

TCEQ Interoffice Memorandum

TO: Office of the Chief Clerk
Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Jenna Rollins, Project Manager
Water Rights Permitting Team

DATE: January 6, 2022

SUBJECT: Killam Development, Ltd.
ADJ 2759
CN602737447, RN102641602
Application No. 23-2759C to Amend Certificate of Adjudication No. 23-2759
Texas Water Code §§ 11.122, 11.085, Not Requiring Notice
Rio Grande, Rio Grande Basin
Hidalgo and Webb Counties

The application and fees were received on September 16, 2021. Additional information was received on December 22 and December 29, 2021. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on January 6, 2022. Notice is not required pursuant to Title 30 Texas Administrative Code §§ 303.42 and 295.155(d)(1)&(3).

All fees have been paid and the application is sufficient for filing.

Jenna L. Rollins

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

OCC Mailed Notice Required YES NO

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 6, 2022

Dr. Rolando G. Ortiz
Killam Development, Ltd.
P.O. Box 499
Laredo, Texas 78041

VIA-EMAIL

RE: Killam Development, Ltd.
ADJ 2759
CN602737447, RN102641602
Application No. 23-2759C to Amend Certificate of Adjudication No. 23-2759
Texas Water Code §§ 11.122, 11.085, Not Requiring Notice
Rio Grande, Rio Grande Basin
Hidalgo and Webb Counties

Dear Dr. Ortiz:

This acknowledges receipt, on December 22, and December 29, 2021, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on January 6, 2022. Staff will continue processing the application for consideration by the Executive Director.

Please be advised that additional information may be requested during the technical review phase of the application process.

If you have any questions concerning the application, please contact me via email at jenna.rollins@tceq.texas.gov or by phone at 512-239-1845.

Sincerely,

A handwritten signature in cursive script that reads "Jenna L. Rollins".

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Jenna Rollins

From: Rolando Ortiz [REDACTED]
Sent: Wednesday, December 29, 2021 1:18 PM
To: Jenna Rollins
Cc: [REDACTED] Carolina Ocana
Subject: RE: Killam Development Ltd., 23-2721C and 23-2759C - Meeting Request

Good afternoon Jenna,

Per our discussion today, please note that we have been informed by the Water District that they are within the 5% threshold in Section B item 2.

Thank you and please let us know if you have any questions.

Jenna Rollins

Subject: Killam Development Ltd 23-2721C and 23-2759C

Location: Microsoft Teams Meeting

Start: Wed 12/29/2021 1:00 PM

End: Wed 12/29/2021 1:30 PM

Recurrence: (none)

Meeting Status: Meeting organizer

Organizer: Jenna Rollins

Required Attendees: Jenna Rollins; Leslie Patterson; Chris Kozlowski; Kristin Wang; [REDACTED]

Optional Attendees: Dougal, Leonard

Good morning,

This is a meeting with the applicant to discuss the RFI responses to Killam Development Ltd app Nos. 23-2721C and 23-2759C.

Thank you,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

[Learn More](#) | [Meeting options](#)

Jenna Rollins

From: Jenna Rollins
Sent: Wednesday, December 29, 2021 8:40 AM
To: Rolando Ortiz
Cc: [REDACTED]
Subject: RE: Killam Development Ltd., 23-2721C and 23-2759C - Meeting Request

Good morning Dr. Ortiz,

Thank you for getting back to me. 1:00 pm today would be great! I will send an email with the Teams meeting link here shortly. You may forward the meeting request to anyone you would to have present in the meeting.

Thank you,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

Jenna Rollins

From: Rolando Ortiz [REDACTED]
Sent: Tuesday, December 28, 2021 4:28 PM
To: Jenna Rollins
Cc: Dougal, Leonard; Carolina Ocana
Subject: RE: Killam Development Ltd., 23-2721C and 23-2759C - Meeting Request

WE can be available tomorrow at 9:00 AM or 1:00 PM?

Jenna Rollins

From: Rolando Ortiz [REDACTED]
Sent: Tuesday, December 28, 2021 3:43 PM
To: Jenna Rollins
Cc: Dougal, Leonard; Carolina Ocana
Subject: RE: Killam Development Ltd., 23-2721C and 23-2759C - Meeting Request

Hello Ms. Rollins,

Let me get with Mr. Dougal and we can get it set up.

Thank you for reaching out. I hope you have been having a great holiday season.

From: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Sent: Tuesday, December 28, 2021 2:06 PM
To: Rolando Ortiz [REDACTED]
Subject: Killam Development Ltd., 23-2721C and 23-2759C - Meeting Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Dr. Ortiz,

We would like to schedule a very brief Microsoft Teams meeting with you to discuss the RFI responses for Killam Development, Ltd. 23-2721C and 23-2759C. Please let me know what days/times work best for you.

Thank you,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

Jenna Rollins

From: Starkie, Pat [REDACTED]
Sent: Wednesday, December 22, 2021 10:25 AM
To: Jenna Rollins
Cc: Dougal, Leonard; Brown Willis, Donna; [REDACTED]
Subject: Letter to J. Rollins, TCEQ responding to request for information for Killam Development Ltd. for ADJ 23-2759 [IMAN-JWDOCS.FID3900168]
Attachments: Letter to J. Rollins, TCEQ responding to request for information for Killam Development Ltd. for ADJ 23-2759.pdf

Ms. Rollins:

Attached please find correspondence from Leonard Dougal regarding the above referenced matter.

Pat Starkie | Legal Administrative Assistant to
Leonard Dougal, Ali Abazari, Jennifer Ferri, Taylor Holcomb, Alisha Mehta, and Ali Burner
Jackson Walker LLP
100 Congress Avenue, Suite 1100 | Austin, TX | 78701
V: (512) 236-2231 [REDACTED]



AUSTIN | DALLAS | FORT WORTH | HOUSTON | SAN ANGELO | SAN ANTONIO | TEXARKANA

December 22, 2021

Via email to Jenna.Rollins@tceq.texas.gov

Texas Commission on Environmental Quality
Water Availability Division, MC-160
12100 Park 35 Circle
Austin, Texas 78753

Re: Killam Development, Ltd.; ADJ 2759
CN602737447; RN102641602
Application No. ADJ 23-2759C Amend Certificate of Adjudication No. 23-2759
Rio Grande, Rio Grande Basin
Hidalgo and Webb Counties

Dear Ms. Rollins:

Killam Development, Ltd. is in receipt of your November 22, 2021, letter requesting additional information relating to Killam's application to amend Certificate of Adjudication No. 23-2759, which was submitted to the TCEQ on September 16, 2021. Below are our responses to the requests for additional information:

- 1. Provide a completed Water Conservation Plan for Agricultural Use (TCEQ-10238 form) as referenced in Worksheet 6.0 Water Conservation/Drought Contingency Plan.**

Response: See attached Water Conservation Plan as Exhibit 1.

- 2. Provide consent from Charco Land Sales, LLC, Cascade Real Estate Operating LP, and Cascade Real Estate Operating No. 2, LP, pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(a)(5):**

...(Stating that the landowner recognizes that the permit will be owned by applicant and will not become appurtenant to the land.

Response: This Application involves the agricultural use of water from the Rio Grande diverted downstream of Amistad Reservoir. As such, the last sentence of 30 TAC §295.32(a)(5) states that the consent requirement of §295.32(a)(5) does not apply. [*"This paragraph does not*

apply to . . . applicants diverting state water from the Rio Grande downstream of Amistad Reservoir.”]

3. **Provide the number of acres that will be irrigated and a map of that same land with the acreage clearly marked. Staff acknowledges applicant submitted a map with the application received on [September 16, 2021]; however, the total acres requested in the application and the deeds provided are not consistent, and the land to be irrigated is not clearly marked on the map provided, pursuant to 30 TAC § 295.32(2) which states that an application to irrigate particular tracts of land shall contain the following:**

[A]n aerial photograph, plat, or map ... showing the tract of land within which a specified number of acres will be irrigated.

Response: Attached as Exhibit 2 please find two maps and a listing of the owners, tract number and acreage of the land to be irrigated.

- This new information should be substituted for the map contained at Attachment 2 of the Application.
- And, likewise should replace the description for the place of use on Page 2 of the Administrative Information Report, which will now read **“The added place of use is irrigation of 1,123 acres out of 1,810.14 acres of the Charco Land Sales, LLC property in Hidalgo County and 950 acres out of 1,918.321 acres of the Cascade Real Estate Operating, LP in Hidalgo County.”**
- And likewise on Page 6 of 23 of the Technical Information Sheet, the Proposed Place of use will now read **“ 200 acres of land out of Share No. 6 located in Dolores Garcia Tract, Porcion No. 45, Abstract No. 54, out of 1,296.665 acre-tract of land (San Rafael Farm) in Webb County; and 1,123 acres out of 1,810.14 acres of the Charco Land Sales, LLC property in Hidalgo County and 950 acres out of 1,918.321 acres of the Cascade Real Estate Operating, LP in Hidalgo County.”**
- Each of the listed owners have already provided a Consent for Irrigation Land, which was attached as Attachment 7 to the Application.

Please let know if you have any questions or require additional information.

Respectfully Submitted,



Leonard Dougal

cc: Dr. Rolando G. Ortiz

Exhibit 1



Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

Telephone (512) 239-4600, FAX (512) 239-2214

System Inventory and Water Conservation Plan for Individually-Operated Irrigation Systems

This form is provided to assist entities in developing a water conservation plan for individually-operated irrigation systems. If you need assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Additional resources such as best management practices (BMPs) are available on the Texas Water Development Board's website <http://www.twdb.texas.gov/conservation/BMPs/index.asp>. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

Contact Information

Name: Killam Development, Ltd.
Address: P.O. Box 499, Laredo, Texas 78042-0499
Telephone Number: (956)724-7141 Fax: (956)724-2546
Form Completed By: Rolando G. Ortiz
Title: Chief Operating Officer
Signature:  Date: 12 / 20 / 21

A water conservation plan for agriculture use (individual irrigation user) must include the following requirements (as detailed in 30 TAC Section 288.4). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.

I. BACKGROUND DATA

A. Water Use

1. Annual diversion appropriated or requested (in acre-feet): 4716. Note, this represents the total volumes received by Killam for irrigation use, whether from COA 23-2721, 23-2759 or purchased from HCWCID #19.
2. In the table below, list the amount of water (in acre-feet) that is or will be diverted monthly for irrigation during the year.

January	February	March	April
480	318	1367	685
May	June	July	August
1040	182	569	0
September	October	November	December
0	75	0	0
Total All Months			4716

3. In the table below, list the type of crop(s), growing season, and acres irrigated per year.

<i>Type of crop</i>	<i>Growing Season (Months)</i>	<i>Acres irrigated/year</i>
Sugar Cane	12	729
Corn	6	208
Cotton	6	1005
Orchards	12	55
Total acres irrigated		1997

4. Are crops rotated seasonally or annually? Yes No

If yes, please describe: Corn and Cotton are harvested once a year

5. Describe soil type (including permeability characteristics, if applicable).

Lean to Fat Clay.

B. Irrigation system information

1. Describe the existing irrigation method or system and associated equipment including pumps, flow rates, plans, and/or sketches of system the layout. Include the rate (in gallons per minute or cubic feet per second) that water is diverted from the source of supply. If

this WCP is submitted as part of a water right application, verify that the diversion volumes and rates are consistent with those in the application.

Water is diverted from the Rio Grande river by pumps operated by Water District #19, which then distributes the water throughout the farm through canals and pipes owned and operated by the Water District. We understand that Water District #19 uses three pumps, one 24" pump that can flow up to 20CFS and one Electrical 42" pump and a Gas powered 42" pump that can flow up to 30CFS.

2. Describe the device(s) and/or method(s) used to measure and account for the amount of water diverted from the supply source, and verify the accuracy is within plus or minus 5%.

The water diverted from the Rio Grande is measured by a water meter that is recorded by acre feet and is maintained by the Water District #19. Water District #19 reports the diversion amounts to the Rio Grande Watermaster.

3. Provide specific, quantified 5-year and 10-year targets for water savings including, where appropriate, quantitative goals for irrigation water use efficiency and a pollution abatement and prevention plan below in 3(a) and 3(b). Water savings may be represented in acre-feet or in water use efficiency. If you are not planning to change your irrigation system in the next five or ten years, then you may use your existing efficiencies or savings as your 5-year and /or 10-year goals. Please provide an explanation in the space provided below if you plan to use your existing efficiencies or savings.

The Water District #19 has a plan for their conservation through Best practices and information gathering and education practices, cropping and management practices, scheduling practices, land management systems, on-farm water delivery systems, water district delivery systems, water use audits, leak detection/water loss programs. The farms abide by Water District #19's water conservation practices.

Quantified 5-year and 10-year targets for water savings:

- a. 5-year goal:
Savings in acre-feet 300 or system efficiency as a percentage 2.5 %
- b. 10-year goal:
Savings in acre-feet 600 or system efficiency as a percentage 5 %

(Examples of Typical Efficiencies for Various Types of Irrigation Systems - Surface: 50-80%; Sprinkler: 70-85%; LEPA: 80-90%; Micro-irrigation: 85-95%)

4. If there is an existing irrigation system, have any system evaluations been performed on the efficiency of the system?

Yes No

If yes, please provide the date of the evaluation, evaluator's name and the results of the evaluation: Canal and pipe inspections to make sure that water is flowing properly and there are not blow outs in the system.

The system is routinely inspected by the Water District staff. The system is operated by Water District #19. The General Manager is Oscar O. Gonzalez. 956-529-5305

C. Conservation practices

1. Describe any water conserving irrigation equipment, application system or method in the irrigation system (e.g., surge irrigation, low pressure sprinkler, drip irrigation, nonleaking pipe).

Poly pipes are used throughout the farm for crop irrigation purposes, and targets the specific area that as been planted. Daily supervision of the irrigation is provided to ensure

only the water needed is used. Irrigation is suspended during rainfall events and afterwards while the soil is wet.

2. Describe any methods that will be used for water loss control and leak detection and repair.

Per the Water District #19, they conduct routine inspections on the District's supply system and make necessary repairs as deficiencies are found.

3. Describe any water-saving scheduling or practices to be used in the application of water (e.g., irrigation only in early morning, late evening or night hours and/or during lower temperatures and winds) and methods to measure the amount of water applied (e.g. soil-moisture monitoring).

Per the Water District #19, they use the best practices as mentioned in section 3 above.

4. Describe any water-saving land improvements or plans to be incorporated into the irrigation practices for retaining or reducing runoff and increasing infiltration of rain and irrigation water (e.g., land leveling, conservation tillage, furrow diking, weed control, terracing, etc.).

The farms all use best practices to control weeds.

5. Describe any methods for recovery and reuse of tail water runoff.

No current methods for recovery and reuse of tail water runoff.

6. Describe any other water conservation practices, methods, or techniques for preventing waste and achieving conservation.

The use of poly/lay flat pipe is being used for water conservation practices. Additionally, farming field practices of minimum tillage & disking for weed control and review modifications of field irrigation direction .

II. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER

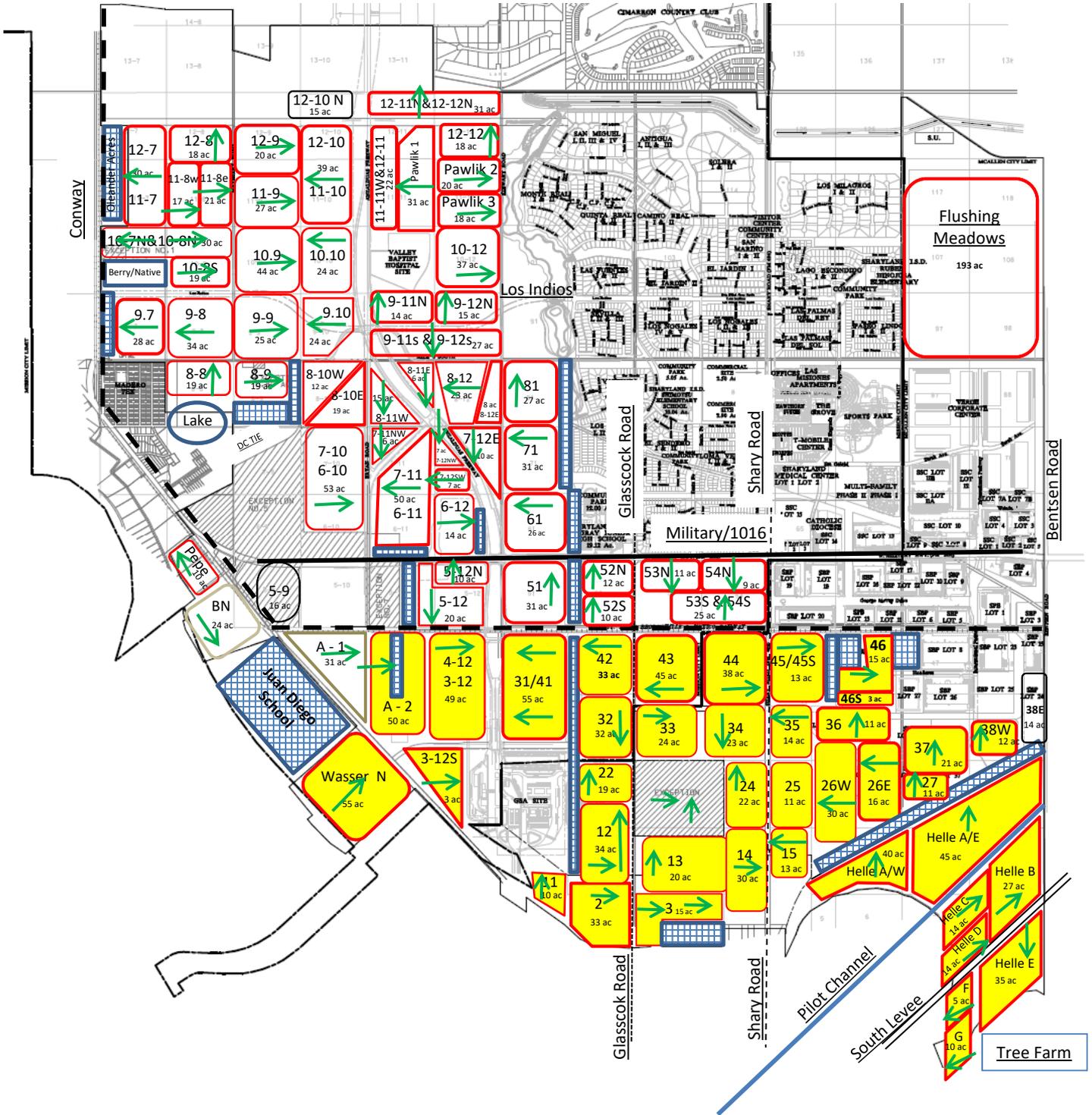
Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
2. evaluates conservation as an alternative to the proposed appropriation; and
3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.

Exhibit 2

Cascade Real Estate Operating,
LP
October 19th, 2021



Owner	Acreage	Total Acreage
Charco Land Sales, LLC	1,123	2,073
Cascade	950	

CHARCO LAND SALES, LLC	
Tract No.	Acreage
5-12	20
5-12 N	10
6-12	14
7-10 & 6-10	53
7-11 & 6-11	50
7-11 NW	6
7-12 E	10
7-12 NW	7
7-12 SW	7
8-8	19
8-9	19
8-10 W	12
8-10 E	19
8-11 W	15
8-11 E	6
8-12	23
8-12E	8
9-7	28
9-8	34
9-9	25
9-10	24
9-11 N	14
9-12 N	15
9-11 S & N-12 S	27
10-7 N & 10-8 N	30
10-8 S	19
10-9	44
10-10	24
10-12	37
11-8 E	21
11-8 W	17
11-9	27
11-11 W & 12-11	22
12-7 & 11-7	30
12-8	18
12-9	20
12-10 & 11-10	39
12-11 N & 12-12 N	31

12-12	18
51	31
52 N	12
52 S	10
53 S & 54 S	25
53 N	11
54 N	9
61	26
71	31
81	27
Pawlik 1	31
Pawlik 2	20
Pawlik 3	18
Pepe	10
TOTAL ACRES	1123

CASCADE REAL ESTATE OPERATING, LP	
Tract No.	Acreage
2	33
3	15
3-12 S	3
4-12 & 3-12	49
11	10
12	34
13	20
14	30
15	13
22	19
24	22
25	11
26 E	16
26 W	30
27	11
31/41	55
32	32
33	24
34	23
35	14
36	11
37	21
38 W	12
42	33
43	45
44	38
44/45 S	13
46	15
46 S	3
A-2	50
F	5
G	10
Helle A-E	45
Helle A/W	40
Helle B	27
Helle C	14
Helle D	14
Helle E	35
Wasser N	55
TOTAL ACRES	950

Jenna Rollins

From: Jenna Rollins
Sent: Monday, November 22, 2021 3:35 PM
To: [REDACTED]
Subject: Killam Development Ltd., 23-2759C
Attachments: Killam_Development_Ltd_23-2759C_RFI_Sent_11.22.21.pdf

Dear Dr. Ortiz,

Attached is a request for information letter for Killam Development Ltd., application No. 23-2759C. Please review and provide a response by December 22, 2021.

Best,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 22, 2021

Dr. Rolando G. Ortiz
Real Estate Development IV
Killam Development, Ltd.
P.O. Box 499
Laredo, Texas 78041

VIA-EMAIL

RE: Killam Development, Ltd.
ADJ 2759
CN602737447, RN102641602
Application No. 23-2759C to Amend Certificate of Adjudication No. 23-2759
Texas Water Code §§ 11.122, 11.085, Not Requiring Notice
Rio Grande, Rio Grande Basin
Hidalgo and Webb Counties

Dear Dr. Ortiz:

This acknowledges receipt, on September 16, 2021, of the referenced application and fees in the amount of \$112.50 (Receipt No. M200440, copy attached).

Additional information is required before the application can be declared administratively complete.

1. Provide a completed Water Conservation Plan for Agricultural Use (TCEQ-10238 form) as referenced in Worksheet 6.0 Water Conservation/Drought Contingency Plans.
2. Provide consent from Charco Land Sales, LLC, Cascade Real Estate Operating, LP, and Cascade Real Estate Operating No. 2, LP, pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(5):

... [S]tating that the landowner recognizes that the permit will be owned by applicant and will not become appurtenant to the land.

3. Provide the number of acres that will be irrigated and a map of that same land with the acreage clearly marked. Staff acknowledges applicant submitted a map with the application received on August 31, 2021; however, the total acres requested in the application and the deeds provided are not consistent, and the land to be irrigated is not clearly marked on the map provided, pursuant to 30 TAC § 295.32(2) which states that an application to irrigate particular tracts of land shall contain the following:

[A]n aerial photograph, plat, or map ... showing the tract of land within which a specified number of acres will be irrigated.

Please provide the requested information by December 22, 2021 or the application may be returned pursuant to Title 30 TAC § 281.18.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

How is our customer service? tceq.texas.gov/customersurvey

printed on recycled paper

Dr. Rolando G. Ortiz
Application No. 23-2759C
November 22, 2021
Page 2 of 2

If you have any questions concerning this matter, please contact me via email at jenna.rollins@tceq.texas.gov or by telephone at (512) 239-1845.

Sincerely,

A handwritten signature in cursive script that reads "Jenna L. Rollins".

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



Basis2 Receipt Report by Endorsement Number

OCT-06-21 10:52 AM

Acct. #: WUP

Account Name: WATER USE PERMITS

<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
AMEND	M200440	232759	JACKSON WALKER LLP	CK	684312		BS00088838	17-SEP-21	\$112.50

Report_ID:

Page 1

September 16, 2021

Via email to wrpt@tceq.texas.gov and by Hand Delivery

Texas Commission on Environmental Quality
Water Availability Division, MC-160
12100 Park 35 Circle
Austin, Texas 78753

Re: Killam Development, Ltd. Application to Amend ADJ 23-2759

Dear Water Availability Division:

Enclosed is a Water Rights Permitting Application by Killam Development, Ltd. to amend ADJ 23-2759. You will recall we held a pre-application meeting a few months ago and sought Staff's guidance on several issues.

Also enclosed is a check for the application fee of \$112.50.

Please let know if you have any questions or require additional information.

Sincerely,



Leonard Dougal

cc: Dr. Rolando G. Ortiz

RECEIVED

SEP 16 2021

Water Availability Division

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page. 5.

APPLICANT(S): Killam Development, Ltd

Indicate whether the following items are included in your application by writing either Y (for yes) or N (for no) next to each item (all items are not required for every application).

Y/N

- Administrative Information Report**
- Additional Co-Applicant Information
- Additional Co-Applicant Signature Pages
- Written Evidence of Signature Authority
- Technical Information Report**
- USGS Map (or equivalent)
- Map Showing Project Details
- Original Photographs
- Water Availability Analysis
- Worksheet 1.0**
- Recorded Deeds for Irrigated Land
- Consent For Irrigation Land
- Worksheet 1.1**
- Addendum to Worksheet 1.1
- Worksheet 1.2**
- Addendum to Worksheet 1.2
- Worksheet 2.0**
- Additional W.S 2.0 for Each Reservoir
- Dam Safety Documents
- Notice(s) to Governing Bodies
- Recorded Deeds for Inundated Land
- Consent For Inundation Land

Y/N

- Worksheet 3.0**
- Additional W.S 3.0 for each Point
- Recorded Deeds for Diversion Points
- Consent For Diversion Access
- Worksheet 4.0**
- TPDES Permit(s)
- WWTP Discharge Data
- 24-hour Pump Test
- Groundwater Well Permit
- Signed Water Supply Contract
- Worksheet 4.1**
- Worksheet 5.0**
- Addendum to Worksheet 5.0
- Worksheet 6.0**
- Water Conservation Plan(s)
- Drought Contingency Plan(s)
- Documentation of Adoption
- Worksheet 7.0**
- Accounting Plan
- Worksheet 8.0**
- Fees

RECEIVED

SEP 16 2021

Water Availability Division

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

ADMINISTRATIVE INFORMATION REPORT

The following information is required for all new applications and amendments.

*****Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4600.**

1. TYPE OF APPLICATION (Instructions, Page. 6)

Indicate, by marking X, next to the following authorizations you are seeking.

New Appropriation of State Water

Amendment to a Water Right *

Bed and Banks

****If you are seeking an amendment to an existing water rights authorization, you must be the owner of record of the authorization. If the name of the Applicant in Section 2, does not match the name of the current owner(s) of record for the permit or certificate or if any of the co-owners is not included as an applicant in this amendment request, your application could be returned. If you or a co-applicant are a new owner, but ownership is not reflected in the records of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to submitting the application for an amendment. See Instructions page. 6. Please note that an amendment application may be returned, and the Applicant may resubmit once the change of ownership is complete.***

Please summarize the authorizations or amendments you are seeking in the space below or attach a narrative description entitled "Summary of Request."

Adding two diversion points and an additional place of use to the current ADJ 23-2759A water

right. The added diversion points are: (1) a pumping station operated by Hidalgo County Water

Improvement District No. 19 along the Rio Grande River and (2) a pump owned by Big Sky

Commercial Property Investments, LLC. The added place of use is irrigation of 1,169.13-acres

out of a 5,928-acre tract in Hidalgo County.

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 1
(Include a copy of this section for each Co-Applicant, if any)

What is the Full Legal Name of the individual or entity (applicant) applying for this permit?

Killam Development, Ltd

(If the Applicant is an entity, the legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?
You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN : CN602737447 (leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application? Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in 30 TAC § 295.14.

First/Last Name: Radcliffe Killam II

Title: Manager
of Killam Management, L.C., its General Partner

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? Yes

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: Killam Development, Ltd

Mailing Address: P. O. Box 699

City: Laredo

State: TX

ZIP Code: 78041

Indicate an X next to the type of Applicant:

<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship-D.B.A.
<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation
<input type="checkbox"/> Trust	<input type="checkbox"/> Estate
<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government
<input type="checkbox"/> County Government	<input type="checkbox"/> City Government
<input type="checkbox"/> Other Government	<input checked="" type="checkbox"/> Other <u>Limited Partnership</u>

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: 32036487661 SOS Charter (filing) Number: 5400010

3. APPLICATION CONTACT INFORMATION (Instructions, Page. 9)

If the TCEQ needs additional information during the review of the application, who should be contacted? Applicant may submit their own contact information if Applicant wishes to be the point of contact.

First and Last Name: Dr. Rolando G. Ortiz

Title: Real Estate Development 

Organization Name: Killam Development, Ltd

Mailing Address: P. O. Box 499

City: Laredo

State: TX

ZIP Code: 78041

Phone No.: 956/724-7141

Extension: 212

Fax No.: 956/724-2546

E-mail Address: 

4. WATER RIGHT CONSOLIDATED CONTACT INFORMATION (Instructions, Page. 9)

This section applies only if there are multiple Owners of the same authorization. Unless otherwise requested, Co-Owners will each receive future correspondence from the Commission regarding this water right (after a permit has been issued), such as notices and water use reports. Multiple copies will be sent to the same address if Co-Owners share the same address. Complete this section if there will be multiple owners and all owners agree to let one owner receive correspondence from the Commission. Leave this section blank if you would like all future notices to be sent to the address of each of the applicants listed in section 2 above.

I/We authorize all future notices be received on my/our behalf at the following: N/A

First and Last Name:

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

E-mail Address:

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No No**

If **yes**, provide the following information:

Account number:

Amount past due:

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No No**

If **yes**, please provide the following information:

Enforcement order number:

Amount past due:

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>

Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No Yes**

c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use - if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5).

Applicant has submitted all required TWDB surveys of groundwater and surface water? **Yes / No Yes**

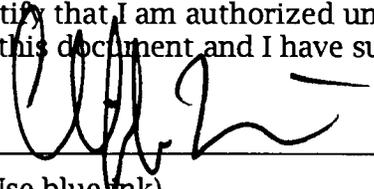
6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Radcliffe Killam II, Manager of Killam Management, L.C., General Partner of Killam Development, Ltd
(Typed or printed name) (Title)

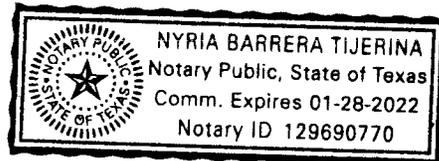
certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature:  Date: 9/10/21
(Use blue ink)

Subscribed and Sworn to before me by the said
on this 10th day of September, 2021.
My commission expires on the 28th day of January, 2022.

Notary Public



[SEAL]

County, Texas

If the Application includes Co-Applicants, each Applicant and Co-Applicant must submit an original, separate signature page

TECHNICAL INFORMATION REPORT

WATER RIGHTS PERMITTING

This Report is required for applications for new or amended water rights. Based on the Applicant's responses below, Applicant are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4600 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N^Y_____ (If yes, date : 08/02/2021_____).

