said

1 deed records;

2 Thence: North 00 degrees 28 minutes 22 seconds West, with the west
3 line of said Cornelius 30 acre tract, and with the east line of said
4 Old Celina 99 acre tract, a distance of 867.05 feet to a found 3/8
5 Inch rebar for the northwest corner of said Cornelius 30 acre tract,
6 same being the southwest corner of a called 39.02 acre tract as
7 described in deed to the City of Celina, filed 10 October 2000, and
8 recorded in volume 4770 page 2324 of said deed records;

9 Thence: North 88 degrees 39 minutes 42 seconds East, with the south
10 line of said City tract, a distance of 1561.03 feet to a set 1/2 inch
11 steel square tubing for the southeast corner of said City tract,
12 some being the southwest corner of a called 0.8024 acre tract as
13 described in deed to the City of Celina; filed 01 September 2004,
14 and recorded in volume 5744 page 4860 of said deed records;

15 Thence: North 88 degrees 29 minutes, 00 seconds East, with the south
16 line of said City tract, a distance of 224.07 feet to a set 1/2 inch
17 steel square tubing for the northeast corner of this tract, said
18 tubing being on the west right of way line of Farm to Market Road
19 Number 428, and said tubing being in a curve to the left having a
20 central angle of 01 degrees 37 minutes 20 seconds, and a radius of
21 1190.91 feet and a chord bearing of South 40 degrees 42 minutes 20
22 seconds fast, and a chord distance of 33.72 feet;

23 Thence: With said curve to the left and with the west line of said
24 road an arc length of 33.72 feet to a set 1/2 inch steel square
25 tubing for the end of said curve;

26 Thence: South 41 degrees 31 minutes 00 seconds East, with the west
27 line of said road a distance of 20.40 feet to a set 1/2 inch steel

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1 square tubing for the start of a curve to the right having a central
2 angle of 40 degrees 02 minutes 00 seconds, and a radius of 1101.03
3 feet, and a chord bearing of South 21 degrees 30 minutes 00 seconds
4 fast, and a chord distance- of 753.75 feet;

5 Thence: With said curve to the right and with the west line of said
6 road an arc length of 769.31 feet to a set 1/2 inch steel square.
7 Tubing for the end of said curve;

8 Thence: .South 01 degrees 29 minutes 00 seconds East, with the west
9 line of said road, a distance of 129.80 feet to a set 1/2 inch steel
10 square tubing for the southeast corner of this tract, same being the
11 northeast corner of Exhibit "C" a called 28.15 acre tract as
12 described in Partition Deed to Sandra Short Osborne, filed 12 March
13 1986, and recorded In volume 2325 page 801 of said deed records;

14 Thence: South 88 degrees 54 minutes 08 seconds West, with the north
15 line of said Osborne tract, a distance of 1332.93 feet to a found 1
16 inch pipe by a pipe fence corner post for file northwest corner of
17 Tract One a called 15.66 acre tract as described in deed to Jerry L.
18 Moore, filed 24 October 1994; and recorded in county clerks number
19 94-0095870 of said deed records, same being the northeast corner of
20 a called 16.141 acre tract as described in deed to Old Celina Ltd.,
21 filed 11 June 2002, and recorded in volume 5208 page 3366 of said
22 deed records;

23 Thence: South 89 degrees 05 minutes 50 seconds West, with the north
24 line of said Old Celina 16 acre tract, a distance of 759.97 feet to
25 the POINT OF BEGINNING and containing 40.233 acres of land.

26 East Tract

27 All that certain tract or parcel of land situated in the B.B.B. &

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1 C.R.R. Survey, Abstract Number 132, County of Collin, State of
2 Texas, said tract being part of a called 11.13 acre tract as
3 described in deed to Cornelius Family Revocable Trust, filed 24
4 April 2007, and recorded in county clerks number 07-000549090 of
5 the deed records of the County of Collin, State of Texas, and being
6 more fully described as follows:

7 Beginning for the southeast corner of the tract being described
8 herein at a set 1/2 inch steel square tubing on the east line of said
9 Cornelius tract in a county road said tubing being a southwest
10 corner of a called 107:207 acre tract as described to deed to Martha
11 Ann King and Peggy Sue Earthman filed 29 December 1992, and recorded
12 in county clerks number 92-0091305 of said deed records, said
13 tubing also being on the east right of way line of Farm to Market
14 Road Number 428,

15 Thence: South 88 degrees 31 minutes 00 seconds West, with the east
16 line of said road a distance of 45.05 feet to a set 1/2 Inch steel
17 square tubing for the start of a curve to the left having a central
18 angle of 16 degrees 36 minutes 28 seconds, and a radius of 1191.03
19 feet, and a chord bearing of North 32 degrees 12 minutes 35 seconds
20 attest, and a chord distance of 344.03 feet;

21 Thence: With-said curve to the left and with the east line of said
22 road, an arc length 345.23 feet to a set 1/2 inch steel square
23 tubing for the northwest corner of this tract, said tubing being in
24 Collin County Road Number 56;

25 Thence: North 88 degrees 29 minutes 00 seconds East, with the north
26 line of said Cornelius tract, and with said road a distance of
27 220.82 feet to a set 1/2 inch steel square tubing for the northeast

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corner of said Cornelius tract, and said tubing being on the west line of said King tract, said tubing also being at this intersection of said county roads;

Thence: South 01 degrees 29 minutes 00 seconds East, with the east line of said Cornelius tract, and with the west line of said King tract, and with the center of said county road, a distance of 295.86 feet to the POINT OF BEGINNING and containing 0.837 of an acre of land

EXHIBIT "A"

BEING a tract of land situated in Collin County, Texas and being in the Henry Bentley Survey, Abstract No. 124 and being a part of that certain tract of land known as Tract One, conveyed to Clifford Gee McKnight, as recorded in Volume 2430, Page 665, of the Deed Records of Collin County, Texas. (D.R.C.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 2 1/2 inch iron pipe found for corner, said corner being in the south, right-of-way line of F.M. Highway No. 455 (a public thoroughfare) and also being the northeast corner of a tract of land conveyed to Rex Glendenning, et ux, as recorded in Volume 4408, Page 1763, D.R.C.C.T.:

THENCE North 88 degrees 23 minutes 45 seconds East along said south right-of-way line, a distance of 885.98 feet to a 3/8-inch iron rod found for corner, said corner being the northwest corner of a tract of land conveyed to Hassan Badii, as recorded in Volume 2031, Page 943, D.R.C.C.T.;

THENCE South 00 degrees 48 minutes 00 seconds East along the west line of said Badii tract, and along the west line of a tract of land

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1 conveyed to Stephen Harold Mills, as recorded in Volume 4987, Page
2 3011. D.R.C.C.T. and the west line of a tract of land conveyed to
3 the City of Celina, as recorded in Volume 4770, Page 2324,
4 D.R.C.C.T., a distance of 2150.90 feet to a 5/8-inch iron rod found
5 for an ell comer of said City of Celina tract;
6 THENCE South 89 degrees 02 minutes 12 seconds West along the most
7 southerly north line of said City of Celina tract, a distance of
8 881.92 feet to 1/2-inch iron rod with cap stamped "ALLIANCE" found
9 for corner, said corner being on the east line of the aforementioned
10 Glendenning tract;
11 THENCE North 00 degrees 54 minutes 23 seconds West along the east
12 line of said Glendenning tract, a distance of 2140.98 foot to the
13 POINT OF BEGINNING;
14 CONTAINING a computed area of 1,896,815 square feet or 43.545 acres
15 of land.

16 Exhibit "A"

17 BEING all that certain tract or parcel of land situated in the H.
18 BENTLEY SURVEY, Abstract No. 124 in the City of Celina, Collin
19 County, Texas and being out of a 44.50 acre tract of land described
20 in deed to Clifford Gee McKnight, recorded in Volume 2430, Page 665
21 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being
22 more particularly described as follows:
23 BEGINNING of a 1/2-inch iron rod found at the southeast corner of
24 said McKnight tract of land, being an ell corner for a 39.02 acre
25 tract of land described in deed to the City of Celina, recorded in
26 Volume 4770. Page 2324, D.R.C.C,T.;
27 THENCE S 89°03'24" W, along the common line of said McKnight and City

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1 of Celina tracts, a distance of 881.83 feet to a 1/2-inch iron rod
2 found for a corner on the easterly line of a 99.028 acre tract of
3 land described in deed to Rex Glendenning, recorded In Volume 4408,
4 Page 1763, D.R.C.C.T.;

5 THENCE N 01°05'22" W, along the common line of said McKnight and
6 Glendenning tracts, a distance of 246.81 feet to a 1/2-inch capped
7 iron rod (stamped "SRA 3225") set for a corner;

8 THENCE N 89°03'24" E, departing said common line, a distance of
9 883.07 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set
10 for a corner on the westerly line of the aforesaid City of Celina
11 tract of land;

12 THENCE S 00°48'00" E, along the common line of sold McKnight and City
13 of Celina tracts, a distance of 246.81 feet to the POINT OF
14 BEGINNING and containing 217,600 square feet or 5.000 acres of
15 land, more or less.

