

## EXHIBIT A-2

**RESOLUTION OF THE  
BOARD OF DIRECTORS OF  
HEARTLAND HOMEOWNERS ASSOCIATION, INC.  
REGARDING THE  
COLLECTION AND PAYMENT OF ASSESSMENTS  
AND OTHER CHARGES AND FEES**

**WHEREAS** the Board of Directors ("*Board*") of Heartland Homeowners Association, Inc., (the "*Association*") is empowered to govern the affairs of the Association; and,

**WHEREAS**, there is a need to adopt a specific policy on collections and payment of assessments and other charges and fees; and

**WHEREAS**, it is the intent that this policy shall rescind all prior policies relative to the collection of assessments, shall be applicable to all owners, and shall remain in effect until otherwise rescinded, modified, or amended by the Board.

**NOW, THEREFORE BE IT RESOLVED THAT** the following policy on collection and payment of assessments and other charges and fees is hereby adopted by the Board:

**Due Date for Assessment** – Assessment are due in full on the 1st day of February and the 1<sup>st</sup> day of August (the "*Due Date*").

**Delinquency Date for Regular Base Assessment** – Any assessment not paid within 30 days after the Due Date shall be delinquent (the "*Delinquency Date*").

**Late Fees, Collection Fees, and Returned Check Fees** – Any Assessment (as defined in the Declaration) not paid by the Delinquency Date shall result in the imposition of a late fee. A late fee will be imposed on the Delinquency Date and on the last day of each month thereafter in which an account reflects an unpaid assessment balance. The late charge shall be in the amount of \$10.00 per month. In addition, a collection fee in the amount of \$20.00 will be charged each month an account reflects an unpaid balance. For each check that is returned by a bank for any reason, the owner's account will be charged any related bank charge and/or handling fee incurred by the Association.

**MAILINGS AND ACTION STEPS**

01 **Courtesy Notice** - Assessments or other charges due to the Association not paid by the Delinquency Date will cause the Association to send a written notice ("Courtesy Notice") via certified mail: (i) advising the Owner of non-payment, (ii) stating the amount past due, (iii) notifying the Owner that late fees have accrued, (iv) advising the Owner of a right to request a hearing before the Board within thirty (30) days from the date of the Courtesy Notice, and (v) advising the Owner that access to amenities will be suspended if account balance is not paid in full within thirty (30) days from the date of the Courtesy Notice.

11 **Notice of Past Due Amounts** - Any account remaining delinquent 30 days after the Courtesy Notice has been sent will receive a notice of past due amounts admonishing the owner that prompt payment is required to avoid additional late fees and continued suspension to right to use amenities.

**Severe Delinquency** - The Owner whose account remains unpaid 120 days after Delinquency Date will be mailed a written notice of the severity of their delinquent account stating amounts past due, notice of any fees that have accrued and the immediate need for the owner to call the association to make payment or discuss payment plan arrangements. Failure to respond to this notice will result in additional fees and/or possible legal action.

21 **Association Demand Letter** - The Owner whose account remains unpaid 180 days after the Delinquency Date will be mailed an Association Demand Letter. The Association Demand Letter shall: (i) be sent via certified mail, return receipt requested, and First Class US Mail, (ii) specify each delinquent amount and the total amount of the payment required to make the account current, (iii) provide a period of at least 30 days to bring the account current; and (iv) provide information relative to the availability of a payment plan. This letter is referred to a 209 letter which is required by law before an account can be sent to the attorney for collection.

**Attorney Demand Letter** - An Attorney Demand Letter will be mailed to the Owner no earlier than 30 days after the Association has sent the Owner an Association Demand Letter.

**Notice of Assessment Lien** - A Second Attorney Demand Letter will be mailed and a Notice of Assessment Lien will be filed of record with the County Clerk's office no earlier than 30 days after the Attorney Demand Letter is sent.

**Pre-Expedited Foreclosure Demand Letter** - A final demand will be sent to the Owner no earlier than 21 days after the Notice of Assessment Lien has

been filed of record with the County Clerk's office.

**Application for Expedited Foreclosure** – An Application for Expedited Foreclosure will be filed with the District Clerk's office no earlier than 30 days after the Pre-Expedited Foreclosure Demand Letter was sent so long as the account balance exceeds \$1,000.

**Foreclosure Proceedings**: – Once the Court approves the Association's request for foreclosure, the property will be posted for foreclosure at the County Courthouse if approved by the Board.

**Communication with Association Members** - All communication with a delinquent Association Member shall be handled through the Association's attorney once a matter has been referred to the attorney. Neither the Association's representative nor any Member of the Board of Directors shall discuss the collection of the account directly with an Association Member after it has been turned over to the Association's attorney unless the attorney is present or has consented to the contact.

#### **SUSPENSION OF PRIVILEGES**

Any delinquent account is subject to the suspension of privileges; including attendance at all Heartland sponsored events and access to amenities upon compliance with the notice and hearing provisions contained in Chapter 209 of the Texas Property Code.

