

By: Frazier

H.B. No. 5356

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Honey Creek Improvement District No. 1; providing authority to issue bonds; providing authority to impose assessments and fees.

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 3796 to read as follows:

CHAPTER 3796. HONEY CREEK IMPROVEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3796.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of McKinney.

(3) "Director" means a board member.

(4) "District" means the Honey Creek Improvement District No. 1.

Sec. 3796.0102. NATURE OF DISTRICT. The Honey Creek Improvement District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3796.0103. PURPOSE; DECLARATION OF INTENT. (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.

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

15 Sec. 3796.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

21 (b) The district is created to serve a public use and
22 benefit.

23 (c) The creation of the district is in the public interest
24 and is essential to further the public purposes of:

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

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

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

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

15 (4) provide for water, wastewater, drainage, road, and
16 recreational facilities for the district.

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

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

25 Sec. 3796.0105. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

1 (b) The boundaries and field notes contained in Section 2 of
2 the Act enacting this chapter form a closure. A mistake in the
3 field notes or in copying the field notes in the legislative process
4 does not affect the district's:

5 (1) organization, existence, or validity;

6 (2) right to issue any type of bonds for the purposes
7 for which the district is created or to pay the principal of and
8 interest on the bonds;

9 (3) right to impose or collect an assessment; or

10 (4) legality or operation.

11 Sec. 3796.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 All or any part of the area of the district is eligible to be
13 included in:

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

16 (2) a tax abatement reinvestment zone created under
17 Chapter 312, Tax Code.

18 Sec. 3796.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
19 DISTRICTS LAW. Except as otherwise provided by this chapter,
20 Chapter 375, Local Government Code, applies to the district.

21 Sec. 3796.0108. PRECONDITION. (a) The district may not
22 exercise any powers granted to the district by this chapter or other
23 law unless a development agreement between the city and the primary
24 landowner in the district that establishes the standards that apply
25 to development in the district, in addition to those contained in
26 zoning, subdivision, and other applicable ordinances of the city,
27 has been executed.

1 (b) If a development agreement described by Subsection (a)
2 has not been executed before September 1, 2024, the board shall
3 dissolve the district in the manner provided by Subchapter I as soon
4 as possible after September 1, 2024.

5 Sec. 3796.0109. CONSTRUCTION OF CHAPTER. This chapter
6 shall be liberally construed in conformity with the findings and
7 purposes stated in this chapter.

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 3796.0201. GOVERNING BODY; TERMS. (a) The district is
10 governed by a board of five elected directors who serve staggered
11 terms of four years.

12 (b) Directors are elected in the manner provided by
13 Subchapter D, Chapter 49, Water Code.

14 Sec. 3796.0202. COMPENSATION; EXPENSES. (a) The district
15 may compensate each director in an amount not to exceed \$150 for
16 each board meeting. The total amount of compensation for each
17 director in one year may not exceed \$7,200.

18 (b) A director is entitled to reimbursement for necessary
19 and reasonable expenses incurred in carrying out the duties and
20 responsibilities of the board.

21 Sec. 3796.0203. INITIAL DIRECTORS. (a) The initial board
22 consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Rafael Parker</u>
<u>2</u>	<u>Mateo Jaramillo</u>
<u>3</u>	<u>Hector Alba</u>
<u>4</u>	<u>Laura Santos</u>

5 Ricardo Soto

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2025, and the terms of directors appointed for positions four and five expire June 1, 2027.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3796.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3796.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under a development agreement described by Section 3796.0108, under this chapter, or under Chapter 375, Local Government Code.

(b) The district may contract with a governmental or private entity to carry out an action under Subsection (a).

(c) The implementation of a district project or service is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 3796.0303. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local

1 government corporation created under Subchapter D, Chapter 431,
2 Transportation Code; and

3 (2) may implement any project and provide any service
4 authorized by this chapter.

5 (c) The board shall appoint the board of directors of the
6 nonprofit corporation. The board of directors of the nonprofit
7 corporation shall serve in the same manner as the board of directors
8 of a local government corporation created under Subchapter D,
9 Chapter 431, Transportation Code, except that a board member is not
10 required to reside in the district.

11 Sec. 3796.0304. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
12 The district may join and pay dues to a charitable or nonprofit
13 organization that performs a service or provides an activity
14 consistent with the furtherance of a district purpose.

15 Sec. 3796.0305. PARKING FACILITIES. (a) The district may
16 acquire, lease as lessor or lessee, construct, develop, own,
17 operate, and maintain parking facilities or a system of parking
18 facilities, including lots, garages, parking terminals, or other
19 structures or accommodations for parking motor vehicles off the
20 streets and related appurtenances.

21 (b) The district's parking facilities serve the public
22 purposes of the district and are owned, used, and held for a public
23 purpose even if leased or operated by a private entity for a term of
24 years.

25 (c) The district's parking facilities are parts of and
26 necessary components of a street and are considered to be a street
27 or road improvement.

1 (d) The development and operation of the district's parking
2 facilities may be considered an economic development program.

3 Sec. 3796.0306. ADDING OR EXCLUDING LAND. (a) Subject to
4 Subsection (b), the district may add or exclude land in the manner
5 provided by Subchapter J, Chapter 49, Water Code, or by Subchapter
6 H, Chapter 54, Water Code.

7 (b) The district may add territory as described by
8 Subsection (a) only if the governing body of the city by ordinance
9 or resolution consents to the addition.

10 Sec. 3796.0307. DISBURSEMENTS AND TRANSFERS OF MONEY. The
11 board by resolution shall establish the number of directors'
12 signatures and the procedure required for a disbursement or
13 transfer of district money.

14 Sec. 3796.0308. DIVISION OF DISTRICT. (a) The district may
15 be divided into two or more new districts only if the district:

16 (1) has no outstanding bonded debt; and

17 (2) is not imposing ad valorem taxes.

18 (b) This chapter applies to any new district created by the
19 division of the district, and a new district has all the powers and
20 duties of the district.

21 (c) Any new district created by the division of the district
22 may not, at the time the new district is created, contain any land
23 outside the area described by Section 2 of the Act enacting this
24 chapter.

25 (d) The board, on its own motion or on receipt of a petition
26 signed by the owner or owners of a majority of the assessed value of
27 the real property in the district, may adopt an order dividing the

1 district.

2 (e) An order dividing the district must:

3 (1) name each new district;

4 (2) include the metes and bounds description of the
5 territory of each new district;

6 (3) appoint initial directors for each new district;

7 and

8 (4) provide for the division of assets and liabilities
9 between or among the new districts.

10 (f) On or before the 30th day after the date of adoption of
11 an order dividing the district, the district shall file the order
12 with the Texas Commission on Environmental Quality and record the
13 order in the real property records of each county in which the
14 district is located.

15 (g) Municipal consent to the creation of the district and to
16 the inclusion of land in the district granted under Section
17 3796.0503 acts as municipal consent to the creation of any new
18 district created by the division of the district and to the
19 inclusion of land in the new district.

20 Sec. 3796.0309. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
21 Section 375.161, Local Government Code, does not apply to the
22 district.

23 Sec. 3796.0310. NO AD VALOREM TAX. The district may not
24 impose an ad valorem tax.

25 Sec. 3796.0311. NO EMINENT DOMAIN POWER. The district may
26 not exercise the power of eminent domain.

SUBCHAPTER D. ASSESSMENTS

Sec. 3796.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 3796.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

1 (c) The lien is effective from the date of the board's
2 resolution imposing the assessment until the date the assessment is
3 paid. The board may enforce the lien in the same manner that a
4 taxing unit, as that term is defined by Section 1.04, Tax Code, may
5 enforce an ad valorem tax lien against real property.

6 (d) The board may make a correction to or deletion from the
7 assessment roll that does not increase the amount of assessment of
8 any parcel of land without providing notice and holding a hearing in
9 the manner required for additional assessments.

10 SUBCHAPTER E. BONDS

11 Sec. 3796.0501. AUTHORITY TO BORROW MONEY AND TO ISSUE
12 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
13 terms determined by the board.

14 (b) The district may issue, by public or private sale,
15 bonds, notes, or other obligations payable wholly or partly from
16 assessments, revenue, contract payments, grants, or other district
17 money, or any combination of those sources of money, to pay for any
18 authorized district purpose.

19 (c) The district may issue, by public or private sale,
20 bonds, notes, or other obligations payable wholly or partly from
21 assessments in the manner provided by Subchapter A, Chapter 372,
22 Local Government Code, if the improvement financed by the
23 obligation issued under this section will be conveyed to or
24 operated and maintained by a municipality or other retail utility
25 provider pursuant to an agreement with the district entered into
26 before the issuance of the obligation.

27 Sec. 3796.0502. BONDS SECURED BY REVENUE OR CONTRACT

1 PAYMENTS. The district may issue, without an election, bonds
2 secured by:

3 (1) revenue other than ad valorem taxes, including
4 contract revenues; or

5 (2) contract payments, provided that the requirements
6 of Section 49.108, Water Code, have been met.

7 Sec. 3796.0503. CONSENT OF CITY REQUIRED. The board may not
8 issue bonds until the city has consented by ordinance or resolution
9 to the creation of the district and to the inclusion of land in the
10 district.