16 THENCE South 88 degrees 18 minutes 39 seconds West following the
17 north line of said 73.558 acres a distance of 824.02 feet to 2 inch
18 iron pipe found for corner at the northeast corner of said 73.558
19 acre tract;

20 THENCE South 88 degrees 30 minutes 52 seconds West a distance of
21 2900.39 feet to wood fence post in the creek for corner;

22 THENCE North 00 degrees 59 minutes 11 seconds West a distance of
23 421.72 feet to 1/2 inch iron rod found for corner at the southwest
24 corner of a 75.0307 acre tract as recorded in County Clerk No.
25 94-0092806 of Collin County, Texas;

26 THENCE North 87 degrees 43 minutes 39 seconds East following the
27 south line of said 75.0307 acre tract a distance of 2922.26 feet to

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1 a 1 inch iron pipe found for corner at an ell corner of said 75.0307
2 acre tract;
3 THENCE North 00 degrees 48 minutes 41 seconds West following the
4 east line of said 75.0307 acre tract a distance of 3339.14 feet to a
5 60d nail found for corner in County Road No. 8;
6 THENCE North 88 degrees 19 minutes 00 seconds East following said
7 County Road No. 8 a distance of 75.37 feet to a 60d nail found for
8 corner in the south ROW line of said FM No. 455, said 60d nail also
9 being in a curve to the left with a chord bearing of South 80 degrees
10 57 minutes 03 seconds East and a chord distance of 241.64 feet;
11 THENCE along said curve to the left following the south ROW line of
12 said FM No. 455 through a central angle of 21 degrees 27 minutes 53
13 seconds a radius distance of 648.80 feet and an arc distance of
14 243.06 feet to a 1/2 inch iron rod set for corner;
15 THENCE North 88 degrees 19 minutes 00 seconds East following the
16 south ROW line of FM No. 455 a distance of 483.09 feet to the POINT
17 OF BEGINNING and containing 4,313,677 square feet or 99.028 acres
18 of land, more or less.
19 Reservation from and Exceptions to Conveyance and Warranty:
20 Any portion of the property described herein within the limits or
21 boundaries of any public or private roadway and/or highway,
22 including, but not limited to, that portion of the subject property
23 in County Road No. 8.
24 Right-of-way easement executed by Douglas J. Barker dba Barker
25 Bros. Land & Cattle Company to County of Collin, dated January 2,
26 1991, recorded in Volume 3421, Page 192, of the Deed Records of
27 Collin County, Texas.

EXHIBIT "A"

SITUATED in Collin County, Texas, in the George Wiley Survey, Abstract No. 988, and the Samuel McCullough Survey, Abstract No. 593, being a resurvey of the 73.32 acre FIRST TRACT and the SECOND TRACT as described in a deed from Annie S. Yager to T.S. Yager, et al dated August 7, 1981, recorded in Volume 1421, Page 15 of the Collin County, Deed Records, being described by metes and bounds as follows:

BEGINNING at an iron pipe found in the north R.O.W. line of Farm Road No. 428, at the northeast corner of the 1.622 acres R.O.W., Ref. V. 491, P. 47, at the southwest corner of the Rex Glendenning 73.558 acres, Ref. V. 3968, P. 2169;

Thence westerly with said north R.O.W. line (the north line of said 1.622 acres) as follows:

South 89 degrees 05 minutes west, 17.5 feet;

South 88 degrees 43 minutes west, 1552.31 feet with said north R.O.W. line (the north line of said 1.622 acres) to an iron pin set at the northwest corner of said 1.622 acres, and at the southeast corner of the Robert L. King 86.849 acres, Ref. V. 1560, P. 259;

Thence north 0 degrees 43 minutes 22 seconds west, 2594.58 feet with the west line of said 73.32 acre tract and the east line of said 86.849 acre tract to an iron pin set at the northwest corner of said 73.32 acre tract and the northeast corner of said 86.849 acres, same being in the south line of the Douglas Parker 99.288 acres;

Thence north 88 degrees 40 minutes east, 1569.81 feet with the north line of said 73.32 acre tract and the north line of said SECOND TRACT and with the south line of said 99.288 acres to a 2" iron pipe

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1 found at the northeast corner of-said SECOND TRACT and the
2 northwest corner of said 73.558 acre tract;
3 Thence south 0 degrees 43 minutes 23 seconds east, 2596.06 feet with
4 the east line of said SECOND TRACT and the west line of said 73.558
5 acre tract to the PLACE OF BEGINNING and containing 93.523 acres of
6 land.

7 LEGAL DESCRIPTION

8 BEING a tract of land situated in the Samuel McCullough Survey,
9 Abstract No, 593, Collin County, Texas and also being all of a 16
10 acre tract as recorded in County Clerks No. 94-0111727, and being
11 more particularly described by metes and bounds as follows:

12 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
13 in the north Right of Way line of F. M. 428, said iron rod also being
14 the most southwest corner of a tract conveyed to Randall L. & wife
15 Bonnie P. Moore as recorded in Volume 995, Page 219 of the Deed
16 Records of Collin County, Texas;

17 THENCE North 89 degrees 04 minutes 23 seconds West following the
18 north ROW line of said F.M. No. 428 a distance of 30.53 feet to a 1/2
19 inch iron rod found;

20 THENCE North 00 degrees 44 minutes 59 seconds East a distance of
21 2604.08 feet to a 1/2 inch iron rod found for corner,

22 THENCE South 89 degrees 26 minutes 08 seconds East a distance of
23 350.00 feet to a axle found for corner;

24 THENCE South 00 degrees 43 minutes 06 seconds West a distance of
25 1947.51 feet to a 1/2 inch iron rod found for corner in the north
26 line of said Moore tract;

27 THENCE North 89 degrees 19 minutes 15 seconds West following the

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1 north line of said Moore tract a distance of 319.00 feet to a 1/2
2 inch iron rod set for corner;
3 THENCE South 0 degrees 53 minutes 01 seconds West following the west
4 line of said Moore tract a distance of 657.40 feet to the POINT OF
5 BEGINNING and containing 703,115 square feet or 16.141 acres of
6 land.

7 EXHIBIT "A"

8 BEING a tract of land situated in the Samuel McCullough Survey,
9 Abstract No. 593, Collin County, Texas and also being part of a
10 73.32 acre tract as recorded in Volume 348, Page 8 of the Deed
11 Records of Collin County, Texas, and also being all of a 21 acre
12 tract as recorded in Volume 577, Page 246 of the Deed Records of
13 Collin County, Texas, and being more particularly described by
14 metes and bounds as follows:

15 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
16 in the North right of way line of F.M 428, said iron rod also being
17 the most Southwest corner of a 16 acre tract as recorded in County
18 Clerks No. 94-0111727;

19 THENCE North 89 deg. 04 min. 23 sec. West following the North ROW
20 line of said F.M. No. 428 a distance of 1231.00 feet to a 1/2 inch
21 square iron rod found for corner at the Southeast corner of a tract
22 conveyed to T.S. Yager and wife, Margret Yager in Volume 1231, Page
23 724, D.R.C.C.T.;

24 THENCE North 00 deg. 41 min. 20 sec. East following the East line of
25 said Yager tract a distance of 2596.00 feet to a 2 inch iron pipe
26 found for corners

27 THENCE South 89 deg. 26 min, 56 sec. East a distance of 1233.75 feet

1 to a 1/2 inch iron rod found for corner at the Northwest corner of
2 said 16 acre tract,
3 THENCE South 0 deg. 44 min. 59 sec. West following the West line of
4 said 16 acres a distance of 2604.08 feet to the POINT OF BEGINNING
5 and containing 3,204,138 square feet or 73.558 acres of land.
6 THENCE, continuing along the South line of said 5.1038 acre tract,
7 South 01 degrees 04 minutes 28 seconds East, a distance of 31.35
8 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
9 "Pitts 4595" set for corner;
10 THENCE, continuing along said South line, North 88 degrees 55
11 minutes 32 seconds East a distance of 366.53 feet, to a 1/2 inch
12 iron rod with a yellow plastic cap stamped "Pitts 4595" set for
13 corner on the West line of a 99.2888 acre tract of land conveyed to
14 Douglas Barker, as recorded in Volume 1343, Page 599, Deed Records,
15 Collin County, Texas;
16 THENCE, along said West line of a 99.2888 acre tract, South 00
17 degrees 46 minutes 58 seconds East a distance of 2,099.44 feet, to a
18 5/8 inch iron pipe found for the Southeast corner of said 99.301
19 acre tract and being an ell corner of said 99.2888 acre tract;
20 THENCE, along the North line of said 99.2888 acre tract, South 87
21 degrees 44 minutes 58 seconds West a distance of 2,922.24 feet, to a
22 1/2 inch iron rod found for corner;
23 THENCE, generally along a fence row, North 00 degrees 55 minutes 08
24 seconds West a distance of 788.48 feet, to a 1/2 inch iron rod found
25 in the crotch of three large Hackberry trees at the junction of the
26 evidence of an old North-South fence and evidence of an old fence
27 from the East, and being on the South line of a 73.047 acre tract as

