

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
HIGHLAND LAKES MUNICIPAL UTILITY DISTRICT NO. 1
OF ELLIS COUNTY
SOAH Docket No. 582-22-07138
TCEQ Docket No. 2022-0532-DIS
TCEQ Internal Control No. D-11302021-043**

PETITION.

Highland Lakes Midlothian I, LLC, a Texas limited liability company (Petitioner) filed an amended petition for creation of Highland Lakes Municipal Utility District No. 1 of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The amended petition was filed pursuant to Article XVI, § 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The amended petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Community National Bank & Trust of Texas, on the property to be included in the proposed District and the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 2,153.6 acres located within Ellis County, Texas; and (4) some of the land within the proposed District is within the extraterritorial jurisdiction of the City of Midlothian and some of the land within the proposed District is within the extraterritorial jurisdiction of the City of Waxahachie.

In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City of Midlothian and the City of Waxahachie, requesting each City's consent to the creation of the District. After more than 90 days passed without receiving consent, the petitioner submitted a petition to each City to provide water or sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioners and the Cities have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the land within the district.

The amended petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and

turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, it is further proposed that the District be granted road powers pursuant to Texas Water Code, Section 54.234.

According to the amended petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$277,834,884 (\$167,464,247 for water, wastewater, and drainage plus \$110,370,637 for roads).

CONTESTED CASE HEARING.

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. – September 21, 2022

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 161 848 4695

Password: TCEQ738

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 161 848 4695

Password: 9609737

**Visit the SOAH website for registration at: <http://www.soah.texas.gov/>
or call SOAH at 512-475-4993.**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapters 49 and 54, Texas Water Code; Chapter 395, Texas Local Government Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 293; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the hearing as a party, you must attend the hearing and show you would be affected by the petition in a way not common to members of the general public.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.”

INFORMATION.

For information concerning the hearing process, please contact the TCEQ Office of the Public Interest Counsel (MC 103), P.O. Box 13087, Austin, Texas 78711-3087. For additional information, contact the TCEQ Water Supply Division, Districts Section (MC 152), P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-4691. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: August 22, 2022

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality

TCEQ - Office of the Chief Clerk
MC-105 Attention: Notice Team
PO Box 13087
Austin TX 78711-3087

Applicant Name: Highland Lakes MUD No. 1 of Ellis Co
TCEQ Tracking No. D-11302021-043 CID Item No. 126440
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF WISCONSIN §

COUNTY OF: Brown §

Before me, the undersigned authority, on this day personally appeared

Amy Koltott, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the Legal Clerk
(title of newspaper representative)

of the Waukegan Daily Light ; that said newspaper is
(name of newspaper)

regularly published or circulated in Ellis County/Countries,
(name of county or counties)

Texas; that the attached notice was published in said newspaper on the following dates:

2/2/2022 2/9/2022
(date or dates of publication)

Amy Koltott
Newspaper Representative's Signature

Subscribed and sworn to before me this the 22 day of Feb,
20 22, to certify which witness my hand and seal of office.

Vicky Felty
Notary Public in and for the State of Wisconsin

(Seal)

VICKY FELTY
Notary Public
State of Wisconsin

Vicky Felty
Print or type Name of Notary Public
My Commission Expires 9/9/25

Legal Notice

972-937-3310

South 81°40'00" West, a distance of 378.50 feet to a point;
North 30°43'05" West, generally with a fence, a distance of 3,856.48 feet to a point;
North 31°03'40" West, generally with a fence, a distance of 1,941.69 feet to a point;
South 58°47'48" West, a distance of 1,790.10 feet to a point for a Westerly corner of said BMS Angus Road tract;

10/10/2017 11:03:03 AM

0006

CERTIFICATE OF POSTING OF NOTICE OF DISTRICT PETITION

THE STATE OF TEXAS

§

COUNTY OF ELLIS

§

I, Sheryl Ground, hereby certify that I am more than eighteen (18) years of age and capable of executing this certificate; and that the attached is a true and correct copy of a Notice of District Petition for Highland Lakes Municipal Utility District No. 1 of Ellis County (TCEQ Internal Control No. D-11302021-043), which I caused to be posted on the bulletin board used for posting legal notices in Ellis County on the 28 day of January, 2022.