#### **PAYMENT APPLICATION POLICY**

Except as otherwise provided for and authorized by law, any payment received by the Association from an owner, whose account reflects an unpaid balance, shall be applied to the outstanding balance in the following order:

1. Any delinquent assessment
2. Any current assessment
3. Costs of collection, including attorney's fees and any other charge that could serve as the basis for foreclosure
4. Any attorney's fees which were not incurred to collect assessments
5. Violation fines
6. Any other amount owed the Association

#### **PAYMENT PLANS**

It is the intention of the Board to work with homeowners who have a legitimate reason and/or hardship to satisfy their obligation to the Association without penalizing those who make their payments on time. Therefore, in an effort to assist these homeowners in the payment of their obligation to the Association, the Board has established the following policy available to all homeowners upon their written request and subject to the following

conditions:

1. Terms for repayment of delinquent amount shall not exceed eighteen (18) months.
2. Assessments that become due during the term of the payment plan are not included in the payment plan and must be paid when due.
3. The payment plan must include the total debt to the Association including late fees, collection fees, fines and other collection costs.
4. To be eligible for a payment plan, the homeowner must not have defaulted on a prior payment plan within the two (2) year period preceding the request for a payment plan.
5. Additional costs associated with administering the payment plan on the unpaid balance on the homeowner's account will be added to the homeowners account during the term of the payment plan.
6. The plan must contain a schedule setting forth the date each payment will be made and the amount of each payment, and all payments must be received on or before the scheduled due date.

Should the homeowner default on an approved payment plan:

1. The Association's collection policy shall be reinstated at the point of interruption when the payment plan was initiated.
2. The homeowner's unpaid balance shall become immediately due and payable.

Any payments received after the breach of an approved payment plan can be applied in any priority as determined by the Board except for fines.

**FEE WAIVER REQUESTS**

It is the intention of the Board to work with homeowners who have a legitimate reason for making a late payment, but not to the detriment of homeowners who make their payments on time. The Board recognizes that extenuating circumstances may prevent a homeowner from paying assessments before they become delinquent. Therefore, the Board will grant a waiver to any homeowner subject to the following limitations:


1. Requests for waivers shall not be granted for any assessment, out of pocket collection costs to the Association, i.e. demand letters, attorney fees, other collection expense, etc.
2. Requests for waivers shall not be granted to any homeowner who has previously received such a waiver within the past 24 months.
3. Requests for waivers shall not be granted to any homeowner who has defaulted on a previously approved payment plan.

4. All approved waivers will be subject to the homeowner's unpaid balance being received within five (5) business days of the date the waiver approval was communicated to the homeowner. If a homeowner is unable to pay the unpaid balance within this time-period, the waiver will be denied but the homeowner will be allowed the opportunity to request a payment plan, if eligible under the terms of this policy.
5. Late fees or other waived charges shall not be removed from the homeowners account until the homeowner's payment has been received and cleared.

**Write Off To Bad Debt:** The Board of Directors authorizes the Management Company to write off fees to bad debt with a limit not to exceed \$6,000 per account. Any account in excess of \$6,000 will require Board approval.

This is to certify that the foregoing Resolution was adopted by the Board of Directors of Heartland Homeowners Association, Inc., on September 6, 2016, and shall remain in effect until such date as it may be modified, rescinded or revoked.

 \_\_\_\_\_, President

 \_\_\_\_\_, Secretary/Treasurer

## **EXHIBIT B**

### **LEGAL DESCRIPTION OF THE PROPERTY**

#### **HEARTLAND PARCEL 5**

BEING a tract of land situated in the Martha Musick Survey, Abstract Number 312, Kaufman County, Texas and being a portion of that tract of land referred to as Tract 1, conveyed to H.W. Heartland, LP. according to the document filed under Document Number 2007-00007342, Deed Records of Kaufman County, Texas, said 32.054 acres tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod set in the Southerly Line of Sunnybrook Drive for the most Northerly Northwest corner of this tract, same being the West corner of a portion of the remainder of the Above mentioned Tract 1:

THENCE South 45°13'17" East, a distance of 50.00 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 44°46'43" West, a distance of 259.92 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 45°13'17" East, a distance of 380.50 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 44°46'43" West, a distance of 289.10 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 44°23'45" West, a distance of 59.38 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 41°20'55" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 37°59'21" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 34°37'48" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 31°16'14" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 27°54'40" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 24°33'06" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 21°11'32" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 17°49'59" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 14°28'25" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 11°06'51" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 07°45'17" West, a distance of 49.83 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 04°08'25" West, a distance of 67.33 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 02°43'10" West, a distance of 50.00 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North 87°16'50" West, a distance of 222.97 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE South 02°47'11" West, a distance of 111.05 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North 87°16'50" West, a distance of 55.64 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North 80°00'00" West, a distance of 67.51 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North 70°34'37" West, a distance of 109.52 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North 67°20'23" West, a distance of 61.90 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North 62°08'23" West, a distance of 62.25 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North  $62^{\circ}58'38''$  West, a distance of 81.53 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North  $68^{\circ}33'49''$  West, a distance of 47.61 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North  $73^{\circ}50'54''$  West, a distance of 46.79 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North  $78^{\circ}58'05''$  West, a distance of 45.95 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North  $83^{\circ}47'56''$  West, a distance of 45.05 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North  $88^{\circ}04'25''$  West, a distance of 35.41 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner;

THENCE North  $12^{\circ}30'36''$  East, a distance of 173.35 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner at the beginning of a curve to the left having a radius of 675.00 feet, a central angle of  $7^{\circ}44'29''$  and a chord bearing and distance of North  $81^{\circ}21'38''$  West, 91.13 feet;

With said curve to the left an arc distance of 91.20 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for corner in the curving Southerly Line of the above mentioned Sunnybrook Drive, said curve being to the right and having a radius of 1607.20 feet, a central angle of  $40^{\circ}54'04''$  and a chord bearing and distance of North  $24^{\circ}19'41''$  East, 1123.11 feet;

With said Southerly Line and said curve to the right an arc distance of 1147.32 feet to a 1/2" iron rod with plastic cap stamped "DAA" set for a corner of this tract;