1. New or Additional Appropriations of State Water. Texas Water Code (TWC) § 11.121 (Instructions, Page. 12)

State Water is: *The water of the ordinary flow, underflow, and tides of every flowing river, natural stream, and lake, and of every bay or arm of the Gulf of Mexico, and the storm water, floodwater, and rainwater of every river, natural stream, canyon, ravine, depression, and watershed in the state. TWC § 11.021.*

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N^N_____
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N^N_____ (If yes, indicate the Certificate or Permit number:_____)

If Applicant answered yes to (a) or (b) above, does Applicant also wish to be considered for a term permit pursuant to TWC § 11.1381? Y / N_____

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N^N_____ (If yes, indicate the Term Certificate or Permit number:_____)

If Applicant answered yes to (a), (b) or (c), the following worksheets and documents are required:

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir requested in the application)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point and/or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach requested in the application)
- **Worksheet 5.0 - Environmental Information Worksheet**
- **Worksheet 6.0 - Water Conservation Information Worksheet**
- **Worksheet 7.0 - Accounting Plan Information Worksheet**
- **Worksheet 8.0 - Calculation of Fees**
- **Fees calculated on Worksheet 8.0 - see instructions Page. 34.**
- **Maps - See instructions Page. 15.**
- **Photographs - See instructions Page. 30.**

Additionally, if Applicant wishes to submit an alternate source of water for the project/authorization, see Section 3, Page 3 for Bed and Banks Authorizations (Alternate sources may include groundwater, imported water, contract water or other sources).

Additional Documents and Worksheets may be required (see within).

2. Amendments to Water Rights. TWC § 11.122 (Instructions, Page. 12)

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. ***If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. If the application does not contain consent from the current owner to make the requested amendment, TCEQ will not begin processing the amendment application until the Change of Ownership has been completed and will consider the Received Date for the application to be the date the Change of Ownership is completed. See instructions page. 6.***

Water Right (Certificate or Permit) number you are requesting to amend: 23-2759

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? Y / N^N_____ (if yes, complete chart below):

List of water rights to sever	Combine into this ONE water right

- a. Applicant requests an amendment to an existing water right to increase the amount of the appropriation of State Water (diversion and/or impoundment)? Y / N^N_____

If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

- b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? Y / N^N

If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

- c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N^Y_____

If yes, submit:

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 1.2 - Notice: "Marshall Criteria"**

- d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? Y / N^Y_____

If yes, submit:

- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)
- **Worksheet 5.0 - Environmental Information** (Required for any new diversion points that are not already authorized in a water right)

- e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / N^N_____

If yes, submit: Worksheet 2.0 - Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir)

- f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N^N_____ *If yes, call the Water Availability Division at (512) 239-4600 to discuss.*

Additionally, all amendments require:

- **Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34**
- **Maps – See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

3. Bed and Banks. TWC § 11.042 (Instructions, Page 13)

- a. Pursuant to contract, Applicant requests authorization to convey, stored or conserved water to the place of use or diversion point of purchaser(s) using the bed and banks of a watercourse? TWC § 11.042(a). Y/N^N_____

If yes, submit a signed copy of the Water Supply Contract pursuant to 30 TAC §§ 295.101 and 297.101. Further, if the underlying Permit or Authorization upon which the Contract is based does not authorize Purchaser's requested Quantity, Purpose or Place of Use, or Purchaser's diversion point(s), then either:

- 1. Purchaser must submit the worksheets required under Section 1 above with the Contract Water identified as an alternate source; or*
- 2. Seller must amend its underlying water right under Section 2.*

- b. Applicant requests to convey water imported into the state from a source located wholly outside the state using the bed and banks of a watercourse? TWC § 11.042(a-1). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps and fees from the list below.

- c. Applicant requests to convey Applicant's own return flows derived from privately owned groundwater using the bed and banks of a watercourse? TWC § 11.042(b). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

- d. Applicant requests to convey Applicant's own return flows derived from surface water using the bed and banks of a watercourse? TWC § 11.042(c). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, Maps, and fees from the list below.

****Please note, if Applicant requests the reuse of return flows belonging to others, the Applicant will need to submit the worksheets and documents under Section 1 above, as the application will be treated as a new appropriation subject to termination upon direct or indirect reuse by the return flow discharger/owner.***

- e. Applicant requests to convey water from any other source, other than (a)-(d) above, using the bed and banks of a watercourse? TWC § 11.042(c). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

Worksheets and information:

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)
- **Worksheet 4.0 – Discharge Information Worksheet** (for each discharge point)

- **Worksheet 5.0 - Environmental Information Worksheet**
- **Worksheet 6.0 - Water Conservation Information Worksheet**
- **Worksheet 7.0 - Accounting Plan Information Worksheet**
- **Worksheet 8.0 - Calculation of Fees; and Fees calculated - see instructions Page. 34**
- **Maps - See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

4. General Information, Response Required for all Water Right Applications (Instructions, Page 15)

- a. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement (*not required for applications to use groundwater-based return flows*). Include citations or page numbers for the State and Regional Water Plans, if applicable. Provide the information in the space below or submit a supplemental sheet entitled “Addendum Regarding the State and Regional Water Plans”:

This application does not involve a new appropriation of water, it merely adds two diversion points at locations which are already approved by the Rio Grande water master (at points operated by the Hidalgo County WCID No. 19), and adds a place of use. The application is consistent with the 2016 Region M (Rio Grande) Water Plan (and the Draft 2021 Plan) and the 2017 State Water Plan because there is nothing in the plans that conflict with the application.

- b. Did the Applicant perform its own Water Availability Analysis? Y / N N

If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.

- c. Does the application include required Maps? (Instructions Page. 15) Y / N Y

WORKSHEET 1.0

Quantity, Purpose and Place of Use

1. New Authorizations (Instructions, Page. 16)

Submit the following information regarding quantity, purpose and place of use for requests for new or additional appropriations of State Water or Bed and Banks authorizations:

Quantity (acre- feet) <i>(Include losses for Bed and Banks)</i>	State Water Source (River Basin) or Alternate Source <i>*each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0</i>	Purpose(s) of Use	Place(s) of Use <i>*requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer</i>

_____ Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

If the Purpose of Use is Agricultural/Irrigation for any amount of water, provide:

a. Location Information Regarding the Lands to be Irrigated

i) Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.

ii) Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.

A copy of the deed(s) or other acceptable instrument describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds.

If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

2. Amendments - Purpose or Place of Use (Instructions, Page. 12)

a. Complete this section for each requested amendment changing, adding, or removing Purpose(s) or Place(s) of Use, complete the following:

Quantity (acre-foot)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**
612 Class A	Irrigation	Irrigation	200 acres of land out of Share No. 6 located in Dolores Garcia Tract, Porcion No. 45, Abstract No. 54, out of 1,298.665 acre-tract of land (San Rafael Farm) in Webb County;	200 acres of land out of Share No. 6 located in Dolores Garcia Tract, Porcion No. 45, Abstract No. 54, out of 1,298.665 acre-tract of land (San Rafael Farm) in Webb County; and 1,169.13-acres out of a 5,928.28-acre tract in Hidalgo Co..

**If the request is to add additional purpose(s) of use, include the existing and new purposes of use under "Proposed Purpose(s) of Use."*

***If the request is to add additional place(s) of use, include the existing and new places of use under "Proposed Place(s) of Use."*

Changes to the purpose of use in the Rio Grande Basin may require conversion. 30 TAC § 303.43.

b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:

i. Applicant proposes to irrigate a total of 1,169.13 acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of 5,928.28 acres in Hidalgo County, TX.

ii. Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____. See Attachments 3. and 4.

A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.

d. See Worksheet 1.2, Marshall Criteria, and submit if required.

e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC § 11.085

Submit this worksheet for an application for a new or amended water right which requests to transfer State Water from its river basin of origin to use in a different river basin. A river basin is defined and designated by the Texas Water Development Board by rule pursuant to TWC § 16.051.

Applicant requests to transfer State Water to another river basin within the State? Y / N Y

1. Interbasin Transfer Request (Instructions, Page. 20)

- a. Provide the Basin of Origin. Rio Grande
- b. Provide the quantity of water to be transferred (acre-feet). 612
- c. Provide the Basin(s) and count(y/ies) where use will occur in the space below:
Nueces-Rio Grande and Hidalgo County

2. Exemptions (Instructions, Page. 20), TWC § 11.085(v)

Certain interbasin transfers are exempt from further requirements. Answer the following:

- a. The proposed transfer, which in combination with any existing transfers, totals less than 3,000 acre-feet of water per annum from the same water right. Y/N Y
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N Y
- c. The proposed transfer from the part of the geographic area of a county or municipality, or the part of the retail service area of a retail public utility as defined by Section 13.002, that is within the basin of origin for use in that part of the geographic area of the county or municipality, or that contiguous part of the retail service area of the utility, not within the basin of origin? Y/N N
- d. The proposed transfer is for water that is imported from a source located wholly outside the boundaries of Texas, except water that is imported from a source located in the United Mexican States? Y/N N

3. Interbasin Transfer Requirements (Instructions, Page. 20)

For each Interbasin Transfer request that is not exempt under any of the exemptions listed above Section 2, provide the following information in a supplemental attachment titled "Addendum to Worksheet 1.1, Interbasin Transfer":

- a. the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- b. a statement of each general category of proposed use of the water to be transferred and a detailed description of the proposed uses and users under each category;
- c. the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users (example - expert plans and/or reports documents may be provided to show the cost);

- d. describe the need for the water in the basin of origin and in the proposed receiving basin based on the period for which the water supply is requested, but not to exceed 50 years (the need can be identified in the most recently approved regional water plans. The state and regional water plans are available for download at this website: (<http://www.twdb.texas.gov/waterplanning/swp/index.asp>);
- e. address the factors identified in the applicable most recently approved regional water plans which address the following:
 - (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer;
 - (ii) the amount and purposes of use in the receiving basin for which water is needed;
 - (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures;
 - (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use;
 - (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and
 - (vi) the projected impacts of the proposed transfer that are reasonably expected to occur on existing water rights, instream uses, water quality, aquatic and riparian habitat, and bays and estuaries that must be assessed under Sections 11.147, 11.150, and 11.152 in each basin (*if applicable*). If the water sought to be transferred is currently authorized to be used under an existing permit, certified filing, or certificate of adjudication, such impacts shall only be considered in relation to that portion of the permit, certified filing, or certificate of adjudication proposed for transfer and shall be based on historical uses of the permit, certified filing, or certificate of adjudication for which amendment is sought;
- f. proposed mitigation or compensation, if any, to the basin of origin by the applicant; and
- g. the continued need to use the water for the purposes authorized under the existing Permit, Certified Filing, or Certificate of Adjudication, if an amendment to an existing water right is sought.

WORKSHEET 1.2 NOTICE. "THE MARSHALL CRITERIA"

This worksheet assists the Commission in determining notice required for certain **amendments** that do not already have a specific notice requirement in a rule for that type of amendment, and *that do not change the amount of water to be taken or the diversion rate*. The worksheet provides information that Applicant **is required** to submit for such amendments which include changes in use, changes in place of use, or other non-substantive changes in a water right (such as certain amendments to special conditions or changes to off-channel storage). These criteria address whether the proposed amendment will impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

This worksheet is not required for Applications in the Rio Grande Basin requesting changes in the purpose of use, rate of diversion, point of diversion, and place of use for water rights held in and transferred within and between the mainstems of the Lower Rio Grande, Middle Rio Grande, and Amistad Reservoir. See 30 TAC § 303.42.

This worksheet is not required for amendments which are only changing or adding diversion points, or request only a bed and banks authorization or an IBT authorization. However, Applicants may wish to submit the Marshall Criteria to ensure that the administrative record includes information supporting each of these criteria

1. The "Marshall Criteria" (Instructions, Page. 21)

Submit responses on a supplemental attachment titled "Marshall Criteria" in a manner that conforms to the paragraphs (a) - (g) below:

- a. Administrative Requirements and Fees. Confirm whether application meets the administrative requirements for an amendment to a water use permit pursuant to TWC Chapter 11 and Title 30 Texas Administrative Code (TAC) Chapters 281, 295, and 297. An amendment application should include, but is not limited to, a sworn application, maps, completed conservation plan, fees, etc.
- b. Beneficial Use. Discuss how proposed amendment is a beneficial use of the water as defined in TWC § 11.002 and listed in TWC § 11.023. Identify the specific proposed use of the water (e.g., road construction, hydrostatic testing, etc.) for which the amendment is requested.
- c. Public Welfare. Explain how proposed amendment is not detrimental to the public welfare. Consider any public welfare matters that might be relevant to a decision on the application. Examples could include concerns related to the well-being of humans and the environment.
- d. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge.

- e. State Water Plan. Describe how proposed amendment addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement. The state and regional water plans are available for download at:
<http://www.twdb.texas.gov/waterplanning/swp/index.asp>.
- f. Waste Avoidance. Provide evidence that reasonable diligence will be used to avoid waste and achieve water conservation as defined in TWC § 11.002. Examples of evidence could include, but are not limited to, a water conservation plan or, if required, a drought contingency plan, meeting the requirements of 30 TAC Chapter 288.
- g. Impacts on Water Rights or On-stream Environment. Explain how proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

WORKSHEET 2.0

Impoundment/Dam Information

This worksheet **is required** for any impoundment, reservoir and/or dam. Submit an additional Worksheet 2.0 for each impoundment or reservoir requested in this application.

If there is more than one structure, the numbering/naming of structures should be consistent throughout the application and on any supplemental documents (e.g. maps).

1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: _____
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: _____.
- c. The impoundment is on-channel _____ or off-channel _____ (mark one)
 - i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N _____
 - ii. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N _____
- d. Is the impoundment structure already constructed? Y / N _____
 - i. For already constructed **on-channel** structures:
 1. Date of Construction: _____
 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N _____
 - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N _____
 - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N _____
 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N _____
 - a. If yes, provide the Site No. _____ and watershed project name _____;
 - b. Authorization to close "ports" in the service spillway requested? Y / N _____
 - ii. For **any** proposed new structures or modifications to structures:
 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N _____
Provide the date and the name of the Staff Person _____
 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
 - a. No additional dam safety documents required with the Application. Y / N _____
 - b. Plans (with engineer's seal) for the structure required. Y / N _____
 - c. Engineer's signed and sealed hazard classification required. Y / N _____
 - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N _____

3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N_____

iii. Additional information required for **on-channel** storage:

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level:_____.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N_____ If yes, the drainage area is _____sq. miles. (If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4600).

2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name):_____
- b. Zip Code: _____
- c. In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.

*** A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.**

****If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.**

- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:

Latitude _____°N, Longitude _____°W.

***Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places**

- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):_____
- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N_____

WORKSHEET 3.0

DIVERSION POINT (OR DIVERSION REACH) INFORMATION

HCWCID No. 19 Diversion Point

This worksheet **is required** for each diversion point or diversion reach. Submit one Worksheet 3.0 for **each** diversion point and two Worksheets for **each** diversion reach (one for the upstream limit and one for the downstream limit of each diversion reach).

The numbering of any points or reach limits should be consistent throughout the application and on supplemental documents (e.g. maps).

1. Diversion Information (Instructions, Page. 24)

a. This Worksheet is to add new (select 1 of 3 below):

1. Diversion Point No.
2. Upstream Limit of Diversion Reach No.
3. Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** ^{6.18} _____ cfs (cubic feet per second)
or ^{2,774} _____ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N Y
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* ^{6.18} _____ cfs or ^{2,774} _____ gpm

d. For amendments, is Applicant seeking to increase combined diversion rate? Y / N N

*** An increase in diversion rate is considered a new appropriation and would require completion of Section 1, New or Additional Appropriation of State Water.*

e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
<input checked="" type="checkbox"/>	Directly from stream	Existing
<input type="checkbox"/>	From an on-channel reservoir	
<input type="checkbox"/>	From a stream to an on-channel reservoir	
<input type="checkbox"/>	Other method (explain fully, use additional sheets if necessary)	

f. Based on the Application information provided, Staff will calculate the drainage area above the diversion point (or reach limit). If Applicant wishes to also calculate the drainage area, you may do so at their option.

Applicant has calculated the drainage area. Y / N N

If yes, the drainage area is _____ sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Rio Grande
- b. Zip Code: 78041
- c. Location of point: In the TWC Tract No. H-20 Original Survey No. _____, Abstract No. _____, Hidalgo County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure.