Signature: _____

Name: _____

Ellis County Clerk, Deputy

TCEQ - Office of the Chief Clerk
MC-105 Attention: Notice Team
PO Box 13087
Austin TX 78711-3087

Applicant Name: Highland Lakes MUD No. 1 of Ellis Co
TCEQ Tracking No. D-11302021-043 CID Item No. 126440
Application Type: PETITION FOR CREATION OF A DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF WISCONSIN §

COUNTY OF: Brown §

Before me, the undersigned authority, on this day personally appeared

Sarah Bertelsen, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the Legal Clerk
(title of newspaper representative)

of the Waxahachie Daily Light; that said newspaper is
(name of newspaper)

regularly published or circulated in Ellis County/Countries,
(name of county or counties)

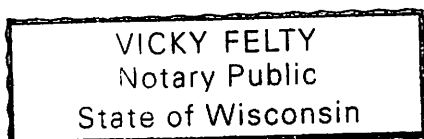
Texas; that the attached notice was published in said newspaper on the following dates:

March 13, 2022 and March 20, 2022.
(date or dates of publication)


Newspaper Representative's Signature

Subscribed and sworn to before me this the 22 day of March,
20 22, to certify which witness my hand and seal of office.

(Seal)




Notary Public in and for the State of Wisconsin

Vicky Felty
Print or type Name of Notary Public

My Commission Expires 9-19-25

CERTIFICATE OF POSTING OF NOTICE OF DISTRICT PETITION

THE STATE OF TEXAS

§

COUNTY OF ELLIS

§

I, Sheryl Ground, hereby certify that I am more than eighteen (18) years of age and capable of executing this certificate; and that the attached is a true and correct copy of a Notice of District Petition for Highland Lakes Municipal Utility District No. 1 of Ellis County (TCEQ Internal Control No. D-11302021-043), which I caused to be posted on the bulletin board used for posting legal notices in Ellis County on the 28 day of January, 2022.

Signature: _____

Name: _____

Ellis County Clerk

Sheryl Ground

Sheryl Ground
, Deputy

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT AMENDED PETITION TCEQ INTERNAL CONTROL NO. D-11302021-043

AMENDED PETITION. Highland Lakes Midlothian I, LLC, a Texas limited liability company (Petitioner) filed an amended petition for creation of Highland Lakes Municipal Utility District No. 1 of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The amended petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The amended petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Community National Bank & Trust of Texas, on the property to be included in the proposed District and the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 2,153.6 acres located within Ellis County, Texas; and (4) some of the land within the proposed District is within the extraterritorial jurisdiction of the City of Midlothian and some of the land within the proposed District is within the extraterritorial jurisdiction of the City of Waxahachie.

The territory to be included in the proposed District is set forth in a metes and bounds description designated as Exhibit "A" and is depicted in the vicinity map designated as Exhibit "B," both of which are attached to this document.

The amended petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additionally, it is further proposed that the District be granted road powers pursuant to Texas Water Code, Section 54.234.

According to the amended petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$277,834,884 (\$167,464,247 for water, wastewater, and drainage plus \$110,370,637 for roads).

Some of the Property described in Exhibit "A" is located within the extraterritorial jurisdiction of the City of Midlothian, Ellis County, Texas, and some of the property is located in the extraterritorial jurisdiction of the City of Waxahachie, Ellis County, Texas. In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a

petition to the City of Midlothian and the City of Waxahachie, requesting each City's consent to the creation of the District. After more than 90 days passed without receiving consent, the petitioner submitted a petition to each City to provide water or sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioners and the Cities have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioners to initiate proceedings to include the land within the district.