THENCE North  $44^{\circ}46'43''$  East, continuing with said Southerly Line, a distance of 327.34 feet to the POINT OF BEGINNING and containing 29.769 acres of land, more or less



**TRACT F (149.158 ACRES)**

**BEING** a tract of land located in the MARTHA MUSICK SURVEY, ABSTRACT NO. 312 and in the JOHN MOORE SURVEY, ABSTRACT NO. 309, Kaufman County, Texas and being a part of a called 696.440 acre tract of land described AS Tract 2 in Deed to 2219 KAUFMAN PARTNERS, L.P., a Texas Limited Partnership, recorded in Volume, 2127 Page 184, Deed Records, Kaufman County, Texas and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" found at the intersection of the Easterly line of F.M. 741, a 90 foot wide right-of-way, with the South line of Interstate Highway 20, a variable width right-of-way;

**THENCE** North 83 degrees 22 minutes 32 seconds East (Basis of bearing derived from Texas State Plane Coordinates, North Central Zone, NAD83), a distance of 751.93 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" found for corner;

**THENCE** North 88 degrees 29 minutes 15 seconds East, a distance of 474.57 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" found for corner;

**THENCE** South 84 degrees 18 minutes 44 seconds East, a distance of 952.45 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" found for corner;

**THENCE** South 78 degrees 59 minutes 18 seconds East, a distance of 4.45 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" found for corner;

**THENCE** South 45 degrees 06 minutes 31 seconds East, a distance of 2,131.34 feet to a 3/4 inch iron pipe found for corner;

**THENCE** South 44 degrees 47 minutes 12 seconds West, a distance of 1,898.54 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

**THENCE** South 65 degrees 51 minutes 38 seconds West, a distance of 65.50 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a non-tangent curve to the left having a central angle of 21 degrees 33 minutes 02 seconds, a radius of 800.00 feet and a chord bearing and distance of North 34 degrees 54 minutes 53 seconds West, 299.13 feet;

**THENCE** Northwesterly, along said curve to the left, an arc distance of 300.90 feet to a point for corner;

**THENCE** North 45 degrees 41 minutes 24 seconds West, a distance of 397.25 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

**THENCE** South 44 degrees 18 minutes 36 seconds West, a distance of 10.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

**THENCE** North 45 degrees 41 minutes 24 seconds West, a distance of 1,323.95 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a curve to the left having a central angle of 36 degrees 41 minutes 46 seconds, a radius of 790.00 feet and a chord bearing and distance of North 64 degrees 02 minutes 17 seconds West, 497.37 feet;

**THENCE** Northwesterly, along said curve to the left, an arc distance of 505.97 feet to a point for corner;

**THENCE** North 82 degrees 23 minutes 10 seconds West, a distance of 23.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a curve to the right having a central angle

of 10 degrees 28 minutes 31 seconds, a radius of 300.00 feet and a chord bearing and distance of North 77 degrees 08 minutes 55 seconds West, 54.77 feet;

**THENCE** Westerly, along said curve to the right, an arc distance of 54.85 feet to a point for corner; at the beginning of a reverse curve to the left having a central angle of 10 degrees 28 minutes 31 seconds, a radius of 300.00 feet and a chord bearing and distance of North 77 degrees 08 minutes 55 seconds West, 54.77 feet;

**THENCE** Westerly, along said curve to the left, an arc distance of 54.85 feet to a point for corner;

**THENCE** North 82 degrees 23 minutes 10 seconds West, a distance of 172.65 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a curve to the right having a central angle of 38 degrees 41 minutes 30 seconds, a radius of 950.00 feet and a chord bearing and distance of North 63 degrees 02 minutes 25 seconds West, 629.41 feet;

**THENCE** Northwesterly, along said curve to the right, an arc distance of 641.53 feet to a point for corner;

**THENCE** North 43 degrees 41 minutes 40 seconds West, a distance of 249.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner in the Southeast line of said F.M. 741;

**THENCE** North 46 degrees 18 minutes 20 seconds East, along said Southeast line, a distance of 451.89 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a curve to the left having a central angle of 14 degrees 28 minutes 00 seconds, a radius of 999.93 feet and a chord bearing and distance of North 39 degrees 04 minutes 20 seconds East, 251.80 feet;

**THENCE** Northeasterly, along said curve to the left and continuing along said Southeast line, an arc distance of 252.47 feet to a point for corner;

**THENCE** North 31 degrees 50 minutes 20 seconds East, continuing along said Southeast line, a distance of 211.13 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a non-tangent curve to the left having a central angle of 00 degrees 59 minutes 08 seconds, a radius of 909.93 feet and a chord bearing and distance of North 32 degrees 19 minutes 54 seconds East, 15.65 feet;

**THENCE** Northeasterly, along said curve to the left and continuing along said Southeast line, an arc distance of 15.65 feet to the **POINT OF BEGINNING** and containing 149.158 acres of land, more or less.