For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude 26.163374 °N, Longitude -98.331841 °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Google maps
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This worksheet **is required** for each diversion point or diversion reach. Submit one Worksheet 3.0 for **each** diversion point and two Worksheets for **each** diversion reach (one for the upstream limit and one for the downstream limit of each diversion reach).

The numbering of any points or reach limits should be consistent throughout the application and on supplemental documents (e.g. maps).

1. Diversion Information (Instructions, Page. 24)

a. This Worksheet is to add new (select 1 of 3 below):

1. Diversion Point No.
2. Upstream Limit of Diversion Reach No.
3. Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** ^{6.18} _____ cfs (cubic feet per second)
or ^{2,774} _____ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? **Y / N** ^Y _____
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* ^{6.18} _____ cfs or ^{2,774} _____ gpm

d. For amendments, is Applicant seeking to increase combined diversion rate? **Y / N** ^N _____

*** An increase in diversion rate is considered a new appropriation and would require completion of Section 1, New or Additional Appropriation of State Water.*

e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
✓	Directly from stream	Existing
	From an on-channel reservoir	
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

f. Based on the Application information provided, Staff will calculate the drainage area above the diversion point (or reach limit). If Applicant wishes to also calculate the drainage area, you may do so at their option.

Applicant has calculated the drainage area. **Y / N** ^N _____

If yes, the drainage area is _____ sq. miles.
(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Rio Grande
- b. Zip Code: 78041
- c. Location of point: In the TWC Tract No. H-20 Original Survey No. _____, Abstract
No. _____, Hidalgo County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure.

For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude 26.163374 °N, Longitude -98.337841 °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Google maps
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

WORKSHEET 4.0 DISCHARGE INFORMATION

This worksheet required for any requested authorization to discharge water into a State Watercourse for conveyance and later withdrawal or in-place use. Worksheet 4.1 is also required for each Discharge point location requested. **Instructions Page. 26. Applicant is responsible for obtaining any separate water quality authorizations which may be required and for insuring compliance with TWC, Chapter 26 or any other applicable law.**

- a. The purpose of use for the water being discharged will be_____.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses_____ % and explain the method of calculation:_____

Is the source of the discharged water return flows? Y / N_____ If yes, provide the following information:

1. The TPDES Permit Number(s)_____ (attach a copy of the **current** TPDES permit(s))
2. Applicant is the owner/holder of each TPDES permit listed above? Y / N_____

PLEASE NOTE: If Applicant is not the discharger of the return flows, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, then the application should be submitted under Section 3, Bed and Banks.

3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
 4. The percentage of return flows from groundwater_____, surface water_____?
 5. If any percentage is surface water, provide the base water right number(s)_____.
- c. Is the source of the water being discharged groundwater? Y / N_____ If yes, provide the following information:
1. Source aquifer(s) from which water will be pumped:_____
 2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers_____.
 3. Indicate how the groundwater will be conveyed to the stream or reservoir.
 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.
- ci. Is the source of the water being discharged a surface water supply contract? Y / N_____ If yes, provide the signed contract(s).
- cii. Identify any other source of the water_____

WORKSHEET 4.1

DISCHARGE POINT INFORMATION

This worksheet is required for **each** discharge point. Submit one Worksheet 4.1 for each discharge point. If there is more than one discharge point, the numbering of the points should be consistent throughout the application and on any supplemental documents (e.g. maps).

Instructions, Page 27.

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is _____ acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of _____ cfs or _____ gpm.
- c. Name of Watercourse as shown on Official USGS maps: _____
- d. Zip Code _____
- f. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.
- g. Point is at:
Latitude _____°N, Longitude _____°W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): _____

Map submitted must clearly identify each discharge point. See instructions Page. 15.

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 29.**

2. New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s)

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. **Instructions, Page 30.**

Description of the Water Body at each Diversion Point or Dam Location. (Provide an Environmental Information Sheet for each location),

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: _____

Other, specify: _____

b. Flow characteristics

If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one).

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

Check the method used to characterize the area downstream of the new diversion location.

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the stream segments affected by the application and the area surrounding those stream segments.

- Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

d. Waterbody Recreational Uses

Are there any known recreational uses of the stream segments affected by the application?

- Primary contact recreation (swimming or direct contact with water)
- Secondary contact recreation (fishing, canoeing, or limited contact with water)
- Non-contact recreation

Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0:

1. Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. Include a description of each photograph and reference the photograph to the map submitted with the application indicating the location of the photograph and the direction of the shot.
2. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

3. Alternate Sources of Water and/or Bed and Banks Applications

This section is required for applications using an alternate source of water and bed and banks applications in any basins. **Instructions, page 31.**

- a. For all bed and banks applications:
 - i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.
- b. For all alternate source applications:

- i. If the alternate source is treated return flows, provide the TPDES permit number_____

- ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:
Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L					
Chloride, mg/L					
Total Dissolved Solids, mg/L					
pH, standard units					
Temperature*, degrees Celsius					

* Temperature must be measured onsite at the time the groundwater sample is collected.

- iii. If groundwater will be used, provide the depth of the well_____and the name of the aquifer from which water is withdrawn_____.

WORKSHEET 6.0

Water Conservation/Drought Contingency Plans

***We understand that no water conservation plan is required, as the proposed place of use is already an authorized place of use pursuant to Water Right 23-332**

This form is intended to assist applicants in determining whether a Water Conservation Plan and/or Drought Contingency Plans is required and to specify the requirements for plans.

Instructions, Page 31.

The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4600, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):

1. Request for a new appropriation or use of State Water.
2. Request to amend water right to increase appropriation of State Water.
3. Request to amend water right to extend a term.
4. Request to amend water right to change a place of use.
**does not apply to a request to expand irrigation acreage to adjacent tracts.*
5. Request to amend water right to change the purpose of use.
**applicant need only address new uses.*
6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water
**including return flows, contract water, or other State Water.*

b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:

1. ____ Municipal Use. See 30 TAC § 288.2. **
2. ____ Industrial or Mining Use. See 30 TAC § 288.3.
3. ____ Agricultural Use, including irrigation. See 30 TAC § 288.4.
4. ____ Wholesale Water Suppliers. See 30 TAC § 288.5. **

****If Applicant is a water supplier, Applicant must also submit documentation of adoption of the plan. Documentation may include an ordinance, resolution, or tariff, etc. See 30 TAC §§ 288.2(a)(1)(J)(i) and 288.5(1)(H). Applicant has submitted such documentation with each water conservation plan? Y / N ____**

c. Water conservation plans submitted with an application must also include data and information which: supports applicant's proposed use with consideration of the plan's water conservation goals; evaluates conservation as an alternative to the proposed

appropriation; and evaluates any other feasible alternative to new water development. See 30 TAC § 288.7.

Applicant has included this information in each applicable plan? Y / N____

2. Drought Contingency Plans

- a. A drought contingency plan is also required for the following entities if Applicant is requesting any of the authorizations in section (1) (a) above - indicate each that applies:
 1. ____Municipal Uses by public water suppliers. See 30 TAC § 288.20.
 2. ____Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
 3. ____Wholesale Water Suppliers. See 30 TAC § 288.22.
- b. If Applicant must submit a plan under section 2(a) above, Applicant has also submitted documentation of adoption of drought contingency plan (*ordinance, resolution, or tariff, etc. See 30 TAC § 288.30*) Y / N____

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4600 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

1. Is Accounting Plan Required

Accounting Plans are generally required:

- For applications that request authorization to divert large amounts of water from a single point where multiple diversion rates, priority dates, and water rights can also divert from that point;
- For applications for new major water supply reservoirs;
- For applications that amend a water right where an accounting plan is already required, if the amendment would require changes to the accounting plan;
- For applications with complex environmental flow requirements;
- For applications with an alternate source of water where the water is conveyed and diverted; and
- For reuse applications.

2. Accounting Plan Requirements

a. A **text file** that includes:

1. an introduction explaining the water rights and what they authorize;
2. an explanation of the fields in the accounting plan spreadsheet including how they are calculated and the source of the data;
3. for accounting plans that include multiple priority dates and authorizations, a section that discusses how water is accounted for by priority date and which water is subject to a priority call by whom; and
4. Should provide a summary of all sources of water.

b. A **spreadsheet** that includes:

1. Basic daily data such as diversions, deliveries, compliance with any instream flow requirements, return flows discharged and diverted and reservoir content;
2. Method for accounting for inflows if needed;
3. Reporting of all water use from all authorizations, both existing and proposed;
4. An accounting for all sources of water;
5. An accounting of water by priority date;
6. For bed and banks applications, the accounting plan must track the discharged water from the point of delivery to the final point of diversion;
7. Accounting for conveyance losses;
8. Evaporation losses if the water will be stored in or transported through a reservoir. Include changes in evaporation losses and a method for measuring reservoir content resulting from the discharge of additional water into the reservoir;
9. An accounting for spills of other water added to the reservoir; and
10. Calculation of the amount of drawdown resulting from diversion by junior rights or diversions of other water discharged into and then stored in the reservoir.

WORKSHEET 8.0 CALCULATION OF FEES

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. **Instructions, Page. 34**

1. NEW APPROPRIATION

	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$) . <u>In Acre-Feet</u>	
	a. Less than 100	\$100.00
	b. 100 - 5,000	\$250.00
	c. 5,001 - 10,000	\$500.00
	d. 10,001 - 250,000	\$1,000.00
	e. More than 250,000	\$2,000.00
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	
TOTAL		\$

2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
Filing Fee	Amendment: \$100	
	OR Sever and Combine: \$100 x _____ of water rights to combine	100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
TOTAL INCLUDED		\$ 112.50

3. BED AND BANKS

	Description	Amount (\$)
Filing Fee		\$100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
TOTAL INCLUDED		\$ 112.50

ATTACHMENTS TO KILLAM DEVELOPMENT LTD APPLICATION
FOR WATER RIGHTS PERMIT AMENDMENT APPLICATION

1. Consent and Resolution
2. Map Showing Project Details
3. Recorded Special Warranty Deed – Hunt to Charco Sales
4. Record Special Warranty Deed – Hunt to Cascade
5. Hidalgo County Water Control & Improvement District 19 (“HCWCID No. 19”) Authorization to use HCWCID No. 19 Diversion Facilities
6. Confirmation by Big Sky Commercial Property Investments LLC for authorization to use diversion point, pumps and facilities
7. Consent for Irrigation Land

Attachment 1

CONSENT AND RESOLUTION

The undersigned, being all of the managers of Killam Management, L.C., a Texas limited liability company (the “**Company**”), the sole general partner of KILLAM DEVELOPMENT, LTD, a Texas limited partnership (the “**Partnership**”), hereby consent, resolve and certify, as of August 27, 2021, as follows:

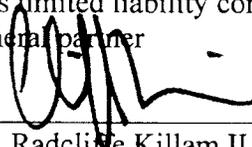
1. The Company is a limited liability company validly created and in existence under the laws of the State of Texas and is the sole general partner of the Partnership.
2. The Partnership is a limited partnership validly created and in existence under the laws of the State of Texas.
3. The documents pursuant to which the Company and the partnership were each formed and organized are in full force and effect and no proceeding is pending, planned or threatened for dissolution of the Company or the Partnership.
4. Any one manager of the Company, acting on behalf of the Company in its capacity as the sole general partner of the Partnership, is hereby authorized and directed to: (i) execute and deliver the CONSENT FOR IRRIGATION LAND to Texas Commission on Environmental Quality (“**TCEQ**”) and the Rio Grande Watermaster (“**Watermaster**”); (ii) to divert and use its water from the Rio Grande (“**Water Rights**”) as described therein; (iii) to execute and deliver, as a manager of the Company, in its capacity as the sole general partner of Partnership, any and all other instruments, documents, certificates and agreements (collectively, the “**Documents**”) required by TCEQ and or the Watermaster in connection with the Water Rights and the diversion and use thereof; and (iv) to do any and all things in connection with such Water Rights and Documents (or any renewal, extension, amendment or modification thereof) that such manager deems necessary or advisable and in the best interests of the Partnership.
5. TCEQ and the Watermaster shall be entitled to act in reliance upon the matters herein contained without further inquiry of any kind.

**SIGNATURE PAGE TO
CONSENT AND RESOLUTION**

EXECUTED effective as of the date first set forth above.

KILLAM DEVELOPMENT, LTD,
a Texas limited partnership

By: Killam Management, L.C.,
a Texas limited liability company,
its general partner

By:  _____

Name: Radcliffe Killam II

Title: Manager

By:  _____

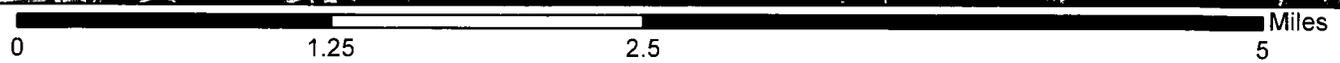
Name: David W. Killam

Title: Manager

Attachment 2



Review of ADJ 23-332



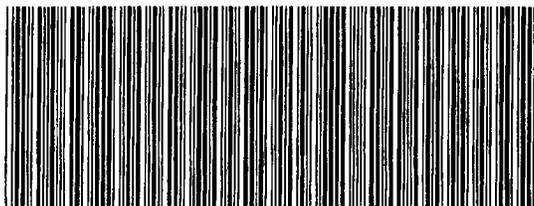
This map was generated by the Rio Grande Watermaster Program of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Rio Grande Watermaster Program at 956/430-6056.

Date: 10/15/2019

Prepared by: Anthony Stambaugh

Attachment 3

Attachment 3



VG-120-2019-3069817

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 3069817

Billable Pages: 71

Recorded On: December 06, 2019 12:31 PM

Number of Pages: 72

*****Examined and Charged as Follows*****

Total Recording: \$ 316.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 3069817
Receipt No: 20191206000098
Recorded On: December 06, 2019 12:31 PM
Deputy Clerk: Imelda Leal
Station: CH-1-CC-K27

Record and Return To:

Fidelity National Financial
2828 Routh Street Ste. 800
attn: Stephany Jones fed-ex pkg
Dallas TX 75201



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HIDALGO §

HUNT VALLEY INDUSTRIAL I, L.P., a Texas limited partnership (hereinafter called "Grantor"), in consideration of the sum of TEN AND NO/100THS (\$10.00) DOLLARS and other good and valuable consideration in hand paid by CHARCO LAND SALES, LLC, a Texas limited liability company (hereinafter called "Grantee"), whose address is c/o Killam Oil Co., Ltd., 4320 University Blvd., P.O. Box 499, Laredo, Texas 78042, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD AND CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee, the real property located in Hidalgo County, Texas, which is more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes, together with all improvements and fixtures affixed or attached thereto and all easements and rights appurtenant thereto (collectively, the "Land"), and Grantor's right, title and interest (if any) in and to: (i) any strip or gore or any land lying in the bed of any street, road, alley or right-of-way, open or closed, adjacent to or abutting such Land; and (ii) any and all air rights, water rights, mineral rights, subsurface rights, development rights permitting to such Land (the Land and all of the foregoing being collectively referred to herein as the "Property").

Permitted Exceptions

This conveyance is made expressly subject to those matters listed on Exhibit "B" attached hereto (the "Permitted Exceptions"), to the extent they actually affect title to the Property.