11 SUBCHAPTER I. DISSOLUTION

12 Sec. 3796.0901. DISSOLUTION. (a) The board shall dissolve
13 the district on written petition filed with the board by the owners
14 of:

15 (1) 66 percent or more of the assessed value subject to
16 assessment by the district of the property in the district based on
17 the most recent certified county property tax rolls; or

18 (2) 66 percent or more of the surface area of the
19 district, excluding roads, streets, highways, utility
20 rights-of-way, other public areas, and other property exempt from
21 assessment by the district according to the most recent certified
22 county property tax rolls.

23 (b) The district may not be dissolved if the district:

24 (1) has any outstanding bonded or other indebtedness
25 until that bonded or other indebtedness has been repaid or defeased
26 in accordance with the order or resolution authorizing the issuance
27 of the bonded or other indebtedness;

1 (2) has a contractual obligation to pay money until
2 that obligation has been fully paid in accordance with the
3 contract; or

4 (3) owns, operates, or maintains public works,
5 facilities, or improvements unless the district has contracted with
6 another party for the ownership and operation or maintenance of the
7 public works, facilities, or improvements.

8 (c) Section 375.262, Local Government Code, does not apply
9 to the district.

10 SECTION 2. The Honey Creek Improvement District No. 1
11 initially includes all territory contained in the following area:

12 LEGAL DESCRIPTION

13 HONEY CREEK IMPROVEMENT DISTRICT NO. 1

14 TRACT 1
15 BEING a 1218.714 acre tract of land situated in the in the L.D.
16 Davidson Survey, Abstract No. 285, the E. Hamilton Survey, Abstract
17 No. 372, the W.H. Horn Survey, Abstract No. 1070, the W.M. Rice
18 Survey, Abstract No. 770, and the Meredith Hart Survey, Abstract
19 No. 371, City of McKinney, Collin County, Texas, and being the
20 remainder of a 189.1 acre tract and 1064.2 acre tract of land
21 described in a deed to Franklin Family Partnership recorded in
22 Volume 5540, Page 826, Land Records, Collin County, Texas, and
23 being part of a 3.00 acre tract of land described in a deed to Lela
24 M. Fryar recorded in Volume 703, Page 617, Land Records, Collin
25 County, Texas, and being all of a 10.00 acre tract of land described
26 in a deed to Richard Loren Franklin recorded in Clerk File
27 No. 95-0015568 Land Records, Collin County, Texas, and being more

1 particularly described as follows:

2 COMMENCING at a railroad spike found in asphalt at the intersection
3 of the centerline of County Road 166 and County Road 168, said point
4 being the apparent intersection of four surveys: the southeast
5 corner of the Thomas E. Pelham Survey, Abstract Number 724, the
6 southwest corner of the Jno. Cahill Survey, Abstract number 143,
7 the northeast corner of said D. J. Franklin Survey, and the
8 northwest corner of said L. D. Davidson Survey;

9 THENCE North 89°41'47" East along the centerline of said County Road
10 168 a distance 1278.96 feet to a 5/8" iron rod set for corner at the
11 POINT OF BEGINNING, said point being the northeast corner of a tract
12 of land described in a deed to Richard K. Hester et ux. Sarah P.
13 Hester recorded in Volume 4171, Page 3124, Land Records, Collin
14 County, Texas;

15 THENCE North 89°41'47" East continuing along the centerline of said
16 County Road 168 a distance of 3769.64 feet to a 1/2" iron rod found
17 at the southeast corner of a tract of land described in a deed to
18 Elizabeth Langston recorded in Volume 1372, Page 595, Land Records,
19 Collin County, Texas;

20 THENCE North 00°06'09" West with the east line of said Elizabeth
21 Langston a distance of 1018.25 feet to a 5/8" iron rod with red cap
22 marked KHA set at the northeast corner of a tract of land described
23 in a deed to R.J. Knowles recorded in Volume 1372, Page 589, Land
24 Records, Collin County, Texas;

25 THENCE South 89°01'12" East passing at 314.35 feet a PK nail with
26 washer found in asphalt at the most southerly southwest corner of a
27 tract of land described in a deed to Charles M. and Jean A. Hicks

1 recorded in Volume 5273, Page 6598, Land Records, Collin County,
2 Texas, and continuing for a total distance of 1592.06 feet to an
3 X-Cut set for corner on top of a concrete bridge in the west line of
4 a tract of land described in a deed to Theresa N. Roeder recorded in
5 Clerk File No. 95-0077977, Land Records, Collin County, Texas, said
6 point being in the centerline of Honey Creek;

7 THENCE along the centerline of said Honey Creek and with the west
8 line of said Theresa N. Roeder the following calls:

9 South 23°24'12" West a distance of 128.37 feet to a point for corner;

10 South 08°30'42" East a distance of 83.53 feet to a point for corner;

11 South 30°17'56" East a distance of 75.19 feet to a point for corner;

12 South 52°40'13" East a distance of 96.34 feet to a point for corner;

13 South 61°30'47" East a distance of 352.39 feet to a point for corner;

14 South 53°06'14" East a distance of 95.82 feet to a point for corner;

15 South 10°46'14" East a distance of 114.32 feet to a point for corner;

16 South 12°54'15" East a distance of 67.33 feet to a point for corner;

17 South 31°17'25" East a distance of 99.36 feet to a point for corner;

18 South 45°27'58" East a distance of 51.57 feet to a point for corner;

19 South 64°03'22" East a distance of 108.23 feet to a point for corner;

20 South 59°27'11" East a distance of 107.89 feet to a point for corner;

21 South 20°52'23" East a distance of 108.15 feet to a point for corner;

22 South 13°47'15" West a distance of 62.76 feet to a point for corner;

23 South 35°01'12" West a distance of 271.26 feet to a point for corner;

24 South 06°27'44" East a distance of 137.08 feet to a point for corner;

25 South 21°49'33" West a distance of 62.38 feet to a point for corner;

26 South 06°52'20" West a distance of 90.73 feet to a point for corner;

27 South 15°37'43" East a distance of 52.21 feet to a point for corner;

1 South 64°55'40" East a distance of 29.37 feet to a point for corner;
2 North 85°47'24" East a distance of 225.38 feet to a point for corner;
3 South 73°52'41" East a distance of 284.02 feet to a point for corner;
4 South 70°08'41" East a distance of 69.22 feet to a point for corner;
5 South 46°07'44" East a distance of 58.55 feet to a point for corner;
6 South 30°27'53" East a distance of 74.84 feet to a point for corner;
7 South 45°09'41" East a distance of 73.01 feet to a point for corner;
8 South 86°20'18" East a distance of 45.67 feet to a point for corner;
9 North 70°07'08" East a distance of 125.46 feet to a point for corner
10 in the west line of a tract of land described in a deed called "Tract
11 One" to J.A. and Imogene Gooch Revocable Living Trust, recorded in
12 Volume 5636, Page 4136, Land Records, Collin County, Texas;
13 THENCE South 03°48'49" East departing the centerline of said Honey
14 Creek and with the west line of said Tract One J.A. and Imogene
15 Gooch Revocable Living Trust along a barbwire fence passing at
16 51.57 feet a 1/2 inch iron rod found and continuing for a total
17 distance of 199.72 feet to a 5/8" iron rod with red cap marked KHA
18 set at the southwest corner of said Tract One J.A. and Imogene Gooch
19 Revocable Living Trust;
20 THENCE with the south line of said Tract One J.A. and Imogene Gooch
21 Revocable Living Trust the following calls:
22 South 79°35'20" East a distance of 110.76 feet to a 5/8" iron rod
23 with red cap marked KHA set for corner;
24 South 44°57'54" East a distance of 90.13 feet to a 5/8" iron rod with
25 red cap marked KHA set for corner;
26 North 67°12'40" East a distance of 174.48 feet to a 5/8" iron rod
27 with red cap marked KHA set for corner;

1 South 81°24'25" East a distance of 71.46 feet to a 5/8" iron rod with
2 red cap marked KHA set for corner;
3 South 66°47'34" East a distance of 178.26 feet to a point for corner
4 in the centerline of said Honey Creek;
5 THENCE along the centerline of said Honey Creek the following
6 calls:
7 South 59°29'36" West a distance of 48.92 feet to a point for corner;
8 South 07°03'42" West a distance of 54.33 feet to the northwest
9 corner of a tract of land described in a deed called "Tract Two" to
10 J.A. and Imogene Gooch Revocable Living Trust recorded in Volume
11 5636, Page 4136, Land Records, Collin County, Texas;
12 THENCE departing the centerline of said Honey Creek and with the
13 north, line of said Tract Two J.A. and Imogene Gooch Revocable
14 Living Trust the following calls:
15 South 25°06'09" West a distance of 85.01 feet to a 5/8" iron rod with
16 red cap marked KHA set for corner;
17 South 86°06'11" West a distance of 105.59 feet to a 5/8" iron rod
18 with red cap marked KHA set for corner;
19 North 62°04'42" West a distance of 70.34 feet to a 5/8" iron rod with
20 red cap marked KHA set for corner;
21 North 79°09'48" West a distance of 78.47 feet to a 5/8" iron rod with
22 red cap marked KHA set for corner;
23 South 76°09'56" West a distance of 228.54 feet to a 5/8" iron rod
24 with red cap marked KHA set at the northwest corner of said Tract
25 Two J.A. and Imogene Gooch Revocable Living Trust;
26 THENCE South 03°23'52" East a along a barbwire fence a distance of
27 152.85 feet to a 5/8" iron rod found at the southwest corner of said

