

Williamsburg East Public Improvement District

OPERATION AND MAINTENANCE SERVICE AND ASSESSMENT PLAN

OCTOBER 19, 2020



AUSTIN, TX | NORTH RICHLAND HILLS, TX

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INTRODUCTION

Capitalized terms used in this O&M Service and Assessment Plan shall have the meanings given to them in **Section I** unless otherwise defined in this O&M Service and Assessment Plan or unless the context in which a term is used clearly requires a different meaning. Unless otherwise defined, a reference to a “Section” or an “Exhibit” shall be a reference to a Section of this O&M Service and Assessment Plan or an Exhibit attached to and made a part of this O&M Service and Assessment Plan for all purposes.

On July 6, 2020, the City Council passed and approved Resolution No. 2020-043 authorizing the establishment of the District in accordance with the PID Act, which authorization was effective upon publication as required by the PID Act. The purpose of the District is to finance the costs of Operations and Maintenance Costs that confer a special benefit on approximately 165.568 acres located within the corporate limits of the City as shown on **Exhibit A-1**.

The PID Act requires a Service Plan covering a period of at least five years and defining the annual indebtedness and projected Operation and Maintenance Costs. The Service Plan is contained in **Section IV**.

The PID Act requires that the Service Plan include an Assessment Plan that assesses the Operation and Maintenance Costs against the District based on the special benefits conferred on the District by the operation and maintenance of the Authorized Improvements. The Assessment Plan is contained in **Section V**.

The PID Act requires an Assessment Roll that states the Assessment against each Parcel determined by the method chosen by the City Council. The Assessment against each Parcel must be sufficient to pay the share of the Operations and Maintenance Costs apportioned to the Parcel and cannot exceed the special benefit conferred on the Parcel by such Operations and Maintenance Costs. The Assessment Roll for Improvement Area #1 is included as **Exhibit C-1**. The Assessment Roll for the Major Improvement Area is included as **Exhibit C-2**.

SECTION I: DEFINITIONS

“Administrator” means the City or independent firm designated by the City who shall have the responsibilities provided in this O&M Service and Assessment Plan. The initial Administrator is P3Works, LLC.

“Annual Collection Costs” mean the actual or budgeted costs and expenses related to (1) preparation of updates to this O&M Service and Assessment Plan; (2) the performance of any duties or obligations imposed by this O&M Service and Assessment Plan related to (i) the collection and application of Operation and Maintenance Assessments, or (ii) the use of the foregoing to pay the Annual Installments; and (3) the maintenance of books and records.

“Annual Installment” means the annual installment payment of the Operations and Maintenance Assessment as calculated by the Administrator and approved by the City Council, plus Annual Collection Costs.

“Assessed Property” means any Parcel within the District other than Non-Benefitted Property against which an Operations and Maintenance Assessment is levied.

“Assessment Ordinance” means an ordinance adopted by the City Council in accordance with the PID Act that levies the Operation and Maintenance Assessments.

“Assessment Plan” means the methodology employed to assess the Operations and Maintenance Costs against the Assessed Property within the District based on the special benefits conferred on such property by the operation and maintenance of the Authorized Improvements, more specifically described in **Section V**.

“Assessment Roll” means any assessment roll for the Assessed Property within the District, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including any O&M Annual Service Plan Update.

“Authorized Improvements” means improvements authorized by Section 372.003 of the PID Act, as listed in **Section III**.

“City” means the City of Fate, Texas.

“City Council” means the governing body of the City.

“County” means Rockwall County, Texas.

“Delinquent Collection Costs” mean costs related to the collection of delinquent Operation and Maintenance Assessments, delinquent Annual Installments, or any other delinquent amounts due under this O&M Service and Assessment Plan including penalties and reasonable attorney’s fees actually paid, but excluding amounts representing interest and penalty interest.

“District” means the Williamsburg East Public Improvement District containing approximately 163.568 acres located within the corporate limits of the City, and more specifically described in **Exhibit D-1** and depicted on **Exhibit A-1**.

“Improvement Area #1” means approximately 53.443 acres located within the District, more specifically described in **Exhibit D-2** and depicted on **Exhibit A-2**.

“Improvement Area #1 Assessment Roll” means the Assessment Roll for the Improvement Area #1 Assessed Property, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including any O&M Annual Service Plan Updates. The Improvement Area #1 Assessment Roll is included in this O&M Service and Assessment Plan as **Exhibit C-1**.

“Improvement Area #1 Initial Parcel” means all of the Improvement Area #1 Assessed Property against which the entire Improvement Area #1 Operation and Maintenance Assessment is levied, as shown on the Improvement Area #1 Assessment Roll.

“Improvement Area #1 Operation and Maintenance Assessment” means an Operation and Maintenance Assessment levied against a Parcel within Improvement Area #1 and imposed pursuant to an O&M Assessment Ordinance and the provisions herein, as shown on the Improvement Area #1 Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the PID Act.

“Lot” means for any portion of the District for which a final subdivision plat has been recorded in the official public records of the County, a tract of land described by “lot” in such final and recorded subdivision plat.

“Major Improvement Area” means approximately 110.125 acres located within the District, and more specifically described in **Exhibit D-3** and depicted on **Exhibit A-3**. The Major Improvement Area includes all of the District save and except Improvement Area #1.

“Major Improvement Area Assessment Roll” means the Assessment Roll for the Major Improvement Area Assessed Property, as updated, modified or amended from time to time in accordance with the procedures set forth herein and in the PID Act, including any O&M Annual Service Plan Updates. The Major Improvement Area Assessment Roll is included in this O&M Service and Assessment Plan as **Exhibit C-2**.

“Major Improvement Area Initial Parcel” means all of the Major Improvement Area Assessed Property against which the entire Major Improvement Area Operation and Maintenance Assessment is levied as shown on Major Improvement Area Assessment Roll.

“Major Improvement Area Operation and Maintenance Assessment” means an Operation and Maintenance Assessment levied against a Parcel within the Major Improvement Area and imposed pursuant to an O&M Assessment Ordinance and the provisions herein, as shown on the

Major Improvement Area Assessment Roll, subject to reallocation upon the subdivision of such Parcel or reduction according to the provisions herein and in the PID Act.

“Non-Benefitted Property” means Parcels within the boundaries of the District that accrue no special benefit from the operations and maintenance of the Authorized Improvements as determined by the City Council.

“O&M Annual Service Plan Update” means an update to this O&M Service and Assessment Plan prepared no less frequently than annually by the Administrator and approved by the City Council.

“O&M Assessment Ordinance” means any ordinance adopted by the City Council in accordance with the Act that levies an Operations and Maintenance Assessment.

“O&M Service and Assessment Plan” means this Williamsburg East Public Improvement District Operations and Maintenance Service and Assessment Plan as updated and amended from time to time.

“Operations and Maintenance Assessment” means an assessment levied annually against a Parcel within the District and imposed pursuant to an O&M Assessment Ordinance to fund the Operation and Maintenance Costs.

“Operations and Maintenance Costs” means the costs to operate and maintain the Authorized Improvements that benefit the District based on a budget prepared annually by the City and provided to the Administrator.

“Parcel” or **“Parcels”** means a specific property within the District identified by either a tax map identification number assigned by the Rockwall Central Appraisal District for real property tax purposes, by metes and bounds description, or by lot and block number in a final subdivision plat recorded in the official public records of the County, or by any other means determined by the City.

“PID Act” means Chapter 372, Texas Local Government Code, as amended.

“Service Plan” covers a period of at least five years and defines the annual indebtedness and projected Operations and Maintenance Costs more specifically described in **Section IV**.

SECTION II: THE DISTRICT

The District includes approximately 163.568 contiguous acres located within the corporate limits of the City, as more particularly described by the legal description on **Exhibit D-1** and depicted on **Exhibit A-1**. Development of the District is anticipated to include approximately 601 single-family homes.

Improvement Area #1 includes approximately 53.443 contiguous acres located within the corporate limits of the City, as more particularly described by the legal description on **Exhibit D-2** and depicted on **Exhibit A-2**. Development of Improvement Area #1 is anticipated to include approximately 43 40' single family homes, 59 50' single family homes, and 52 60' single family homes.

The Major Improvement Area includes approximately 110.125 contiguous acres located within the corporate limits of the City, as more particularly described by the legal description on **Exhibit D-3** and depicted on **Exhibit A-3**. Development of the Major Improvement Area is anticipated to include approximately 199 40' single family homes, 103 50' single family homes, and 145 60' single family homes.

SECTION III: AUTHORIZED IMPROVEMENTS AND DISTRICT FORMATION COSTS

The Operations and Maintenance Assessment will be levied annually on all Parcels of Assessed Property to pay for Operations and Maintenance Costs. For all Parcels of Assessed Property, the Operations and Maintenance Assessment will initially be an amount that results in a tax rate equivalent equal to \$0.06 per \$100 of taxable assessed value. In no event will the Operations and Maintenance Assessment exceed the City's actual costs for operating and maintaining the Authorized Improvements.