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1 conveyed to Douglas Barker, as recorded in Volume 1159, Page 423,
2 Deed Records, Collin County, Texas;
3 THENCE, along the South line of said 73.047 acre tract, North 87
4 degrees 45 minutes 55 seconds East a distance of 2,144.18 feet, to a
5 5/8 inch iron rod found for the Southeast corner of said 73.047 acre
6 tract;
7 THENCE, along the East line of said 73.047 acre tract, North 01
8 degrees 47 minutes 07 seconds West a distance of 437.83 feet, to a
9 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
10 for corner;
11 THENCE, continuing along the East line of said 73.047 acre tract,
12 North 01 degrees 09 minutes 50 seconds West a distance of 366.97
13 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
14 "Pitts 4595" set for the Southwest corner of a 5.0227 acre tract as
15 conveyed to Robert Jake Jones and Virginia C. Jones;
16 THENCE, along the South line of said 5.0227 acre tract, North 88
17 degrees 55 minutes 32 seconds East a distance of 365.91 feet, to a
18 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
19 for the Southeast corner of said 5.0227 acre tract;
20 THENCE, along the East line of said 5.0227 acre tract, North 01
21 degrees 04 minutes 28 seconds West a distance of 438.70 feet, to the
22 point of curvature of a curve to the left having a central angle of
23 65 degrees 18 minutes 41 seconds and a radius of 120.00 feet;
24 THENCE, continuing along said East line and said curve to the left,
25 for an arc length of 136.79 feet to a 1/2 inch iron rod with a yellow
26 plastic cap stamped "Pitts 4595" set for corner;
27 THENCE, along the North line of said 5.0227 acre tract, North 66

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1 degrees 23 minutes 09 seconds West a distance of 326.99 feet, to the
2 Northernmost corner of said 5.0227 acre tract;
3 THENCE, North 01 degrees 09 minutes 50 seconds West a distance of
4 66.08 feet, to the POINT OF BEGINNING and containing 72.9923 acres
5 of land, more or less.

6 EXHIBIT "A"

7 Situated in the Samuel McCullough Survey, Abstract No. 593 and the
8 BBB & CRR Co. Survey, Abstract No. 132 in Collin County, Texas, and
9 being a called 28.15 Acre tract of land that was conveyed to Mildred
10 Graham Short in Partition Deed recorded in Volume 2325, Page 801 of
11 the Land Records of Collin County, Texas, being more particularly
12 described by metes and bounds to-wit.

13 BEGINNING at an Iron Pin found being the Southwest corner of said
14 tract;

15 THENCE North 1 degree 05 minutes 30 seconds West with the West line
16 of said tract 1561.28 feet to an Iron Pin set;

17 THENCE South 69 degrees 51 minutes 27 seconds East with the North
18 line of said tract 1066.72 feet to an Iron Pin set in the West
19 right-of-way line of FM Hwy. 428;

20 THENCE with said right-of-way line as follows:

21 South 1 degree 29 minutes East 82.92 feet an Iron Pin set; South 0
22 degrees 20 minutes West 316.0 feet an Iron Pin set; South 7 degrees
23 08 minutes West 264.4 feet an Iron Pin set;

24 South 18 degrees 24 minutes West 94.2 feet to an Iron Pin set, being
25 the P.C. of a curve to the right having a central angle of 64 degrees
26 08 minutes 34 seconds radius of 773.5 feet and a chord bearing of
27 South 57 degrees 30 minutes 40 seconds West;

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1 THENCE with said curve 865.95 feet to an Iron Pin set;
2 THENCE South 89 degrees 31 minutes West with said right-of-way line
3 216.6 feet to the place of beginning, containing 28.28 acres.

4 TRACT 3

5 SITUATED in the BBB & CPR Co. Survey, Abstract No. 132 in
6 Collin County, Texas, and being a called 158.83 acre tract of land
7 described in Substitute Trustee's Deed recorded in Volume 2998,
8 gage 191, of the Land Records of Collin County, Texas, being more
9 particularly described by metes and bounds to-wit:

10 BEGINNING at a point at the intersection of the South line of
11 the BBB & CRR Co. Survey, and the West R.O.W. line of the St. Louis -
12 San Francisco and Texas Railroad;

13 THENCE SOUTH 89 degrees 52 minutes West with the South line of
14 said survey, same being the centerline of County Road 55, 951.4 feet
15 to an iron pin;

16 THENCE NORTH 0 degrees 37 minutes West with an old
17 established fence being the East line of a tract of Land described
18 in Volume 28491 Page 861, 203.4 feet to a corner post;

19 THENCE SOUTH 89 degrees 39 minutes West with said fence, same
20 being the North line of said tract 206.86 feet to a corner post;

21 THENCE SOUTH 0 degrees 18 minutes East with said fence 202.63
22 feet to an iron pin in the centerline of County Road 55;

23 THENCE SOUTH 89 degrees 52 minutes West with said road 1971.8
24 feet to an iron pin found;

25 THENCE NORTH 0 degrees 03 minutes West with said County Road
26 1196 feet to an iron pin found;

27 THENCE SOUTH 89 degrees 58 minutes East 45.25 feet to an iron

1 pin found;
2 THENCE in a Northerly direction with the East R.O.W. line of
3 FM Highway 428 as follows:
4 NORTH 0 degrees 13 minutes West 183.6 feet a concrete marker;
5 NORTH 2 degrees 49 minutes East 200.13 feet a concrete
6 marker;
7 NORTH 1 degree 23 minutes West 468.59 feet to an iron pin
8 found;
9 THENCE SOUTH 89 degrees 47 minutes 24 seconds East with an
10 established fence 2048.6 feet to an iron pin found;
11 THENCE SOUTH 1 degrees 02 minutes West with a fence 283.82 feet to
12 an iron pin found;
13 THENCE EASTERLY with an old fence as follows:
14 NORTH 89 degrees 43 minutes East 197.4 feet;
15 NORTH 138 degrees 35 minutes East 324 feet;
16 SOUTH 68 degrees 25 minutes East 205 feet;
17 SOUTH 82 degrees 14 minutes East 146.2 feet to an iron pin
18 found.
19 THENCE NORTH 0 degrees 13 minutes East with a fence 962.42
20 feet to an iron pin found;
21 THENCE NORTH 88 degrees 56 minutes East with a fence 533.9
22 feet to an iron pin found;
23 THENCE SOUTH 0 degrees 06 minutes East 135.64 feet to an iron
24 pin found;
25 THENCE SOUTH 87 degrees 45 minutes East 176.4 feet to an iron
26 pin found in the West R.O.W. line of the St. Louis - San Francisco
27 and Texas Railroad, '

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1 THENCE SOUTH 11 degrees 51 minutes West with said R.O.W line
2 2547 feet to the place of beginning,
3 CONTAINING 157.54 acres.

4 EXHIBIT "A"

5 SITUATED in the B.B.B. & C. RR. Co. Survey, Abstract No. 132,
6 Collin County, Texas, and being more particularly described as
7 follows:

8 BEGINNING at an iron rod set for the Southeast corner of the
9 herein described tract, said iron rod is located West 980 feet from
10 the intersection of the middle of a county road and the West line of
11 the S.L.S.F. & T. Railroad Right-of-Way;

12 THENCE West with the middle of the said county road for a
13 distance of 208.8 feet to an iron rod set for corner;

14 THENCE North 00 degrees 04 minutes West for a distance of
15 198.3 feet to a fence corner found for corner;

16 THENCE South 89 degrees 58 minutes East for a distance of
17 108.1 feet to a fence corner found for corner;

18 THENCE 141 South 00 degrees 17 minutes-East for a distance of
19 198.2 feet to the PLACE OF BEGINNING, CONTAINING 0.95 acres of land,
20 more or less.