1 Tract Two J.A. and Imogene Gooch Revocable Living Trust;
2 THENCE with the south line of said Tract Two J.A. and Imogene Gooch
3 Revocable Living Trust and along the general course of a barbwire
4 fence the following calls:
5 South 87°28'40" East a distance of 72.08 feet to a 5/8" iron rod with
6 red cap marked KHA set for corner;
7 South 88°58'34" East passing at 497.31 feet a 1/2 iron rod found and
8 continuing for a total distance of 541.00 feet to a point for corner
9 in the centerline of said Honey Creek, said point being in the west
10 line of a tract of land described in a deed to J.A. and Imogene Gooch
11 Revocable Living Trust recorded Clerk File Number 93-0106681, Land
12 Records, Collin County, Texas;
13 THENCE along the centerline of said Honey Creek and along the west
14 line of said J.A. and Imogene Gooch Revocable Living Trust the
15 following calls:
16 South 30°08'34" East a distance of 29.56 feet to a point for corner;
17 South 57°19'01" East a distance of 47.61 feet to a point for corner;
18 South 82°37'56" East a distance of 90.58 feet to a point for corner;
19 South 42°52'24" East a distance of 162.01 feet to a point at the
20 northwest corner of a tract of land described in a deed to Tom E.
21 Engle and Karen A. Engle recorded in Volume 5418, Page 4142, Land
22 Records, Collin County, Texas;
23 THENCE South 30°34'59" East with the west line of said Tom E. Engle
24 and Karen A. Engle and continuing along the centerline of said Honey
25 Creek a distance of 152.05 feet to a point at the northwest corner
26 of a tract of land described in a deed to Tom E. Engle and Karen A.
27 Engle recorded in Volume 5380, Page 4044, Land Records, Collin

1 County, Texas;
2 THENCE along the centerline of said Honey Creek and along the west
3 line of said Tom E. Engle and Karen A. Engle the following calls:
4 South 30°08'44" East a distance of 33.20 feet to a point for corner;
5 South 36°32'02" East a distance of 121.42 feet to a point for corner;
6 South 66°37'07" East a distance of 60.66 feet to a point for corner;
7 South 43°37'28" East a distance of 56.43 feet to a point for corner;
8 South 00°08'40" East a distance of 35.47 feet to a point for corner;
9 South 30°29'42" West a distance of 24.38 feet to a point for corner;
10 South 47°51'01" West a distance of 49.96 feet to a point for corner;
11 THENCE South 89°53'34" East departing the centerline of said Honey
12 Creek and with the south line of said Tom E. Engle and Karen A. Engle
13 passing at 58.03 feet a 1/2 inch iron rod with cap found and
14 continuing along a barbwire fence for a total distance of 983.93
15 feet to a metal fence post found for corner, from which a one inch
16 iron rod found in asphalt in the centerline of County Road 202 bears
17 South 89°53'34" East a distance of 21.86 feet;
18 THENCE South 00°25'41" West along the general course of a barbwire
19 fence a distance of 1552.26 feet to a point for corner in the
20 centerline of said Honey Creek;
21 THENCE along the centerline of said Honey Creek the following
22 calls:
23 South 69°49'58" East a distance of 82.17 feet to a point for corner;
24 South 14°23'29" East a distance of 70.58 feet to a point for corner;
25 South 02°11'17" West a distance of 169.40 feet to a point for corner;
26 South 40°43'43" West a distance of 72.63 feet to a point for corner;
27 South 67°07'59" West a distance of 69.48 feet to a point for corner;

- 1 South 85°04'46" West a distance of 109.78 feet to a point for corner;
- 2 South 32°43'24" West a distance of 60.16 feet to a point for corner;
- 3 South 09°08'50" East a distance of 124.19 feet to a point for corner;
- 4 South 56°32'04" East a distance of 73.66 feet to a point for corner;
- 5 South 63°18'11" East a distance of 37.12 feet to a point for corner;
- 6 South 69°59'42" East a distance of 111.44 feet to a point for corner;
- 7 South 46°14'26" East a distance of 90.73 feet to a point for corner;
- 8 South 11°15'17" East a distance of 191.67 feet to a point for corner;
- 9 South 17°55'11" East a distance of 85.72 feet to a point for corner;
- 10 South 69°18'16" East a distance of 235.92 feet to a point for corner;
- 11 South 29°14'27" East a distance of 57.98 feet to a point for corner;
- 12 South 51°31'28" East a distance of 440.72 feet to a point for corner;
- 13 South 43°32'59" East a distance of 140.07 feet to a point for corner;
- 14 South 62°01'13" East a distance of 104.31 feet to a point for corner;
- 15 North 69°11'35" East a distance of 73.64 feet to a point for corner;
- 16 North 50°17'09" East a distance of 128.74 feet to a point for corner;
- 17 North 74°01'37" East a distance of 82.53 feet to a point for corner;
- 18 South 48°40'54" East a distance of 124.07 feet to a point for corner;
- 19 South 26°42'21" West a distance of 77.82 feet to a point for corner;
- 20 South 05°56'42" East a distance of 73.50 feet to a point for corner;
- 21 South 45°47'12" East a distance of 501.35 feet to a point for corner;
- 22 South 55°49'11" East a distance of 191.12 feet to a point for corner;
- 23 South 14°28'12" West a distance of 75.33 feet to a point for corner;
- 24 South 52°02'47" West a distance of 124.63 feet to a point for corner;
- 25 South 17°36'16" West a distance of 89.41 feet to a point for corner;
- 26 South 08°17'38" East a distance of 60.50 feet to a point for corner;
- 27 South 46°25'51" East a distance of 223.59 feet to a point for corner;

1 North 86°02'30" East a distance of 68.62 feet to a point for corner;
2 North 68°04'39" East a distance of 251.87 feet to a point for corner;
3 South 38°28'19" East a distance of 46.61 feet to a point for corner;
4 South 13°57'02" East a distance of 143.42 feet to a point for corner;
5 South 74°53'01" East a distance of 55.67 feet to a point for corner;
6 South 89°34'39" East a distance of 76.12 feet to a point for corner;
7 North 74°24'09" East a distance of 112.70 feet to a point for corner;
8 North 48°36'26" East a distance of 133.78 feet to a point for corner;
9 South 40°05'49" East a distance of 40.71 feet to a point for corner;
10 South 01°35'11" East a distance of 106.35 feet to a point for corner;
11 South 47°59'10" East a distance of 79.63 feet to a point for corner;
12 North 83°01'26" East a distance of 57.88 feet to a point for corner;
13 North 71°34'34" East a distance of 308.45 feet to a point for corner;
14 North 49°30'50" East a distance of 80.60 feet to a point for corner
15 in the west line of a tract of land described in a deed to E.R.
16 Hartley et ux. Elga Hartley recorded in Volume 592, Page 35, Land
17 Records, Collin County, Texas;
18 THENCE South 00°34'13" West with the west line of said E.R. Hartley
19 and along a barbwire fence a distance of 538.17 feet to a six inch
20 diameter Bois d'Arc fence post found for corner;
21 THENCE North 87°27'55" West departing the west line of said E.R.
22 Hartley a distance of 272.40 feet to a six inch diameter Bois d'Arc
23 fence post found at the northwest corner of a tract of land
24 described in a deed to Eddie P. Howell et ux. Gailyn A. Howell
25 recorded in Volume 1128, Page 160, Land Records, Collin County,
26 Texas;
27 THENCE South 00°40'35" West with the west line of said Eddie P.

1 Howell and along the general course of a barbwire fence a distance
2 of 2013.95 feet to a 1/2" iron rod found for corner in asphalt in the
3 centerline of County Road 201;

4 THENCE North 87°51'07" West along the centerline of said County Road
5 201 passing at 1612.90 feet a 100D nail found 1.27 feet to the left
6 at a right angle to this course, said point being the southeast
7 corner of said 3.00 acre Lela M. Fryar tract, and passing at 1862.71
8 feet a 100D nail found 2.06 feet to the left at a right angle to this
9 course, said point being the southwest corner of said 3.00 acre Lela
10 M. Fryar tract, and continuing for a total distance of 2286.16 feet
11 to a 1/2" iron rod found for corner;

12 THENCE North 00°15'13" East along the general course of a barbwire
13 fence a distance of 1969.91 feet to a 1/2" iron rod found for
14 corner, from which a wood fence post found bears North 24°56'54"
15 West a distance of 3.4 feet;

16 THENCE North 89°06'26" West along the general course of a barbwire
17 fence passing at 466.94 feet a wood fence post found 0.9 feet to the
18 right and at right angles to this course, and continuing for a total
19 distance of 507.01 feet to a 1/2" iron rod found for corner in the
20 east line of a tract of land described in a deed to RAJICA 131, L.P.
21 recorded in Volume 5894, Page 3815, Land Records, Collin County,
22 Texas;

23 THENCE North 00°27'12" East with the east line of said RAJICA 131,
24 L.P. a distance of 1470.19 feet to a 1/2" iron rod found for corner
25 in asphalt at the intersection of the centerline of County Road 201
26 and County Road 1006;

27 THENCE South 89°25'38" West along the centerline of said County Road

1 1006 a distance of 4793.69 feet to a 1/2" iron rod found in gravel
2 pavement at the northeast corner of a tract of land described in a
3 deed to Perry J. Graham et ux. Donna M. Graham recorded in Volume
4 1233, Page 811, Land Records, Collin County, Texas;