EXCEPT AS OTHERWISE PROVIDED IN THIS DEED AND SECTION 8(a) OF THE AGREEMENT OF SALE BETWEEN GRANTOR AND GRANTEE, GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES (OTHER THAN THE SPECIAL WARRANTY OF TITLE AS SET OUT IN THE DEED OR AS EXPRESSLY SET FORTH HEREIN), PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO THE PROPERTY. SPECIFICALLY, BUT WITHOUT LIMITATION, EXCEPT AS EXPRESSLY STATED IN THIS DEED AND IN SECTION 8(a) OF THE AGREEMENT OF SALE, GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY

REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USES LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING THE EXISTENCE IN OR ON THE PROPERTY OF ANY HAZARDOUS MATERIALS OR CONDITIONS AFFECTED BY ENVIRONMENTAL LAWS. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT THE LAND FOR AN EXTENDED PERIOD HAS BEEN DEVOTED TO AGRICULTURAL PRODUCTION, POSSIBLY INVOLVING APPLICATION TO THE LAND OF FERTILIZERS AND/OR PESTICIDES AND OTHER COMMON FARMING ACTIVITIES SUCH AS EQUIPMENT MAINTENANCE, REFUELING AND REPAIR. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, GRANTEE IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR. EXCEPT TO THE EXTENT, IF ANY, OTHERWISE EXPRESSLY STATED IN THIS DEED OR IN SECTION 8(a) OF THE AGREEMENT OF SALE. GRANTEE AGREES TO ACCEPT THE PROPERTY AND HEREBY WAIVES AND RELEASES GRANTOR FROM ALL OBJECTIONS OR CLAIMS AGAINST GRANTOR ARISING FROM OR RELATED TO THE PHYSICAL CONDITION OF THE PROPERTY OR TO ANY HAZARDOUS MATERIALS ON THE PROPERTY, WHETHER BY CONTRACT, UNDER LAW, UNDER ANY RIGHT OF CONTRIBUTION, OR OTHERWISE, PROVIDED, THAT GRANTEE DOES NOT RELEASE GRANTOR OF OR FROM ANY REPRESENTATION, WARRANTY, COVENANT OR AGREEMENT OF GRANTOR SET FORTH IN THE AGREEMENT OF SALE OR THE WARRANTY OF TITLE UNDER THIS DEED.

GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY BY GRANTEE WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION EXCEPT AS EXPRESSLY SET FORTH HEREINABOVE. GRANTOR IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON.

EXCEPT AS OTHERWISE PROVIDED IN SECTION 8(a) OF THE AGREEMENT OF SALE, GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS" CONDITION AND BASIS WITH ALL FAULTS, EXCEPT AS OTHERWISE PROVIDED HEREIN. IT IS UNDERSTOOD AND AGREED THAT THE PURCHASE PRICE HAS BEEN NEGOTIATED BASED ON THE FACT THAT THE PROPERTY IS SOLD BY GRANTOR AND PURCHASED BY GRANTEE SUBJECT TO THE FOREGOING.

TO HAVE AND TO HOLD the Property, subject as aforesaid, unto Grantee, its successors and assigns FOREVER, and Grantor does hereby bind itself and its successors and

assigns to WARRANT AND FOREVER DEFEND all and singular the Property, subject as aforesaid, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

[SIGNATURE ON FOLLOWING PAGE]

EXECUTED as of the 4th day of December, 2019.

GRANTOR:

HUNT VALLEY INDUSTRIAL I, L.P.,
a Texas limited partnership

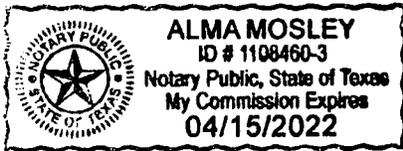
By: Hunt Valley Development I, LLC,
a Texas limited liability company,
its general partner

By: [Signature]
Name: Dave B. Hornquist
Title: Vice President

STATE OF TEXAS)
)
COUNTY OF DALLAS)

This instrument was acknowledged before me on the 2nd day of December, 2019, by Dave B. Hornquist, Vice President of HUNT VALLEY DEVELOPMENT I, LLC, a Texas limited liability company, the general partner of HUNT VALLEY INDUSTRIAL I, L.P., a Texas limited partnership, on behalf of said limited partnership.

[Signature]
Notary Public in and for the State of Texas



Record and Return to:
Chicago Title
2828 Routh Street #800
Dallas, TX 75201
Attn: Pam Medlin

EXHIBIT A

Legal Description

TRACT 1:

BEING a 795.77 Acre tract of land situated in Porciones 56 and 57, City of Mission Texas and being part or all of Lot 8-8, 8-9, 8-10, 9-7, 9-8, 9-9, 9-10, 10-7, 10-8, 10-9, 10-10, 11-7, 11-8, 11-9, 11-10, 12-7, 12-8, 12-9, 12-10, 13-7, 13-8, 13-9, 13-10, 14-7 of the WEST ADDITION TO SHARYLAND, as recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 795.77 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Half" set at the common corner of that called 11.23 acre tract (save and except), as recorded in Volume 1107 and Page 379 of the Deed Records of Hidalgo County, Texas (D.R.H.C.T.) and the Hidalgo County Main Floodwater Levee Right of Way, same being in the east right of way line of F.M. 1016 (Conway Avenue) (right of way width varies), for the northwesterly corner of the herein described tract;

THENCE along the southerly right of way line of said Hidalgo County Main Floodwater Levee Right of Way the following courses and distances;

South 84° 38' 58" East, a distance of 263.14 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 81° 55' 42" East, a distance of 103.87 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 80° 28' 51" East, a distance of 55.39 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 75° 54' 53" East, a distance of 54.98 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 74° 34' 46" East, a distance of 321.00 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 74° 00' 18" East, a distance of 179.48 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 67° 57' 17" East, a distance of 107.06 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 83° 00' 22" East, a distance of 265.85 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 56° 58' 26" East, a distance of 84.45 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 60° 08' 49" East, a distance of 306.06 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 57° 22' 06" East, a distance of 299.89 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 54° 59' 00" East, a distance of 302.00 feet to a 1/2-inch iron rod with cap stamped "Half" set for an interior corner of the herein described tract;

South 58° 18' 23" East, a distance of 370.16 feet to a point at the common line between Lots 13-8 and 13-9, same being the west line of Lot 1 of the AEP Mayberry Substation, as recorded in Document No. 2628923 M.R.H.C.T., the middle of a plat road, for an exterior corner of the herein described tract;

THENCE South 08° 31' 58" West, along said common line a distance of 271.75 feet to a 3/4 of an inch iron found at the southwesterly corner of said AEP Mayberry Substation Subdivision, for an interior corner of the herein described tract;

THENCE South 66° 04' 24" East, along the southerly line of said AEP Mayberry Substation Subdivision, a distance of 762.72 feet to a 1/2-inch iron rod with cap stamped "CDS" found at the southeasterly corner of said AEP Mayberry Substation Subdivision, for an interior corner of the herein described tract;

THENCE North 08° 31' 58" East, along the east line of said AEP Mayberry Substation Subdivision, a distance of 696.55 feet to a 1/2-inch iron rod with cap stamped "CDS" found at the common line of said AEP Mayberry Substation Subdivision and Expressway Business Park Phase VIII, as recorded in Volume 37, Page 116 M.R.H.C.T., for an exterior corner of the herein described tract;

THENCE South 81° 26' 22" East, along the common north lines of said Tracts 13-9, 13-10 and south line of said Expressway Business Park Phase VIII, a distance of 1,845.41 feet to a point in the west right of way line of FM 396 (also known as Anzalduas Highway) (right of way varies), from which a 1/2-inch iron rod bears South 05° 51' 50" West, a distance of 1.78 feet, for the northeasterly corner of the herein described tract;

THENCE South 08° 24' 55" West, along said west right of way line of FM 396, distance of 24.31 feet to a 1/2-inch iron rod with cap stamped "Half" set marking the point of curvature of a curve to the right, for an angle corner of the of the herein described tract;

THENCE Southerly, continuing along said west right of way line of FM 396, along said curve to the right with an arc distance of 484.22 feet, having a delta angle of 08°16'54", a radius of 3,350.00 feet, and chord bearing of South 12°46'21" West, a chord distance of 483.80 feet to a TxDOT Aluminum disk found, for an angle corner of the of the herein described tract;

THENCE South 16° 54' 41" West, continuing along said west right of way line of FM 396, a distance of 803.55 feet to a 1/2-inch iron rod with cap stamped "Half" set in the north right of way line of Mile 2 South (40.0' right of way), for an angle corner of the of the herein described tract;

THENCE South 16° 54' 08" West, continuing along said west right of way line of FM 396, a distance of 40.43 feet to a 1/2-inch iron rod with cap stamped "Half" set in the south right of way line of said Mile 2 South, for an angle corner of the of the herein described tract;

THENCE South 16° 54' 40" West, continuing along said west right of way line of FM 396, a distance of 244.55 feet to a 1/2-inch iron rod found marking the point of curvature of a curve to the left, for an angle corner of the of the herein described tract;

THENCE Southerly, continuing along said west right of way line of FM 396, along said curve to the left with an arc distance of 519.91 feet, having a delta angle of 08° 22' 54", a radius of 3,554.00 feet,

and chord bearing of South 12° 43' 13" West, a chord distance of 519.45 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the of the herein described tract;

THENCE South 08° 31' 46" West, continuing along said west right of way line of FM 396, a distance of 2815.02 feet to a 3/4 inch iron rod with cap stamped "Halff" set marking the point of curvature of a curve to the left, for an angle corner of the of the herein described tract;

THENCE Southerly, continuing along said westerly right of way line of SH 396, along said curve to the left with an arc distance of 1,261.94 feet, having a delta angle of 19° 40' 28", a radius of 3,675.00 feet, and chord bearing of South 01° 18' 58" East, a chord distance of 1,255.75 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an exterior corner of the of the herein described tract;

THENCE South 08° 33' 25" West, continuing along said west right of way line of FM 396, at a distance of 417.67 feet pass the north right of way line of Mile 3 South (right of way varies) and continuing for a total distance of 468.59 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the south right of way line of said Mile 3 South, for an exterior corner of the of the herein described tract;

THENCE North 81° 22' 06" West, along the south right of way line of said Mile 3 South, at a distance of 455.46 feet pass a 1/2-inch iron rod found at the northeasterly corner of the Old Edinburg Canal (200.0' right of way), continuing for a total a distance of 675.48 feet to a 1/2-inch iron rod found, for an interior corner of the of the herein described tract;

THENCE South 33° 12' 43" West, along the westerly right of way line of said Old Edinburg Canal, a distance of 1,067.56 feet to a 1/2-inch iron rod found, for the most southerly southeast corner of the of the herein described tract;

THENCE North 81° 26' 44" West, departing said westerly right of way line, at a distance of 124.57 feet pass the southeasterly corner of a Drainage Easement conveyed to Hidalgo County Drainage District No 1 as recorded in Document No. 642137 O.R.H.C.T., and continuing for a total distance of 2,764.90 feet to a 1/2-inch iron rod found in the east right of way line of Cando Mungia Street (40.0 right of way) of the Madero Tex Townsite Subdivision, as recorded in Volume 2, Page 45 M.R.H.C.T., for the most southerly southwest corner of the herein described tract;

THENCE North 08° 34' 15" East, along said east right of way line of Cando Mungia Street, a distance of 1010.09 feet to a concrete monument found at northeast corner of said Madero Tex Townsite Subdivision, for an interior corner of the of the herein described tract;

THENCE North 81° 27' 58" West, along the north right of way line of Los Indios Road (40.0' right of way) a distance of 889.02 feet to a 1/2-inch iron rod found at the southeast corner of that City of Mission tract of land, as described in Document No. 1223857 of the O.R.H.C.T., for an exterior corner of the of the herein described tract;

THENCE North 00° 11' 11" East, along the easterly line of said City of Mission tract, a distance of 859.12 feet to a 1/2-inch iron rod found at the northeasterly corner of said City of Mission tract, for an interior corner of the herein described tract;

THENCE North 81° 22' 37" West, along the north line of said City of Mission tract, a distance of 256.27 feet to a 1/2-inch iron rod found in the east right of way line of San Benito & Rio Grande Valley Railroad (100.0' right of way width), for an exterior corner of the of the herein described tract;

THENCE North 08° 33' 19" East, along said east right of way line of San Benito & Rio Grande Valley Railroad, at a distance of 450.49 feet pass a 1-inch iron pipe found in the common line of said Lots 9-7 and 10-7, continuing for total a distance of 1,109.91 feet to a 1/2-inch iron rod found

at the southwest corner of that Norma de la Fuente Davis tract of land, as described in Document No. 2199680 of the O.R.H.C.T., for an exterior corner of the of the herein described tract;

THENCE South 81° 27' 58" East, departing said east right of way line and along the south line of said Norma de la Fuente Davis tract, a distance of 469.99 feet to a 3/4-inch iron rod stamped "FNM", for an interior corner of the of the herein described tract;

THENCE North 08° 33' 35" East, along the east line of said Norma de la Fuente Davis tract, a distance of 275.51 feet to a 1/2-inch iron rod found at the northeast corner of said Norma de la Fuente Davis tract, for an interior corner of the of the herein described tract;

THENCE North 81° 27' 15" West, along the north line of said Norma de la Fuente Davis tract, a distance of 470.01 feet to a 3/4-inch iron pipe found at the northwest corner of said Norma de la Fuente Davis tract, same being in the east right of way line of said San Benito & Rio Grande Valley Railroad, for an exterior corner of the of the herein described tract;

THENCE North 08° 33' 19" East, along said east right of way line, a distance of 385.05 feet to a 1/2-inch iron rod with cap stamped "Half" set at the southwest corner of that Edwin Welliver tract of land, as described in Document No. 1053791 O.R.H.C.T., for an exterior corner of the of the herein described tract;

THENCE South 81° 27' 24" East, departing said east right of way line and along the south line of said Edwin Welliver tract, a distance of 530.62 feet to a concrete monument found at the southeast corner of said Edwin Welliver tract, and being on the east right of way line of said San Benito & Rio Grande Valley Railroad, for an interior corner of the of the herein described tract;

THENCE North 08° 33' 19" East, along the east line of said Edwin Welliver tract, a distance of 1,996.20 feet to a 1/2-inch iron rod with cap stamped "Half" set at the northeast corner of said Edwin Welliver tract, for an exterior corner of the of the herein described tract;

THENCE North 81° 27' 24" West, along the north line of said Edwin Welliver tract, a distance of 530.65 feet to a 1-inch iron pipe found at the northwest corner of said Edwin Welliver tract, for an exterior corner of the of the herein described tract and being in the east right of way line of said San Benito & Rio Grande Valley Railroad;

THENCE North 08° 33' 36" East, along the east right of way line of said San Benito & Rio Grande Valley Railroad, a distance of 2,361.23 feet to the POINT OF BEGINNING and containing a gross area 795.77 acres of land, more or less.

SAVE AND EXCEPT: a 38.292 acre tract (calculated) of land previously conveyed to Hidalgo County Drainage District No. 1 as described in Special Warranty Deed dated March 30, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 5, 2006, under Clerk's Document No. 1599385;

FURTHER SAVE AND EXCEPT: a 0.074 acre tract (record) of land previously conveyed to City of Mission as described in Deed dated June 11, 2014, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2014, under Clerk's Document No. 2522809;

FURTHER SAVE AND EXCEPT: a 0.80 acre tract (record) of land previously conveyed to Robert William Lemons as described in Deed dated December 22, 1995, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 7, 1996, under Clerk's Document No. 502407,

Leaving 756.60 acres of land, more or less.