21 EXHIBIT A

22 TRACT I - Re-Survey

23 BEING all that certain tract or parcel of land situated in the
24 B.B.B. & C.R.R. Survey, Abstract No. 132, County of Collin, State of
25 Texas; said tract being part of a called 81.85 acre tract as shown
26 by Deed to E. L. Higgins, dated April 8, 1987, and recorded in
27 Volume 2599, Page 900 of the Deed Records of the County of Collin,

1 State of Texas, and being more fully described as follows:
2 BEGINNING for the Southwest corner of the tract being described
3 herein at a found 1/2 inch rebar by a fence corner post, said rebar
4 being the Southwest corner of said Higgins tract, and an ell corner
5 of a called 157.83 acre tract as shown by Substitute's Deed and
6 recorded in Volume 2998, Page 196 of said Deed Records;
7 THENCE North 00 degrees 43 minutes 13 seconds East, with the West
8 line of said Higgins tract, a distance of 282.98 feet to a found 1/2
9 inch rebar for a corner;
10 THENCE North 00 degrees 17 minutes 49 seconds West, with the West
11 line of said Higgins tract, a distance of 2303.19 feet to a found
12 1/2 inch rebar for a corner in Collin County Road Number 56 (a
13 gravel surfaced public road);
14 THENCE South 85 degrees 53 minutes 29 seconds East, a distance of
15 19.49 feet to a found 1/2 inch rebar for a corner;
16 THENCE North 00 degrees 01 minutes 05 seconds East, with the West
17 line of said Higgins tract, and in said road, a distance of 744.59
18 feet to a found 1/2 inch rebar for a corner;
19 THENCE South 87 degrees 53 minutes 54 seconds East, with the North
20 line of said Higgins tract, and along the North line of Cedar Street
21 (an asphalt surfaced public street), a distance of 672.70 feet to a
22 set 1/2 inch steel square tubing for a corner;
23 THENCE South 00 degrees 01 minutes 29 seconds West, with the West
24 line of a 10 foot wide concrete alley part of the way, a distance of
25 824.71 feet to a set 1/2 inch steel square tubing for a corner;
26 THENCE South 87 degrees 14 minutes 21 seconds East, with-:the South
27 line of a 10 foot wide concrete alley part of the way, a distance

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1 708.19 feet to a set 1/2 inch steel square tubing for a corner on the
2 East line of said Higgins tract, and the West line of a called 22.74
3 acre tract as shown by Deed to E. L. Higgins dated April 8, 1987; and
4 recorded in Volume 2599, Page 892 of said Deed Records;

5 THENCE South 00 degrees 00 minutes 40 seconds East, with the East
6 line of said Higgins tract, and the West line of said 22.74 acre
7 tract, a distance of 1562.30 feet to a found 1/2 inch rebar for a
8 corner;

9 THENCE South 89 degrees 04 minutes 33 seconds West, with an old
10 fence and tree line, a distance of 533.74 feet to a found 1/2 inch
11 rebar for a corner;

12 THENCE South 00 degrees 06 minutes 14 seconds West, with an old
13 fence and tree line, a distance of 963.27 feet to a set 1/2 inch
14 steel square tubing for a corner;

15 THENCE North 76 degrees 30 minutes 57 seconds West, a distance of
16 411.39 feet to a set 1/2 inch steel square tubing for a corner;

17 THENCE South 87 degrees 43 minutes 31 seconds West, a distance of
18 186.92 feet to a set 1/2 inch steel square tubing for a corner;

19 THENCE South 89 degrees 58 minutes 09 seconds West, a distance of
20 268.63 feet to the POINT OF BEGINNING and containing 81.528 acres of
21 land.

22 TRACT II - Correct

23 BEING all that certain tract or parcel of land situated in the
24 B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin,
25 State of Texas; said tract being shown by Deed to E. L. Higgins,
26 dated April 8, 1987, and recorded in Volume 2599, Page 892 of the
27 Deed Records of the County of Collin, State of Texas, and being more

1 fully described as follows:

2 BEGINNING for the Northeast corner of the tract being described
3 herein at a set 1/2 inch steel square tubing by a fence corner post,
4 said tubing being the Northeast corner of said Higgins tract, and on
5 the West right-of-way line of the St. Louis, San Francisco & Texas
6 Railroad;

7 THENCE South 11 degrees 58 minutes 12 seconds West, with the East
8 line of said Higgins tract, and the West line of said Railroad
9 right-of-way, a distance of 2313.40 feet to a set 1/2 inch steel
10 square tubing for a corner;

11 THENCE South 73 degrees 35 minutes 22 seconds West, a distance of
12 20.00 feet to a set 1/2 inch steel square tubing for a corner;

13 THENCE South 29 degrees 22 minutes 23 seconds West, a distance of
14 320.00 feet to a set 1/2 inch steel square tubing for a corner;

15 THENCE South 88 degrees 37 minutes 53 seconds West, a distance of
16 62.38 feet to a .fence corner-post for the Southwest corner of said
17 Higgins tract;

18 THENCE North 00 degrees 01 minutes 25 seconds East, with the West
19 line of said Higgins tract, a distance of 135.91 feet to a found 1/2
20 inch rebar for .corner;

21 THENCE North 00 degrees 00 minutes 40 seconds West, with the West
22 line of said Higgins tract, a distance of 1567.31 feet to a found
23 1/2 inch rebar for a corner;

24 THENCE North 00 degrees 02 minutes 00 seconds East, with the West
25 line of said Higgins tract, a distance of 421.32 feet to a found 1/2
26 inch rebar for a corner;

27 THENCE-North 89 degrees 30 minutes 57 seconds East, a distance of

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311.57 feet to a fence corner post for a corner;
THENCE North 00 degrees 03 minutes 04 seconds West, a distance of
416.61 feet to a fence corner post for a corner;
THENCE North 89 degrees 15 minutes 06 seconds East, a distance of
407.15 feet to the POINT OF BEGINNING and containing 22.741 acres of
land.

EXHIBIT A

SITUATED in Collin County, Texas, in the Collin County School Land
Survey, Abstract No. 167, being a resurvey of the 33.62 acre First
Tract and the 6.26 acre Second Tract as described in a deed from
B.F. Gearhart and Alice Gearhart to R. L. Willard dated August 9,
1909, recorded in Volume 206, Page 493 of the Collin County Deed
Records, and, the land owned and claimed by B.F. Willard and Joe
Frank Willard, being described by metes and bounds as follows:

BEGINNING at a 1/2" iron pin set beside a corner post at the
southwest corner of said 6.26 acre tract, at an ell corner of the
Don Thomas Glendenning Family Trust 77.7100 acres, Ref. V. 4444, P.
2963;

Thence North, with the west line of said 6.26 acre tract, an east
line of said 77.7100 acre tract, with an old fence, passing a 1/2"
iron pin set on the north side of a corner post at 374.49 feet and
continuing in all 419.87 feet to a PK nail set at the northwest
corner of said 6.26 acre tract, the northeast corner of said 77.7100
acre tract, in the center of the asphalt paved County Road No. 55
and in the south line of the Rex K. Glendenning 156.54 acres, Ref.
V. 3788, P. 205;

Thence North 89 degrees 42 minutes 17 seconds East, 1554.87 feet

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1 with the north line of said 6.26 acre tract, the north line of said
2 33.62 acre tract, the south line of said 156.54 acre tract and with
3 the center of said County Road No. 55 to a PK nail set at the
4 northeast corner of said 33.62 acre tract, the southeast corner of
5 said 156.54 acre tract and in the west R.O.W. line of the Burlington
6 Northern Railroad;

7 Thence South 11 degrees 43 minutes 44 seconds West, with the east
8 line of said 33.62 acre tract and with said west R.O.W. line,
9 passing a 1/2" iron pin set in said line at 61.35 feet and
10 continuing in all 2810.81 feet to a 1/2" iron pin set in said west
11 R.O.W. line, on the west side of a cross-tie corner post at the
12 southeast corner of said 33.62 acre tract and the northeast corner
13 of the Eugene Stone 4:66 acres, Ref. V. 810, P. 64;

14 Thence South 89 degrees 38 minutes 16 seconds West, with the south
15 line of said 33.62 acre tract, the north line of said 4.66 acre
16 tract and with the evidence of an old fence, passing a 1/2 inch iron
17 pin set beside an old post at 250.96 feet and continuing in all
18 359.86 feet to a 1/2" iron pin set at the southwest corner of said
19 33.62 acre tract, the northwest corner of said 4.66 acre tract, in
20 the east line of said 77.7100 acre tract and on the west side of
21 County Dirt Road No. 1117;

22 Thence North, with the west line of said 33.62 acre tract, the east
23 line of said 77.7100 acre tract, coming to the center of said Dirt
24 Road at approximately 200 feet and continuing with the center of
25 said County Road No. 1117, in all 2331.25 feet to a 1/2" iron pin set
26 in the center of said Dirt Road at the southeast corner of said 6.26
27 acre tract and in the west line of said 33.62 acre tract;

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1 Thence South 89 degrees 33 minutes 55 seconds West with the south
2 line of said 6.26 acre tract, with a north line of said 77.7100 acre
3 tract, passing a 1/2" iron pin set beside a corner post at 19.4 feet
4 and continuing with an old fence in all 623.64 feet to the PLACE OF
5 BEGINNING and containing 46.743 acres of land.