5 THENCE South 89°30'39" West continuing along the centerline of said
6 County Road 1006 and with the north line of said Perry J. Graham a
7 distance of 431.57 feet to a 5/8" iron rod found for corner;

8 THENCE in a southerly direction continuing along the centerline of
9 said County Road 1006 the following calls:

10 South 10°38'17" West a distance of 428.46 feet to a 1/2" iron rod
11 found for corner in asphalt;

12 South 13°53'52" West a distance of 203.34 feet to a bent 1/2" iron
13 rod found for corner in asphalt;

14 South 24°17'55" West a distance of 316.45 feet to a 5/8" iron rod set
15 for corner in asphalt;

16 South 03°15'22" West a distance of 290.50 feet to a 5/8" iron rod set
17 for corner in asphalt;

18 South 01°02'46" East passing at 1043.25 feet a 3/8" iron rod found in
19 asphalt at the southwest corner of a tract of land described in a
20 deed to Rene Bates et ux. Beverly Bates recorded in Volume 3419,
21 Page 878, Land Records, Collin County, Texas, and continuing for a
22 total distance of 1113.87 feet to a 1/2" iron rod found in asphalt
23 at the northeast corner of a tract of land described in a deed to Don
24 W. Collins et ux. Carol A. Collins recorded in Volume 4355, Page
25 2347, Land Records, Collin County, Texas;

26 THENCE South 89°31'09" West departing the centerline of said County
27 Road 1006 and with the north line of said Don W. Collins and along

1 the general course of a barbwire fence a distance of 795.63 feet to
2 a 1/2" iron rod found at the base of an 18 inch diameter hackberry
3 tree at the northwest corner of said Don W. Collins;

4 THENCE South 89°41'41" West continuing along the general course of a
5 barbwire fence a distance of 1875.27 feet to a PK nail found in a
6 fence post for corner;

7 THENCE North 00°43'53" West a distance of 1307.74 feet to a 1/2" iron
8 rod with cap marked "RPLS 3963" found in the south line of a tract of
9 land described in a deed to Baylor Health Care System as "Tract
10 Two," recorded in Volume 5848, Page 4498, Land Records, Collin
11 County, Texas;

12 THENCE with the south and east lines of said Tract Two Baylor Health
13 Care System the following calls:

14 North 89°24'24" East a distance of 1227.09 feet to a 1/2" iron rod
15 with cap marked "RPLS 3963" found for corner;

16 North 00°33'36" West a distance of 985.72 feet to a 1/2" iron rod
17 with cap marked "RPLS 3963" found for corner in the south line of a
18 tract of land described in a deed to Paul H. Powell III et ux. Lois
19 M. Powell recorded in Clerk's File number 94-0015097, Land Records,
20 Collin County, Texas;

21 THENCE North 89°14'20" East with the south line of said Paul H.
22 Powell III passing at 40.07 feet a 1/2" iron rod found at the
23 southeast corner of said Paul H. Powell III and continuing for a
24 total distance of 512.56 feet to a 1/2" iron rod found at the
25 southeast corner of a tract of land described in a deed to Harris
26 Living Trust recorded in Volume 5272, Page 4335, Land Records,
27 Collin County, Texas;

1 THENCE with the east line of said Harris Living Trust and along the
2 general course of a barbwire fence the following calls:
3 North 00°12'24" West a distance of 583.36 feet to a 5/8" iron rod
4 with red cap marked KHA set for corner;
5 North 00°04'15" West a distance of 407.78 feet to a 5/8" iron rod
6 with red cap marked KHA set for corner;
7 North 00°32'47" West a distance of 436.72 feet to a 5/8" iron rod
8 with red cap marked KHA set for corner;
9 North 00°12'16" West a distance of 186.87 feet to a 5/8" iron rod
10 with red cap marked KHA set for corner;
11 North 00°23'27" West passing at 365.71 a one inch iron pipe found and
12 continuing for a total distance of 386.47 feet to a point for corner
13 in the centerline of a branch of Honey Creek;
14 THENCE South 00°25'41" West along the general course of a barbwire
15 fence a distance of 1552.26 feet to a point for corner in the
16 centerline of said Honey Creek;
17 THENCE along the centerline of said Honey Creek the following
18 calls:
19 South 69°49'58" East a distance of 82.17 feet to a point for corner;
20 South 14°23'29" East a distance of 70.58 feet to a point for corner;
21 South 02°11'17" West a distance of 169.40 feet to a point for corner;
22 South 40°43'43" West a distance of 72.63 feet to a point for corner;
23 South 67°07'59" West a distance of 69.48 feet to a point for corner;
24 South 85°04'46" West a distance of 109.78 feet to a point for corner;
25 South 32°43'24" West a distance of 60.16 feet to a point for corner;
26 South 09°08'50" East a distance of 124.19 feet to a point for corner;
27 South 56°32'04" East a distance of 73.66 feet to a point for corner;

- 1 South 63°18'11" East a distance of 37.12 feet to a point for corner;
- 2 South 69°59'42" East a distance of 111.44 feet to a point for corner;
- 3 South 46°14'26" East a distance of 90.73 feet to a point for corner;
- 4 South 11°15'17" East a distance of 191.67 feet to a point for corner;
- 5 South 17°55'11" East a distance of 85.72 feet to a point for corner;
- 6 South 69°18'16" East a distance of 235.92 feet to a point for corner;
- 7 South 29°14'27" East a distance of 57.98 feet to a point for corner;
- 8 South 51°31'28" East a distance of 440.72 feet to a point for corner;
- 9 South 43°32'59" East a distance of 140.07 feet to a point for corner;
- 10 South 62°01'13" East a distance of 104.31 feet to a point for corner;
- 11 North 69°11'35" East a distance of 73.64 feet to a point for corner;
- 12 North 50°17'09" East a distance of 128.74 feet to a point for corner;
- 13 North 74°01'37" East a distance of 82.53 feet to a point for corner;
- 14 South 48°40'54" East a distance of 124.07 feet to a point for corner;
- 15 South 26°42'21" West a distance of 77.82 feet to a point for corner;
- 16 South 05°56'42" East a distance of 73.50 feet to a point for corner;
- 17 South 45°47'12" East a distance of 501.35 feet to a point for corner;
- 18 South 55°49'11" East a distance of 191.12 feet to a point for corner;
- 19 South 14°28'12" West a distance of 75.33 feet to a point for corner;
- 20 South 52°02'47" West a distance of 124.63 feet to a point for corner;
- 21 South 17°36'16" West a distance of 89.41 feet to a point for corner;
- 22 South 08°17'38" East a distance of 60.50 feet to a point for corner;
- 23 South 46°25'51" East a distance of 223.59 feet to a point for corner;
- 24 North 86°02'30" East a distance of 68.62 feet to a point for corner;
- 25 North 68°04'39" East a distance of 251.87 feet to a point for corner;
- 26 South 38°28'19" East a distance of 46.61 feet to a point for corner;
- 27 South 13°57'02" East a distance of 143.42 feet to a point for corner;

1 South 74°53'01" East a distance of 55.67 feet to a point for corner;
2 South 89°34'39" East a distance of 76.12 feet to a point for corner;
3 North 74°24'09" East a distance of 112.70 feet to a point for corner;
4 North 48°36'26" East a distance of 133.78 feet to a point for corner;
5 South 40°05'49" East a distance of 40.71 feet to a point for corner;
6 South 01°35'11" East a distance of 106.35 feet to a point for corner;
7 South 47°59'10" East a distance of 79.63 feet to a point for corner;
8 North 83°01'26" East a distance of 57.88 feet to a point for corner;
9 North 71°34'34" East a distance of 308.45 feet to a point for corner;
10 North 49°30'50" East a distance of 80.60 feet to a point for corner
11 in the west line of a tract of land described in a deed to E.R.
12 Hartley et ux. Elga Hartley recorded in Volume 592, Page 35, Land
13 Records, Collin County, Texas;
14 THENCE South 00°34'13" West with the west line of said E.R. Hartley
15 and along a barbwire fence a distance of 538.17 feet to a six inch
16 diameter Bois d'Arc fence post found for corner;
17 THENCE North 87°27'55" West departing the west line of said E.R.
18 Hartley a distance of 272.40 feet to a six inch diameter Bois d'Arc
19 fence post found at the northwest corner of a tract of land
20 described in a deed to Eddie P. Howell et ux. Gailyn A. Howell
21 recorded in Volume 1128, Page 160, Land Records, Collin County,
22 Texas;
23 THENCE South 00°40'35" West with the west line of said Eddie P.
24 Howell and along the general course of a barbwire fence a distance
25 of 2013.95 feet to a 1/2" iron rod found for corner in asphalt in the
26 centerline of County Road 201;
27 THENCE North 87°51'07" West along the centerline of said County Road

1 201 passing at 1612.90 feet a 100D nail found 1.27 feet to the left
2 at a right angle to this course, said point being the southeast
3 corner of said 3.00 acre Lela M. Fryar tract, and passing at 1862.71
4 feet a 100D nail found 2.06 feet to the left at a right angle to this
5 course, said point being the southwest corner of said 3.00 acre Lela
6 M. Fryar tract, and continuing for a total distance of 2286.16 feet
7 to a 1/2" iron rod found for corner;

8 THENCE North 00°15'13" East along the general course of a barbwire
9 fence a distance of 1969.91 feet to a 1/2" iron rod found for
10 corner, from which a wood fence post found bears North 24°56'54"
11 West a distance of 3.4 feet;