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this amended petition if a written hearing request is filed within 30 days after the newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioners and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the amended petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the amended petition which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the amended petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the amended petition and will forward the amended petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

INFORMATION. Written hearing requests should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. General information regarding TCEQ can be found at our web site <http://www.tceq.texas.gov/>.

Issued: January 20, 2022

Exhibit "A"

HIGHLAND LAKES MUD – Legal Description (2,153.60 ACRES)

BEING a tract of land situated in the Heirs of Moses H. Davis Survey, Abstract 314, the Amasa Howell Survey, Abstract 524, the John Crawford Survey, Abstract 256, the C. Wyatt Survey, Abstract 1255, the Puerta Tierra Irrigation Company Survey, Abstract 1239, the Cresanto Vela Survey, Abstract 1101, the John Pitts Survey, Abstract 1288, the Samuel Whiting Survey, Abstract 1119 and Amasa Howell Survey, Abstract 522, the Cuacrilla irrigation Company Survey, Abstract 1205, the J.W. Singleton Survey, Abstract 1246, the H.M. Rhodus Survey, Abstract 1270, the N.N.J.J. & B.L Edwards Survey, Abstracts 339 and 340, the James L. Agee Survey, Abstract 31, the William J. Hicklin Survey, Abstracts 478 and 473, the David Fearis Survey, Abstract 378, Ellis County, Texas and being part of Tract 1, a called 2,968.956 acre tract described in a Special Warranty Deed to Bay Harbor Investment Group, LLC, as recorded in Instrument No. 1610266 of the Official Public Records of said county, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for the most Easterly Northeast corner of said Salvation Army tract, same being the inner-ell corner of that certain tract of land described in a Warranty Deed with Vendor's Lien to Stan Mayfield and wife, Trena Mayfield and James R. Mayfield and wife, Deanne Mayfield (hereinafter referred to as Mayfield tract), as recorded in Volume 1561, Page 847 of the Real Property Records of said county;

THENCE South 30°35'42" East, with the common line between said Salvation Army tract and said Mayfield and generally with a fence line, passing at a distance of 1,990.43 feet, the Southerly corner of said Mayfield tract, same being the Westerly corner of that certain tract of land described in a Warranty Deed with Vendor's Lien to Dane Owens and Carol Owens (hereinafter referred to as Owens tract), as recorded in Volume 2629, Page 1754 of said Official Public Records, and continuing with said course and the common line between said Salvation Army tract and said Owens tract and generally with a fence line for a total distance of 2,537.48 feet to a point in Lone Elm Road for the most Easterly corner of said Salvation Army tract , same being the Northerly corner of that certain tract of land described in a Special Warranty Deed to Katherine Ann Pitts (hereinafter referred to as Pitts tract), as recorded in Volume 1133, Page 31 of said Official Public Records;

THENCE South 59°07'32" West, with the common line between said Salvation Army tract and said Pitts tract, a distance of 2,587.15 feet to a point for an angle point in the Easterly line of said Salvation Army tract, same being the Westerly corner of said Pitts tract;

THENCE South 30°19'45" East, continuing with the common line between said Salvation Army tract and said Pitts tract, a distance of 688.14 feet to a point in Lone Elm Road for an angle point in the Easterly line of said Salvation Army tract, same being the Northerly corner of that certain tract of land described in a deed to J. A. Loftis, Sr. and wife, Ola Mae Loftis (hereinafter referred to as Loftis tract), as recorded in Volume 458, Page 161 of the Deed Records of said county;

THENCE South 51°39'18" West, departing said Pitts tract and with the common line between said Salvation Army tract and said Loftis tract, a distance of 1,163.52 feet to a point for an angle point in the Easterly line of said Salvation Army tract;

THENCE South 56°34'53" West, continuing with the common line between said Salvation Army tract and said Loftis tract, a distance of 1573.15 feet to a point in the center of the South Prong Waxahachie Creek, same being the Northwesterly corner of said Loftis tract;