The Authorized Improvements of the District include:

A. Improvement Area #1 Improvements

All Improvement Area #1 Improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City, except for trails and open space, which will be maintained by the homeowner's association through a qualified maintenance contract with the City.

▪ *Street and Alley Paving*

Improvements including subgrade stabilization, concrete and reinforcing steel for roadways and alleys, testing, handicapped ramps, and streetlights. All related earthwork, excavation, erosion control, retaining walls, intersections, signage, lighting, and re-vegetation of all disturbed areas within the right-of-way are included. The street

improvements will provide benefit to each Lot within Improvement Area #1.

- *Water*

Improvements including trench excavation and embedment, trench safety, PVC piping, manholes, service connections, testing, related earthwork, excavation, erosion control and all necessary appurtenances required to provide water service to all Lots within Improvement Area #1.

- *Sewer*

Improvements including trench excavation and embedment, trench safety, PVC piping, ductile iron encasement, boring, manholes, service connections, testing, related earthwork, excavation, erosion control and all necessary appurtenances required to provide wastewater service to all Lots within Improvement Area #1.

- *Drainage*

Improvements including earthen channels, swales, curb and drop inlets, RCP piping and boxes, headwalls, concrete flumes, rock rip rap, concrete outfalls, and testing as well as all related earthwork, excavation, erosion control and necessary to provide storm drainage for all Lots within Improvement Area #1.

B. Major Improvements

All Major Improvements will be designed and constructed in accordance with City standards and specifications and will be owned and operated by the City, except for trails and open space, which will be maintained by the homeowner's association through a qualified maintenance contract with the City.

- *Street*

Improvements including subgrade stabilization, concrete and reinforcing steel for roadways, testing, handicapped ramps, TX-DOT improvements, and streetlights. All related earthwork, excavation, erosion control, retaining walls, intersections, signage, lighting, and re-vegetation of all disturbed areas within the right-of-way are included. The street improvements will provide benefit to each Lot within the District.

- *Sewer*

Improvements including trench excavation and embedment, trench safety, PVC piping, ductile iron encasement, boring, manholes, service connections, testing, related earthwork, excavation, erosion control and all necessary appurtenances required to provide wastewater service to all Lots within the District.

- *Regional Detention*

Improvements include clearing, pond excavation, soil testing, retaining walls, erosion control, piping of inbound and outbound drainage lines, and construction of outlet structures. Hardscape and landscape improvements including a boardwalk, pedestrian bridge, trails, re-vegetation, and fountains are also included. Furthermore, the regional detention will require the following submittals and agency approvals: CLOMR, LOMR, USACE Jurisdictional Individual Permit, Cultural Resources Survey, Water Rights Permit, and Groundwater Availability Report. The regional detention will provide benefit to all Lots within the District.

- *Public Park Improvements*

Improvements include all related earthwork, excavation, erosion control, retaining walls, signage, utility infrastructure, drainage infrastructure, lighting, landscaping, irrigation and re-vegetation of all disturbed areas within the park and included. Public parking including all related earth work, erosion control, subgrade stabilization (including lime treatment and compaction), concrete and reinforcing steel, testing, ADA ramps, striping, drainage lines, curb cut driveways, and streetlights. Hardscape features such as the pavilion and walking trails are included as well. The public park improvements will provide benefit to all Lots within the District.

- *Soft Costs*

Costs related to designing, constructing, installing, and financing the Major Improvements, including land planning and design, City fees, engineering, soil testing, survey, construction management, contingency, and District Formation Costs.

SECTION IV: SERVICE PLAN

The PID Act requires the Service Plan to cover a period of at least five years. The Service Plan is required to define the annual indebtedness and projected Operations and Maintenance Costs of the District during the five-year period. The Service Plan must be reviewed and updated in each O&M Annual Service Plan Update. **Exhibit B** summarizes the Service Plan for the District.

SECTION V: ASSESSMENT PLAN

The PID Act allows the City Council to apportion the Operations and Maintenance Costs of the Authorized Improvements of the District to the Assessed Property based on the special benefit received from the provision of the operation and maintenance. The PID Act provides that such costs may be apportioned in any manner approved by the City Council that results in imposing equal shares of such costs on property similarly benefitted.

A. Assessment Methodology

1. The City will prepare and provide to the Administrator a budget for the Operations and Maintenance Costs.
2. The Operations and Maintenance Assessment will initially be an amount that results in a tax rate equivalent equal to \$0.06 per one hundred dollars of taxable ad valorem property value on property similarly benefited within the District, but in no event will the Operations and Maintenance Assessment be greater than the Operations and Maintenance Costs.
3. The District will receive special benefit equal to or greater than the Operations and Maintenance Assessment as a result of the City performing the operations and maintenance of the Authorized Improvements.

SECTION VI: TERMS OF THE ASSESSMENTS

A. Operations and Maintenance Assessments and Annual Installments.

Operations and Maintenance Assessments and the Annual Installments thereof shall be calculated and collected each year in an amount sufficient to pay the Operations and Maintenance Costs.

B. Payment of Operations and Maintenance Assessments in Annual Installments

1. Operations and Maintenance Assessments are subject to adjustment in each O&M Annual Service Plan Update based on the Operations and Maintenance Costs and Annual Collection Costs as directed by the City Council.
2. The Administrator shall prepare and submit to the City Council for its review and approval a preliminary O&M Annual Service Plan Update, including a preliminary Assessment Roll based on the budgeted Operations and Maintenance Costs and Annual Collection Costs.
3. The preliminary O&M Annual Service Plan Update will be placed in the City Secretary's office for inspection, and the City Council will consider a resolution to call a public hearing and will cause notices to be mailed to all property owners within the District and published in the newspaper of record in accordance with the PID Act.
4. The Administrator shall prepare and submit to the City Council for its review and approval a final O&M Annual Service Plan Update to allow for the billing and collection of Annual Installments. Each O&M Annual Service Plan Update shall include an updated Assessment Roll, and updated calculations of Annual Installments. Annual Installments shall be collected by the City in the same manner and at the same time

as ad valorem taxes. Annual Installments shall be subject to the penalties and procedures in case of delinquencies as set forth in the PID Act and in the same manner as ad valorem taxes for the City; the City Council may provide for other means of collecting Annual Installments. Operations and Maintenance Assessments shall have the lien priority specified in the PID Act.

5. Each Operations and Maintenance Assessment and the Annual Installments thereof shall be delinquent if not paid prior to February 1 of the year following the O&M Annual Service Plan update levying the Operation and Maintenance Assessment.

SECTION VII: ASSESSMENT ROLL

The Improvement Area #1 Assessment Roll is attached as **Exhibit C-1**. The Major Improvement Area Assessment Roll is attached as **Exhibit C-2**. The Administrator shall prepare and submit to the City Council for review and approval proposed revisions to the Assessment Roll and Annual Installments for each Parcel as part of each O&M Annual Service Plan Update.

SECTION VIII: ADDITIONAL PROVISIONS

A. Calculation Errors

If the owner of a Parcel claims that an error has been made in any calculation required by this O&M Service and Assessment Plan, including, but not limited to, any calculation made as part of any O&M Annual Service Plan Update, the owner's sole and exclusive remedy shall be to submit a written notice of error to the Administrator by December 1st of each year following City Council approval of the calculation; otherwise, the owner shall be deemed to have unconditionally approved and accepted the calculation. Upon receipt of a written notice of error from an owner the Administrator shall provide a written response to the City Council and the owner within 30 days of such receipt. The City Council shall consider the owner's notice of error and the Administrator's response at a public meeting, and within 30 days after closing such meeting, the City Council shall make a final determination as to whether an error has been made. If the City Council determines that an error has been made, the City Council shall take such corrective action as is authorized by the PID Act, this O&M Service and Assessment Plan, the applicable Assessment Ordinance, the applicable Indenture, or as otherwise authorized by the discretionary power of the City Council. The determination by the City Council as to whether an error has been made, and any corrective action taken by the City Council, shall be final and binding on the owner and the Administrator.

B. Amendments

Amendments to this O&M Service and Assessment Plan must be made by the City Council in accordance with the PID Act. To the extent permitted by the PID Act, this O&M Service and Assessment Plan may be amended without notice to owners of the Assessed Property: (1) to correct mistakes and clerical errors; (2) to clarify ambiguities; and (3) to provide procedures to collect Operations and Maintenance Assessments, Annual Installments, and other charges imposed by this O&M Service and Assessment Plan.

C. Administration and Interpretation

The Administrator shall: (1) perform the obligations of the Administrator as set forth in this O&M Service and Assessment Plan; (2) administer the District for and on behalf of and at the direction of the City Council; and (3) interpret the provisions of this O&M Service and Assessment Plan. Interpretations of this O&M Service and Assessment Plan by the Administrator shall be in writing and shall be appealable to the City Council by owners adversely affected by the interpretation. Appeals shall be decided by the City Council after holding a public meeting at which all interested parties have an opportunity to be heard. Decisions by the City Council shall be final and binding on the owners and their successors and assigns.