6 EXHIBIT B

7 "PERMITTED EXCEPTIONS"

8 1. Easement granted by Joe F. Willard to County of Collin, filed
9 10/02/1997, recorded in Volume 4010, Page 569, Land Records of
10 Collin County, Texas, and as shown on survey of G.M. Geer, R.P.L.S.
11 #3258, dated 12/30/2002.

12 2. Easement rights, if any, relative to the overhead electric line
13 and poles as - shown on survey of G.M. Geer, R.P.L.S. #3258, dated
14 12/30/2002.

15 3. That portion of the property lying within the right-of-way of
16 County Road No. 1117 as shown on survey of G.M. Geer, R.P.L.S.
17 #3258, dated. 12/30/2002.

18 4. Standby fees, taxes and assessments by any taxing authority for
19 the year 2003, and subsequent years.

20 EXHIBIT "A1"

21 BEING all that certain tract or parcel of land lying and being
22 situated in Collin County, Texas; a part of the COLLIN COUNTY SCHOOL
23 LAND SURVEY, ABSTRACT NO. 167, and being and including all that
24 certain tract said to contain 50.00 acres as described in a deed
25 from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in
26 V

27 BEING all that certain tract or parcel of land lying and being

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1 situated in Collin County, Texas, a part of the COLLIN COUNTY SCHOOL
2 LAND SURVEY, ABSTRACT NO. 167, and being and including all that
3 certain tract said to contain 50.00 acres as described in a deed
4 from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in
5 Volume 2751, Page 693 of the Land Records of Collin County, said
6 tract or parcel of land is herein described as follows: to wit:
7 BEGINNING at an 1/2 inch iron rod found on the West right-of-way
8 line of State Highway No. 289 for the Northeast corner of said
9 called 50.00 acre tract, said corner being on the North line of a
10 called 118 acre tract described:-in a deed to L. L. Lewis recorded
11 .in Volume. 206, Page 196 of the Deed Records of Collin County, said
12 corner also being in the center of a County Road running in'an
13 Easterly and Westerly direction;
14 THENCE along the West right-of-way line of said State Highway No.
15 289, South 01: degrees 10 minutes 04 seconds East 831.09 feet to an
16 1/2 inch .iron rod found for corner;
17 THENCE South 88 degrees 53 minutes 04 seconds West 208.08 feet to an
18 1/2 inch-iron rod found-for corner;
19 THENCE South 01 degrees 05 minutes 21 seconds East 480.06 feet to an
20 1/2 inch iron rod found for corner, said corner being the Northeast
21 corner of a called 66.115 acre tract described in a deed to Charlie
22 Ann Tate Lewis-as recorded in Volume 3049, Page 833 of the Land
23 Records of :Collin County;
24 THENCE South 88 degrees 49 minutes 17 seconds West along the South
25 line hereof, common with the North line of said called 66.115 acre
26 tract, a distance of 1667.09 feet to an 1/2 inch iron rod found In
27 the East right-of-way line of the Burlington Northern and Santa Fe

1 Railroad;

2 THENCE along last named line, North 10 degrees 40 minutes 49.
3 seconds East. 1337.71 feet to an 1 inch iron rod found in the center
4 of said County Road;

5 THENCE North 88 degrees 45 minutes 30 seconds East a distance of
6 1601.17 feet to the PLACE OF BEGINNING and containing 49.985 acres
7 of land, more or less.

8 EXHIBIT "A"

9 All that certain tract or parcel of land situated in Lot B of
10 Subdivision number 14 of the Collin County School Land Survey
11 A-167, County of Collin State of Texas as shown on plat recorded in
12 Volume 03, Page 118 of the Deed Records of Collin County, Texas, and
13 said tract being the remaining tract of a called 118 acre tract as
14 described in deed to L.L. Lewis filed 10 November 1916 and recorded
15 in Volume 206, Page 196 of said Deed Records and being more fully
16 described as follows:

17 Beginning for the northeast corner of the tract being described
18 herein at a found 1/2 inch rebar with a plastic cap marked Alliance,
19 said rebar being the northeast remainder corner of said Lewis
20 tract, same being the most easterly southeast corner of a called
21 49.985 acre tract as described in deed to Old Celina. Ltd. filed 11
22 July 2002 and recorded in Volume 5208, Page 3398 of said Deed
23 Records and said rebar being on the west line of State Highway
24 Number 289;

25 Thence South 01 degrees 27 minutes 19 seconds East, with the west
26 line of said highway a distance of 30.62 feet to a wood right of way
27 monument for an angle point in the west line of said highway;

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1 Thence South 01 degrees 56 minutes 18 seconds East, with the west
2 line of said highway, a distance of 316.17 feet to a found 1/2 inch
3 rebar with a plastic cap marked Alliance for an angle point in the
4 west line of said highway;

5 Thence South 00 degrees 23 minutes 33 seconds East, with the west
6 line of said highway a distance of 333.51 feet to a found 1/2 inch
7 rebar with a plastic cap marked Alliance for the southeast
8 remainder corner of said Lewis tract, same being the most easterly
9 northeast corner of a called 66.020 acre tract as described in deed
10 to Old Celina Ltd. filed 31 July 2003, and recorded in Volume 5471,
11 Page 1109 of said Deed Records;

12 Thence South 88 degrees 49 minutes 36 seconds West, with the north
13 line of said Old Celina 66 acre tract, a distance of 209.37 feet to a
14 found 1/2 inch rebar with a plastic cap marked Alliance for the
15 southwest remainder corner of said Lewis tract; same being an ell
16 corner of said Old Celina 66 acre tract;

17 Thence North 01 degrees 10 minutes 27 seconds West, with the east
18 line of said Old Celina 66 acre tract and passing the most northerly
19 northeast corner of said Old Celina 66 acre tract, same being the
20 most southerly southeast corner of said Old Celina 49.985 acre
21 tract and continuing on said course with the east line of said Old
22 Celina 49.985 acre tract a distance of 680.17 feet to a found 1/2
23 inch rebar with a plastic cap marked Alliance for the northwest
24 remainder corner of said Lewis tract, same being an ell corner of
25 said Old Celina 49.985 acre tract

26 Thence North 88 degrees 48 minutes 36 seconds East, with the south
27 line of said Old Celina 49.985 acre tract a distance of 209.56 feet

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1 to the POINT OF BEGINNING and containing 3.305 acres of land, more
2 or less.

3 EXHIBIT "A"

4 Legal Description

5 Being a tract of land situated in the Collin County School Land
6 Survey, Abstract No. 14, Abstract No. 167, Collin County, Texas,
7 and being the same tract of land as described n the deed to Charlie
8 Ann Tate Lewis according to the deed recorded in Volume 3049, Page
9 633 of the Deed Records of Collin County, Texas, (D.R.C.C.T.) and
10 being more particularly described as follows:

11 BEGINNING of a 1/2 inch iron rod found at the northwest corner of
12 said Lewis tract, said iron rod also lying on east right-of-way line
13 of the S.O. & S.F. Railroad;

14 THENCE North 88 degrees 49 minutes 19 seconds East, along the common
15 line of said Lewis tract, and a tract of land conveyed to Rex
16 Glendenning according to the deed recorded in Volume 4476, Page 280
17 D.R.C.C.T., (for a distance of 1.67.42 feet to a 1/2 inch iron rod
18 found at a common interior Interior corner of same;

19 THENCE South 01 degrees 10 minutes 41 seconds East to leaving said
20 common line, for a distance of 197.35 feet to a 5/8 inch iron rod
21 with cap stamped R.P.L.S. 5430 set for corner;

22 THENCE North 88 degrees 48 minutes 28 seconds East for a distance of
23 206.70 feet to a 5/8 inch iron rod with cap stamped R.L.P.S. 5430
24 set on the West right-of--way line of State Highway No. 289;

25 THENCE South 01 degrees 13 minutes 34 seconds East along said West
26 right-of-way line, for a distance of 1,242.72 feet to a 5/8 iron rod
27 with cap stampoed R.P.L.S. 5420 set at the Southeast corner of the

1 aforementioned Lewis tract;
2 THENCE South 88 degrees 53 minutes 32 seconds West leaving said west
3 right-of-way line along the south line of said Lewis tract passing
4 at a distance of 538.88 feet a 1/2 inch iron rod found near the
5 intersection of a barbed wire fence, and continuing with said fence
6 passing at a distance of 2,032.87 feet a 3/8 inch iron rod found,
7 and continuing for a total distance of 2, 179.17 to a 5/8 inch iron
8 rod with cap stamped R.P.L.S. 5430 set at the southwest corner of
9 said Lewis tract, and also lying on the east right-of-way line of
10 the aforementioned S.L. & S.F. Railroad;
11 THENCE North 10 degrees 41 minutes 21 seconds East along said East
12 right-of-way line, for a distance of 1,468.61 feet to the PLACE OF
13 BEGINNING, and containing 2,875.811 square feet or 66.020 acres of
14 land.