TRACT 2:

BEING a 672.39 Acre tract of land situated in Porciones 55, 56 57 and 58, City of Mission Texas and being part or all of Lots 6-10, 6-11, 6-12, 7-10, 7-11, 7-12, 8-10, 8-11, 8-12, 9-10, 9-11, 9-12, 10-11, 10-12, 11-11, 11-12, 12-11, 12-12, 12-9, 12-10, and 13-11 of the WEST ADDITION TO SHARYLAND Subdivision, as recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas (M.R.H.C.T.), and also being part of all of Lots 61, 71, 72, 81, 82, 91, 92, 101, 102, 111 and 121 of the JOHN H. SHARY Subdivision, as recorded in Volume 1, Page 17 M.R.H.C.T., said tract also being a part of that tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 672.39 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Half" set at the northwest corner of that tract "C" as described in the Release of Servitudes Document, recorded in Document No. 1599386 O.R.H.C.T., for the most northwesterly corner of the herein described tract;

THENCE South 81° 24' 23" East, along the common line between Expressway Business Park Phase X Subdivision, as recorded in Volume 41, Page 8 M.R.H.C.T., and said tract "C", at a distance of 420.73 feet pass a 1/2-inch iron rod found at the common corner between said Expressway Business Park Phase X Subdivision and Mission Viejo Estates as recorded in Volume 35, Page 64 M.R.H.C.T., continuing for total distance of 1079.95 feet to the northwest corner of the Woods at Cimarron Subdivision, as recorded in Volume 28, Page 39 M.R.H.C.T., same being the common corner of Lots 13-11 and 13-12, for the most northerly northeast corner of the herein described tract;

THENCE South 08° 33' 10" West, along the common line of said Lots 13-11 and 13-12, at a distance of 840.66 feet pass the southwest corner of said Woods at Cimarron Subdivision, continuing for a total distance of 1338.83 feet to a 1/2-inch iron rod with cap stamped "Half" set in the south right of way line of Mile 2 South (40.0' right of way), for an interior corner of the herein described tract;

THENCE South 81° 31' 57" East, along said south right of way line of Mile 2 South, a distance of 1341.21 feet to the common line of said Lots 12-12 and 121 and same being the northwest corner of that Hidalgo County Drainage District No 1 (H.C.D.D. No 1) Tract, as described in Document No. 1599385 O.R.H.C.T., for an exterior corner of the herein described tract;

THENCE South 53° 14' 31" East, along the common line of said Hidalgo County Drainage District No 1 Tract and that Tract "B" as described in the Release of Servitudes Document, recorded in Document No. 1599386 O.R.H.C.T., a distance of 805.52 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an exterior corner of the herein described tract;

THENCE South 08° 41' 10" West, along the common line of said Hidalgo County Drainage District No 1 Tract and said Tract "B", a distance of 111.69 feet to a 1/2-inch iron rod with cap stamped "Half" set at the common corner of that 2.444 acre tract (parcel 2) conveyed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1599384 O.R.H.C.T., and that 4.51 acre tract (remainder) conveyed Hidalgo County Drainage District No 1 (H.C.D.D. No 1) Tract, as described in Volume 279, Page 59 D.R.H.C.T., for an interior corner of the herein described tract;

THENCE South 81° 18' 50" East, along the common line of said Hidalgo County Drainage District No 1 Tract and said 4.51 acre tract, a distance of 471.75 feet to a 1/2-inch iron rod with cap stamped "Half" set in the westerly line of that 24.64 acre tract (calculated) conveyed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 O.R.H.C.T., for an exterior corner of the herein described tract;

THENCE South 40° 17' 32" West, along the westerly line of said 24.64 acre tract, at a distance of 253.77 feet pass a 1/2-inch iron rod found at the north corner of Lot 22 of the Sharyland Plantation Village San Miguel Phase IV Subdivision as recorded in Volume 55, Page 99 M.R.H.C.T., continuing

for a total distance of 405.03 feet to a 1/2-inch iron rod found, for an angle corner of the herein described tract;

THENCE South 39° 34' 05" West, along the westerly line of said Sharyland Plantation Village San Miguel Phase I subdivision, a distance of 212.17 feet to a 1/2-inch iron rod found at the common corner of said Lot 22 and Lot 23 of the Sharyland Plantation Village San Miguel Phase I subdivision as recorded in Volume 45, Page 69 M.R.H.C.T, for an angle corner of the herein described tract;

THENCE South 36° 56' 49" West, continue along the westerly line of said Sharyland Plantation Village San Miguel Phase I subdivision, a distance of 325.54 feet to a 1/2-inch iron rod found in the north right of way line of Los Milagros Rd. (60.0' right of way), for an angle corner of the herein described tract;

THENCE South 38° 43' 49" West, continue along the westerly line of said Sharyland Plantation Village San Miguel Phase I subdivision, a distance of 60.00 feet to a 1/2-inch iron rod with cap stamped "Half" set in the south right of way line of said Los Milagros Rd., same being the point of a curvature of non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Westerly, along the northerly right of way line of Grand Canal Drive (60.0' right of way), along said curve to the right with an arc distance of 108.61 feet, having a delta angle of 03°24'01", a radius of 1,830.00 feet, and chord bearing of North 49°58'06" West, a chord distance of 108.59 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of a curvature of non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, along the westerly right of way line of Grand Canal Drive (60.0' right of way), along said curve to the right with an arc distance of 38.62 feet, having a delta angle of 88°30'13", a radius of 25.00 feet, and chord bearing of South 04°43'13" East, a chord distance of 34.89 feet to a 1/2-inch iron rod with cap stamped "Half" set for a point of tangency, for an interior corner of the herein described tract;

THENCE South 39° 59' 51" West, continue along said westerly right of way line of Grand Canal Drive, a distance of 195.54 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a tangent curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of Grand Canal Drive, along said curve to the left with an arc distance of 407.34 feet, having a delta angle of 37°02'44", a radius of 630.00 feet, and chord bearing of South 21°28'30" West, a chord distance of 400.28 feet to a 1/2-inch iron rod found at the point of tangency, for an angle corner of the herein described tract;

THENCE South 02° 57' 08" West, continue along said west right of way line of Grand Canal Drive, a distance of 450.30 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of Grand Canal Drive, along said curve to the right with an arc distance of 262.94 feet, having a delta angle of 22°29'09", a radius of 670.00 feet, and chord bearing of South 14°11'42" West, a chord distance of 261.26 feet to a 1/2-inch iron rod found at the southwesterly corner of the Sharyland Plantation Village Monte Real Phase I subdivision as recorded in Volume 3, Page 142 M.R.H.C.T, for an interior corner of the herein described tract;

THENCE South 64° 32' 42" East, along southerly right of way line of said Grand Canal Drive, a distance of 60.00 feet to the to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Easterly, continue along said southerly right of way line of Grand Canal Drive and along said curve to the right with an arc distance of 37.44 feet, having a delta angle of 85°48'49", a radius of 25.00 feet, and chord bearing of North 68°21'50" East, a chord distance of 34.04 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an angle corner of the herein described tract;

THENCE South 68° 43' 48" East, continue along said southerly right of way line of Grand Canal Drive, a distance of 133.99 feet to the point to the point of curvature of a tangent curve to the right, for an angle corner of the herein described tract;

THENCE Southeasterly, continue along said southerly right of way line of Grand Canal Drive and along said curve to the right with an arc distance of 913.98 feet, having a delta angle of 53°59'12", a radius of 970.00 feet, and chord bearing of South 41°44'05" East, a chord distance of 880.54 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE North 75° 21' 42" East, along the southerly line of said Grand Canal Drive, distance of 60.10 feet to a 1/2-inch iron rod found at the northwesterly corner of that called 5.113 acre tract conveyed to the City of Mission for Drainage right of way, as recorded in Volume 46, Page 171 M.R.H.C.T., same being the point of curvature of a non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, along the westerly line of said 5.113 acre tract and along said curve to the right with an arc distance of 161.66 feet, having a delta angle of 08°59'33", a radius of 1,030.00 feet, and chord bearing of South 10°00'21" East, a chord distance of 161.49 feet to a 1/2-inch iron rod with cap stamped "Half" set at the southwesterly corner of said 5.113 acre tract, for an interior corner of the herein described tract;

THENCE North 84° 29' 25" East, along the southerly line of said 5.113 acre tract, a distance of 417.85 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 84° 09' 43" East, continue along the southerly line of said 5.113 acre tract, distance of 121.00 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 74° 47' 04" East, continue along the southerly line of said 5.113 acre tract, a distance of 430.39 feet to a 1/2-inch iron rod found at the northwest corner of Lot 15 of the Sharyland Plantation Village Granada Phase I Subdivision as recorded in Instrument No. 2249334 M.R.H.C.T., for an exterior corner of the herein described tract;

THENCE South 14° 59' 39" West, along the westerly line of said Sharyland Plantation Village Granada Phase I Subdivision, a distance of 123.85 feet to a 1/2-inch iron rod with cap stamped "Half" set in the northerly right of way line of Santa Monica Street (50.0' right of way), same being the point of curvature of a non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Westerly, along the northerly right of way line of Santa Monica Street and along said curve to the right with an arc distance of 5.39 feet, having a delta angle of 12°21'14", a radius of 25.00 feet, and chord bearing of North 79°22'16" West, a chord distance of 5.38 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 11° 23' 33" West, along the westerly right of way line of said Santa Monica Street, a distance of 50.09 feet to a point for a corner, for an interior corner of the herein described tract;

THENCE North 74° 53' 01" West, along the northerly line of Lot 54 of said Sharyland Plantation Village Granada Phase I Subdivision, a distance of 103.47 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 08° 48' 14" West, along the westerly line of said Sharyland Plantation Village Granada Phase I Subdivision, a distance of 126.11 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE North 74° 50' 13" West, along the northerly line of said Sharyland Plantation Village Granada Phase I Subdivision, a distance of 254.48 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE North 74° 59' 47" West, continue along the northerly line of said Sharyland Plantation Village Granada Phase I Subdivision, a distance of 31.11 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE North 81° 20' 22" West, continue along the northerly line of said Sharyland Plantation Village Granada Phase I Subdivision, a distance of 70.90 feet to a 1/2-inch iron rod with cap stamped "CVQ" found at the northwesterly corner of Lot 63 of said Subdivision, for an interior corner of the herein described tract;

THENCE South 08° 39' 25" West, along the westerly line of said Sharyland Plantation Village Granada Phase I Subdivision, a distance of 278.82 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the north right of way line of San Clemente Street (50.0' right of way), for an interior corner of the herein described tract;

THENCE North 81° 20' 35" West, along said north right of way line of San Clemente Street, a distance of 125.00 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Northerly, along the north right of way line of said San Clemente Street and along said curve to the right with an arc distance of 16.09 feet, having a delta angle of 36°52'00", a radius of 25.00 feet, and chord bearing of North 09°46'41" West, a chord distance of 15.81 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 81° 45' 26" West, along said north right of way line of San Clemente Street, a distance of 50.00 feet to a 1/2-inch iron rod found at the point of a curvature of a non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, along the west right of way line of said San Clemente Street and along said curve to the right with an arc distance of 10.99 feet, having a delta angle of 25°11'38", a radius of 25.00 feet, and chord bearing of South 22°02'04" West, a chord distance of 10.90 feet to a 1/2-inch iron rod found at the point of a curvature of a reverse curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said San Clemente Street and along said reverse curve to the left with an arc distance of 21.01 feet, having a delta angle of 24°04'35", a radius of 50.00 feet, and chord bearing of South 21°00'00" West, a chord distance of 20.86 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the northeasterly corner of Lot 40 of said Sharyland Plantation Village Granada Phase I Subdivision, for an interior corner of the herein described tract;

THENCE North 81° 22' 12" West, along the north line of said Lot 40, a distance of 123.00 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the northwesterly corner of said Lot 40, for an interior corner of the herein described tract;

THENCE South 08° 37' 48" West, along the west line of said Lot 40, at a distance of a 168.64 feet pass a 5/8-inch iron rod found at the southerly corner of said Lot 40, continue for a total distance

of 189.12 feet to a 1/2-inch iron rod with cap stamped "Half" set in the north right of way line of Los Indios Parkway (100.0' right of way), for an interior corner of the herein described tract;

THENCE North 81° 05' 49" West, along said north right of way line of Los Indios Parkway, a distance of 105.49 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE North 36° 18' 50" West, continue along said north right of way line of Los Indios Parkway, a distance of 35.36 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE North 81° 18' 50" West, continue along said north right of way line of Los Indios Parkway, a distance of 60.00 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 53° 41' 10" West, continue along said north right of way line of Los Indios Parkway, a distance of 35.36 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 08° 41' 10" West, along west right of way line of said Los Indios Parkway, a distance of 100.00 feet to a 1/2-inch iron rod found in the westerly right of way line of Grand Canal Drive (60.0' right of way), for an interior corner of the herein described tract;

THENCE South 36° 18' 50" East, along said westerly right of way line of Grand Canal Drive, a distance of 30.83 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of Grand Canal Drive and along said curve to the right with an arc distance of 28.56 feet, having a delta angle of 02°07'31", a radius of 770.00 feet, and chord bearing of South 15°09'48" West, a chord distance of 28.56 feet to a 1/2-inch iron rod with cap stamped "Half" set at the northeasterly corner of Lot 40 of said Sharyland Plantation Village Granada Phase I Subdivision, for an interior corner of the herein described tract;

THENCE South 16° 09' 12" West, continue along said westerly right of way line of Grand Canal Drive, a distance of 154.17 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of Grand Canal Drive and along said curve to the left with an arc distance of 298.73 feet, having a delta angle of 20°37'18", a radius of 830.00 feet, and chord bearing of South 05°10'53" West, a chord distance of 297.12 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 04° 39' 48" East, continue along said westerly right of way line of Grand Canal Drive, a distance of 200.08 feet to a 1/2-inch iron rod found at the point of a curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of Grand Canal Drive and along said curve to the right with an arc distance of 180.07 feet, having a delta angle of 13°23'56", a radius of 770.00 feet, and chord bearing of South 02°00'22" West, a chord distance of 179.66 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 08° 44' 31" West, continue along said westerly right of way line of Grand Canal Drive, a distance of 366.29 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of Grand Canal Drive and along said curve to the left with an arc distance of 162.41 feet, having a delta angle of 14°46'14", a radius of 630.00 feet, and chord bearing of South 01°16'51" West, a chord distance of 161.96 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 06° 08' 24" East, continue along said westerly right of way line of Grand Canal Drive, a distance of 531.33 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of Grand Canal Drive and along said curve to the left with an arc distance of 45.72 feet, having a delta angle of 04°09'30", a radius of 630.00 feet, and chord bearing of South 08°08'50" East, a chord distance of 45.71 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 10° 15' 01" East, continue along said westerly right of way line of Grand Canal Drive, a distance of 232.50 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southwesterly, continue along said westerly right of way line of Grand Canal Drive, and along said curve to the right with an arc distance of 31.61 feet, having a delta angle of 72°27'08", a radius of 25.00 feet, and chord bearing of South 25°15'05" West, a chord distance of 29.55 feet to a 1/2-inch iron rod found in the north right of way of San Mateo Parkway (60.0' right of way), same being at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Westerly, along said north right of way of San Mateo Parkway and along said curve to the right with an arc distance of 245.46 feet, having a delta angle of 14°29'55", a radius of 970.00 feet, and chord bearing of South 84°31'36" West, a chord distance of 244.80 feet to a 1/2-inch iron rod found in the west right of way line of said Grand Canal Drive, for an interior corner of the herein described tract;

THENCE South 02° 02' 52" West, along the west right of way line of said Grand Canal Drive, a distance of 59.97 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, along said west right of way line of said Grand Canal Drive and along said curve to the right with an arc distance of 37.95 feet, having a delta angle of 86°58'15", a radius of 25.00 feet, and chord bearing of South 44°17'42" East, a chord distance of 34.41 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 00° 52' 50" East, continue along said west right of way line of said Grand Canal Drive, a distance of 189.12 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, continue along said west right of way line of said Grand Canal Drive and along said curve to the right with an arc distance of 41.03 feet, having a delta angle of 08°32'53", a radius of 275.00 feet, and chord bearing of South 04°22'08" West, a chord distance of 40.99 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 08° 38' 05" West, continue along said west right of way line of said Grand Canal Drive a distance of 611.25 feet to a 1/2-inch iron rod found at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, continue along said west right of way line of said Grand Canal Drive and along said curve to the right with an arc distance of 13.10 feet, having a delta angle of 30°00'54",

a radius of 25.00 feet, and chord bearing of South 19°51'32" West, a chord distance of 12.95 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southeasterly, continue along said west right of way line of said Grand Canal Drive and along said curve to the left with an arc distance of 118.35 feet, having a delta angle of 135°47'50", a radius of 50.00 feet, and chord bearing of South 33°45'51" East, a chord distance of 92.59 feet to a 1/2-inch iron rod found at the northwesterly corner of Lot 38 of Sharyland Plantation Village Los Cabos Subdivision Phase 3, as recorded in Instrument No. 2833149 M.R.H.C.T., same being in the south right of way line of San Patricio Street (50.0' right of way), for an interior corner of the herein described tract;