D. Severability

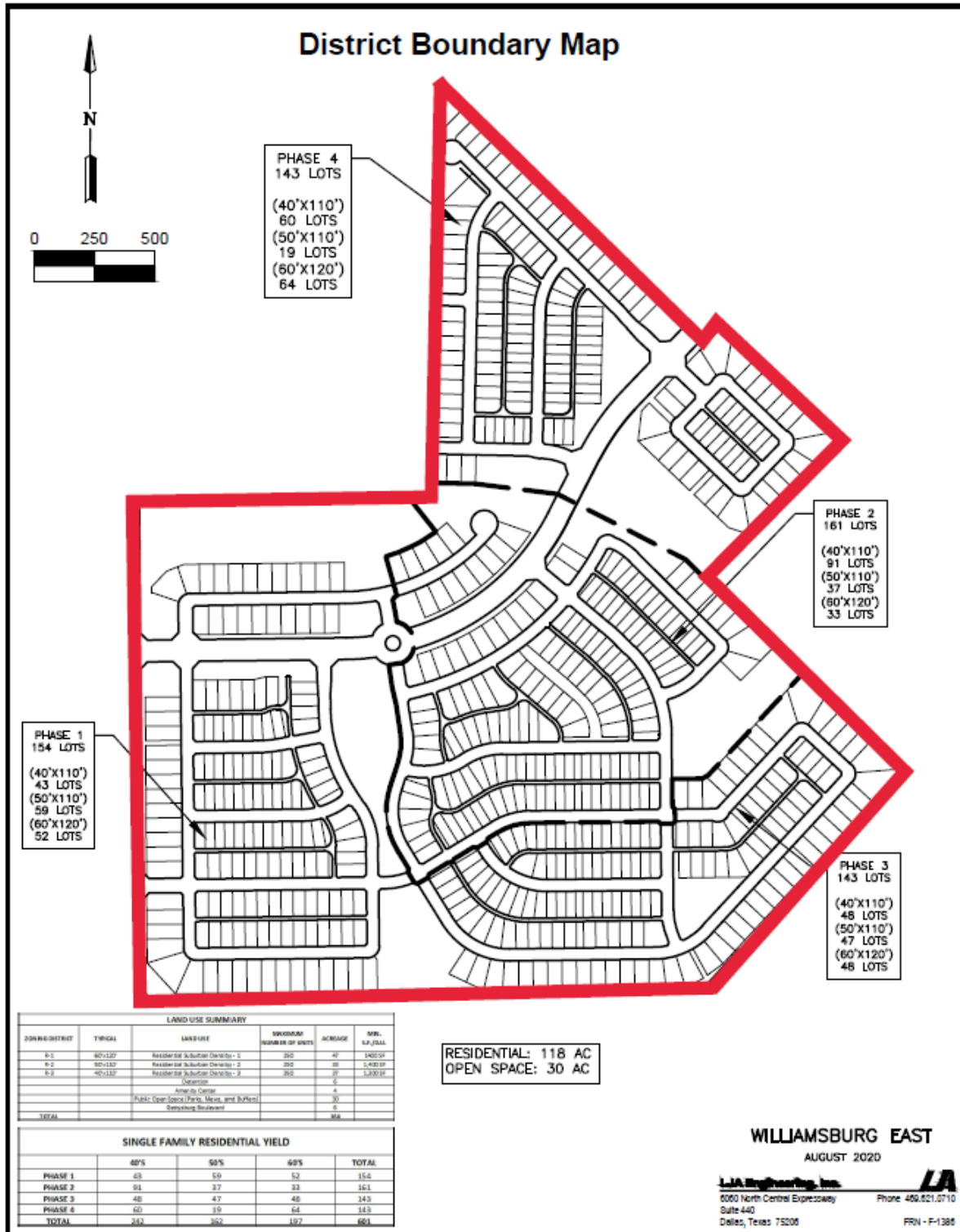
If any provision of this O&M Service and Assessment Plan is determined by a governmental agency or court to be unenforceable, the unenforceable provision shall be deleted and, to the maximum extent possible, shall be rewritten to be enforceable. Every effort shall be made to enforce the remaining provisions.

EXHIBITS

The following Exhibits are attached to and made a part of this O&M Service and Assessment Plan for all purposes:

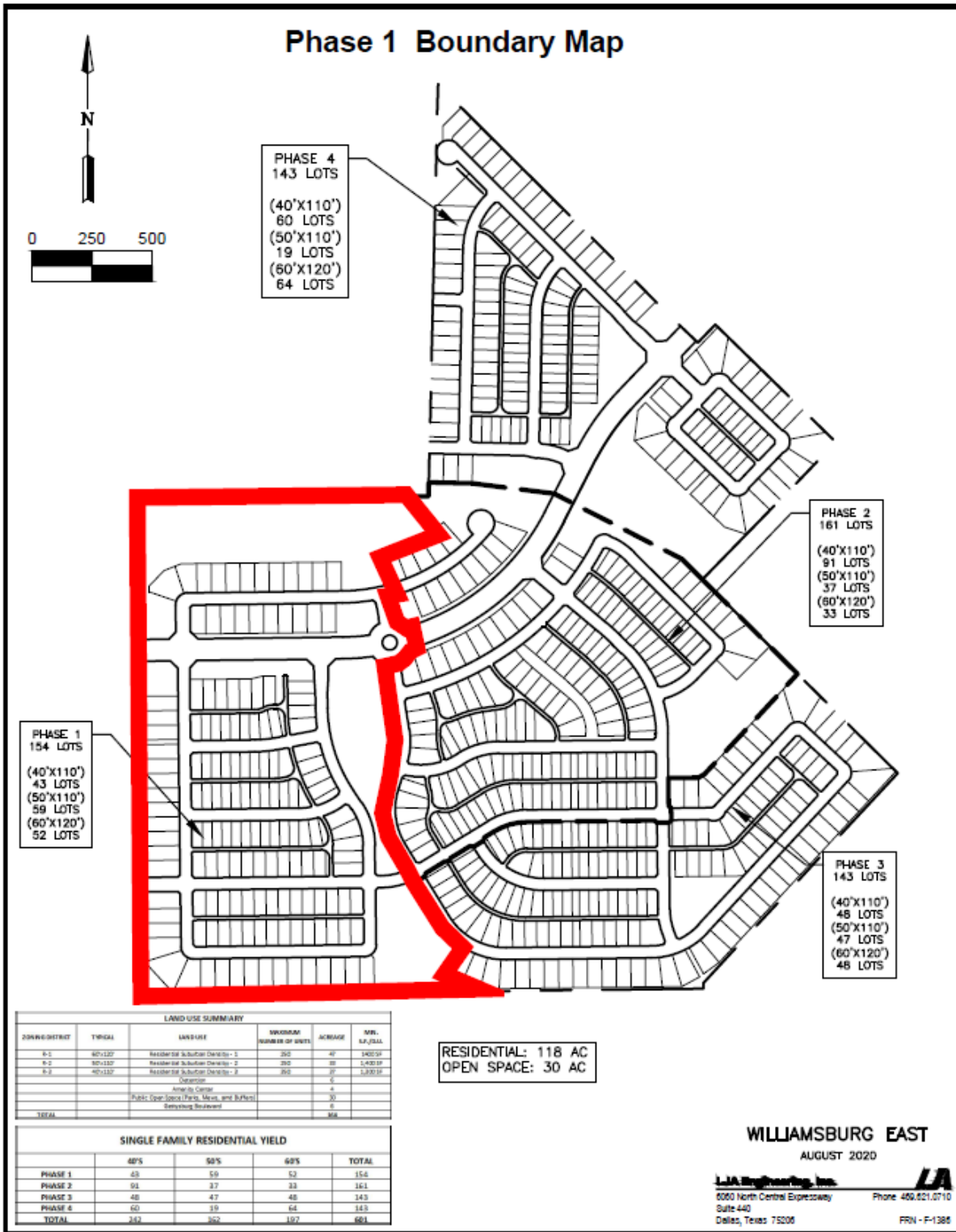
- Exhibit A-1** Map of the District
- Exhibit A-2** Map of Improvement Area #1
- Exhibit A-3** Map of the Major Improvement Area
- Exhibit B** Service Plan
- Exhibit C-1** Improvement Area #1 Assessment Roll
- Exhibit C-2** Major Improvement Area Assessment Roll
- Exhibit D-1** District Legal Description
- Exhibit D-2** Improvement Area #1 Legal Description
- Exhibit D-3** Major Improvement Area Legal Description