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**TRACT C (609.910 acres)**

BEING all that certain lot, tract or parcel of land located in the J. Moore Survey, Abstract No. 309, Kaufman County, Texas, and being the remainder of that certain tract of land described as Tract K31 in the deed to West Foundation, according to the deed filed for record in Volume 749, Page 245 of the Deed Records of Kaufman County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod set with a cap stamped "Pate Engrs." at the intersection of the Southwesterly boundary line of said Tract K31 and the Southeasterly right-of-way line of Farm-Market 741 (a 90 foot wide right-of-way), said iron rod being in the center of County Road No. 269;

THENCE along the Southwesterly right-of-way line of said Farm-Market 741 as follows:

1. North 43 deg. 59 min. 38 sec. East, along the Southeasterly right-of-way line of said Farm-Market 741, a distance of 2525.09 feet to a 1/2 inch iron rod set with a cap stamped "Pate Engrs.";
2. North 44 deg. 20 min. 25 sec. East, at a distance of 792.50 feet passing a concrete monument found and at a distance of 2590.74 feet passing a concrete monument found and continuing in all a distance of 4582.54 feet to a 1/2 inch iron rod set with a cap stamped "Pate Engrs." for the beginning of a curve to the left having a radius of 761.20 feet;
3. Along said curve to the left, through a central angle of 11 deg. 23 min. 36 sec., an arc length of 151.37 feet and having a long chord which bears North 38 deg. 38 min. 37 sec., 151.12 feet to a 1/2 inch iron rod set with a cap stamped "Pate Engrs.";
4. North 44 deg. 20 min. 25 sec. East, a distance of 463.83 feet to a 1/2 inch iron rod set with a cap stamped "Pate Engrs." for the beginning of a curve to the left having a radius of 127.30 feet;
5. Along said curve to the left, through a central angle of 40 deg. 09 min. 07 sec., an arc length of 89.21 feet and having a long chord which bears North 24 deg. 15 min. 15 min. East, 87.40 feet to a 1/2 inch iron rod set with a cap stamped "Pate Engrs.", said iron rod being on the Northwesterly boundary line of the aforementioned Tract K31;

THENCE North 44 deg. 20 min. 24 sec. East, along the Northwesterly line of said Tract K31, a distance of 14.48 feet to a 1/2 inch iron rod set with a cap stamped "Pate Engrs." for the Northwest corner of said Tract K31, said iron rod being in County Road No. 260 (an undefined width right of way);

THENCE South 46 deg. 07 min. 54 sec. East, along the Northeasterly boundary line of said Tract K31 and with said County Road No. 260, a distance of 3434.03 feet to a 1/2 inch iron rod set with a cap stamped "Pate Engrs." in the center of said County Road No. 260 and being the Northeast corner of said Tract K31;

THENCE South 44 deg. 14 min. 23 sec. West, along the Southeasterly boundary line of said Tract K31 and the Northwesterly boundary line of that certain called 1000 acre tract of land conveyed to Fitzpatrick, Ltd., according to the deed filed for record in Volume 1166, Page 368, Deed Records, Kaufman County, Texas, at a distance of 30.00 feet passing a 1/2 inch iron rod set with a cap stamped "Pate Engrs." For reference and continuing along said boundary line at a distance of 7803.09 feet passing a 1/2 inch iron rod set with a cap stamped "Pate Engrs." for reference and continuing in all a distance of 7833.09 feet to a 5/8-inch iron rod found in the aforementioned County Road No. 269;

THENCE North 45 deg. 52 min. 38 sec. West, along the Southwesterly boundary line of said Tract K31 and along said County Road No. 269, a distance of 3387.41 feet to the POINT OF BEGINNING and containing 609.910 acres (26,567,680 square feet) of land.

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**HEARTLAND SINGLE FAMILY - SECTION ONE**

Tract A1 - 298.609 acres | Tract A2 - 63.144 acres | Tract G - 158.104 acres

**TRACT A1 (298.609 acres)**

BEING a tract of land located in the MARTHA MUSICK SURVEY, ABSTRACT NO. 312 and the JOHN MOORE SURVEY, ABSTRACT NO. 309, Kaufman County, Texas and being part of a tract of land described as Tract 2 in Deed to 2219 Kaufman Partners, L.P., recorded in Volume 2127 Page 184, Deed Records, Kaufman County, Texas and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" found at the intersection of the Easterly line of F.M. 741, a 90 foot wide right-of-way, with the South line of Interstate Highway 20, a variable width right-of-way, at the most Northerly Northwest corner of said Kaufman Partners, L.P. tract, said point being at the beginning of a curve to the right having a central angle of 00 degrees 59 minutes 08 seconds, a radius of 909.93 feet and a chord bearing and distance of South 32 degrees 19 minutes 54 seconds West, 15.65 feet (Basis of bearing derived from Texas State Plane Coordinates, North Central Zone, NAD83);

THENCE Southwesterly, along said curve to the right, an arc distance of 15.65 feet to a point for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears South 26 degrees 10 minutes 17 seconds West, 0.35 feet;

THENCE South 31 degrees 50 minutes 20 seconds West, a distance of 211.13 feet to a point for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears North 13 degrees 28 minutes 29 seconds West, 0.24 feet and a concrete monument bears North 80 degrees 33 minutes 03 seconds East, 0.67 feet, said point being at the beginning of a curve to the right having a central angle of 14 degrees 28 minutes 00 seconds, a radius of 999.93 feet and a chord bearing and distance of South 39 degrees 04 minutes 20 seconds West, 251.80 feet;

THENCE Southwesterly, along said curve to the right, an arc distance of 252.47 feet to a point for corner from which a concrete monument bears North 49 degrees 31 minutes 41 seconds West, 0.44 feet;

THENCE South 46 degrees 18 minutes 20 seconds West, a distance of 451.89 feet to a point for corner at the POINT OF BEGINNING of the tract herein described;

THENCE South 43 degrees 41 minutes 40 seconds East, a distance of 249.40 feet to a point for corner at the beginning of a curve to the left having a central angle of 38 degrees 41 minutes 30 seconds, a radius of 950.00 feet and a chord bearing and distance of South 63 degrees 02 minutes 25 seconds East, 629.41 feet;

THENCE Southeasterly, along said curve to the left, an arc distance of 641.53 feet to a point for corner;