12 THENCE North 89°06'26" West along the general course of a barbwire
13 fence passing at 466.94 feet a wood fence post found 0.9 feet to the
14 right and at right angles to this course, and continuing for a total
15 distance of 507.01 feet to a 1/2" iron rod found for corner in the
16 east line of a tract of land described in a deed to RAJICA 131, L.P.
17 recorded in Volume 5894, Page 3815, Land Records, Collin County,
18 Texas;

19 THENCE North 00°27'12" East with the east line of said RAJICA 131,
20 L.P. a distance of 1470.19 feet to a 1/2" iron rod found for corner
21 in asphalt at the intersection of the centerline of County Road 201
22 and County Road 1006;

23 THENCE South 89°25'38" West along the centerline of said County Road
24 1006 a distance of 4793.69 feet to a 1/2" iron rod found in gravel
25 pavement at the northeast corner of a tract of land described in a
26 deed to Perry J. Graham et ux. Donna M. Graham recorded in Volume
27 1233, Page 811, Land Records, Collin County, Texas;

1 THENCE South 89°30'39" West continuing along the centerline of said
2 County Road 1006 and with the north line of said Perry J. Graham a
3 distance of 431.57 feet to a 5/8" iron rod found for corner;
4 THENCE in a southerly direction continuing along the centerline of
5 said County Road 1006 the following calls:
6 South 10°38'17" West a distance of 428.46 feet to a 1/2" iron rod
7 found for corner in asphalt;
8 South 13°53'52" West a distance of 203.34 feet to a bent 1/2" iron
9 rod found for corner in asphalt;
10 South 24°17'55" West a distance of 316.45 feet to a 5/8" iron rod set
11 for corner in asphalt;
12 South 03°15'22" West a distance of 290.50 feet to a 5/8" iron rod set
13 for corner in asphalt;
14 South 01°02'46" East passing at 1043.25 feet a 3/8" iron rod found in
15 asphalt at the southwest corner of a tract of land described in a
16 deed to Rene Bates et ux. Beverly Bates recorded in Volume 3419,
17 Page 878, Land Records, Collin County, Texas, and continuing for a
18 total distance of 1113.87 feet to a 1/2" iron rod found in asphalt
19 at the northeast corner of a tract of land described in a deed to Don
20 W. Collins et ux. Carol A. Collins recorded in Volume 4355, Page
21 2347, Land Records, Collin County, Texas;
22 THENCE South 89°31'09" West departing the centerline of said County
23 Road 1006 and with the north line of said Don W. Collins and along
24 the general course of a barbwire fence a distance of 795.63 feet to
25 a 1/2" iron rod found at the base of an 18 inch diameter hackberry
26 tree at the northwest corner of said Don W. Collins;
27 THENCE South 89°41'41" West continuing along the general course of a

1 barbwire fence a distance of 1875.27 feet to a PK nail found in a
2 fence post for corner;

3 THENCE North 00°43'53" West a distance of 1307.74 feet to a 1/2" iron
4 rod with cap marked "RPLS 3963" found in the south line of a tract of
5 land described in a deed to Baylor Health Care System as "Tract
6 Two," recorded in Volume 5848, Page 4498, Land Records, Collin
7 County, Texas;

8 THENCE with the south and east lines of said Tract Two Baylor Health
9 Care System the following calls:

10 North 89°24'24" East a distance of 1227.09 feet to a 1/2" iron rod
11 with cap marked "RPLS 3963" found for corner;

12 North 00°33'36" West a distance of 985.72 feet to a 1/2" iron rod
13 with cap marked "RPLS 3963" found for corner in the south line of a
14 tract of land described in a deed to Paul H. Powell III et ux. Lois
15 M. Powell recorded in Clerk's File number 94-0015097, Land Records,
16 Collin County, Texas;

17 THENCE North 89°14'20" East with the south line of said Paul H.
18 Powell III passing at 40.07 feet a 1/2" iron rod found at the
19 southeast corner of said Paul H. Powell III and continuing for a
20 total distance of 512.56 feet to a 1/2" iron rod found at the
21 southeast corner of a tract of land described in a deed to Harris
22 Living Trust recorded in Volume 5272, Page 4335, Land Records,
23 Collin County, Texas;

24 THENCE with the east line of said Harris Living Trust and along the
25 general course of a barbwire fence the following calls:

26 North 00°12'24" West a distance of 583.36 feet to a 5/8" iron rod
27 with red cap marked KHA set for corner;

1 North 00°04'15" West a distance of 407.78 feet to a 5/8" iron rod
2 with red cap marked KHA set for corner;
3 North 00°32'47" West a distance of 436.72 feet to a 5/8" iron rod
4 with red cap marked KHA set for corner;
5 North 00°12'16" West a distance of 186.87 feet to a 5/8" iron rod
6 with red cap marked KHA set for corner;
7 North 00°23'27" West passing at 365.71 a one inch iron pipe found and
8 continuing for a total distance of 386.47 feet to a point for corner
9 in the centerline of a branch of Honey Creek;
10 SAVE AND EXCEPT
11 BEING a 73.436 acre tract located in the Meredith Hart Survey,
12 Abstract No. 371, Collin County, Texas, being part of that called
13 189.1 acre tract described in Exhibit A to Special Warranty Deed
14 recorded in Volume 5540, Page 826, Deed Records Collin County,
15 Texas (D.R.C.C.T.), said 73.780 acre tract being more particularly
16 described by metes and bounds as follows:
17 BEGINNING at a found 1/2 inch iron rod for the most Westerly
18 Southwest corner of said 189.1 acre tract, being called Southwest
19 corner of a 81.43 acre tract described in Volume 294, Page 623.
20 D.R.C.C.T., and being the Northwest corner of that called 23.09
21 acre tract described in Deed to MAC TMK, Inc. as recorded in the
22 County Clerk's File No. 93-0088052, Official Public Records Collin
23 County, Texas (O.P.R.C.C.T.), being on the East line that tract
24 described in Deed to RAIJCA 131, L.P. as recorded in Volume 5894,
25 Page 3815, D.R.C.C.T., said iron rod being on the Westerly side of
26 Collin County Road 201 (undefined prescriptive right of way);
27 THENCE N 00°24'41" E, with the West line of said 189.1 acre tract and

1 the East line of said RAIJCA 131 tract, a distance of 1459.36 feet
2 to a point for corner;
3 THENCE EAST, a distance of 1009.10 feet to point for corner in Honey
4 Creek;
5 THENCE Southeasterly, 50.00 feet southerly of and parallel with the
6 center of Honey Creek as follows:
7 N 89°17'25" E a distance of 65.31 feet, to a 5/8 inch CIRS; N
8 45°54'31" E a distance of 104.17 feet; to a 5/8 inch CIRS;
9 N 68°40'59" E a distance of 91.84 feet, to a 5/8 inch CIRS;
10 S 52°57'13" E a distance of 63.08 feet to a 5/8 inch CIRS;
11 S 14°09'17" W a distance of 100.37 feet, to a 5/8 inch CIRS;
12 S 37°37'12" E a distance of 162.18 feet, to a 5/8 inch CIRS;
13 S 46°25'07" E a distance of 294.74 feet, to a 5/8 inch CIRS;
14 S 14°31'28" W a distance of 2613.97 feet, to a 5/8 inch CIRS in
15 the center line of a proposed 120.00 foot Right-of-Way;
16 THENCE S 14°31'38" W along the center line of said proposed
17 Right-of-Way, a distance of 2671.17 feet to a 5/8 inch CIRS, said
18 CIRS, said corner also being the beginning to a tangent curve to the
19 left, having a central angle of 13°35'36", with a chord length of
20 248.53 feet, and radius of 1050 feet, whose chord bears S 07°43'50"
21 W;
22 THENCE continuing along the center line of said proposed
23 Right-of-Way and following said curve to the left a distance of
24 249.11 feet to a point for corner;
25 THENCE S 00°56'02" W leaving said curve to the left and vonintuing
26 along the center line of said proposed Right-of-Way, a distance of
27 317.34 feet to found 120d nail in the center of County Road 201;

1 THENCE N 89°36'02" W, with said centerline, a distance of 391.763
2 feet to a point for corner;
3 THENCE N 00°13'29" E, leaving said centerline, at a distance of 15.5
4 feet pass a found 1/2-inch iron rod at a fence post, continuing for
5 a total distance of 1984.82 feet to a found 1/2-inch iron rod at a
6 fence post;
7 THENCE N 89°08'40" W, generally with a fence, at a distance of 466.13
8 feet passing a fence corner post on the eastern line of County Road
9 201, continuing for a total distance 06.15 feet to the POINT OF
10 BEGINNING, and containing 73.436 acres (3,198,870 square feet) of
11 land, more or less.