EXHIBIT A-1 – MAP OF THE DISTRICT



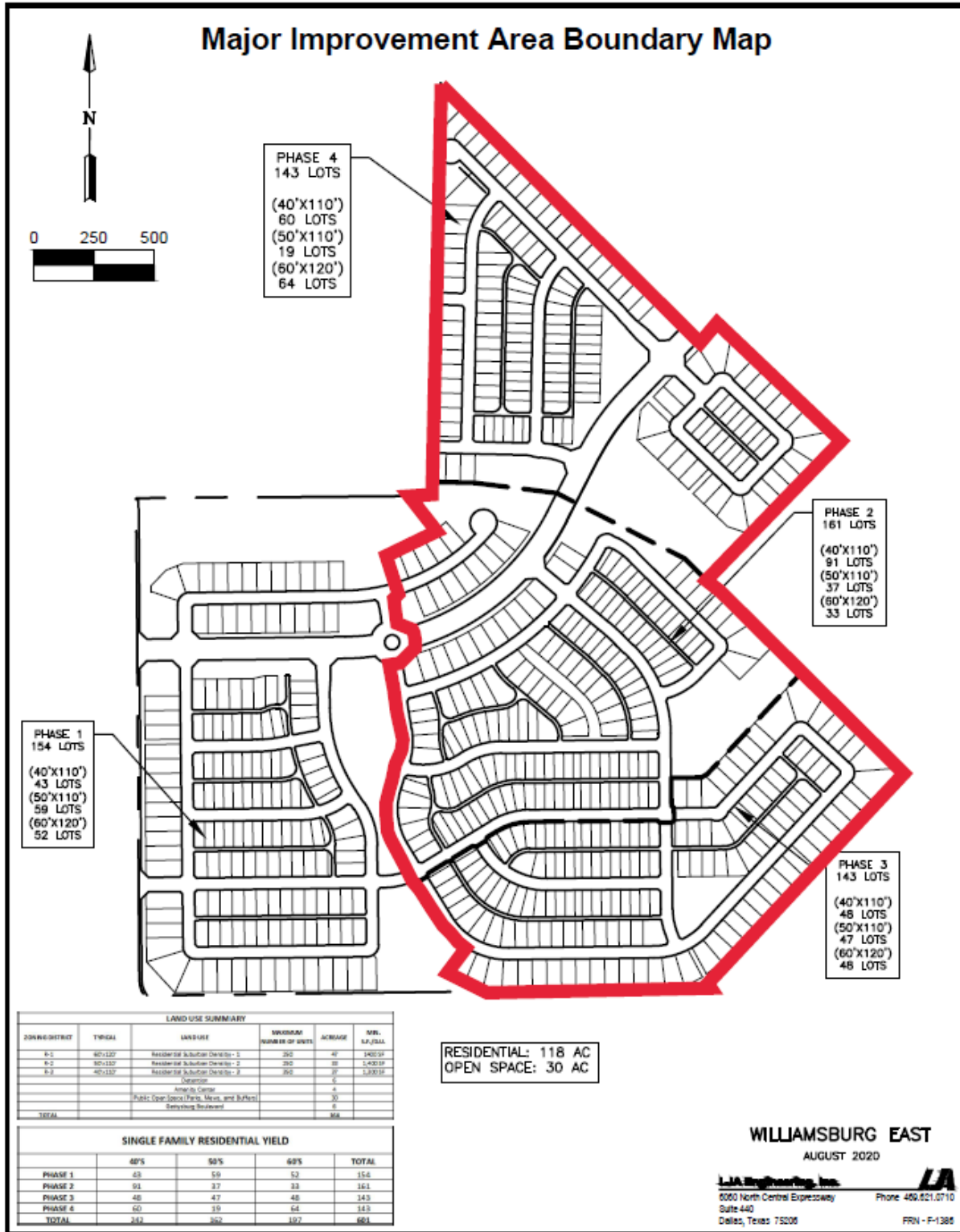
Date/Time : 8/3/2020 3:58 PM User Name : Michelle Tibotta
Path/Name : s:\rbs-land\0065\400 land\402 exhibits\base layout.dwg

EXHIBIT A-2 – MAP OF IMPROVEMENT AREA #1



Date/Time : 8/3/2020 3:58 PM User Name : Michelle Tibbitts
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EXHIBIT A-3 – MAP OF THE MAJOR IMPROVEMENT AREA



Date/Time : 8/3/2020 3:58 PM User Name : Michelle Tibbitts
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EXHIBIT B – SERVICE PLAN

Improvement Area #1

Year		1	2	3	4	5
Annual Installment Due		1/31/2021	1/31/2022	1/31/2023	1/31/2024	1/31/2025
Appraised Taxable Value ¹	A	\$ 29,023.66	\$ 29,023.66	\$ 34,380,000.00	\$ 49,415,000.00	\$ 49,415,000.00
Operation and Maintenance Assessment ²	B	\$ 0.06	\$ 0.06	\$ 0.06	\$ 0.06	\$ 0.06
Annual Collection Costs	C	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03
Total Annual Installment	D = (A ÷ 100) × (B + C)	\$ 26.12	\$ 26.12	\$ 30,942.00	\$ 44,473.50	\$ 44,473.50

Major Improvement Area

Year		1	2	3	4	5
Annual Installment Due		1/31/2021	1/31/2022	1/31/2023	1/31/2024	1/31/2025
Appraised Taxable Value ¹	A	\$ 59,806.34	\$ 59,806.34	\$ 59,806.34	\$ 30,805,000.00	\$ 76,645,000.00
Operation and Maintenance Assessment ²	B	\$ 0.06	\$ 0.06	\$ 0.06	\$ 0.06	\$ 0.06
Annual Collection Costs	C	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03	\$ 0.03
Total Annual Installment	D = (A ÷ 100) × (B + C)	\$ 53.83	\$ 53.83	\$ 53.83	\$ 27,724.50	\$ 68,980.50

Notes:

¹ Appraised Value for the current year per the Rockwall Central Appraisal District. Each following year is an estimate only, assuming 36 houses built per quarter, beginning in the second quarter of 2022, as provided by the Owner.

² Per the O&M Service and Assessment Plan, the Operations and Maintenance Assessment (per \$100 of Appraised Value).

EXHIBIT C-1 – IMPROVEMENT AREA #1 ASSESSMENT ROLL

	A	B	C	D = (A ÷ 100) × (B + C)
Property ID	Appraised Taxable Value	O&M Assessment	Annual Collection Costs	Annual Installment Due 1/31/2021
Improvement Area #1 Initial Parcel ¹	\$ 29,023.66	\$ 0.06	\$ 0.03	\$ 26.12
Total	\$ 29,023.66			\$ 26.12

¹ The Appraised Taxable Value for the entire District equals \$88,830.00, which is allocated between the Improvement Area #1 Initial Parcel and the Major Improvement Area Initial Parcel based on acreage for the purpose of calculating the Annual Installment due 1/31/2021.

EXHIBIT C-2 – MAJOR IMPROVEMENT AREA ASSESSMENT ROLL

Property ID	A Appraised Taxable Value	B O&M Assessment	C Annual Collection Costs	D = (A ÷ 100) × (B + C) Annual Installment Due 1/31/2021
Major Improvement Area Initial Parcel ¹	\$ 59,806.34	\$ 0.06	\$ 0.03	\$ 53.83
Total	\$ 59,806.34			\$ 53.83

¹ The Appraised Taxable Value for the entire District equals \$88,830.00, which is allocated between the Improvement Area #1 Initial Parcel and the Major Improvement Area Initial Parcel based on acreage for the purpose of calculating the Annual Installment due 1/31/2021.

EXHIBIT D-1 – DISTRICT LEGAL DESCRIPTION

District Legal Description

163.568 ACRES

BEING A 163.568 ACRE TRACT OF LAND SITUATED IN THE J.B. MERCHANT SURVEY, ABSTRACT NO. 159 AND THE J. THOMPSON SURVEY, ABSTRACT NO. 210, CITY OF FATE, ROCKWALL COUNTY, TEXAS, AND BEING ALL OF A 141.0 ACRE TRACT OF LAND CONVEYED TO FATE 551, LP, AS RECORDED IN VOLUME 3713, PAGE 79, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, ALL OF A 7.324 ACRE TRACT OF LAND, CONVEYED TO FATE 551, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 2008-00393658, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND ALL OF A 15.711 ACRE TRACT OF LAND, CONVEYED TO FATE 551, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 2008-00393719, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS. SAID 163.568 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP

(PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "JDJR" FOUND FOR THE NORTH CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON MOST EASTERLY NORTHEAST CORNER OF CHAMBERLAIN CROSSING, PHASE 6, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN COUNTY CLERK'S FILE NO. 20170000011834, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID POINT ALSO BEING ON THE SOUTHWEST LINE OF MELODY RANCH, PHASE II, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET F, SLIDE 49, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 45 DEGREES 34 MINUTES 24 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHWEST LINE OF SAID MELODY RANCH, PHASE II, PASSING AT A DISTANCE OF 550.37 FEET A 1/2" IRON ROD FOUND, AND CONTINUING A TOTAL DISTANCE OF 1411.65 FEET TO A 1/2" IRON ROD FOUND FOR AN ANGLE POINT ON THE NORTHEAST LINE OF SAID 141.0 ACRE TRACT, THE COMMON SOUTH CORNER OF SAID MELODY RANCH, PHASE II, AND THE COMMON WEST CORNER OF A TRACT OF LAND CONVEYED TO RONALD L. AND BEVERLY F. KELLEY, AS RECORDED IN VOLUME 722, PAGE 137, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING PART OF LOT 1 OF WINDY HILL ESTATES, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET C, SLIDE 155, MAP RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 46 DEGREES 42 MINUTES 00 SECONDS EAST, CONTINUING ALONG THE NORTHEAST LINE OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHWEST LINE OF SAID KELLEY TRACT, A DISTANCE OF 108.73 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 141.0 ACRE TRACT, THE COMMON SOUTH CORNER OF SAID KELLEY TRACT, AND THE COMMON NORTHWEST CORNER OF AFORESAID 7.324 ACRE TRACT;

THENCE, NORTH 43 DEGREES 58 MINUTES 10 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID 7.324 ACRE TRACT AND A COMMON SOUTHEAST LINE OF SAID KELLEY TRACT, A DISTANCE OF 104.89 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTH CORNER OF SAID 7.324 ACRE TRACT, A COMMON SOUTH CORNER OF SAID KELLEY TRACT, AND A NORTHWEST CORNER OF THE REMAINDER OF A 12.30 ACRE TRACT OF LAND CONVEYED TO AZMI DISI, AS RECORDED IN COUNTY CLERK'S FILE NO. 2011-00455625, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING PARTS OF LOT 1 AND 2 OF SAID WINDY HILL ESTATES;

THENCE, SOUTH 46 DEGREES 09 MINUTES 12 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 7.324 ACRE TRACT, A DISTANCE OF 699.74 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE EAST CORNER OF SAID 7.324 ACRE TRACT, SAID POINT BEING ON THE SOUTHEAST LINE OF SAID 12.30 ACRE TRACT AND THE COMMON NORTHWEST LINE OF A 4.694 ACRE TRACT OF LAND CONVEYED TO GRADY AND

SHIRLEY WILLIAMS, AS RECORDED IN COUNTY CLERK'S FILE NO. 2008-00407839, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING PART OF LOT 3 OF SAID WINDY HILL ESTATES;

THENCE, SOUTH 43 DEGREES 50 MINUTES 47 SECONDS WEST, ALONG THE SOUTHEAST LINE OF SAID 7.324 ACRE TRACT AND THE COMMON NORTHWEST LINE OF SAID 4.694 ACRE TRACT, A DISTANCE OF 794.03 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "U.S.A. INC." FOUND FOR THE SOUTH CORNER OF SAID 7.324 ACRE TRACT AND THE COMMON WEST CORNER OF SAID 4.694 ACRE TRACT, SAID POINT BEING ON THE NORTHEAST LINE OF AFORESAID 15.711 ACRE TRACT;

THENCE, SOUTH 45 DEGREES 44 MINUTES 56 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 15.711 ACRE TRACT AND THE COMMON SOUTHWEST LINE OF SAID 4.694 ACRE TRACT, PASSING AT A DISTANCE OF 335.71 FEET A 1/2" IRON ROD FOUND FOR THE SOUTH CORNER OF SAID 4.694 ACRE TRACT AND THE COMMON WEST CORNER OF A 13.00 ACRE TRACT OF LAND CONVEYED TO STEVE M. BOYD, AS RECORDED IN COUNTY CLERK'S FILE NO. 2011-00449355, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING LOT 4 OF SAID WINDY HILL ESTATES, CONTINUING ALONG SAID NORTHEAST LINE AND COMMON SOUTHWEST LINE OF SAID BOYD TRACT, PASSING AT A DISTANCE OF 770.37 FEET A 1/2" IRON ROD FOUND FOR THE SOUTH CORNER OF SAID BOYD TRACT AND THE COMMON WEST CORNER OF A 13.00 ACRE TRACT OF LAND CONVEYED TO TOMAS JIMENEZ AND MARIA ELENA JIMENEZ, AS RECORDED IN COUNTY CLERK'S FILE NO. 20150000003027, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING LOT 5 OF SAID WINDY HILL ESTATES, CONTINUING ALONG SAID NORTHEAST LINE AND COMMON SOUTHWEST LINE OF SAID JIMENEZ TRACT, A TOTAL DISTANCE OF 1141.50 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE EAST CORNER OF SAID 15.711 ACRE TRACT, SAID POINT BEING ON A NORTHEAST LINE OF THE REMAINDER OF A 33.59 ACRE TRACT OF LAND CONVEYED TO TREVER NELSON AND WIFE, ROBIN NELSON, AS RECORDED IN VOLUME 2042, PAGE 164, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 42 DEGREES 20 MINUTES 00 SECONDS WEST, ALONG THE SOUTHEAST LINE OF SAID 15.711 ACRE TRACT, A DISTANCE OF 1186.70 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE SOUTH CORNER OF SAID 15.711 ACRE TRACT, SAID POINT BEING ON THE EAST LINE OF AFORESAID 141.0 ACRE TRACT;

THENCE, SOUTH 00 DEGREES 53 MINUTES 09 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 23.03 FEET TO A CONCRETE MONUMENT FOUND FOR THE SOUTHEAST CORNER OF SAID 141.0 ACRE TRACT, SAID POINT BEING ON THE NORTH LINE OF SMITH ACRES, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET B, PAGE 107, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 88 DEGREES 49 MINUTES 06 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 141.0 ACRE TRACT AND THE COMMON NORTH LINE OF SAID SMITH ACRES, PASSING AT A DISTANCE OF 1527.65 FEET A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID SMITH ACRES AND THE COMMON NORTHEAST CORNER OF A 6.892 ACRE TRACT OF LAND CONVEYED TO MARIO VILLEGAS AND MARIA VILLEGAS, AS RECORDED IN COUNTY CLERK'S FILE NO. 2012-00470706, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND CONTINUING ALONG SAID SOUTH LINE AND ALONG THE COMMON NORTH LINE OF SAID 6.892 ACRE TRACT A TOTAL DISTANCE OF 2329.94 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE SOUTHWEST CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON NORTHWEST CORNER OF SAID 6.892 ACRE TRACT, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF FARM-TO-MARKET ROAD NO. 551 (A VARIABLE WIDTH RIGHT-OF-WAY), AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32 DEGREES 56 MINUTES 34 SECONDS, A RADIUS OF 125.11 FEET, AND A LONG CHORD THAT BEARS NORTH 17 DEGREES 19 MINUTES 36 SECONDS WEST, A DISTANCE OF 70.95 FEET;

THENCE, ALONG A WEST LINE OF SAID 141.0 ACRE TRACT AND SAID EAST RIGHT-OF-WAY LINE, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 71.94 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 00 DEGREES 50 MINUTES 04 SECONDS WEST, A DISTANCE OF 1785.43 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 01 DEGREES 13 MINUTES 55 SECONDS WEST, A DISTANCE OF 207.62 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RSCI RPLS 5034" FOUND FOR AN EXTERIOR ELL CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF A 9.43 ACRE TRACT OF LAND CONVEYED TO BEVERLY RAGER, AS RECORDED IN VOLUME 3259, PAGE 20, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, NORTH 89 DEGREES 05 MINUTES 28 SECONDS EAST, ALONG A NORTH LINE OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID 9.43 ACRE TRACT, A DISTANCE OF 1222.31 FEET TO A 1/2" IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF SAID 9.43 ACRE TRACT, FROM WHICH A 1/2" IRON ROD FOUND BEARS NORTH 26 DEGREES 21 MINUTES 10 SECONDS EAST, A DISTANCE OF 24.76 FEET;

THENCE, NORTH 00 DEGREES 51 MINUTES 01 SECONDS EAST, ALONG A WEST LINE OF SAID 141.0 ACRE TRACT, THE COMMON EAST LINE OF SAID 9.43 ACRE TRACT, THE COMMON EAST LINE OF A 6.983 ACRE TRACT OF LAND CONVEYED TO GEORGE ANDREA, AS RECORDED IN COUNTY CLERK'S FILE NO. 2014000017338, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND THE COMMON EAST LINE OF AFORESAID CHAMBERLAIN CROSSING, PHASE 6, PASSING AT A DISTANCE OF 1220.02 FEET A 5/8" IRON ROD WITH CAP STAMPED "CBI" FOUND, AND CONTINUING ALONG SAID COMMON LINE A TOTAL DISTANCE OF 1709.75 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 163.568 ACRES, OR 7,125,032 SQUARE FEET OF LAND.