15 Exhibit A

16 BEING a 13.50 acre tract of land situated in the COLLIN COUNTY
17 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
18 and a portion of a called 38 acre tract of land as conveyed to Dan P.
19 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
20 of Collin County, Texas, and being more particularly described as
21 follows:

22 BEGINNING at a 1/2 inch iron rod found for the Northeast corner of
23 said called 38 acre tract, said point also being the Northwest
24 corner of a called 16 acre tract of land as conveyed to Candice
25 Chen, by deed recorded in Volume 5836, Page 545 of the Deed Records
26 of Collin County, Texas, said iron rod also being in the South line
27 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in

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1 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
2 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
3 line of said 38 acre tract, and said Chen tract as recorded in
4 Volume 5836, Page 545, a distance of 473.70 feet to a point for
5 corner;
6 THENCE North 90 degrees 00 minutes 00 seconds West, through the
7 interior of said called 38 acre tract, a distance of 1244.34 feet to
8 a point for corner, said point being in the East line of said called
9 38 acre tract, same being in the West line of a tract of land
10 conveyed to Ayala Metro Park Properties, Ltd., as recorded in
11 Volume 5431, Page 6738, of the Deed Records of Collin County, Texas;
12 THENCE North 00 degrees 19 minutes 12 seconds West, along the common
13 line of said called 38 acre tract, and said Ayala Metro Park
14 Properties, a distance of 473.64 feet to a 1/2 inch iron rod found
15 for corner, said point being the Northwest corner of said called 38
16 acre tract, same being the Northeast corner of said Ayala Metro Park
17 Properties, Ltd. tract, and being in the South line of said Old
18 Celina, Ltd. tract;
19 THENCE South 90 degrees 00 minutes 00 seconds East, along the common
20 line of said 38 acre tract, and said Old Celina, Ltd. tract, a
21 distance of 1238.92 feet to the POINT OF BEGINNING and containing
22 588,075 square feet or 13.50 acres of computed land, more or less.

23 Exhibit A

24 BEING a 13.50 acre tract of land situated in the COLLIN COUNTY
25 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
26 and a portion of a called 38 acre tract of land as conveyed to Dan P.
27 Stone by deed recorded in Volume 831, Page 82, of the Deed Records

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1 of Collin County, Texas, and being more particularly described as
2 follows:

3 COMMENCING at a 1/2 inch iron rod found for the Northeast corner of
4 the said called 38 acre tract, said point also being the Northwest
5 corner of a called 16 acre tract of land as conveyed to Candice
6 Chen, by deed recorded in Volume 5836, Page 545, of the Deed Records
7 of Collin County, Texas, said iron rod also being in the South line
8 of a tract of land conveyed to Old Celina, Ltd., by deed recorded In
9 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
10 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
11 line of said called 38 acre tract, and said Chen tract as recorded
12 in Volume 5836, Page 545, a distance of 473.70 feet to the POINT OF
13 BEGINNING;

14 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
15 line of said called 38 acre tract, and said Chen tract as recorded
16 in Volume 5836, Page 545, passing a 3/8 inch iron rod found for the
17 Southwest corner of said Chen tract, same being the Northwest corner
18 of a tract of land conveyed to Candice Chen, by deed recorded in
19 Volume 5836, Page 552, of the Deed Records of Collin County, Texas,
20 and continuing along the common line of said called 38 acre tract
21 and said Chen tract as recorded in Volume 5836, Page 552, passing a
22 3/8 Inch Torn rod found for the Southwest corner of said Chen tract
23 as recorded in Volume 5836, Page 552, same being the Northwest
24 corner of a tract of land conveyed to Candice Chen, by deed recorded
25 In Volume 5836, Page 560, of the Deed Records of Collin County,
26 Texas, and continuing a total distance of 846.30 feet to a 1/2 inch
27 iron rod found for corner, said point being the Southeast corner of

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1 said Stone tract, same being the Southwest corner of said Chen tract
2 recorded in Volume 5836, Page 560, said point being in the
3 centerline of County Road No. 53, said point also being in the North
4 line of a called 40 acre tract of land described by the deed
5 recorded in Volume 682, Page 259, of the Deed Records of Collin
6 County, Texas;

7 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
8 line of said called 38 acre tract, and said called 40 acre tract,
9 and the center line of County Road No. 53, a distance of 287.84 feet
10 to a point for corner;

11 THENCE North 00 degrees 19 minutes 12 seconds West, through the
12 interior of said called 38 acre tract, a distance of 847.56 feet to
13 a point for corner;

14 THENCE South 90 degrees 00 minutes 00 seconds East, through the
15 interior of said called 38 acre tract, a distance of 278.16 feet to
16 the POINT OF BEGINNING and containing 239,668 square feet or 5.50
17 acres of computed land, more or less.

18 Exhibit A

19 Being a 9.426 acre tract of land situated in the COLLIN COUNTY
20 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
21 and a portion of a called 38 acre tract of land as conveyed to Dan P.
22 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
23 of Collin County, Texas, and being more particularly described as
24 follows:

25 COMMENCING at a 1/2 Inch iron rod found for the northeast corner of
26 the said called 38 acre tract, said point also being the Northwest
27 corner of a called 16 acre tract of land as conveyed to Candice

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1 Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records
2 of Collin County, Texas, said iron rod also being in the south line
3 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in
4 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
5 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
6 line of said Stone tract, and said Chen tract as recorded In Volume
7 5836, Page 545, a distance of 473.70 feet to a point for corner,
8 THENCE North 90 degrees 00 minutes 00 seconds West, through the
9 interior of said called 38 acre tract, a distance of 761.90 feet to
10 a point for corner, said point being the POINT OF BEGINNING;
11 THENCE South 00 degrees 19 minutes 12 seconds East, through the
12 interior of said called 38 acre tract, a distance of 849.86 feet to
13 a point for corner, said point being In the South line of said
14 called 38 acre tract, same being In the center line of County Road
15 No. 53, same being in the North line of a called 40 acre tract of
16 land described by the deed recorded in Volume 682, Page 259, of the
17 Deed Records of Collin County, Texas;
18 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
19 line of said called 38 acre tract, and said called 40 acre tract,
20 and the center line of County Road No. 53, a distance of 482.43 feet
21 to a 1/2 inch iron rod found for corner, said point being the
22 Southwest corner of said called 38 acre tract;
23 THENCE North 00 degrees 19 minutes 12 seconds West, along the West
24 line of said called 38 acre tract, passing the Southeast corner of a
25 tract of land conveyed to Ayala Metro Park Properties, Ltd., as
26 recorded in Volume 5431, Page 6738, of the Deed Records of Collin
27 County, Texas, at a distance of 22.29 feet, and continuing along the

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1 THENCE South 00 degrees 19 minutes 12 seconds East, through the
2 interior of said called 38 acre tract, a distance of 847.56 feet to
3 a point for corner, said point being in the south line of said
4 called 38 acre tract, same being in the center line of County Road
5 No. 53, said point also being in the north line of a called 40 acre
6 tract of land described by the deed recorded in Volume 682, Page
7 259, of the Deed Records of Collin County, Texas;

8 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
9 line of said 38 acre tract, and said called 40 acre tract, and the
10 center line of County Road No. 53, a distance of 483.73 feet to a
11 point for corner;

12 THENCE North 00 degrees 19 minutes 12 seconds West, through the
13 interior of said called 38 acre tract, a distance of 849.86 feet to
14 a point for corner;

15 THENCE South 90 degrees 00 minutes 00 seconds East, through the
16 interior of said called 38 acre tract, a distance of 483.74 feet to
17 the POINT OF BEGINNING and containing 410,545 square feet or 9.428
18 acres of computed land.