12 TRACT 2

13 Being a tract of land situated in the Meredith Hart Survey, Abstract
14 Number 371, Collin County, Texas, and being all of the called 254.64
15 acre tract of land to Honey Creek Joint Venture II, as recorded in
16 Collin County File Number 94-0092023, of the Deed Records of Collin
17 County, Texas, and being more particularly described as follows:

18 Beginning at a 1 inch iron pipe found in a North-South paved road
19 (County Road Number 202) at the northwest corner of said Meredith
20 Hart Survey and the northwest corner of said Honey Creek tract, said
21 point also being the southwest corner of a tract of land to Malinda
22 A. Warden called tract 2 as recorded in Collin County File
23 No. 2005-0055890 of said Deed Records and lying on the east line of
24 a tract of land to Robert Allen Davis and Laurie L. Davis as
25 recorded in Volume 3543, Page 396 of said Deed Records;

26 Thence South 88 degrees 52 minutes 49 seconds East along the north
27 line of said Honey Creek tract a distance of 155.17 feet to a 5/8

1 inch iron rod found for the southeast corner of said Warden tract
2 lying on the south right-of-way line of Farm Road No. 543, (a
3 variable width right-of-way), said point also lying at the
4 beginning of a curve to the left;

5 Thence with said curve to the left and along said south line of Farm
6 Road No. 543 having a radius of 359.62 feet, a central angle of 27
7 degrees 16 minutes, 51 seconds, and arc length of 171.23 feet, a
8 chord bearing of south 75 degrees 14 minutes 21 seconds East a
9 distance of 169.62 feet to a broken concrete highway monument found
10 for corner;

11 Thence South 88 degrees 52 minutes 49 seconds East continuing along
12 said south line of Farm Road No. 543 a distance of 1135.30 feet to a
13 broken concrete highway monument found for corner at the beginning
14 of a curve to the right;

15 Thence with said curve to the right continuing along said south line
16 of Farm Road No. 543 having a radius of 2825.16 feet, a central
17 angle of 02 degrees 43 minutes 37 seconds, and arc length of 134.47
18 feet, and chord bearing of South 87 degrees 20 minutes 32 seconds
19 East a distance of 134.46 feet to a 1/2 inch iron rod found for the
20 most northerly northeast corner of said Honey Creek tract and the
21 northwest corner of a tract of land to Elelyn Cole Family, LTD as
22 recorded in Collin County File Number 2000-0040586 of said Deed
23 Records;

24 Thence South 01 degrees 39 minutes 39 seconds West departing said
25 south line of Farm Road No. 543 and along the common line of said
26 Honey Creek tract and said Cole tract a distance of 1147.33 feet to
27 a 1 inch iron pipe found for the southwest corner of said Cole tract

1 and an inner ell corner of said Honey Creek tract;
2 Thence South 87 degrees 32 minutes 32 seconds East along the south
3 line of said Cole tract and the south line of a tract of land to
4 Mescal Hill Wilson as recorded in Instrument Number
5 20091215001497350 of the Official Public Records of Collin County,
6 Texas, passing the common southeast and southwest corner of said
7 Cole and Wilson tracts and continuing a total distance of 1177.20
8 feet to a 3/8 inch iron rod found for the most easterly northeast
9 corner of said Honey Creek tract and the northwest corner of a tract
10 of land to Gregory Mills as recorded in Collin County File Number
11 2001-0044545 bf said Deed Records;
12 Thence South 01 degree 00 minutes 36 seconds West along the east
13 line of said Honey Creek tract a distance of 1783 .23 feet to a
14 square bolt found for corner at an angle point on said east line,
15 said point also being the southwest corner of a tract of land to
16 Mackuehn Partners, LLC. as recorded in Instrument Number
17 20140131000096000 of said Official Records and the northwest corner
18 of a tract of land to Robert Nicholas Oliver as recorded in
19 Instrument Number 20070510000633 570 of said Official Records;
20 Thence South 00 degrees 57 minutes 33 seconds West continuing along
21 the east line of said Honey Creek and along the west line of said
22 Oliver tract a distance of 1062.76 feet to a 5/8 inch iron rod with
23 cap stamped "R.P.L.S. 5430" set for a southeast corner of said Honey
24 Creek tract and the south west corner of said Oliver tract, said
25 point also lying in the aforementioned County Road Number 202 and on
26 the North line of a tract of land to Helen L. Cambell Supplemental
27 Needs Trust as recorded in Instrument Number 20130423000545440 of

1 said Official Records;
2 Thence South 89 degrees 14 minutes 22 seconds West along the common
3 line of said Honey Creek tract and said Trust tract along said
4 County Road Number 202 a distance of 457.49 feet to a PK nail found
5 for the northwest comer of a tract of land to Daniel Travis Squires
6 and Dalana Lin squires as recorded in Instrument Number
7 20140401000304730 of said Official Records;
8 Thence South 01 degree 12 minutes 08 seconds West departing said
9 County Road Number 202 and along the common line of said Honey Creek
10 tract and said Squires tract a distance of 469.12 feet to a 5/8 inch
11 iron rod found for corner;
12 Thence North 87 degrees 11 minutes 23 seconds West continuing along
13 said common line a distance of 245.21 feet to a 5/8 inch iron rod
14 found for corner;
15 Thence South 01 degree 33 minutes 59 seconds West continuing along
16 said common line and along the west line of said Trust tract a
17 distance of 829.22 feet to a 5/8 inch iron rod found for corner;
18 Thence North 85 degrees 17 minutes 53 seconds West along the
19 southerly line of said Honey Creek tract a distance of 184.73 feet
20 to a point in the center of Honey Creek;
21 Thence with the southerly line of said Honey Creek tract and the
22 center of Honey Creek the following course and distance;
23 North 60 degrees 24 minutes 45 seconds West a distance of 109.27
24 feet;
25 North 46 degrees 36 minutes 54 seconds West a distance of 72.41
26 feet;
27 North 54 degrees 51 minutes 40 seconds West a distance of 59.44

- 1 feet;
- 2 North 42 degrees 36 minutes 58 seconds West a distance of 84.43
- 3 feet;
- 4 North 49 degrees 15 minutes 50 seconds West a distance of 200.09
- 5 feet;
- 6 North 43 degrees 14 minutes 41 seconds West a distance of 168.42
- 7 feet;
- 8 North 18 degrees 52 minutes 24 seconds West a distance of 52.83
- 9 feet;
- 10 North 25 degrees 56 minutes 16 seconds East a distance of 66.43
- 11 feet;
- 12 North 12 degrees 20 minutes 03 seconds West a distance of 67.01
- 13 feet;
- 14 North 51 degrees 09 minutes 18 seconds West a distance of 90.73
- 15 feet;
- 16 South 80 degrees 11 minutes 04 seconds West a distance of 105.97
- 17 feet;
- 18 South 44 degrees 09 minutes 44 seconds West a distance of 157.50
- 19 feet;
- 20 North 71 degrees 32 minutes 52 seconds West a distance of 102.21
- 21 feet;
- 22 North 43 degrees 44 minutes 50 seconds West a distance of 177.80
- 23 feet;
- 24 North 60 degrees 01 minutes 30 seconds West a distance of 206.11
- 25 feet;
- 26 North 48 degrees 50 minutes 27 seconds West a distance of 157.77
- 27 feet;

1 North 30 degrees 38 minutes 03 seconds West a distance of 105.92
2 feet;
3 North 53 degrees 16 minutes 07 seconds West a distance of 86.80
4 feet;
5 North 83 degrees 45 minutes 32 seconds West a distance of 167.62
6 feet;
7 North 15 degrees 09 minutes 06 seconds West a distance of 212.76
8 feet;
9 North 13 degrees 24 minutes 18 seconds West a distance of 90.73
10 feet;
11 North 40 degrees 03 minutes 14 seconds West a distance of 41.74
12 feet;
13 Thence North 47 degrees 29 minutes 14 seconds East departing said
14 corner of Honey Creek a distance of 44.08 feet to a 5/8 inch iron rod
15 found for corner on the west line of said Honey Creek tract;
16 Thence North 00 degrees 45 minutes 31 seconds West along the west
17 line of said Honey Creek tract a distance of 582.40 feet to a 5/8
18 inch iron rod found for corner;
19 Thence North 12 degrees 05 minutes 41 seconds West continuing along
20 said west line a distance of 84.06 feet to a 5/8 inch iron rod found
21 for corner;
22 Thence North 25 degrees 09 minutes 52 seconds West continuing along
23 said west line a distance of 181.31 feet to a 5/8 inch iron rod found
24 for corner;
25 Thence North 00 degrees 31 minutes 02 seconds East continuing along
26 said west line and generally near the center of said County Road
27 Number 202 a distance of 1340.78 feet to a 1/2 inch iron rod found

1 for corner;
2 Thence North 01 degrees 14 minutes 46 seconds East continuing along
3 said west line and said County Road Number 202 a distance of 538.52
4 feet to a 5/8 inch iron rod with cap stamped "R.P.:.S. 5430" set for
5 corner;
6 Thence North 00 degrees 00 minutes 58 seconds West continuing along
7 said west line and said County Road Number 202 a distance of 671.18
8 feet to a 5/8 inch iron rod with cap stamped "R.P.L.S. 5430" set for
9 corner;
10 Thence North 00 degrees 09 minutes 16 seconds East continuing along
11 said west line and said County Road Number 202 a distance of 576.89
12 feet to the POINT OF BEGINNING containing 11,090,197 square Feet,
13 or 254.596 acres of land.