EXHIBIT D-2 – IMPROVEMENT AREA #1 LEGAL DESCRIPTION

Improvement Area 1 Legal Description 53.443 ACRES

BEING A 53.443 ACRE TRACT OF LAND SITUATED IN THE J.B. MERCHANT SURVEY, ABSTRACT NO. 159, CITY OF FATE, ROCKWALL COUNTY, TEXAS, AND BEING PART OF A 140.0 ACRE TRACT OF LAND CONVEYED TO FATE 551, LP, AS RECORDED IN VOLUME 3713, PAGE 79, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS. SAID 53.443 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "RSCI RPLS 5034" FOUND FOR THE WESTERN MOST NORTHWEST CORNER OF SAID 140.0 ACRE TRACT, AND THE COMMON SOUTHWEST CORNER OF A 9.43 ACRE TRACT OF LAND CONVEYED TO BEVERLY RAGER, AS RECORDED IN VOLUME 3259, PAGE 20, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS. SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD NO. 551, (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE, NORTH 89 DEGREES 05 MINUTES 28 SECONDS EAST, ALONG THE NORTH LINE OF SAID 140.0 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID 9.43 ACRE TRACT, A DISTANCE OF 1187.05 FEET TO A POINT FOR CORNER, FROM WHICH A 1/2" IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 140.0 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF SAID 9.43 ACRE TRACT BEARS, NORTH 89 DEGREES 05 MINUTES 28 SECONDS EAST, A DISTANCE OF 35.26 FEET;

THENCE, OVER AND ACROSS SAID 140.0 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 20 DEGREES 31 MINUTES 50 SECONDS EAST, A DISTANCE OF 153.26 FEET TO A POINT FOR CORNER;

SOUTH 55 DEGREES 24 MINUTES 12 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 60 DEGREES 35 MINUTES 18 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 65 DEGREES 46 MINUTES 25 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 70 DEGREES 57 MINUTES 31 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 16 DEGREES 26 MINUTES 56 SECONDS EAST, A DISTANCE OF 171.00 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00 DEGREES 45 MINUTES 37 SECONDS, A RADIUS OF 814.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 73 DEGREES 55 MINUTES 53 SECONDS WEST, A DISTANCE OF 10.80 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 10.80 FEET TO A POINT FOR CORNER;

SOUTH 30 DEGREES 53 MINUTES 44 SECONDS WEST, A DISTANCE OF 14.44 FEET TO A POINT FOR CORNER;

SOUTH 12 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 6.68 FEET TO A POINT FOR CORNER, AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 03 DEGREES 38 MINUTES 53 SECONDS, A RADIUS OF 1030.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 11 DEGREES 02 MINUTES 54 SECONDS EAST, A DISTANCE OF 65.57 FEET;

ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 65.58 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 21.57 FEET TO A POINT FOR CORNER, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 35 DEGREES 07 MINUTES 32 SECONDS, A RADIUS OF 90.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 62 DEGREES 11 MINUTES 25 SECONDS EAST, A DISTANCE OF 54.32 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 55.18 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01 DEGREE 11 MINUTES 33 SECONDS, A RADIUS OF 955.00 FEET, AND A LONG CHORD THAT BEARS NORTH 72 DEGREES 27 MINUTES 52 SECONDS EAST, A DISTANCE OF 19.88 FEET;

ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 19.88 FEET TO A POINT FOR CORNER;

SOUTH 17 DEGREES 31 MINUTES 55 SECONDS EAST, A DISTANCE OF 90.00 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREE 20 MINUTES 32 SECONDS, A RADIUS OF 1045.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 72 DEGREES 35 MINUTES 27 SECONDS WEST, A DISTANCE OF 24.48 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 24.48 FEET TO A POINT FOR CORNER, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 45 DEGREES 52 MINUTES 54 SECONDS, A RADIUS OF 90.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 38 DEGREES 21 MINUTES 49 SECONDS WEST, A DISTANCE OF 70.16 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 72.07 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER;

SOUTH 80 DEGREES 46 MINUTES 33 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 84.63 FEET TO A POINT FOR CORNER;

SOUTH 13 DEGREES 17 MINUTES 01 SECOND EAST, A DISTANCE OF 70.63 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 117.55 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 26 DEGREES 56 MINUTES 38 SECONDS, A RADIUS OF 275.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 04 DEGREES 14 MINUTES 52 SECONDS WEST, A DISTANCE OF 128.13 FEET;

ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 129.32 FEET TO A POINT FOR CORNER;

SOUTH 17 DEGREES 43 MINUTES 11 SECONDS WEST, A DISTANCE OF 99.33 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 49 DEGREES 34

MINUTES 00 SECONDS, A RADIUS OF 325.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 07 DEGREES 03 MINUTES 49 SECONDS EAST, A DISTANCE OF 272.47 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 281.16 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 86.88 FEET TO A POINT FOR CORNER;

SOUTH 17 DEGREES 21 MINUTES 16 SECONDS WEST, A DISTANCE OF 13.07 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 48 MINUTES 44 SECONDS EAST, A DISTANCE OF 50.58 FEET TO A POINT FOR CORNER;

SOUTH 73 DEGREES 17 MINUTES 40 SECONDS EAST, A DISTANCE OF 14.99 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 192.55 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 25 DEGREES 28 MINUTES 31 SECONDS, A RADIUS OF 325.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 44 DEGREES 35 MINUTES 04 SECONDS EAST, A DISTANCE OF 143.32 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 144.50 FEET TO A POINT FOR CORNER;

SOUTH 32 DEGREES 40 MINUTES 41 SECONDS WEST, A DISTANCE OF 127.76 FEET TO A POINT FOR CORNER;

SOUTH 65 DEGREES 14 MINUTES 20 SECONDS EAST, A DISTANCE OF 157.78 FEET TO A POINT FOR CORNER;

SOUTH 01 DEGREE 10 MINUTES 54 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER ON THE SOUTH LINE OF SAID 140.0 ACRE TRACT AND THE COMMON NORTH LINE OF SMITH ACRES, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET B PAGE 107, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 88 DEGREES 49 MINUTES 06 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 140.0 ACRE TRACT AND THE COMMON NORTH LINE OF SAID SMITH ACRES, PASSING AT A DISTANCE OF 600.22 FEET, A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID SMITH ACRES AND THE COMMON NORTHEAST CORNER OF A 6.892 ACRE TRACT OF LAND CONVEYED TO MARIO VILLEGAS AND MARIA VILLEGAS, AS RECORDED IN COUNTY CLERK'S FILE NO. 2012-00470706, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND CONTINUING ALONG SAID SOUTH LINE AND THE COMMON NORTH LINE OF SAID 6.892 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 1402.57 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE SOUTHWEST CORNER OF SAID 140.0 ACRE TRACT AND THE COMMON NORTHWEST CORNER OF SAID 6.892 ACRE TRACT. SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF AFORESAID FARM TO MARKET ROAD NO. 551, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32 DEGREES 56 MINUTES 34 SECONDS, A RADIUS OF 125.11 FEET, AND A LONG CHORD THAT BEARS NORTH 17 DEGREES 19 MINUTES 36 SECONDS WEST, A DISTANCE OF 70.95 FEET;

THENCE, ALONG THE WEST LINE OF SAID 140.0 ACRE TRACT AND THE COMMON EAST RIGHT-OF-WAY LINE, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 71.94 FEET TO A POINT FOR CORNER;

NORTH 00 DEGREES 50 MINUTES 04 SECONDS WEST, A DISTANCE OF 1785.43 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 01 DEGREE 13 MINUTES 55 SECONDS WEST, A DISTANCE OF 207.62 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 2,327,994 SQUARE FEET OR 53.443 ACRES OF LAND.

EXHIBIT D-3 – MAJOR IMPROVEMENT AREA LEGAL DESCRIPTION

Major Improvement Area Legal Description

District Legal Description

163.568 ACRES

BEING A 163.568 ACRE TRACT OF LAND SITUATED IN THE J.B. MERCHANT SURVEY, ABSTRACT NO. 159 AND THE J. THOMPSON SURVEY, ABSTRACT NO. 210, CITY OF FATE, ROCKWALL COUNTY, TEXAS, AND BEING ALL OF A 141.0 ACRE TRACT OF LAND CONVEYED TO FATE 551, LP, AS RECORDED IN VOLUME 3713, PAGE 79, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, ALL OF A 7.324 ACRE TRACT OF LAND, CONVEYED TO FATE 551, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 2008-00393658, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND ALL OF A 15.711 ACRE TRACT OF LAND, CONVEYED TO FATE 551, LP, AS RECORDED IN COUNTY CLERK'S FILE NO. 2008-00393719, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS. SAID 163.568 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP

(PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "JDJR" FOUND FOR THE NORTH CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON MOST EASTERLY NORTHEAST CORNER OF CHAMBERLAIN CROSSING, PHASE 6, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN COUNTY CLERK'S FILE NO. 20170000011834, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID POINT ALSO BEING ON THE SOUTHWEST LINE OF MELODY RANCH, PHASE II, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET F, SLIDE 49, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 45 DEGREES 34 MINUTES 24 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHWEST LINE OF SAID MELODY RANCH, PHASE II, PASSING AT A DISTANCE OF 550.37 FEET A 1/2" IRON ROD FOUND, AND CONTINUING A TOTAL DISTANCE OF 1411.65 FEET TO A 1/2" IRON ROD FOUND FOR AN ANGLE POINT ON THE NORTHEAST LINE OF SAID 141.0 ACRE TRACT, THE COMMON SOUTH CORNER OF SAID MELODY RANCH, PHASE II, AND THE COMMON WEST CORNER OF A TRACT OF LAND CONVEYED TO RONALD L. AND BEVERLY F. KELLEY, AS RECORDED IN VOLUME 722, PAGE 137, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING PART OF LOT 1 OF WINDY HILL ESTATES, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET C, SLIDE 155, MAP RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 46 DEGREES 42 MINUTES 00 SECONDS EAST, CONTINUING ALONG THE NORTHEAST LINE OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHWEST LINE OF SAID KELLEY TRACT, A DISTANCE OF 108.73 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 141.0 ACRE TRACT, THE COMMON SOUTH CORNER OF SAID KELLEY TRACT, AND THE COMMON NORTHWEST CORNER OF AFORESAID 7.324 ACRE TRACT;

THENCE, NORTH 43 DEGREES 58 MINUTES 10 SECONDS EAST, ALONG THE NORTHWEST LINE OF SAID 7.324 ACRE TRACT AND A COMMON SOUTHEAST LINE OF SAID KELLEY TRACT, A DISTANCE OF 104.89 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTH CORNER OF SAID 7.324 ACRE TRACT, A COMMON SOUTH CORNER OF SAID KELLEY TRACT, AND A NORTHWEST CORNER OF THE REMAINDER OF A 12.30 ACRE TRACT OF LAND CONVEYED TO AZMI DISI, AS RECORDED IN COUNTY CLERK'S FILE NO. 2011-00455625, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING PARTS OF LOT 1 AND 2 OF SAID WINDY HILL ESTATES;

THENCE, SOUTH 46 DEGREES 09 MINUTES 12 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 7.324 ACRE TRACT, A DISTANCE OF 699.74 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE EAST CORNER OF SAID 7.324 ACRE TRACT, SAID POINT BEING ON THE SOUTHEAST LINE OF SAID 12.30

ACRE TRACT AND THE COMMON NORTHWEST LINE OF A 4.694 ACRE TRACT OF LAND CONVEYED TO GRADY AND SHIRLEY WILLIAMS, AS RECORDED IN COUNTY CLERK'S FILE NO. 2008-00407839, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING PART OF LOT 3 OF SAID WINDY HILL ESTATES;

THENCE, SOUTH 43 DEGREES 50 MINUTES 47 SECONDS WEST, ALONG THE SOUTHEAST LINE OF SAID 7.324 ACRE TRACT AND THE COMMON NORTHWEST LINE OF SAID 4.694 ACRE TRACT, A DISTANCE OF 794.03 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "U.S.A. INC." FOUND FOR THE SOUTH CORNER OF SAID 7.324 ACRE TRACT AND THE COMMON WEST CORNER OF SAID 4.694 ACRE TRACT, SAID POINT BEING ON THE NORTHEAST LINE OF AFORESAID 15.711 ACRE TRACT;

THENCE, SOUTH 45 DEGREES 44 MINUTES 56 SECONDS EAST, ALONG THE NORTHEAST LINE OF SAID 15.711 ACRE TRACT AND THE COMMON SOUTHWEST LINE OF SAID 4.694 ACRE TRACT, PASSING AT A DISTANCE OF 335.71 FEET A 1/2" IRON ROD FOUND FOR THE SOUTH CORNER OF SAID 4.694 ACRE TRACT AND THE COMMON WEST CORNER OF A 13.00 ACRE TRACT OF LAND CONVEYED TO STEVE M. BOYD, AS RECORDED IN COUNTY CLERK'S FILE NO. 2011-00449355, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING LOT 4 OF SAID WINDY HILL ESTATES, CONTINUING ALONG SAID NORTHEAST LINE AND COMMON SOUTHWEST LINE OF SAID BOYD TRACT, PASSING AT A DISTANCE OF 770.37 FEET A 1/2" IRON ROD FOUND FOR THE SOUTH CORNER OF SAID BOYD TRACT AND THE COMMON WEST CORNER OF A 13.00 ACRE TRACT OF LAND CONVEYED TO TOMAS JIMENEZ AND MARIA ELENA JIMENEZ, AS RECORDED IN COUNTY CLERK'S FILE NO. 2015000003027, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, SAID TRACT BEING LOT 5 OF SAID WINDY HILL ESTATES, CONTINUING ALONG SAID NORTHEAST LINE AND COMMON SOUTHWEST LINE OF SAID JIMENEZ TRACT, A TOTAL DISTANCE OF 1141.50 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE EAST CORNER OF SAID 15.711 ACRE TRACT, SAID POINT BEING ON A NORTHEAST LINE OF THE REMAINDER OF A 33.59 ACRE TRACT OF LAND CONVEYED TO TREVER NELSON AND WIFE, ROBIN NELSON, AS RECORDED IN VOLUME 2042, PAGE 164, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 42 DEGREES 20 MINUTES 00 SECONDS WEST, ALONG THE SOUTHEAST LINE OF SAID 15.711 ACRE TRACT, A DISTANCE OF 1186.70 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE SOUTH CORNER OF SAID 15.711 ACRE TRACT, SAID POINT BEING ON THE EAST LINE OF AFORESAID 141.0 ACRE TRACT;

THENCE, SOUTH 00 DEGREES 53 MINUTES 09 SECONDS EAST, ALONG SAID EAST LINE, A DISTANCE OF 23.03 FEET TO A CONCRETE MONUMENT FOUND FOR THE SOUTHEAST CORNER OF SAID 141.0 ACRE TRACT, SAID POINT BEING ON THE NORTH LINE OF SMITH ACRES, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET B, PAGE 107, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 88 DEGREES 49 MINUTES 06 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 141.0 ACRE TRACT AND THE COMMON NORTH LINE OF SAID SMITH ACRES, PASSING AT A DISTANCE OF 1527.65 FEET A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID SMITH ACRES AND THE COMMON NORTHEAST CORNER OF A 6.892 ACRE TRACT OF LAND CONVEYED TO MARIO VILLEGAS AND MARIA VILLEGAS, AS RECORDED IN COUNTY CLERK'S FILE NO. 2012-00470706, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND CONTINUING ALONG SAID SOUTH LINE AND ALONG THE COMMON NORTH LINE OF SAID 6.892 ACRE TRACT A TOTAL DISTANCE OF 2329.94 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE SOUTHWEST CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON NORTHWEST CORNER OF SAID 6.892 ACRE TRACT, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF FARM-TO-MARKET ROAD NO. 551 (A VARIABLE WIDTH RIGHT-OF-WAY), AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32 DEGREES 56 MINUTES 34 SECONDS, A RADIUS OF 125.11 FEET, AND A LONG CHORD THAT BEARS NORTH 17 DEGREES 19 MINUTES 36 SECONDS WEST, A DISTANCE OF 70.95 FEET;

THENCE, ALONG A WEST LINE OF SAID 141.0 ACRE TRACT AND SAID EAST RIGHT-OF-WAY LINE, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 71.94 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 00 DEGREES 50 MINUTES 04 SECONDS WEST, A DISTANCE OF 1785.43 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 01 DEGREES 13 MINUTES 55 SECONDS WEST, A DISTANCE OF 207.62 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "RSCI RPLS 5034" FOUND FOR AN EXTERIOR ELL CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF A 9.43 ACRE TRACT OF LAND CONVEYED TO BEVERLY RAGER, AS RECORDED IN VOLUME 3259, PAGE 20, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, NORTH 89 DEGREES 05 MINUTES 28 SECONDS EAST, ALONG A NORTH LINE OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID 9.43 ACRE TRACT, A DISTANCE OF 1222.31 FEET TO A 1/2" IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 141.0 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF SAID 9.43 ACRE TRACT, FROM WHICH A 1/2" IRON ROD FOUND BEARS NORTH 26 DEGREES 21 MINUTES 10 SECONDS EAST, A DISTANCE OF 24.76 FEET;

THENCE, NORTH 00 DEGREES 51 MINUTES 01 SECONDS EAST, ALONG A WEST LINE OF SAID 141.0 ACRE TRACT, THE COMMON EAST LINE OF SAID 9.43 ACRE TRACT, THE COMMON EAST LINE OF A 6.983 ACRE TRACT OF LAND CONVEYED TO GEORGE ANDREA, AS RECORDED IN COUNTY CLERK'S FILE NO. 2014000017338, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND THE COMMON EAST LINE OF AFORESAID CHAMBERLAIN CROSSING, PHASE 6, PASSING AT A DISTANCE OF 1220.02 FEET A 5/8" IRON ROD WITH CAP STAMPED "CBI" FOUND, AND CONTINUING ALONG SAID COMMON LINE A TOTAL DISTANCE OF 1709.75 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 163.568 ACRES, OR 7,125,032 SQUARE FEET OF LAND