THENCE South 82 degrees 23 minutes 10 seconds East, a distance of 172.65 feet to a point for corner at the beginning of a curve to the right having a central angle of 10 degrees 28 minutes 31 seconds, a radius of 300.00 feet and a chord bearing and distance of South 77 degrees 08 minutes 55 seconds East, 54.77 feet;

THENCE Easterly, along said curve to the right, an arc distance of 54.85 feet to a point for corner at the beginning of a reverse curve to the left having a central angle of 10 degrees 28 minutes 31 seconds, a radius of 300.00 feet and a chord bearing and distance of South 77 degrees 08 minutes 55 seconds East, 54.77 feet;

THENCE Easterly, along said curve to the left, an arc distance of 54.85 feet to a point for corner;

THENCE South 82 degrees 23 minutes 10 seconds East, a distance of 23.30 feet to a point for corner at the beginning of a curve to the right having a central angle of 36 degrees 41 minutes 46 seconds, a radius of 790.00 feet and a chord bearing and distance of South 64 degrees 02 minutes 17 seconds East, 497.37 feet;

THENCE Southeasterly, along said curve to the right, an arc distance of 505.97 feet to a point for corner;

THENCE South 45 degrees 41 minutes 24 seconds East, a distance of 1,323.95 feet to a point for corner;

THENCE North 44 degrees 18 minutes 36 seconds East, a distance of 10.00 feet to a point for corner;

THENCE South 45 degrees 41 minutes 24 seconds East, a distance of 397.25 feet to a point for corner at the beginning of a curve to the right having a central angle of 73 degrees 29 minutes 59 seconds, a radius of 800.00 feet and a chord bearing and distance of South 08 degrees 56 minutes 24 seconds East, 957.32 feet;

THENCE Southerly, along said curve to the right, an arc distance of 1,026.25 feet to a point for corner at the beginning of a reverse curve to the left having a central angle of 41 degrees 53 minutes 44 seconds, a radius of 950.00 feet and a chord bearing and distance of South 06 degrees 51 minutes 43 seconds West, 679.28 feet;

THENCE Southerly, along said curve to the left, an arc distance of 694.65 feet to a point for corner at the beginning of a reverse curve to the right having a central angle of 39 degrees 52 minutes 07 seconds, a radius of 800.00 feet and a chord bearing and distance of South 05 degrees 50 minutes 55 seconds West, 545.51 feet;

THENCE Southerly, along said curve to the right, an arc distance of 556.67 feet to a point for corner at the beginning of a reverse curve to the left having a central angle of 16 degrees 47 minutes 55 seconds, a radius of 950.00 feet and a chord bearing and distance of South 17 degrees 23 minutes 01 seconds West, 277.534 feet;

THENCE Southerly, along said curve to the left, an arc distance of 278.53 feet to a point for corner at the beginning of a reverse curve to the right having a central angle of 35 degrees 23 minutes 17 seconds, a radius of 700.00 feet and a chord bearing and distance of South 26 degrees 40 minutes 42 seconds West, 425.51 feet;

THENCE Southwesterly, along said curve to the right, an arc distance of 432.35 feet to a point for corner at the beginning of a reverse curve to the left having a central angle of 11 degrees 29 minutes 37 seconds, a radius of 550.00 feet and a chord bearing and distance of South 38 degrees 37 minutes 32 seconds West, 110.15 feet;

THENCE Southwesterly, along said curve to the left, an arc distance of 110.33 feet to a point for corner ;

THENCE South 32 degrees 52 minutes 43 seconds West, a distance of 423.44 feet to a point for corner in the Northeast line of said F.M. 741;

THENCE Northwesterly and Northeasterly along said F.M. 741, the following seven (7) courses and distances:

1. North 57 degrees 07 minutes 17 seconds West, a distance of 311.04 feet to a point for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears North 29 degrees 06 minutes 50 seconds West, 0.61 feet, said point being at the beginning of a curve to the right having a central angle of

- 11 degrees 54 minutes 00 seconds, a radius of 11,382.09 feet and a chord bearing and distance of North 51 degrees 10 minutes 17 seconds West, 2,359.75 feet;
2. Northwesterly, along said curve to the right, an arc distance of 2,363.99 feet to a concrete monument found for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears South 89 degrees 03 minutes 20 seconds West, 0.80 feet;
  3. North 45 degrees 13 minutes 17 seconds West, a distance of 1,653.79 feet to a point for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears South 71 degrees 05 minutes 38 seconds West, 1.33 feet and a concrete monument bears South 45 degrees 13 minutes 17 seconds East, 0.66 feet, said point being at the beginning of a curve to the right having a central angle of 90 degrees 30 minutes 21 seconds, a radius of 909.93 feet and a chord bearing and distance of North 00 degrees 01 minutes 54 seconds East, 1,292.50 feet;
  4. Northerly, along said curve to the right, an arc distance of 1,437.35 feet to a point for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears North 82 degrees 45 minutes 30 seconds West, 1.12 feet and a concrete monument bears North 45 degrees 17 minutes 04 seconds East, 0.77 feet;
  5. North 45 degrees 17 minutes 04 seconds East, a distance of 197.76 feet to a point for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears North 09 degrees 36 minutes 38 seconds East, 1.35 feet;
  6. North 46 degrees 08 minutes 16 seconds East, a distance of 1,039.11 feet to a point for corner from which a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGRS" bears North 08 degrees 24 minutes 23 seconds West, 2.12 feet and a concrete monument bears North 60 degrees 39 minutes 15 seconds East, 1.02 feet;
  7. North 46 degrees 18 minutes 20 seconds East, a distance of 309.01 feet to the POINT OF BEGINNING and containing 298.609 acres of land, more or less.