14 TRACT 3

15 BEING A 7.730 ACRE TRACT OF LAND SITUATED IN THE MEREDITH HART
16 SURVEY, ABSTRACT NO. 371, COLLIN COUNTY, TEXAS, BEING A PORTION OF
17 THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO ROBERT NICHOLAS
18 OLIVIER, AS RECORDED IN INSTRUMENT NO. 20070510000633570, DEED
19 RECORDS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY
20 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

21 BEGINNING AT A SET PK NAIL AT THE SOUTHWEST CORNER OF SAID OLIVIER
22 TRACT, SAID PK NAIL BEING IN COUNTY ROAD 202;

23 THENCE NORTH, PASSING A 1/2-INCH IRON ROD FOUND AT A DISTANCE OF
24 30.19 FEET AND CONTINUING A TOTAL DISTANCE OF 808.75 FEET ALONG THE
25 WEST LINE OF SAID OLIVIER TRACT TO A 1/2-INCH IRON ROD SET AT THE
26 NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;\

27 THENCE NORTH 89° 10' 34" EAST, DEPARTING SAID WEST LINE, PASSING A

1 1/2-INCH IRON ROD SET AT A DISTANCE OF 703.47 FEET AND CONTINUING A
2 TOTAL DISTANCE OF 733.47 FEET TO A SET PK NAIL AT THE NORTHEAST
3 CORNER OF THIS TRACT, SAID PK NAIL BEING IN AFORESAID COUNTY ROAD
4 202;

5 THENCE SOUTH 00° 52' 00" EAST, A DISTANCE OF 155.27 FEET ALONG SAID
6 COUNTY ROAD 202 TO A SET PK NAIL AT THE MOST NORTHERLY SOUTHEAST
7 CORNER OF THIS TRACT;

8 THENCE SOUTH 89° 10' 34" WEST, DEPARTING SAID COUNTY ROAD 202,
9 PASSING A 1/2-INCH IRON ROD SET AT A DISTANCE OF 30.00 FEET AND
10 CONTINUING A TOTAL DISTANCE OF 400.00 FEET TO A 1/2-INCH IRON ROD
11 SET;

12 THENCE SOUTH 00° 52' 00" EAST, PASSING A 1/2-INCH IRON ROD SET AT A
13 DISTANCE OF 623.40 FEET AND CONTINUING A TOTAL DISTANCE OF 653.40
14 FEET TO A SET PK NAIL AT THE MOST SOUTHERLY SOUTHEAST CORNER OF THIS
15 TRACT, SAID PK NAIL BEING IN SAID COUNTY ROAD 202;

16 THENCE SOUTH 89° 10' 34" WEST, A DISTANCE OF 345.70 FEET ALONG SAID
17 COUNTY ROAD 202 TO THE POINT OF BEGINNING AND CONTAINING 336,718
18 SQUARE FEET OR 7.730 ACRES OF LAND.

19 TRACT 4

20 BEING, a tract of land situated in the T. Cunis Survey, Abstract
21 Number 211, Collin County, Texas, and being all of a tract of land
22 conveyed to Thomas A. Helsley, as recorded in Volume 5848, Page
23 4493, of the Deed Records of Collin County, Texas, and being more
24 particularly described as follows:

25 BEGINNING at a point near the center of an asphalt road called
26 Geren Trail, said point being the northeast corner of said Helsley
27 tract and the northwest corner of a tract of land to McKinney Ranch,

1 LTD. as recorded in Instrument Number 20140108000018880 of the
2 Official Public Records of Collin County, Texas, from which a 1/2
3 inch iron rod with cap stamped "R.P.L.S. 3963" found at an angle
4 point on the north line of said McKinney Ranch tract bears North 89
5 degrees 26 minutes 30 seconds East a distance of 115.63 feet;
6 THENCE South 00 degrees 33 minutes 30 seconds East along the common
7 line of said Helsley tract and said McKinney Ranch tract a distance
8 of 980.00 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S.
9 3963" found for the southeast corner of said Helsley tract and the
10 southwest corner of said McKinney Ranch tract, said point also
11 lying on the north line of a tract of land to McKinney Independent
12 School District (M.I.S.D.) as recorded in 2012040200038050 of the
13 Official Public Records of Collin County, Texas;
14 THENCE South 89 degrees 27 minutes 36 seconds West along the common
15 line of said Helsley tract and said M.I.S.D. tract, a distance of
16 1169.89 feet to a 1/2 inch iron rod with cap stamped "R.P.L.S. 3963"
17 found for the southwest corner of said Helsley tract lying on the
18 east right-of-way line of F.M. Highway No. 1461 (variable width
19 right-of-way);
20 THENCE North 00 degrees 06 minutes 23 seconds East along the east
21 line of said F.M. 1461, a distance of 107.58 feet to a 1/2 inch iron
22 rod with red cap found for corner at an angle point in same;
23 THENCE South 89 degrees 53 minutes 37 seconds East continuing along
24 said East line of F.M. 1461, a distance of 19.67 feet to an inner ell
25 corner of said Helsley tract lying on the east line of County Road
26 166 (variable width right-of-way);
27 THENCE North 00 degrees 46 minutes 08 seconds West along the east

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1 line of said County Road 166, a distance of 663.23 feet to the most
2 westerly northwest corner of said Helsley tract, same being the
3 southwest corner of a tract of land to Jack Geren as recorded in
4 Volume 830, Page 770 of the Deed Records of Collin County, Texas;

5 THENCE North 89 degrees 19 minutes 27 seconds East along the common
6 line of said Geren tract and said Helsley tract, a distance of
7 356.14 feet to a 1/2 inch iron rod found for an inner ell corner of
8 same;

9 THENCE North 00 degrees 31 minutes 34 seconds West continuing along
10 said Common line, a distance of 208.33 feet to a "PK" nail found
11 near the center of said asphalt road called Geren Trail, said point
12 being the most northerly northwest corner of said Helsley tract,
13 and the northeast corner of said Geren tract;

14 THENCE North 89 degrees 26 minutes 30 seconds East along the north
15 line of said Helsley tract and said Geren Trail, a distance of
16 795.15 feet to the POINT OF POINT OF BEGINNING containing 1,054,944
17 square Feet, or 24.218 acres of land with containing 1,054,944
18 square Feet, or 24.218 acres of land with approximately 14,473
19 square feet or 0.332 of an acre lying in said asphalt road called
20 Geren Trail, (area between property line and fence line).

21 TRACT 5

22 BEING, a tract of land situated in the T. Cunis Survey, Abstract
23 Number 211, Collin County, Texas, and being all of Tract one and
24 Tract two conveyed to Baylor Health Care System, as recorded in
25 Volume 5848, Page 4498, of the Deed Records of Collin County, Texas,
26 and being more particularly described as follows:

27 BEGINNING at a point near the center of an asphalt road called Geren

1 Trail, said point being the northwest corner of said Tract one;
2 THENCE North 89 degrees 26 minutes 29 seconds East, along the near
3 center of said asphalt road, and the north line of said Tract one, a
4 distance of 115.63 feet to a 1/2 inch iron rod with cap stamped
5 "R.P.L.S. 3963" found for corner at an angle point;
6 THENCE North 88 degrees 52 minutes 48 seconds East, leaving said
7 asphalt road, and continuing along the north line of said Tract one,
8 a distance of 640.35 feet to a 12 inch wood fence post found for
9 corner from which a 60D nail found fore reference bears North 14
10 degrees 09 minutes 44 seconds East, 0.69 feet, said point also being
11 the northwest corner of the aforementioned Tract two;
12 THENCE North 89 degrees 28 minutes 42 seconds East, along the north
13 line of said Tract two, a distance of 1234.62 feet to a 1/2 inch iron
14 rod with cap stamped "R.P.L.S. 3963" found for the northeast corner
15 of said Tract two, and the northwest corner of a tract of land
16 conveyed to McKinney Ranch, LTD., as recorded in instrument number
17 20060208000170600, of the Official Public Records of Collin County,
18 Texas;
19 THENCE South 00 degrees, 33 minutes, 31 second East, along west line
20 of said McKinney Ranch tract, and the east line of said Tract two, a
21 distance of 985.49 feet to a 5/8 inch iron rod found for the
22 southeast corner of said tract two and a inner ell corner of said
23 McKinney Ranch tract;
24 THENCE South 89 degrees, 26 minutes, 33 seconds West, along the
25 common line of said Tract two and McKinney Ranch tract, passing a
26 1/2 inch iron rod with cap stamped "R.P.L.S. 3963" found for the
27 southwest corner of said Tract two, the southeast corner of said

1 Tract one, a northwest corner of said McKinney Ranch tract, and the
2 northeast corner of a tract of land conveyed to McKinney
3 Independent School District as recorded in instrument number
4 20120402000380350, of the Official Public Records of Collin County,
5 Texas at a distance of 1230.34 feet, and continuing along the common
6 line of said Tract two and said McKinney Independent School
7 District, for a total distance of 1990.57 feet to a 1/2 inch iron
8 rod with cap stamped "R.P.L.S. 396311 found for the southwest
9 corner of said Tract one and the southeast corner of a tract of land
10 conveyed to Thomas A. Helsley recorded in Volume 5848, Page 4493,
11 Deed Records of Collin County, Texas;

12 THENCE North 00 degree 33 minutes 30 seconds West, along the common
13 line of said Tract one and said Helsley tract, a distance of 979.98
14 feet, to the point of beginning and containing 1,960,013 square
15 feet or 44.996 acres of land.

16 TRACT 6

17 BEING, a tract of land situated in the T. Cunis Survey, Abstract
18 Number 211, City of McKinney, Collin County, Texas, and being the
19 remainder of a 184.822 acre tract of land described in deed to Eddie
20 B. and Mary K. Maxwell, as recorded in Volume 3834, Page 84, of the
21 Deed Records of Collin County, Texas, and being more particularly
22 described as follows:

23 BEGINNING at a 60D nail found for comer near the center of County
24 Road 164, said oint being the southwest comer of a tract of land
25 conveyed to R & L Knipe Resource . Tract, recorded in Volume 4697,
26 Page 1782, of the Deed Records of Collin County, Texas.