THENCE South 08° 38' 30" West, along the westerly line of said Sharyland Plantation Village Los Cabos Subdivision Phase 3, a distance of 325.27 feet to a 1/2-inch iron rod found at the southwesterly corner of said Sharyland Plantation Village Los Cabos Subdivision Phase 3, for an interior corner of the herein described tract;

THENCE South 80° 45' 38" East, along the southerly line of said Sharyland Plantation Village Los Cabos Subdivision Phase 3, a distance of 17.86 feet to a 1/2-inch iron rod with cap stamped "R&R" found at the northwesterly corner of that called 30.12 acre tract conveyed to Sharyland ISD, as described in Document No. 1728161 O.R.H.C.T., same being the point of curvature of non-tangent curve to the right, for an interior corner of the herein described tract;

THENCE Southwesterly, along the westerly line of said 30.12 acre tract and along said curve to the right with an arc distance of 228.87 feet, having a delta angle of 58°16'49", a radius of 225.00 feet, and chord bearing of South 39°00'51" West, a chord distance of 219.13 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 68° 09' 15" West, continue along the westerly line of said 30.12 acre tract, a distance of 22.74 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, along the westerly line of said 30.12 acre tract and along said curve to the right with an arc distance of 257.16 feet, having a delta angle of 27°47'59", a radius of 530.00 feet, and chord bearing of South 05°14'32" East, a chord distance of 254.64 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 08° 39' 26" East, continue along the westerly line of said 30.12 acre tract, a distance of 960.80 feet to a 1/2-inch iron rod found in the north right of way line FM 1016 (Military Hwy) (150.0' right of way), for the southeasterly corner of the herein described tract;

THENCE North 81° 38' 19" West, along said north right of way line FM 1016 (Military Hwy), at a distance of 238.32 feet pass a 1/2-inch iron rod found at the common line of aforementioned Lots 61 & 62, continuing for total a distance of 1,444.42 feet to a TxDOT brass monument disk found at the intersection of said FM 1016 and FM 396 (also known as Anzalduas Parkway), for the southwesterly corner of the herein described tract;

THENCE North 36° 25' 07" West, along the easterly right of way line of said FM 396, a distance of 70.72 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a non-tangent curve to the left, for an interior corner of the herein described tract;

THENCE Northerly, along said easterly right of way line of said FM 396 and along said curve to the left with an arc distance of 358.74 feet, having a delta angle of 06°43'49", a radius of 3,054.00 feet, and chord bearing of North 04°48'41" East, a chord distance of 358.53 feet to a 5/8-inch iron rod found at the point of curvature of a compound curve to the left, for an interior corner of the herein described tract;

THENCE Northerly, continue along said easterly right of way line of said FM 396 and along said compound curve to the left with an arc distance of 244.89 feet, having a delta angle of $04^{\circ}35'40''$, a radius of 3,054.00 feet, and chord bearing of North $00^{\circ}51'02''$ West, a chord distance of 244.83 feet to a TxDOT brass monument disk found, for an interior corner of the herein described tract;

THENCE Northwesterly, continue along said easterly right of way line of said FM 396 and along said compound curve to the left with an arc distance of 458.13 feet, having a delta angle of $08^{\circ}35'42''$, a radius of 3,054.00 feet, and chord bearing of North $07^{\circ}26'45''$ West, a chord distance of 457.70 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE North $11^{\circ}44'35''$ West, continue along said easterly right of way line of said FM 396, a distance of 178.69 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a tangent curve to the left, for an interior corner of the herein described tract;

THENCE Northwesterly, continue along said easterly right of way line of said FM 396 and along said curve to the left with an arc distance of 1,527.46 feet, having a delta angle of $23^{\circ}58'39''$, a radius of 3,649.98 feet, and chord bearing of North $23^{\circ}43'55''$ West, a chord distance of 1,516.34 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE North $35^{\circ}43'13''$ West, continue along said easterly right of way line of said FM 396, a distance of 826.93 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a tangent curve to the right, for an interior corner of the herein described tract;

THENCE Northwesterly, continue along said easterly right of way line of said FM 396 and along said curve to the right, at an arc distance of 1,487.33 feet and a delta angle of $24^{\circ}43'46''$ pass a 1/2-inch iron rod with cap stamped "Half" set in the south right of way line of Los Indios Connector (100.0' right of way), continuing along said curve to the right with a total arc distance of 1,652.88 feet, having a delta angle of $27^{\circ}28'55''$, a radius of 3,446.00 feet, and chord bearing of North $21^{\circ}58'46''$ West, a chord distance of 1,637.08 feet to a 1/2-inch iron rod with cap stamped "Half" set in the northerly right of way line of said Los Indios Connector, same being the point of curvature of a tangent curve to the right, for an interior corner of the herein described tract;

THENCE Northwesterly, along said easterly right of way line of said FM 396, and along said curve to the right, at an arc distance of 680.40 feet and a delta angle of $11^{\circ}43'28''$ pass a 1/2-inch iron rod with cap stamped "Half" set at the southwesterly corner of Valley Baptist Medical Center as recorded in Volume 50, Page 170 M.R.H.C.T., continuing along common line of said easterly right of way line of said FM 396 and said Valley Baptist Medical Center Subdivision and continuing along said curve to the right with an arc total distance of 1,010.08 feet, having a delta angle of $17^{\circ}24'20''$, a radius of 3,325.00 feet, and chord bearing of North $00^{\circ}10'25''$ West, a chord distance of 1,006.20 feet to a 1/2-inch iron rod with cap stamped "Half" set at the southwesterly corner of Lot 1 of said Valley Baptist Medical Center Subdivision, for an interior corner of the herein described tract;

THENCE North $08^{\circ}31'46''$ East, continue along said easterly right of way line of said FM 396, a distance of 466.86 feet to a 1/2-inch iron rod with cap stamped "Half" set at the most westerly northwest corner of said Lot 1, for an interior corner of the herein described tract;

THENCE North $08^{\circ}27'27''$ East, continue along said easterly right of way line of said FM 396, a distance of 479.99 feet to a 1/2-inch iron rod with cap stamped "Half" set at common line of aforementioned said Lots 10-11 and 11-11, for an interior corner of the herein described tract;

THENCE North 08° 36' 09" East, continue along said easterly right of way line of said FM 396, a distance of 1,320.05 feet to a 1/2-inch iron rod with cap stamped "Halff" set at common line of aforementioned said Lots 11-11 and 12-11, for an interior corner of the herein described tract;

THENCE North 08° 31' 34" East, continue along said easterly right of way line of said FM 396, a distance of 949.67 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a tangent curve to the right, for an interior corner of the herein described tract;

THENCE Northerly, along common line said easterly right of way line of said FM 396 and along said curve to the right, at an arc distance of 351.47 feet and delta angle of 05°50'44" pass a 1/2-inch iron rod with cap stamped "Halff" set in the south right of way line of Mile 2 South (40.0' right of way) continuing along said curve to the right for total arc distance of 419.87 feet, having a delta angle of 06°58'52", a radius of 3,446.00 feet, and chord bearing of North 13°25'17" East, a chord distance of 419.61 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the north right of way line of Mile 2 South, for an interior corner of the herein described tract;

THENCE North 16° 54' 40" East, continue along said easterly right of way line of said FM 396, a distance of 731.49 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a tangent curve to the left, for an interior corner of the herein described tract;

THENCE Northerly, along common line said easterly right of way line of said FM 396 and along said curve to the left with an arc distance of 516.11 feet, having a delta angle of 08°06'06", a radius of 3,650.00 feet, and chord bearing of North 12°51'44" East, a chord distance of 515.68 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 08° 37' 46" East, continue along said easterly right of way line of said FM 396, a distance of 35.83 feet to the POINT OF BEGINNING and containing a gross area 672.39 acres of land, more or less.

SAVE AND EXCEPT: a 22.56 acre tract (record) of land previously conveyed to Valley Baptist Medical Center as described in Special Warranty Deed dated December 16, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 18, 2003, under Clerk's Document No. 1277636;

FURTHER SAVE AND EXCEPT: the remaining 4.753 acres of a drainage right of way dedicated to the City of Mission under the plat of VALLEY BAPTIST MEDICAL CENTER 22.56 acres (record) as recorded in Volume 50, Page 170 of the Map Records of Hidalgo County Texas.

FURTHER SAVE AND EXCEPT: a 0.0301 acre tract (record) of land previously conveyed to City of Mission as described in Deed dated June 11, 2014, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2014, under Clerk's Document No. 2522809;

FURTHER SAVE AND EXCEPT: a 11.16 acre tract of land, previously conveyed, and being more particularly described by Deed from Hunt Valley Industrial I, L.P., to the City of Mission, dated May 31, 2013, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 7, 2013, under Clerk's File No. 2419766.

FURTHER SAVE AND EXCEPT: a 12.98 acre tract (record) (12.07 acre calculated) of land previously conveyed to Hidalgo County Drainage District No 1 as described in Deed dated March 30, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 05, 2006, under Clerk's Document No. 1599385;

and leaving a net area of 621.82 acres of land, more or less.

TRACT 3:

BEING a 218.94 Acre tract of land situated in Porciones 55, 56 and 57, City of Mission Texas and being part or all of Lot 6-11, 6-12, 7-10, 7-11, 7-12, 8-10, 8-11 of the WEST ADDITION TO SHARYLAND, as recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 218.94 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the northeast corner of the Old Edinburg Canal, same being in the south right of way line of Mile 3 South (40.0' right of way as per plat Volume 1 Page 56 of the M.R.H.C.T.), for the northwesterly corner of the herein described tract;

THENCE South 81° 22' 06" East, along said south right of way line of Mile 3 South, a distance of 661.04 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the westerly right of way line of FM 396 (also known as Anzalduas Parkway) (right of way varies) at the point of a curvature of non-tangent curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, along said westerly right of way line of said FM 396 and along said curve to the left with an arc distance of 139.26 feet, having a delta angle of 02°10'16", a radius of 3,675.00 feet, and chord bearing of North 20°13'09" West, a chord distance of 139.26 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a compound curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of said FM 396 and along said curve to the left with an arc distance of 747.87 feet, having a delta angle of 14°01'43", a radius of 3,054.44 feet, and chord bearing of South 28°44'12" East, a chord distance of 746.00 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 35° 43' 16" East, continue along said westerly right of way line of said FM 396, at a distance of 568.17 feet pass a 5/8-inch iron rod found at the northerly right of way of San Mateo Road (right of way varies), continuing along said westerly right of way line of said FM 396, at a distance of 786.65 feet pass a 5/8-inch rod stamped "RODS Surveying" found in the southerly right of way of said San Mateo Road, and continuing for a total distance of 1,084.42 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of a curvature of a tangent curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of said FM 396 and along said curve to the right with an arc distance of 1401.92 feet, having a delta angle of 23°58'38", a radius of 3,350.00 feet, and chord bearing of South 23°43'54" East, a chord distance of 1391.71 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a compound curve to the right, for an interior corner of the herein described tract;

THENCE Southerly, continue along said westerly right of way line of said FM 396 and along said curve to the right with an arc distance of 1,041.78 feet, having a delta angle of 20°15'40", a radius of 2,946.00 feet, and chord bearing of South 01°36'45" East, a chord distance of 1,036.36 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 08° 31' 05" West, continue along said westerly right of way line of said FM 396, a distance of 90.16 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 52° 33' 02" West, continue along said westerly right of way line of said FM 396, a distance of 71.94 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the north right of way line of FM 1016 (right of way varies) (also known as Military Highway), for an interior corner of the herein described tract;

THENCE North 83° 25' 00" West, along said north right of way line of said FM 1016, a distance of 1624.89 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 06° 45' 13" West, continue along said northerly right of way line of said FM 1016, a distance of 29.99 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE North 83° 24' 25" West, continue along said northerly right of way line of said FM 1016, a distance of 465.77 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a tangent curve to the right, for an angle corner of the herein described tract;

THENCE Westerly, continue along said northerly right of way line of said FM 396 and along said curve to the right with an arc distance of 125.05 feet, having a delta angle of 03°37'43", a radius of 11,399.16 feet, and chord bearing of South 83°05'33" West, a chord distance of 125.05 feet to a 1/2-inch iron rod found in the east right of way of Bryan Road (120.0' right of way), for an interior corner of the herein described tract;

THENCE North 82° 21' 09" West, continue along said northerly right of way line of said FM 1016, a distance of 137.15 feet to a 5/8-inch iron rod with cap stamped "ROW SS" found in the westerly right of way of said Bryan Road, same being the southeasterly corner of that 14.65 acre Tract No 3 conveyed to Medusa Investments, LLC, as recorded in Document No. 2846006 O.R.H.C.T., for the most southerly southwest corner of the herein described tract

THENCE North 53° 25' 14" East, along said westerly right of way line of said Bryan Road, a distance of 17.05 feet to a 5/8-inch iron rod with cap stamped "ROW SS" found in the west right of way of said Bryan road, for an interior corner of the herein described tract;

THENCE North 08° 26' 52" East, along the common west line of said Bryan Road and east line of said 14.65 acre Tract No 3, a distance of 531.44 feet to a 5/8-inch iron rod with cap stamped "ROW SS" found at the northeast corner of said 14.65 acre tract, for an interior corner of the herein described tract;

THENCE North 81° 26' 30" West, along the north line of said 14.65 acre tract, a distance of 1,174.32 feet to a 1/2-inch iron rod found at the northwest corner of said 14.65 acre tract, same being in the east right of way line of Dohrn Canal "A" (86.79' right of way) owned by Sharyland Distribution & Transmission Services, LLC, as recorded in Document No. 2062598 O.R.H.C.T., for the southwesterly corner of the herein described tract;

THENCE North 08° 33' 35" East, along the east right of way line of said Dohrn Canal, a distance of 1,737.10 feet to a 1/2-inch iron rod with cap stamped "Half" set in the easterly right of way line of the Old Edinburg Canal (right of way varies), for an exterior corner of the herein described tract;

THENCE North 39° 32' 57" East, along the easterly right of way line of said Old Edinburg Canal, a distance of 312.86 feet to a 1/2-inch iron rod with cap stamped "Half" set in the south right of way line of Samuelson Canal (90.0' right of way), for an interior corner of the herein described tract;

THENCE South 81° 26' 34" East, along the south right of way line of said Samuelson Canal, a distance of 998.21 feet to a 1/2-inch iron rod with cap stamped "Half" set in the west right of way line of said Bryan Road, same being the southeast corner of said Samuelson Canal, for an interior corner of the herein described tract;

THENCE North 08° 07' 49" East, along west right of way line of said Bryan Road, a distance of 90.13 feet to a 1/2-inch iron rod found the northeast corner of said Samuelson Canal, for an interior corner of the herein described tract;

THENCE North 81° 26' 09" West, along the north right of way line of said Samuelson Canal, a distance of 1,055.52 feet to a 1/2-inch iron rod found the easterly right of way of said Old Edinburg Canal, for an interior corner of the herein described tract;

THENCE North 33° 13' 40" East, along the easterly right of way line of said Old Edinburg Canal, a distance of 1,430.43 feet to the POINT OF BEGINNING and containing a gross area 218.94 acres of land, more or less.