**TRACT A2 (63.144 acres)**

BEING a tract of land located in the MARTHA MUSICK SURVEY, ABSTRACT NO. 312, Kaufman County, Texas and being a part of a tract of land described as Tract 4 in Deed to 2219 KAUFMAN PARTNERS, L.P., a Texas Limited Partnership, recorded in Volume 2127, Page 184, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at the most Northerly corner of said Tract 4, said point being in the Southeast line of a tract of land described in Deed to Michael A. McFerrin and wife, Mary Elizabeth Hofker, recorded in Volume 1022, Page 621, Deed Records, Kaufman County, Texas, said point also being in the Southwest line of High Country Lane;

THENCE South 45 degrees 14 minutes 23 seconds East, along the Northeast line of said Tract 4 and said Southwest line of High Country Lane, a distance of 270.47 feet to a point for corner in the Southwest line of F.M. 741, a 90 foot wide right-of-way, at the beginning of a non-tangent curve to the left having a central angle of 09 degrees 32 minutes 19 seconds, a radius of 999.93 feet and a chord bearing and distance of South 40 degrees 27 minutes 07 seconds East, 166.28 feet;

THENCE Southeasterly, along said curve to the left and said Southwest line of F.M. 741, an arc distance of 166.47 feet to a point for corner;

THENCE South 45 degrees 13 minutes 17 seconds East, continuing along said Southwest line of F.M. 741, a distance of 889.10 feet to a point for corner;

THENCE South 44 degrees 46 minutes 43 seconds West, a distance of 596.80 feet to a point for corner at the beginning of a curve to the left having a central angle of 40 degrees 54 minutes 04 seconds, a radius of 1,607.20 feet and a chord bearing and distance of South 24 degrees 19 minutes 41 seconds West, 1,123.11 feet;

THENCE Southwesterly, along said curve to the left, an arc distance of 1,147.32 feet to a point for corner;

THENCE North 85 degrees 13 minutes 53 seconds West, a distance of 409.58 feet to a point for corner at the beginning of a curve to the left having a central angle of 33 degrees 48 minutes 53 seconds, a radius of 225.00 feet and a chord bearing and distance of South 77 degrees 51 minutes 41 seconds West, 130.87 feet;

THENCE Westerly, along said curve to the left, an arc distance of 132.79 feet to a point for corner; at the beginning of a non-tangent curve to the right having a central angle of 90 degrees 01 minutes 29 seconds, a radius of 50.00 feet and a chord bearing and distance of South 65 degrees 25 minutes 50 seconds West, 70.73 feet;

THENCE Southwesterly, along said curve to the right, an arc distance of 78.56 feet to a point for corner;

THENCE South 20 degrees 26 minutes 35 seconds West, a distance of 141.03 feet to a point for corner;

THENCE North 45 degrees 55 minutes 11 seconds West, a distance of 843.29 feet to a point for corner in said Southeasterly line of the McFerrin Tract;

THENCE North 25 degrees 16 minutes 50 seconds East, along said Southeasterly line, a distance of 918.22 feet to a point for corner;

THENCE North 27 degrees 52 minutes 28 seconds East, continuing along said Southeasterly line, a distance of 711.94 feet to a point for corner;

THENCE North 44 degrees 02 minutes 09 seconds East, a distance of 694.12 feet to the POINT OF BEGINNING and containing 63.144 acres of land, more or less.

**TRACT G (158.104 acres)**

BEING a tract of land located in the MARTHA MUSICK SURVEY, ABSTRACT NO. 312 and the JOHN MOORE SURVEY, ABSTRACT NO. 309, Kaufman County, Texas and being part of a tract of land described as Tract 2 in Deed to 2219 KAUFMAN PARTNERS, L.P., recorded in Volume, 2127, Page 184, Deed Records, Kaufman County, Texas and being more particularly described as follows:

**BEGINNING** at the most Easterly corner of said Tract 2;

THENCE South 43 degrees 51 minutes 39 seconds West, a distance of 2,650.46 feet to a point for corner in the Northeasterly line of F.M. 741, a 90 foot wide right-of-way, at the most Southerly corner of said Tract 2;

THENCE Northwesterly along said Northeast right-of-way line of F.M. 741 the following four (4) courses and distances:

North 45 degrees 17 minutes 35 seconds West, a distance of 3.79 feet to a point for corner;

North 44 degrees 55 minutes 38 seconds West, a distance of 752.58 feet to a point for corner at the beginning of a curve to the left having a central angle of 12 degrees 11 minutes 39 seconds, a radius of 5,745.58 feet and a chord bearing and distance of North 51 degrees 01 minutes 28 seconds West, 1,220.52 feet;

Northwesterly, along said curve to the left, an arc distance of 1,222.82 feet to a point for corner,

North 57 degrees 07 minutes 17 seconds West, a distance of 18.71 feet to a point for corner,

THENCE North 32 degrees 52 minutes 43 seconds East, leaving said Northeast line, a distance of 423.44 feet to a point for corner at the beginning of a curve to the right having a central angle of 11 degrees 29 minutes 38 seconds, a radius of 550.00 feet and a chord bearing and distance of North 38 degrees 37 minutes 32 seconds East, 110.15 feet;

THENCE Northeasterly, along said curve to the right, an arc distance of 110.33 feet to a point for corner at the beginning of a non-tangent curve to the left having a central angle of 35 degrees 23 minutes 17 seconds, a radius of 700.00 feet and a chord bearing and distance of North 26 degrees 40 minutes 43 seconds East, 425.51 feet;