27 THENCE South 89 degrees 56 minutes 56 seconds West, along the near

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1 center of said County Road 164 and the south line of said tract, a
2 distance of 1768.09 feet to a 1 /2 inch iron rod found for comer in
3 said County Road, said point also being the southeast comer of
4 Bloomdale estates, an addition to the City of McKinney, as recorded
5 in Cabinet J, Page 981 of the Map records of Collin County, Texas;
6 THENCE North 00 degrees 56 minutes 19 seconds West, along the east
7 line of said Bloomdale Estates, passing a 1/2 inch iron rod found
8 for the southeast corner of Lot 10 at 60 feet, and continuing for a
9 total distance of 1749.40 feet to a 1/2 inch iron rod found for the
10 northeast corner of said Bloomdale Estates, said point also being
11 the southeast corner of a tract of land conveyed to McKinney I.S.D.,
12 as recorded in Instrument number 20120402000380350, of the Official
13 Public Records of Collin County, Texas;
14 THENCE North 00 degree 51 minutes 28 seconds West, along the east
15 line of said McKinney I.S.D. tract, passing a 1/2 inch iron rod with
16 cap stamped "R.P.L.S. 3963" found for the northeast corner of said
17 McKinney I.S.D. tract, and the southeast corner of a tract of land
18 conveyed to McKinney I.S.D., as recorded in Instrument number
19 20120402000380350, and continuing for a total distance of 1275.59
20 feet to a 5/8 inch iron rod found with cap stamped "KHA", said point
21 lying of the south line of a tract of land conveyed to McKinney
22 Ranch, Ltd., as recorded in Instrument number 20060208000170600, of
23 the Official Public Records of Collin County, Texas;
24 THENCE North 89 Degrees 41 Minutes, 19 seconds East, along the south
25 line of said McKinney Ranch tract, a distance of 1875.61 feet to a
26 1/2 inch iron rod found for corner at the base of a double trunked 10
27 inch Hackberry tree, said point also being the northwest corner of a

1 tract of land conveyed to Rene Bates, as recorded in instrument
2 number 20070917001294740, of the Official Public Records of Collin
3 County, Texas;

4 THENCE with the west line of said Bates tract the following courses
5 and distances:

6 South 17 degrees 31 minutes 38 seconds East, a distance of
7 287.57 feet to steel fence post for corner;

8 South 39 degrees 23 minutes 37 seconds East, a distance of
9 124.08 feet to steel fence post for corner;

10 South 00 degree 42 minutes 59 seconds West, a distance of 68.64 feet
11 to a 5/8 inch iron rod with cap stamped "KHA" found for comer, said
12 point lying on the north line of a tract of land conveyed to Dennis
13 A. Bryant & Martha J. Bryant, as recorded in instrument number
14 93-0014444, of the Deed Records of Collin County, Texas;

15 THENCE South 89 degrees 02 minutes 44 seconds West, along the north
16 line of said Bryant tract, a distance of 187 .67 feet to a 1 /2 inch
17 iron rod found for comer near the north base of a steel fence post,
18 said point also being the northwest comer of said Bryant tract;

19 THENCE South 00 degree 59 minutes 36 seconds East, along the west
20 line of said Bryant tract, and passing the northwest corner of a
21 tract of land conveyed to Michael Larry Culbreath et ux, As recorded
22 in Volume 4283, Page 2451 of the Deed Records of Collin County,
23 Texas, and continuing with the west line of said Vulbreath tract a
24 total distance of 1056.50 feet to a 1/2 inch iron rod found for
25 corner in the north line of a tract of land conveyed Rene Bates, as
26 recorded in instrument number 20111004001062750, of the Official
27 Public Records of Collin County, Texas;

1 THENCE with the north and west line of said Bates tract the
2 following courses and distances;

3 South 89 Degrees 19 minutes 07 seconds West, a distance of
4 80.01 feet to a 1/2 inch iron rod found for corner at the northwest
5 base of a steel fence post;

6 South 00 degree 53 minutes 58 seconds East, a distance of
7 530.10 feet to a 1/2 inch iron rod found for corner, said point
8 being the northwest corner of a tract of land conveyed to Richard
9 Knipe et ux of the Deed Records of Collin County, Texas;

10 THENCE South 00 Degree 57 minutes 27 second East, along the west
11 line of said Richard Knipe et ux tract, and passing a 1/2 inch iron
12 rod found for the northwest corner of the aforementioned R & L Knipe
13 Resources tract at a distance of 523.10 feet, and continuing along
14 the west line of said R & L Knipe Resources tract, a total distance
15 of 1004.17 feet, to the point of beginning and containing 5,519,836
16 square feet or 126.718 acres of land.

17 TRACT 7

18 BEING a 45.060 acre tract of land situated in the William Rice
19 Survey, Abstract Number 769, Collin County, Texas and being all of a
20 called 45.013 acre tract of land to Barcelona 93, LTD AS
21 recorded in Instrument Number 20160705000847670 of the Official
22 Public Records of Collin County, Texas and being more particularly
23 described as follows;

24 BEGINNING at a 1" flat iron found in the center of County Road 1006
25 for the northwest corner of said 45.013 acre tract and the northeast
26 corner of a called 10.107 acre tract of land to Randall

27 K. Hickman and Patricia C. Hickman, Husband and Wife as recorded in

1 Instrument Number 20150306000247630 of the Official Public Records
2 of Collin County, Texas;
3 THENCE South 89 degrees 46 minutes 44 seconds East along the center
4 of said County Road 1006, same being the north line of said 45.013
5 acre tract, a distance of 139.84 feet to a mag nail
6 set for corner;
7 THENCE North 89 degrees 00 minutes 16 seconds East continuing along
8 the center of said County Road 1006, same being the north line of
9 said 45.013 acre tract, a distance of 376.07 feet to a 1/2 inch iron
10 rod found for corner;
11 THENCE North 89 degrees 13 minutes 11 seconds East continuing along
12 the center of said County Road 1006, same being the north line of
13 said 45.013 acre tract, a distance of 1070.43 feet
14 to a 1/2 inch iron rod found for the northeast corner of said 45.013
15 acre tract;
16 THENCE South 00 degrees 40 minutes 37 seconds East along the east
17 line of said 45.013 acre tract and generally along a barbed wire
18 fence, a distance of 686.16 feet to a fence corner post
19 found for corner;
20 THENCE North 88 degrees 17 minutes 51 seconds East continuing along
21 the east line of said 45.013 acre tract and generally along a barbed
22 wire fence, a distance of 15.05 feet to a fence
23 corner post found for corner;
24 THENCE South 00 degrees 34 minutes 36 seconds East continuing along
25 the east line of said 45.013 acre tract and generally along a barbed
26 wire fence, a distance of 755.74 feet to a 1/2 inch
27 iron rod with cap stamped "RPLS 5190" found for the southeast corner

1 of said 45.013 acre tract, same being the northeast corner of a
2 called 7.00 acre tract of land to Rene Bates as recorded
3 in Instrument Number 20110106000027310 of the Official Public
4 Records of Collin County, Texas;
5 THENCE North 88 degrees 07 minutes 54 seconds West along the common
6 line of said 45.013 acre tract and said 7.00 acre tract, a distance
7 of 1080.82 feet to a 1/2 inch iron rod found in a
8 north/south barbed wire fence on the east line of a called 18.97
9 acre tract of land to Rene Bates as recorded in Instrument Number
10 20151231001629740 of the Official Public Records of Collin
11 County, Texas for the most southerly southwest corner of said
12 45.013 acre tract and the northwest corner of said 7.00 acre tract;
13 THENCE North 00 degrees 51 minutes 16 seconds West along the common
14 line of said 45.013 acre tract and said 18.97 acre tract and
15 generally along a barbed wire fence, a distance of
16 529.96 feet to a 1 inch iron pipe found on the east side of a fence
17 corner post for an inner ell corner of said 45.013 acre tract and
18 the northeast corner of said 18.97 acre tract;
19 THENCE North 88 degrees 36 minutes 28 seconds West continuing along
20 the common line of said 45.013 acre tract and said 18.97 acre tract
21 and generally along a barbed wire fence, a
22 distance of 515.75 feet to a 1 inch iron pipe found on the west side
23 of a fence corner post for the most westerly southwest corner of
24 said 45.013 acre tract and the southeast corner of the
25 aforementioned 10.107 acre tract;
26 THENCE North 00 degrees 53 minutes 46 seconds West, along the common
27 line of said 45.013 acre tract and said 10.107 acre tract and

1 generally along a barbed wire fence, a distance of
2 843.23 feet to the POINT OF BEGINNING containing 1,962,793 square
3 feet, or 45.060 acres of land.

4 SECTION 3. (a) The legal notice of the intention to
5 introduce this Act, setting forth the general substance of this
6 Act, has been published as provided by law, and the notice and a
7 copy of this Act have been furnished to all persons, agencies,
8 officials, or entities to which they are required to be furnished
9 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10 Government Code.

11 (b) The governor, one of the required recipients, has
12 submitted the notice and Act to the Texas Commission on
13 Environmental Quality.

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

18 (d) All requirements of the constitution and laws of this
19 state and the rules and procedures of the legislature with respect
20 to the notice, introduction, and passage of this Act have been
21 fulfilled and accomplished.

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2023.