THENCE with the center of said South Prong Waxahachie Creek and the common line between said Salvation Army tract and said Loftis tract the following courses and distances:

South 38°58'41" East, a distance of 128.70 feet;

South 33°05'05" West, a distance of 52.16 feet;

South 04°39'10" West, a distance of 97.18 feet;

South 30°11'40" West, a distance of 30.12 feet;

South 64°45'47" East, a distance of 141.19 feet;

South 41°44'47" East, a distance of 378.58 feet;

South 63°44'38" East, a distance of 492.87 feet;

South 58°39'38" East, a distance of 63.68 feet;

North 88°05'52" East, a distance of 339.68 feet;

South 57°38'58" East, a distance of 102.12 feet;

South 39°47'47" East, a distance of 208.83 feet;

South 58°34'20" East, a distance of 412.95 feet;

North 74°39'15" East, a distance of 219.09 feet;

South 51°39'56" East, a distance of 87.49 feet;

South 12°35'58" West, a distance of 65.36 feet to the intersection of a Branch of said South Prong Waxahachie Creek and the center of said South Prong Waxahachie Creek;

THENCE with the center of said Branch and the Easterly line of said Salvation Army tract, the following courses and distances:

North 84°49'46" West, a distance of 191.86 feet;

South 23°59'39" West, a distance of 188.36 feet;

South 40°49'36" East, a distance of 66.86 feet;

South 20°52'40" West, a distance of 49.37 feet;

North 81°13'10" West, a distance of 84.55 feet;

South 01°23'02" West, a distance of 70.66 feet;

South 56°17'06" West, a distance of 64.23 feet;

South 89°26'54" West, a distance of 84.06 feet;

South 08°37'44" West, a distance of 72.32 feet;

South 23°56'40" West, a distance of 56.20 feet;

South 13°22'04" West, a distance of 48.51 feet to the north line of that certain tract of land described in a Special Warranty Deed with Vendor's Lien to MS Capital, LLC (hereinafter referred to as MS Capital tract), as recorded in Volume 2335, Page 1605 of said Official Public Records;

THENCE South 58°11'45" West, with the common line between said Salvation Army tract and said MS Capital tract, a distance of 2,091.87 feet to a point for a Southerly corner of said Salvation Army tract, same being an inner-ell corner of said MS Capital tract;

THENCE continuing with the common line between said Salvation Army tract and said MS Capital tract, the following courses and distances:

North 31°06'07" West, a distance of 3,479.94 feet to a point;

North 55°29'10" East, a distance of 29.78 feet to a point;

North 31°24'33" West, a distance of 469.23 feet to a point;

South 58°34'13" West, generally with a fence, a distance of 3,418.18 feet to a point;

South 30°42'49" East, a distance of 422.02 feet to a point;

North 59°39'08" East, a distance of 33.35 feet to a point;

South 31°16'13" East, a distance of 3,687.23 feet to a point for an angle point on the Southerly line of said Salvation Army tract, same being the Northerly corner of that certain tract of land described in a deed to J. A. Loftis, Jr. Revocable Trust (Loftis Jr. tract), as recorded in Volume 2569, Page 310 of said Official Public Records;

THENCE South 59°12'37" West, with the common line between said Salvation Army tract and said Loftis Jr. tract, a distance of 3,319.62 feet to an angle point in the Southerly line of said Salvation Army tract, same being the Northerly Northwest corner of said Loftis Jr. tract, same

also being an angle point on the Northeasterly line of that certain tract of land described in a Warranty Deed with Vendor's Lien to BMB Angus Road, LLC (hereinafter referred to as BMB Angus Road tract), as recorded in Instrument Number 2015-16705 of said Official Public Records;

THENCE with the common line between said Salvation Army tract and said BMB Angus Road tract, the following courses and distances:

South 61°40'00" West, a distance of 378.50 feet to a point;

North 30°43'05" West, generally with a fence, a distance of 3,666.48 feet to a point;