19 Exhibit A

20 Tract One

21 All that certain tract or parcel of land situated in Lot 8 of
22 Subdivision 14 of the Collin County School Lands, Abstract Number
23 167, County of Collin, State of Texas, according to plat of the same
24 recorded in volume 03 page 118 of the deed records of Collin County,
25 Texas, said tract being part of the monumented tract on the ground
26 of a called 8.772 acre tract as described to deed to Ryno Materials,
27 Inc., filed 21 April 2006, and recorded in county clerks number

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1 06-000536590 of the deed records of the County of Collin, State of
2 Texas, and being more fully described as follows,
3 Beginning for the northeast corner of the tract being described
4 herein at a found 3/8 inch rebar, said rebar being the northeast
5 corner of said Ryno tract, same being the northwest corner of a
6 called 7,646 acre tract as described in deed to Ayala Metro Park
7 Properties,, filed 04 July 2003, and recorded in volume 5431 page
8 6738 of said deed records, said rebar also being on the south line
9 of a caled 66.02 acre tract as described in deed to Old Celina, Ltd,
10 filed 31 July 2005, and recorded in volume 5471 page 1109 of said
11 deed records;
12 Thence: South 00 degrees 07 minutes 36 seconds West, with the
13 monumented east line of said Ryno tract, a distance of 201.95 feet
14 to a set 1/2 inch steel square tubing, for the southeast corner of
15 this tract;
16 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
17 191.73 feet to a set 1/2 inch steel square tubing for the southwest
18 corner of this tract, said tubing being on the west line of said
19 Ryno tract, same being the east line of the Burlington Northern
20 ,Railroad,●
21 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
22 line of said railroad a distance of 206.40 feet to a set 1/2 inch
23 steel square tubing for the northwest corner of said Ryno tract,
24 same being the southwest corner of said Old Celina tract, and said
25 tubing being South 24 degrees 24 minutes 28 seconds West, a distance
26 of 5.89 feet from a found 1/2 Inch rebar with a plastic cap marked
27 Wisdom 3646;

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Thence, South 89 degrees 04 minutes 00 seconds East, with the north line of said Ryno tract, and with the south line of said Old Celina tract, a distance of 146.45 feet to the POINT OF BEGINNING and containing 0.784 of an acre of land

Exhibit

Tract Three

All that certain tract or parcel of land situated in Lot 8 of Subdivision 14 of the Collin County School Lands, Abstract Number 167, County of Collin State of Texas, according to plat of the same recorded in volume 03 page 118 of the deed records of Collin County, Texas, sold tract being part of the monumented tract on the ground of a called 8.772 acre tract as described in deed to Ryno .Materials, Inc., filed 21 April 2006, and recorder! in county clerks number 06-000536590 of the deed records of the County of Collin, State of Texas, and being more fully described as follows:

Beginning for the northeast corner of the tract being described herein at a set 1/2 inch steel square tubing, said tubing being an the monumented east line of said Ryno tract, and said tubing being South 00 degrees 07 minutes 36 seconds West, a distance of 651,67 feet from a found 3/8 inch rebar, said rebar being the northeast corner of said Ryno tract, same being the northwest corner of a called 7.646 acre tract as described in deed to Ayala Metro Park Properties, filed 04 June 2003, and recorded in volume 5431 page 6738 of said deed records, said rebar also being on the south line of a caled 66.02 acre tract at described in deed to Old Celina, Ltd, filed 31 July 2003, and recorded In volume 5471 page 1109 of said deed records;

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1 Thence: South 00 degrees 07 minutes 36 seconds West, with the
2 monumented east line of said Ryno tract and passing at 648.22 feet a
3 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 on the
4 north side of Collin County Road Number 53, and continuing on said
5 course a total distance of 674.50 feet to a point for the southeast
6 corner of this tract;

7 Thence: North 89 degrees 05 minutes 00 seconds West, with the south
8 line of said Ryno tract, and with said road a distance of 393.80
9 feet to a set railroad spike for the most southerly southwest corner
10 of said Ryno tract;

11 Thence. North 12 degrees 48 minutes 34 seconds West, with the
12 monumented west line of said Ryno tract, and passing at 24.11 feet a
13 found "X" in a concrete wall on the north side of said road and
14 continuing on said course, a total distance of 178.85 feet to a
15 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for the
16 monumented ell corner of said Ryno tract;

17 Thence: North 89 degrees 02 minutes 33 seconds West, with the
18 monumented south line of said Ryno tract, a distance of 50 06 feet
19 to a found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for
20 the monumented most westerly southwest corner of said Ryno tract,
21 said rebar being the east line of the Burlington Northern Railroad.

22 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
23 line of said railroad a distance of 510.33 feet to a set 1/2 inch
24 steel square tubing for the northwest corner of this tract;

25 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
26 292,60 feet to the POINT OF BEGINNING and containing 5.500 acres of
27 land

Exhibit A

Tract Two

All that certain tract or parcel of land situated in Lot 8 of Subdivision 14 of the Collin County School Lands, Abstract Number 167, County of Collin State of Texas, according to plat of the same recorded In volume 03 page 118 of the deed records of Collin County, Texas, .said tract being part of the monumented tract on the ground of a called 8.772 acre tract as described in deed to Ryno Materials, Inc., filed 21 April 2006, and recorded In county clerks number 06-000536590 of the deed records of the County of Collin; State of Texas, and being more fully described as follows:

Beginning for the northeast corner of the it-act being described herein at a set 1/2 inch steel square tubing, said tubing being on the monumented east line of said Ryno tract, and said tubing being South 00 degrees 07 minutes 36 seconds West, a distance of 201.95 feet from a found 3/8 inch rebar, said rebar being the northeast corner of said Ryno tract, same being the northwest corner of a called 7 646 acre tract as described in deed to Ayala Metro, Park Properties, filed 04 June 2003, and recorded in volume 5431 page 6738 of said deed records, said re bar also being on the south line of a caled 66 02 acre tract as described in deed to Old Celina Ltd, filed 31 July 2005, and recorded in volume 547,1 page 1109 of said deed recasts;

Thence:. South 00 degrees 07 minutes 36 seconds West, with the monumented east line of said Ryno tract, a distance of 449.72 feet to a set 1/2 inch steel square tubing for the southeast corner of this tract;

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1 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
2 292.60 feet to a set 1/2 inch steel square tubing for the southwest
3 corner of this tract, said tubing being on the west line of said
4 Ryno tract, same being the east line of the Burlington Northern
5 Railroad;

6 Thence: North 12 degrees 48 minutes 69 seconds East, with the east
7 line of said railroad, a distance of 439.53 feet to a set 1/2 inch
8 steel square tubing for the northwest corner of this tract;

9 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
10 191.75 feet to the POINT OF BEGINNING and containing 2.500 acres of
11 land.

12 Exhibit "A" 4 5 5 1 1849

13 BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND
14 SURVEY, ABSTRACT NO. 167, Collin County, Texas, and also being part
15 of a 125.871 acre tract as recorded in Volume 1775, Page 454 of the
16 Deed Records of Collin County, Texas, and being more particularly
17 described by metes and bounds as follows:

18 BEGINNING at a 1/2 inch iron rod set for corner at the Northwest
19 corner of 70.0 acre tract as recorded in Volume 2868, Page 203, Deed
20 Records, Collin County, Texas, said iron rod also being in the West
21 line of a 72.00 acre tract as recorded in Volume 2532, Page 562,
22 Deed Records, Collin County, Texas;

23 THENCE South 89 degrees 56 minutes 19 seconds West following the
24 North line of said 70 acre tract a distance of 2266.24 feet to a 1/2
25 inch iron rod set for corner at the Northwest corner of said 70.00
26 acre tract, said iron rod also being in the East right of way line of
27 State Highway No. 289 a variable-width ROW;

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1 THENCE following the-East ROW line of State Highway No. 289:
2 North 18 degrees 10 minutes 56 seconds East, 24.17 feet 1/2
3 inch iron rod set;
4 North 19 degrees 19 minutes 00 seconds East, 254.08 feet 1/2
5 inch iron rod set;
6 North 89 degrees 46 minutes 00 seconds East, 103.11 feet-1/2
7 inch iron rod set;'
8 North 02 degrees 20 minutes 00 seconds West, 35.64 feet 1/2
9 inch iron rod set;
10 North 04 degrees 18 minutes 00 seconds West, 170.90 feet 1/2
11 inch iron rod set;
12 North 18 degrees 11 minutes 00 seconds East, 122.11 feet 1/2
13 inch iron rod set;
14 North 12 degrees 28 minutes 00 seconds East, 100.50 feet 1/2
15 inch iron rod set;
16 North 14 degrees 22 minutes 00 seconds East, 300.67 feet 1/2
17 inch-iron-rod set;
18 THENCE North 18 degrees 11 minutes 00 seconds East following the
19 East ROW line of State Highway No. 289 a distance of 200.09 feet to a
20 1/2 inch iron rod set for corner at the Southwest corner-of a 8.755
21 acre tract as recorded in Volume 814, Page 808, Deed Records, Collin
22 County, Texas;
23 THENCE North 88 degrees 04 minutes 32 seconds East following the
24 South line of said 8.755 acre tract a distance of 555.09 feet to a
25 1/2 inch iron rod found for corner at the Southeast corner of said
26 8.755 acre tract, said iron rod also being at the Southwest corner
27 of a 117.12 acre tract as recorded in Volume 2532, Page 562, Deed