SAVE AND EXCEPT:

**Improvement Area 1 Legal Description
53.443 ACRES**

BEING A 53.443 ACRE TRACT OF LAND SITUATED IN THE J.B. MERCHANT SURVEY, ABSTRACT NO. 159, CITY OF FATE, ROCKWALL COUNTY, TEXAS, AND BEING PART OF A 140.0 ACRE TRACT OF LAND CONVEYED TO FATE 551, LP, AS RECORDED IN VOLUME 3713, PAGE 79, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS. SAID 53.443 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND COLLIN CORS ARP (PID-DF8982), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "RSCI RPLS 5034" FOUND FOR THE WESTERN MOST NORTHWEST CORNER OF SAID 140.0 ACRE TRACT, AND THE COMMON SOUTHWEST CORNER OF A 9.43 ACRE TRACT OF LAND CONVEYED TO BEVERLY RAGER, AS RECORDED IN VOLUME 3259, PAGE 20, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS. SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF FARM TO MARKET ROAD NO. 551, (A VARIABLE WIDTH RIGHT-OF-WAY);

THENCE, NORTH 89 DEGREES 05 MINUTES 28 SECONDS EAST, ALONG THE NORTH LINE OF SAID 140.0 ACRE TRACT AND THE COMMON SOUTH LINE OF SAID 9.43 ACRE TRACT, A DISTANCE OF 1187.05 FEET TO A POINT FOR CORNER, FROM WHICH A 1/2" IRON ROD FOUND FOR AN INTERIOR ELL CORNER OF SAID 140.0 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF SAID 9.43 ACRE TRACT BEARS, NORTH 89 DEGREES 05 MINUTES 28 SECONDS EAST, A DISTANCE OF 35.26 FEET;

THENCE, OVER AND ACROSS SAID 140.0 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 20 DEGREES 31 MINUTES 50 SECONDS EAST, A DISTANCE OF 153.26 FEET TO A POINT FOR CORNER;

SOUTH 55 DEGREES 24 MINUTES 12 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 60 DEGREES 35 MINUTES 18 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 65 DEGREES 46 MINUTES 25 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 70 DEGREES 57 MINUTES 31 SECONDS WEST, A DISTANCE OF 58.17 FEET TO A POINT FOR CORNER;

SOUTH 16 DEGREES 26 MINUTES 56 SECONDS EAST, A DISTANCE OF 171.00 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 00 DEGREES 45 MINUTES 37 SECONDS, A RADIUS OF 814.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 73 DEGREES 55 MINUTES 53 SECONDS WEST, A DISTANCE OF 10.80 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 10.80 FEET TO A POINT FOR CORNER;

SOUTH 30 DEGREES 53 MINUTES 44 SECONDS WEST, A DISTANCE OF 14.44 FEET TO A POINT FOR CORNER;

SOUTH 12 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 6.68 FEET TO A POINT FOR CORNER, AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 03 DEGREES 38 MINUTES 53 SECONDS, A RADIUS OF 1030.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 11 DEGREES 02 MINUTES 54 SECONDS EAST, A DISTANCE OF 65.57 FEET;

ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 65.58 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 21.57 FEET TO A POINT FOR CORNER, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 35 DEGREES 07 MINUTES 32 SECONDS, A RADIUS OF 90.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 62 DEGREES 11 MINUTES 25 SECONDS EAST, A DISTANCE OF 54.32 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 55.18 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01 DEGREE 11 MINUTES 33 SECONDS, A RADIUS OF 955.00 FEET, AND A LONG CHORD THAT BEARS NORTH 72 DEGREES 27 MINUTES 52 SECONDS EAST, A DISTANCE OF 19.88 FEET;

ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 19.88 FEET TO A POINT FOR CORNER;

SOUTH 17 DEGREES 31 MINUTES 55 SECONDS EAST, A DISTANCE OF 90.00 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 DEGREE 20 MINUTES 32 SECONDS, A RADIUS OF 1045.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 72 DEGREES 35 MINUTES 27 SECONDS WEST, A DISTANCE OF 24.48 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 24.48 FEET TO A POINT FOR CORNER, AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 45 DEGREES 52 MINUTES 54 SECONDS, A RADIUS OF 90.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 38 DEGREES 21 MINUTES 49 SECONDS WEST, A DISTANCE OF 70.16 FEET;

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 72.07 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER;

SOUTH 80 DEGREES 46 MINUTES 33 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 84.63 FEET TO A POINT FOR CORNER;

SOUTH 13 DEGREES 17 MINUTES 01 SECOND EAST, A DISTANCE OF 70.63 FEET TO A POINT FOR CORNER;

SOUTH 09 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 117.55 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 26 DEGREES 56 MINUTES 38 SECONDS, A RADIUS OF 275.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 04 DEGREES 14 MINUTES 52 SECONDS WEST, A DISTANCE OF 128.13 FEET;

ALONG SAID TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 129.32 FEET TO A POINT FOR CORNER;

SOUTH 17 DEGREES 43 MINUTES 11 SECONDS WEST, A DISTANCE OF 99.33 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 49 DEGREES 34 MINUTES 00 SECONDS, A RADIUS OF 325.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 07 DEGREES 03 MINUTES 49 SECONDS EAST, A DISTANCE OF 272.47 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 281.16 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 86.88 FEET TO A POINT FOR CORNER;

SOUTH 17 DEGREES 21 MINUTES 16 SECONDS WEST, A DISTANCE OF 13.07 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 48 MINUTES 44 SECONDS EAST, A DISTANCE OF 50.58 FEET TO A POINT FOR CORNER;

SOUTH 73 DEGREES 17 MINUTES 40 SECONDS EAST, A DISTANCE OF 14.99 FEET TO A POINT FOR CORNER;

SOUTH 31 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 192.55 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 25 DEGREES 28 MINUTES 31 SECONDS, A RADIUS OF 325.00 FEET, AND A LONG CHORD THAT BEARS SOUTH 44 DEGREES 35 MINUTES 04 SECONDS EAST, A DISTANCE OF 143.32 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 144.50 FEET TO A POINT FOR CORNER;

SOUTH 32 DEGREES 40 MINUTES 41 SECONDS WEST, A DISTANCE OF 127.76 FEET TO A POINT FOR CORNER;

SOUTH 65 DEGREES 14 MINUTES 20 SECONDS EAST, A DISTANCE OF 157.78 FEET TO A POINT FOR CORNER;

SOUTH 01 DEGREE 10 MINUTES 54 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT FOR CORNER ON THE SOUTH LINE OF SAID 140.0 ACRE TRACT AND THE COMMON NORTH LINE OF SMITH ACRES, AN ADDITION TO THE CITY OF FATE, AS RECORDED IN CABINET B PAGE 107, PLAT RECORDS, ROCKWALL COUNTY, TEXAS;

THENCE, SOUTH 88 DEGREES 49 MINUTES 06 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 140.0 ACRE TRACT AND THE COMMON NORTH LINE OF SAID SMITH ACRES, PASSING AT A DISTANCE OF 600.22 FEET, A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID SMITH ACRES AND THE COMMON NORTHEAST CORNER OF A 6.892 ACRE TRACT OF LAND CONVEYED TO MARIO VILLEGAS AND MARIA VILLEGAS, AS RECORDED IN COUNTY CLERK'S FILE NO. 2012-00470706, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, AND CONTINUING ALONG SAID SOUTH LINE AND THE COMMON NORTH LINE OF SAID 6.892 ACRE TRACT, IN ALL A TOTAL DISTANCE OF 1402.57 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR THE SOUTHWEST CORNER OF SAID 140.0 ACRE TRACT AND THE COMMON NORTHWEST CORNER OF SAID 6.892 ACRE TRACT. SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF AFORESAID FARM TO MARKET ROAD NO. 551, AND BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32 DEGREES 56 MINUTES 34 SECONDS, A RADIUS OF 125.11 FEET, AND A LONG CHORD THAT BEARS NORTH 17 DEGREES 19 MINUTES 36 SECONDS WEST, A DISTANCE OF 70.95 FEET;

THENCE, ALONG THE WEST LINE OF SAID 140.0 ACRE TRACT AND THE COMMON EAST RIGHT-OF-WAY LINE, THE FOLLOWING COURSES AND DISTANCES:

ALONG SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 71.94 FEET TO A POINT FOR CORNER;

NORTH 00 DEGREES 50 MINUTES 04 SECONDS WEST, A DISTANCE OF 1785.43 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LJA SURVEYING" SET FOR CORNER;

NORTH 01 DEGREE 13 MINUTES 55 SECONDS WEST, A DISTANCE OF 207.62 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 2,327,994 SQUARE FEET OR 53.443 ACRES OF LAND.