North 31°03'40" West, generally with a fence, a distance of 1,941.69 feet to point;

South 58°47'46" West, a distance of 1,790.10 feet to a point for a Westerly corner of said BMB Angus Road tract;

THENCE South 58°55'35" West, with a Southerly line of said Salvation Army tract, a distance of 1,478.36 feet to a point for the Northwestern corner of that certain tract of land described in a Special Warranty Deed to Baucum Family Partners, LTD., as recorded in Volume 1292, Page 320 of said Real Property Records, same being in the Easterly line of that certain tract of land described in a deed to Tarrant Regional Water District (hereinafter referred to as Tarrant Regional Water District tract), as recorded in Volume 2698, Page 696 of said Official Public Records;

THENCE with the common line between said Salvation Army tract and Tarrant Regional Water District tract, the following courses and distances:

North 00°29'14" West, a distance of 1,140.43 feet to a point;

North 88°32'47" West, a distance of 2,126.58 feet to a point;

North 85°09'28" West, a distance of 181.87 feet to a point in Baucum Road;

THENCE North 11°11'50" West with the Westerly line of said Salvation Army tract and with said Baucum Road, a distance of 1,667.44 feet to a point in Baucum Road;

THENCE North 29°58'24" West continuing with the Westerly line of said Salvation Army tract and with said Baucum Road, a distance of 861.41 feet to a point in the southeasterly line of the City of Midlothian, Texas Municipal Boundary Limits, according to City of Midlothian Ordinance No. 2004-10, said point being at the beginning of a curve to the left whose long chord bears North 54°28'06" East, a distance of 5,021.89 feet;

THENCE Northeasterly, departing said Baucum Road and with the southeasterly line of said Municipal Boundary Limits and with said curve to the left having a radius of 5,280.00 feet, through a central angle of 56°47'29", for an arc distance of 5,233.51 feet to a point at the end of said curve, being on the common line between said Salvation Army tract and that certain tract of

land described in a Warranty Deed to Wayne Hill and Elaine Hill (hereinafter referred to as Wayne Hill tract), as recorded in Volume 685, Page 1067, of said Deed Records;

THENCE South 31°23'23" East, leaving the southeasterly line of said Municipal Boundary Limits and with the common line between said Salvation Army tract and said Wayne Hill tract, a distance of 3,172.72 feet to a point for the Southerly corner of said Wayne Hill tract;

THENCE North 58°27'52" East, continuing with the common line between said Salvation Army tract and said Wayne Hill tract, passing at a distance of 1,886.23 feet, Easterly corner of said Wayne Hill tract, same being the Southerly corner of that certain tract of land described in a Warranty Deed with Vendor's Lien to Wayne Hill and wife, Elaine Hill (hereinafter referred to as Hill tract), as recorded in Volume 870, Page 1 of said Deed Records, and continuing with said course and common line between said Salvation Army tract and said Hill tract for a total distance of 3,798.01 feet to a point for the Easterly corner of said Hill tract;

THENCE North 31°56'19" West, continuing with the common line between said Salvation Army tract and said Hill tract and generally with a fence, a distance of 2,753.41 feet to a point for an inner-ell corner of said Hill tract;

THENCE North 60°50'56" East, continuing with the common line between said Salvation Army tract and said Hill tract, a distance of 439.06 feet to a point for the Northeasterly corner of said Hill tract, same being the existing South right-of-way line of the aforesaid F. M. Road 875;

THENCE with the common line between said Salvation Army tract and the existing South right-of-way line of said F. M. Road 875, the following courses and distances:

North 87°19'26" East, a distance of 516.49 feet to a point;

North 87°00'26" East, a distance of 826.56 feet to a point for the beginning of a curve to the left, whose long chord bears North 74°09'26 seconds East, a distance of 359.82 feet;

Northeasterly, with said curve to the left having a radius of 808.94 feet, through a central angle of 25°42'00", for an arc distance of 362.85 feet to a point;