1 Records, Collin County, Texas;

2 THENCE North 88 degrees 56 minutes 39 seconds East following the
3 South line of said 117.12 acre tract a distance of 1312.82 feet to a
4 5/8 inch iron rod found for corner at the Northwest corner of said
5 72.00 acre tract;

6 THENCE South 01 degree 01 minute 35 seconds East following the West
7 line of said 72.00 acre tract a distance of 1205.28 feet to the
8 POINT OF BEGINNING and containing 2,427,096 square feet or 55.718
9 acres of land, more or less.

10 Exhibit A

11 BEING a 2.59 acre tract of land situated in the Collin County School
12 Land Survey, Abstract No. 167, in the City of Celina, COLLIN County,
13 Texas, and being portion of a tract of a called 125.871 acre tract
14 of land conveyed to Old Celina, Ltd. by deed recorded in Volume
15 1775, Page 454, of the Deed Records of Collin County, Texas, and
16 being more particularly described as follows:

17 COMMENCING at a 5/8 inch iron rod found for the Southwest corner of
18 a called 8.755 acre tract of land recorded in Volume 814, Page 808,
19 of the Deed Records of COLLIN County, Texas, same being in the East
20 right-of-way line of State Highway No. 289 (a variable width
21 right-of-way);

22 THENCE North 88 degrees 04 minutes 32 seconds East, along the South
23 line of said called 8.755 acre tract, a distance of 340.00 feet to a
24 112 inch iron rod set for corner, said point being the POINT OF
25 BEGINNING;

26 THENCE North 88 degrees 04 minutes 32 seconds East, continuing
27 along the South line of said called 8.755 acre tract, a distance of

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1 63.90 feet to a 1/2 inch iron rod set for corner;
2 THENCE South 18 degrees 11 minutes 00 seconds West, through the
3 interior of said called 125.871 acre tract, a distance of 602.60
4 feet to a 1/2 inch iron rod set for corner;
5 THENCE South 88 degrees 04 minutes 32 seconds West, through the
6 interior of said called 125.871 acre tract, a distance of 372.79
7 feet to a 1/2 inch iron rod set for corner, said point being in the
8 East right-of-way line of said State Highway No. 289;
9 THENCE North 12 degrees 28 minutes 00 seconds East, along the East
10 right-of-way line of said State Highway No. 289, a distance of 92.27
11 feet to a 1/2 Inch Iron rod set for corner;
12 THENCE North 14 degrees 22 minutes 00 seconds East, along the East
13 right-of-way line of said State Highway No. 289, a distance of
14 155.95 feet to a 1/2 inch iron rod set for corner;
15 THENCE North 88 degrees 04 minutes 32 seconds East, through the
16 interior of said called 125.871 acre tract, a distance of 329.74
17 feet to a 1/2 inch iron rod set for corner;
18 THENCE North 18 degrees 11 minutes 00 seconds East, through the
19 interior of said called 125.871 acre tract, a distance of 348.02
20 feet to the POINT OF BEGINNING and CONTAINING 112,734 square feet or
21 2.59 acres of computed land, more or less.

22 EXHIBIT A

23 SITUATED in the State of Texas, County of Collin, being part of the
24 Collin County School Land Survey, Abstract No. 167, being the
25 resurvey of a called 70.00 acre tract of land recorded in Volume
26 2868, Page 203 of the Collin County Land Records with said premises
27 being more particularly described as follows:

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1 BEGINNING at a 1/2-inch iron rod found marking the northeast corner
2 of said 70.00 acre tract, the southeast corner of a 55.718 acre
3 tract surveyed by David Surdukan dated October 4, 1999, said
4 beginning corner also being in the west line of a 74.00 acre tract
5 recorded in Volume 314, Page 534 of the Collin County Deed Records;
6 THENCE with the east line of said 70.00 acre tract and the west line
7 of said 74.00 acre tract as follows:

8 South 00 degrees 39 minutes 50 seconds East, 557.47 feet;
9 South 09 degrees 53 minutes 25 seconds West, 11.80 feet;
10 South 01 degrees 00 minutes 34 seconds East, 860.79 feet to a
11 railroad spike found in the asphalt of County Road No. 91 marking
12 the southeast corner of said 70.00 acre tract and being in the north
13 line of a 21.970 acre tract recorded under Volume 4388, Page 2079 of
14 the Collin County Land Records;

15 THENCE along County Road No. 91, the south line of said 70.00 acre
16 tract, the north line of said 21.970 acre tract and the north line
17 of 10.476 acre tract recorded in volume 788, Page 714 of the Collin
18 County Deed Records, South 88 degrees 29 minutes 47 seconds West,
19 1302.22 feet to a railroad spike found marking the most southerly
20 southeast corner of said 70.00 acre tract;

21 THENCE with a west line of said 70.00 acre tract and an east line of
22 a 40.886 acre tract recorded under County Clerk No. 93-0018472 of
23 the Collin County Land Records, North 01 degrees 05 minutes 25
24 seconds West, 428.80 feet to a 5/8-inch iron rod found marking the
25 most northerly northeast corner of said 40.886 acre tract;

26 THENCE with a south line of said 70.00 acre tract and the north line
27 of said 40.886 acre tract, South 88 degrees 24 minutes 24 seconds

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1 West, 777.67 feet to a 1/2 inch iron rod found marking the southeast
2 corner of an abandoned 60-foot road right-of-way;
3 THENCE with the south line of said abandoned road right-of-way,
4 South 88 degrees 26 minutes 57 seconds West, 544.48 feet to a
5 3/8-inch iron rod found in the east right-of-way line of State
6 Highway 289 (variable R.O.W.) marking the southwest corner of said
7 road abandonment;
8 THENCE with the east right-of-way line of State Highway No. 289 and
9 the west line of said 70.00 acre tract as follows:
10 North 17 degrees 47 minutes 47 seconds East, 63.75 feet to a
11 1/2-inch iron found;
12 North 17 degrees 14 minutes 00 seconds East, 284.05 feet to a
13 1/2-inch iron rod set;
14 North 18 degrees 11 minutes 00 seconds East, 775.83 feet to a
15 1/2-inch iron rod found marking the northwest corner of said 70.00
16 acre tract and the southwest corner of the aforementioned 55.718
17 acre tract;
18 THENCE with the north line of said 70.00 acre tract and the south
19 line of said 55.718 acre tract, North 89 degrees 56 minutes 19
20 seconds East, 2266.24 feet to the point of beginning and containing
21 70.802 gross acres of land.

22 EXHIBIT B

23 "PERMITTED EXCEPTIONS"

24 1. Thirty foot (30') wide easement granted by George Wu to the
25 County of Collin, filed 05/26/1998, recorded in Volume 4172, Page
26 204, Land Records of Collin County, Texas, and as shown on survey of
27 F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last

1 revised 07/22/2002.

2 2. That portion of the property lying within the right of way of
3 County Road No. 1211 and County Road No. 91, as shown on the survey
4 of F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last
5 revised 07/22/2002.

6 3. Mineral estate and interest described in instrument filed
7 11/16/1983, recorded in Volume 1775, Page 454, Land Records of
8 Collin County, Texas. Title to said interest not checked,
9 subsequent to the date thereof. As noted on survey of F. E.
10 Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last revised
11 07/22/2002.

12 SECTION 3. (a) The legal notice of the intention to
13 introduce this Act, setting forth the general substance of this
14 Act, has been published as provided by law, and the notice and a
15 copy of this Act have been furnished to all persons, agencies,
16 officials, or entities to which they are required to be furnished
17 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
18 Government Code.

19 (b) The governor, one of the required recipients, has
20 submitted the notice and Act to the Texas Commission on
21 Environmental Quality.

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

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

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1 to the notice, introduction, and passage of this Act have been
2 fulfilled and accomplished.

3 SECTION 4. This Act takes effect September 1, 2013.