THENCE Northeasterly, along said curve to the left, an arc distance of 432.35 feet to a point for corner at the beginning of a reverse curve to the right having a central angle of 16 degrees 47 minutes 55 seconds, a radius of 950.00 feet and a chord bearing and distance of North 17 degrees 23 minutes 02 seconds East, 277.53 feet;

THENCE Northerly, along said curve to the right, an arc distance of 278.53 feet to a point for corner at the beginning of a reverse curve to the left having a central angle of 39 degrees 52 minutes 07 seconds, a radius of 800.00 feet and a chord bearing and distance of North 05 degrees 50 minutes 56 seconds East, 545.51 feet;

THENCE Northerly, along said curve to the left, an arc distance of 556.67 feet to a point for corner at the beginning of a reverse curve to the right having a central angle of 41 degrees 53 minutes 44 seconds, a radius of 950.00 feet and a chord bearing and distance of North 06 degrees 51 minutes 44 seconds East, 679.28 feet;

THENCE Northerly, along said curve to the right, an arc distance of 694.65 feet to a point for corner at the beginning of a reverse curve to the left having a central angle of 51 degrees 56 minutes 57 seconds, a radius of 800.00 feet and a chord bearing and distance of North 01 degrees 50 minutes 08 seconds East, 700.76 feet;

THENCE Northerly, along said curve to the left, an arc distance of 725.35 feet to a point for corner;

THENCE North 65 degrees 51 minutes 38 seconds East, a distance of 65.50 feet to a point for corner;

THENCE South 46 degrees 16 minutes 15 seconds East, a distance of 3,520.12 feet to the POINT OF BEGINNING and containing 158.104 acres of land, more or less.

**TRACT B (1,022.027 acres)**

BEING a tract of land located in the JOHN MOORE SURVEY, ABSTRACT NO. 309 and the MARTHA MUSICK SURVEY, ABSTRACT NO. 312, Kaufman County, Texas and being part of a tract of land described as Tract 1 and Tract 2 in Deed to HW Heartland, L.P., recorded in Document Number 2007-00007342, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a busted concrete monument found in the Northeasterly line of County Road No. 2757, a 100 foot right-of-way, at the West end of a corner clip at the South corner of said Tract 1;



THENCE Northwesterly, along the Northeasterly line of said County Road No. 2757, the following three (3) courses and distances:

North 44 degrees 19 minutes 40 seconds West, a distance of 1,248.09 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

North 45 degrees 25 minutes 40 seconds West, a distance of 624.62 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

North 45 degrees 38 minutes 40 seconds West, a distance of 3,304.71 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set at the West corner of said Tract 1;

THENCE North 44 degrees 34 minutes 48 seconds East, leaving the Northeasterly line of said County Road No. 2757 and along the Northwesterly line of said Tract 1, a distance of 3,661.95 feet to a 60D nail found for corner;

THENCE Northerly, along said Northwesterly line, the following seven (7) courses and distances:

North 44 degrees 20 minutes 17 seconds West, a distance of 763.42 feet to a 60D nail found for corner;

North 44 degrees 46 minutes 22 seconds East, a distance of 110.79 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGINEERS" found for corner;

North 45 degrees 09 minutes 05 seconds West, a distance of 756.36 feet to a 60D nail found for corner;

North 45 degrees 20 minutes 50 seconds West, a distance of 611.72 feet to a 60D nail found for corner;

North 44 degrees 54 minutes 14 seconds East, a distance of 247.82 feet to a 60D nail found for corner;

South 68 degrees 10 minutes 49 seconds East, a distance of 629.95 feet to a 60D nail found for corner;

North 44 degrees 19 minutes 24 seconds East, a distance of 851.60 feet to a 60D nail found for corner;

THENCE North 45 degrees 55 minutes 11 seconds West, a distance of 363.57 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner, being the Southwest corner of HEARTLAND TRACT B PHASE 3A, an addition to Kaufman County, Texas according to the Plat thereof recorded in Volume 3727, Page 460, Plat Records, Kaufman County, Texas

THENCE North 44 degrees 04 minutes 49 seconds East, a distance of 125.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

THENCE South 45 degrees 55 minutes 11 seconds East, a distance of 11.50 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner, at the beginning of a curve to the left having a central angle of 113 degrees 39 minutes 44 seconds, a radius of 50.00 feet and a chord bearing and distance of North 77 degrees 14 minutes 57 seconds East, 83.71 feet;

THENCE Easterly, along said curve to the left, an arc distance of 99.19 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner, at the beginning of a non-tangent curve to the right having a central angle of 33 degrees 48 minutes 53 seconds, a radius of 225.00 feet and a chord bearing and distance of North 77 degrees 51 minutes 41 seconds East, 130.87 feet;

THENCE Easterly, along said curve to the right, an arc distance of 132.79 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

THENCE South 85 degrees 13 minutes 53 seconds East, passing at a distance of 164.50 feet the Southwest corner of HEARTLAND TRACT B PHASE 2A, an Addition to Kaufman County, Texas according to the Plat thereof recorded in Volume 2827, Page 511, Plat Records, Kaufman County, Texas and continuing for a total distance of 349.57 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner at the beginning of a non-tangent curve to the left having a central angle of 00 degrees 18 minutes 11 seconds, a radius of 1,667.20 feet and a chord bearing and distance of South 03 degrees 45 minutes 28 seconds West, 8.82 feet;

THENCE Easterly and Northerly, along the lines of said Addition, the following three (3) courses and distances

Southerly, along said curve to the left, an arc distance of 8.82 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