North 61°18'26" East, a distance of 73.22 feet to the center of the aforesaid South Prong Waxahachie Creek, same being the Westerly corner of that certain tract of land described in a deed to Mark C. Lepori and wife, Deweylene Lepori (hereinafter referred to as Lepori tract), as recorded in Volume 2014, Page 1794 of said Real Property Records;

THENCE with the common line between said Salvation Army tract and said Lepori tract and with the center of said South Prong Waxahachie Creek, the following courses and distances:

South 01°17'49" East, departing the existing South right-of-way line of said F. M. Road 875, a distance of 83.66 feet;

South 82°59'34" East, a distance of 101.00 feet;

South 54°07'31" East, a distance of 147.02 feet;

South 19°26'43" West, a distance of 162.00 feet;

South 52°38'17" East, a distance of 200.00 feet;

South 01°23'17" East, a distance of 234.00 feet;

South 19°13'17" East, a distance of 232.20 feet;

South 42°13'17" East, a distance of 282.00 feet;

North 39°41'43" East, a distance of 155.00 feet;

North 32°06'43" East, a distance of 93.00 feet;

South 75°48'17" East, passing at a distance of 54.13 feet, the Southeasterly corner of said Lepori tract and continue with said course and the Northerly line of said Salvation Army tract and with the center of said South Prong Waxahachie Creek for a total distance of 105.00 feet;

THENCE with the North line of said Salvation Army tract and with the center of said South Prong Waxahachie Creek, the following courses and distances:

South 36°28'17" East, a distance of 221.00 feet;

North 51°51'43" East, a distance of 194.00 feet;

South 38°53'17" East, a distance of 172.00 feet;

South 80°58'17" East, a distance of 113.00 feet;

South 39°58'17" East, a distance of 118.50 feet to an angle point in the Southerly line of that certain tract of land described in a deed to J. W. Alpine, et ux (hereinafter referred to as Alpine tract), as recorded in Volume 499, Page 474 of said Deed Records;

THENCE with the common line between said Salvation Army tract and said Alpine tract, the following courses and distances:

North 59°33'27" East, a distance of 1,739.86 feet to a point;

South 31°06'29" East, generally with a fence, a distance of 1,716.02 feet to a point;

North 58°38'46" East, generally with a fence, a distance of 1,068.17 feet to a point;

North 58°36'11" East, generally with a fence, a distance of 1,225.22 feet to a point;

North 29°30'11" West, generally with a fence, a distance of 2,611.26 feet to a point in the existing South right-of-way line of the aforesaid F. M. Road 875 (90' right-of-way), as recorded in Volume 425, page 314 of said Deed Records, same being the beginning of a non-tangent curve to the left, whose long chord bears North 89°19'13" East, a distance of 68.36 feet;

THENCE Easterly, with the common line between said Salvation Army tract and the existing South right-of-way line of said F.M. Road 875 and with said non-tangent curve to the left having a radius of 448.97 feet, through a central angle of 8°43'57", for an arc distance of 68.43 feet to a point for the Westerly corner of that certain tract of land described in a Warranty Deed to Paul T. Vinson (hereinafter referred to as Vinson tract), as recorded in Volume 2408, Page 507 of said Real Property Records;

THENCE South 29°27'02" East, departing the existing South right-of-way line of said F.M. Road 875 and with the common line between said Salvation Army tract and said Vinson tract, a distance of 2,576.91 feet to a point for the Southerly corner of said Vinson tract;

THENCE North 58°43'07" East, continuing with the common line between said Salvation Army tract and said Vinson tract, passing at a distance of 2,465.60 feet, the Easterly corner of said Vinson tract, same being an angle point on the Southwesterly line of the aforesaid Mayfield tract and continue with said course and the common line between said Salvation Army tract and said Mayfield tract for a total distance of 2,618.94 feet to the **PLACE OF BEGINNING**, and containing 2,153.600 acres or 93,810,818 square feet of land, more or less.

Exhibit "B"