South 86 degrees 23 minutes 37 seconds East, a distance of 60.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner at the beginning of a non-tangent curve to the right having a central angle of 24 degrees 34 minutes 57 seconds, a radius of 1,607.20 feet and a chord bearing and distance of North 15 degrees 53 minutes 52 seconds East, 684.29 feet;

Northerly, along said curve to the right, an arc distance of 689.56 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found at the Northeast corner of said Addition and at the South corner of HEARTLAND TRACT B PHASE 1A, an Addition to Kaufman County, Texas according to the Plat thereof recorded in Volume 3437, Page 110, Plat Records, Kaufman County, Texas, said point being at the beginning of a curve to the right having a central angle of 16 degrees 35 minutes 23 seconds, a radius of 1,607.20 feet and a chord bearing and distance of North 36 degrees 29 minutes 01 seconds East, 463.73 feet;

THENCE Northeasterly, along said HEARTLAND TRACT B PHASE 1A Addition and along said curve to the right, an arc distance of 465.36 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner;

THENCE North 44 degrees 46 minutes 43 seconds East, continuing along said HEARTLAND TRACT B PHASE 1A Addition, a distance of 596.80 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" found for corner in the Southwesterly right-of-way line of Farm to Market Road No. 741, a 90 foot right-of-way;

THENCE Southeasterly, along the Southwesterly right-of-way line of said Farm to Market Road No. 741, the following twelve (12) courses and distances:

South 45 degrees 13 minutes 17 seconds East, a distance of 764.69 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a curve to the left having a central angle of 03 degrees 03 minutes 24 seconds, a radius of 11,472.09 feet and a chord bearing and distance of South 46 degrees 44 minutes 59 seconds East, 611.94 feet;

Southeasterly, along said curve to the left, an arc distance of 612.01 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 45 degrees 21 minutes 23 seconds East, a distance of 189.56 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGINEERS" found for corner at the beginning of a curve to the left having a central angle of 04 degrees 13 minutes 00 seconds, a radius of 2,993.57 feet and a chord bearing and distance of South 47 degrees 27 minutes 53 seconds East, 220.26 feet;

Southeasterly, along said curve to the left, an arc distance of 220.31 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGINEERS" found for corner;

South 49 degrees 34 minutes 23 seconds East, a distance of 222.82 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGINEERS" found for corner at the beginning of a curve to the left having a central angle of 07 degrees 34 minutes 00 seconds, a radius of 1,858.59 feet and a chord bearing and distance of South 53 degrees 21 minutes 23 seconds East, 245.27 feet;

Southeasterly, along said curve to the left, an arc distance of 245.45 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "PATE ENGINEERS" found for corner;

South 57 degrees 08 minutes 23 seconds East, a distance of 299.17 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a non-tangent curve to the left having a central angle of 02 degrees 58 minutes 43 seconds, a radius of 11,472.09 feet and a chord bearing and distance of South 55 degrees 37 minutes 56 seconds East, 596.35 feet;

Southeasterly, along said curve to the left, an arc distance of 596.42 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 57 degrees 07 minutes 15 seconds East, a distance of 329.76 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner at the beginning of a non-tangent curve to the right having a central angle of 12 degrees 11 minutes 38 seconds, a radius of 5,655.58 feet and a chord bearing and distance of South 51 degrees 01 minutes 28 seconds East, 1,201.38 feet;

Southeasterly, along said curve to the right, an arc distance of 1,203.65 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 44 degrees 55 minutes 38 seconds East, a distance of 752.58 feet to a concrete monument found for corner;

South 45 degrees 17 minutes 35 seconds East, a distance of 239.42 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

THENCE South 44 degrees 19 minutes 46 seconds West, leaving the Southwesterly right-of-way line of said Farm-to-Market Road No. 741, a distance of 1,400.75 feet to a 5/8 inch iron rod found in fence corner post;

THENCE South 44 degrees 45 minutes 27 seconds East, a distance of 1,448.35 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner in the Northwesterly right-of-way line of said Farm-to-Market Road No. 741;

THENCE Southwesterly, along the Northwesterly right-of-way line of said Farm-to-Market Road No. 741, the following eight (8) courses and distances:

South 44 degrees 24 minutes 12 seconds West, a distance of 544.98 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

North 45 degrees 25 minutes 26 seconds West, a distance of 10.00 feet to a concrete monument found for corner;

South 44 degrees 30 minutes 36 seconds West, a distance of 700.00 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 45 degrees 39 minutes 20 seconds East, a distance of 10.00 feet to an "X" set for corner;

South 44 degrees 20 minutes 40 seconds West, a distance of 1,798.29 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 44 degrees 26 minutes 34 seconds West, a distance of 792.04 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for corner;

South 43 degrees 58 minutes 26 seconds West, a distance of 2,424.34 feet to a concrete monument found for corner;

South 89 degrees 30 minutes 06 seconds West, a distance of 135.36 feet to the POINT OF BEGINNING and containing 1,022.027 acres of land, more or less.

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**SAVE AND EXCEPT (EXCLUDING)**

**SCHOOL SITE - LOT 1, BLK 38, TRACT A, PHASE 2B**

ALL OF LOT 1, BLOCK 38, HEARTLAND TRACT A, PHASE 2B, an addition in Kaufman County, Texas, according to the plat thereof recorded on October 23, 2007, as Document No. 00025180, in Volume 3276, Page 11, Real Property Records, and in Cabinet 3, Slide 38, Plat Records, Kaufman County, Texas, having been withdrawn by the Amendment to Withdraw School Site (Lot 1, Block 38, Heartland Tract A, Phase 2B), recorded on July 11, 2008, as Document No. 2008-00013316, in Volume 3427, Page 415, Real Property Records, Kaufman County, Texas.