SAVE AND EXCEPT: a 1.875 acre tract of land previously conveyed to The City of Mission as described in Special Warranty Deed dated September 27, 2001, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 17, 2001, under Clerk's Document No. 999690 and a 2.249 acre tract in Clerk's Document No. 999689, Special Warranty Deed dated September 13, 2000, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 19, 2000, a 0.139 acre tract under Clerk's Document Number 905950, Special Warranty Deed dated September 7, 2000, a 0.061 acre tract filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 13, 2000, under Clerk's Document Number 905949, Special Warranty Deed dated September 27, 2000, a 0.783 acre tract filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 17, 2001, under Clerk's Document Number 999696, and a calculated 2.256 acre tract in Deed from Gladys Ann Canady, Individually and as Independent Executrix of the Estate of M.E. Canady a/k/a Millard E. Canady, Jr. Deceased to State of Texas, dated September 5, 2000, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 11, 2000, under Clerk's File No. 903678, and the remaining 4.060 acres calculated for the original right-of-way for Bryan Road as recorded in Volume 1, Page 56 M.R.H.C.T.;

FURTHER SAVE AND EXCEPT: a 3.9091 acre tract out of that portion of said 219.12 acre tract of land, previously conveyed and being more particularly described in Deed from Hunt Valley Industrial I, L.P., a Texas limited partnership, to City of Mission, dated May 1, 2008, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 9, 2008, under Clerk's File No. 1898291;

FURTHER SAVE AND EXCEPT: a 0.674 acre tract out of that portion of said 219.12 acre tract of land, previously conveyed and being more particularly described in Deed from Hidalgo County Water Control and Improvement District No. 19 to State of Texas, dated August 5, 2008, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 8, 2008, under Clerk's File No. 1917193;

TRACT 4A:

BEING a 47.308 Acre tract (2,060,719 sq. ft) of land situated in Porcion 57, City of Mission Texas and being out of Lots 5-11 and 5-12 of the WEST ADDITION TO SHARYLAND, as recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of that tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 47.308 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the northeast corner of that called 10.449 acre tract conveyed to Union Design Developer, L.P., as recorded in Document No. 1738792 O.R.H.C.T., same corner being in the south right of way line of FM 1016 (Military Road) (right of way varies), for the northwest corner of the herein described tract;

THENCE South 83° 24' 52" East, along said south right of way line of FM 1016, a distance of 1,624.48 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an angle corner of the herein described tract;

THENCE South 37° 26' 31" East, continue along said south right of way line of FM 1016, a distance of 69.52 feet to a 1/2-inch iron rod with cap stamped "Half" found in the west right of way line of FM 396 (Anzalduas Highway) (right of way width varies), for the most easterly northeast corner of the herein described tract;

THENCE South 08° 31' 05" West, along the west right of way line of said FM 396, a distance of 222.62 feet to a 1/2-inch iron rod with cap stamped "Half" found in the point of curvature of a tangent curve to the right, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the right with an arc distance of 373.95 feet, having a delta angle of 06°13'03", a radius of 3,446.00 feet, and chord bearing of South 11°37'37" West, a chord distance of 373.77 feet to a 1/2-inch iron rod with cap stamped "Half" found in the point of curvature of a reverse curve to the left, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the left with an arc distance of 548.45 feet, having a delta angle of 06°13'03", a radius of 5,054.00 feet, and chord bearing of South 11°37'37" West, a chord distance of 548.18 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an angle corner of the herein described tract;

THENCE South 08° 31' 03" West, continue along west right of way line of said FM 1016, a distance of 84.46 feet to a 1/2-inch iron rod with cap stamped "Half" set in the north right of way line of Irrigation Canal (60.0' right of way), for the southeast corner of the herein described tract;

THENCE North 81° 26' 51" West, along said north right of way line of Irrigation Canal, a distance of 1624.32 feet to a 1/2-inch iron rod found at the southeast of the AMENDED MAP O.E. INVESTMENTS SUBDIVISION No 2, as recorded in Volume 52, Page 39 M.R.H.C.T., for the southwest corner of the herein described tract;

THENCE North 08° 33' 16" East, along the east line of said AMENDED MAP O.E. INVESTMENTS SUBDIVISION No 2, at a distance of 698.00 feet pass the northeast corner of said subdivision, continuing for a total distance of 1220.24 feet to the POINT OF BEGINNING and containing a gross area 47.308 acres (2,060,719 sq. ft) of land, more or less.

TRACT 4 – DIRECTOR LOT 1:

A 1.00 acre tract of land described in deed to Paul Curtin as recorded in Document Number 2012-2326229, Official Records of Hidalgo County, Texas.

TRACT 4 – DIRECTOR LOT 2:

A 1.00 acre tract of land described in deed to Raul Garcia as recorded in Document Number 2858565, Official Records of Hidalgo County, Texas.

TRACT 5A:

BEING a 154.233 acres (6,718,403 sq. ft.) tract of land situated in Porciones 59 and 60, City of Mission Texas and being part or all of Lots 51, 52, 53 & 54 of the JOHN H. SHARY SUBDIVISION, as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of that tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 154.233 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Half" found at the intersection of the south right of way line of FM 1016 (Military Road) (right of way varies) and the east right of way line of

FM 396 (Anzalduas Highway) (right of way varies), same being the point of curvature of a non-tangent curve to the right for the northwesterly corner of the herein described tract;

THENCE Southerly, along the south right of way line of FM 1016, along said curve to the right with an arc distance of 99.80 feet, having a delta angle of $00^{\circ}30'06''$, a radius of 11,399.16 feet, and chord bearing of South $81^{\circ}44'36''$ East, a chord distance of 99.80 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an interior corner of the herein described tract;

THENCE South $81^{\circ}28'36''$ East, along said south right of way line of FM 1016, a distance of 2,352.84 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an angle corner of the herein described tract;

THENCE South $36^{\circ}27'45''$ East, continuing along said south right of way line of FM 1016, a distance of 74.14 feet to a 1/2-inch iron rod found in the west right of way line of Glasscock Road (40.0' right of way), for an interior corner of the herein described tract;

THENCE South $81^{\circ}22'18''$ East, across right of way line of said Glasscock Road, a distance of 40.00 feet to a 1/2-inch iron rod with cap stamped "Halff" found in the east right of way line of said Glasscock Road, for an interior corner of the herein described tract;

THENCE North $53^{\circ}41'29''$ East, along the south right of way line of said FM 1016, a distance of 70.96 feet to a 1/2-inch iron rod found, for an angle corner of the herein described tract;

THENCE South $81^{\circ}36'20''$ East, continuing along said south right of way line of said FM 1016, a distance of 1,249.34 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an interior corner of the herein described tract;

THENCE South $81^{\circ}29'21''$ East, continuing along said south right of way line of said FM 1016, a distance of 1,195.88 feet to a 1/2-inch iron rod with cap stamped "Halff" found, same being the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Easterly, continuing along said south right of way line of said FM 1016, along said curve to the left with an arc distance of 36.24 feet, having a delta angle of $00^{\circ}10'49''$, a radius of 11,519.16 feet, and chord bearing of South $81^{\circ}34'45''$ East, a chord distance of 36.24 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an interior corner of the herein described tract;

THENCE South $36^{\circ}35'30''$ East, continuing along said southerly right of way line of said FM 1016, a distance of 70.94 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the west right of way line of FM 494 (S. Shary Road) (right of way varies), for an interior corner of the herein described tract;

THENCE South $08^{\circ}37'42''$ West, continuing along the west right of way line of said S. Shary Road, a distance of 696.71 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an interior corner of the herein described tract;

THENCE South $12^{\circ}55'03''$ West, continuing along the west right of way line of said S. Shary Road, a distance of 200.60 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an interior corner of the herein described tract;

THENCE South $08^{\circ}37'42''$ West, continuing along the west right of way line of said S. Shary Road, a distance of 343.94 feet to a 1/2-inch iron rod with cap stamped "Halff" set the common corner of said Lot 54 and said Lot 44, for an interior corner of the herein described tract;

THENCE South $07^{\circ}52'21''$ West, continuing along the west right of way line of said S. Shary Road, a distance of 21.23 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the north right of way

line of St. Louis Brownsville & Mexico Railway as recorded in Volume 0, Page 466 D.R.H.C.T., (100.0' railroad right of way), for the southeast corner of the herein described tract;

THENCE North 81° 21' 37" West, along said north right of way line, at a distance of 2,567.11 feet pass the east right of way line aforementioned Glasscock Road, continuing along said north right of way line, for a total distance of 2,594.17 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an angle corner of the herein described tract;

THENCE North 81° 22' 38" West, continuing along said north right of way line, at a distance of 12.93 feet pass the west right of way line of said Glasscock Road, continuing along said north right of way line, for a total distance of 2,281.03 feet to a 1/2-inch iron rod with cap stamped "Half" set in the point of curvature of a curve to the left, for an angle corner of the herein described tract;

THENCE Westerly, continuing along said north right of way line, along said curve to the left with an arc distance of 235.91 feet, having a delta angle of 07°21'22", a radius of 1,837.49 feet, and chord bearing of North 85°04'34" West, a chord distance of 235.75 feet to a 1/2-inch iron rod with cap stamped "Half" set in the east right of way line of aforementioned FM 396, for the southwesterly corner of the herein described tract;

THENCE North 08° 31' 05" East, along the east right of way line of said FM 396, a distance of 113.19 feet to a 1/2-inch iron rod with cap stamped "Half" found in the point of curvature of a curve to the left, for an angle corner of the herein described tract;

THENCE Northerly, continuing along the easterly right of way line of said FM 396, along said curve to the left with an arc distance of 548.45 feet, having a delta angle of 06°13'03", a radius of 5,054.00 feet, and chord bearing of North 05°24'33" East, a chord distance of 548.18 feet to a 1/2-inch iron rod with cap stamped "Half" found at the point of curvature of a reverse curve to the right, for an angle corner of the herein described tract;

THENCE Northerly, continuing along the easterly right of way line of said FM 396, along said reverse curve to the right with an arc distance of 373.95 feet, having a delta angle of 06°13'03", a radius of 3,446.00 feet, and chord bearing of North 05°24'33" East, a chord distance of 373.77 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an angle corner of the herein described tract;

THENCE North 08° 31' 05" East, continuing along the east right of way line of said FM 396, a distance of 231.23 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an angle corner of the herein described tract;

THENCE North 53° 02' 29" East, continuing along the easterly right of way line of said FM 396, a distance of 72.08 feet to the POINT OF BEGINNING and containing an area 154.233 acres (6,718,403 sq. ft.) of land, more or less.

RESIDENTIAL LOTS & PARCELS:

TRACT 1:

Lots 8 and 9, SHARYLAND PLANTATION VILLAGE ANTIGUA PHASE II SUBDIVISION, an Addition to the City of Mission, Hidalgo County, Texas, according to map thereof recorded in Volume 53, Page 68, Map Records of Hidalgo County, Texas.

TRACT 2:

Parcel A: (Antigua Proposed Lot #17)

BEING a 1.128 acre (49,151 sq. ft.) tract of land situated in the City of Mission Hidalgo County, Texas, out of Lot 123 of the AMENDED MAP OF JOHN H. SHARY, as recorded in Volume 0, Page 17, as recorded in Map Records of Hidalgo County, Texas (M.R.H.C.T.), same being of out that tract conveyed to Hunt Valley Industrial I, LLP, as described in Document No 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 1.128 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the most westerly northwest corner of Lot 16 of the SHARYLAND PLANTATION VILLAGE ANTIGUA PHASE X SUBDIVISION as recorded in Document No. 2549771 M.R.H.C.T., same being in the east line of Lot 11 of SHARYLAND PLANTATION VILLAGE SAN MIGUEL PHASE III SUBDIVISION as recorded in Volume 53, Page 28, M.R.H.C.T., for the most northerly corner of the herein described tract;

THENCE South 43° 42' 25" East, along the westerly line of said Lot 16, distance of 368.54 feet to a 1/2-inch iron rod found in the northerly right of way line of Antigua Drive (50.0' Private right of way), same being the point of curvature of a non-tangent curve to the left, for the northeasterly corner of the herein described tract;

THENCE Southwesterly, along the westerly right of way line of said Antigua Drive and along said curve to the left with an arc distance of 92.65 feet, having a delta angle of 42°28'09", a radius of 125.00 feet, and chord bearing of South 29°44'26" West, a chord distance of 90.55 feet to a 1/2-inch iron rod found at the northeast corner of Lot 18 of the SHARYLAND PLANTATION VILLAGE ANTIGUA PHASE VII SUBDIVISION as recorded in Document No. 2209818 M.R.H.C.T., for the southerly corner of the herein described tract;

THENCE North 70° 30' 34" West, departing said Antigua Drive, and along the northerly line of said Lot 18, a distance of 263.81 feet to a 1/2-inch iron rod found in the east line of Lot 10 of said SHARYLAND PLANTATION VILLAGE SAN MIGUEL PHASE III SUBDIVISION, for the southwesterly corner of the herein described tract;

THENCE North 08° 37' 14" East, along the east line of said Lot 10, at a distance of 150.55 feet pass a 1/2-inch iron rod found the common corner of said Lot 10 and aforementioned Lot 11, and continuing for a total distance of 259.95 feet to the POINT OF BEGINNING and containing an area of 1.128 acres (49,151 sq. ft.) of land, more or less.

Parcel B: (Antigua Proposed Lots #13 & 14)

BEING a 2.822 acre (122,941 sq. ft.) tract of land situated in the City of Mission Hidalgo County, Texas, out of Lot 123 of the AMENDED MAP OF JOHN H. SHARY, as recorded in Volume 0, Page 17, as recorded in Map Records of Hidalgo County, Texas (M.R.H.C.T.), same being out of that tract conveyed to Hunt Valley Industrial I, LLP, as described in Document No 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 2.822 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the northeast corner of Lot 15 of the SHARYLAND PLANTATION VILLAGE ANTIGUA PHASE VIII SUBDIVISION as recorded in Document No. 2399359 M.R.H.C.T., same being in the south line of that called 24.68 acre tract conveyed to Hidalgo County Drainage District No 1, as recorded in Document No. 1599385 O.R.H.C.T., for the northwesterly corner of the herein described tract;

THENCE South 81° 20' 36" East, along the south line of said 24.68 acre tract, distance of 453.35 feet to a 1/2-inch iron rod found at the northwest corner of that called 0.967 acre tract (Drainage

R.O.W.) conveyed to the City of Mission, as described in Document No. 2066793 O.R.H.C.T., for the northeasterly corner of the herein described tract;

THENCE South 09° 00' 24" West, along the west line of said 0.967 acre tract, a distance of 119.39 feet to a 1/2-inch iron rod with cap stamped "Half" set for the point of curvature of a non-tangent curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, along the westerly line of said 0.967 acre tract and along said curve to the left with an arc distance of 50.95 feet, having a delta angle of 14°35'50", a radius of 200.00 feet, and chord bearing of South 01°19'53" West, a chord distance of 50.82 feet to a 1/2-inch iron rod with cap stamped "Half" set at the northerly corner of Lot 12 of the SHARYLAND PLANTATION VILLAGE ANTIGUA PHASE IV SUBDIVISION as recorded in Document No. 2066793 M.R.H.C.T., for the southeasterly corner of the herein described tract;

THENCE South 74° 01' 30" West, along the northerly line of said Lot 12, a distance of 395.07 feet to a 1/2-inch iron rod found at the northwesterly corner of said Lot 12, same being in the northerly right of way line of cul de sac of Antigua Drive (50.0' private drive), for the southerly corner of the herein described tract;

THENCE North 24° 51' 30" West, along the northerly right of way line of said Antigua Drive, a distance of 25.26 feet to a 1/2-inch iron rod with cap stamped "Half" set for the point of curvature of a non-tangent curve to the left, for an interior corner of the herein described tract;

THENCE Westerly, along the northerly right of way line of said Antigua Drive and along said curve to the left with an arc distance of 85.13 feet, having a delta angle of 65°01'54", a radius of 75.00 feet, and chord bearing of North 58°00'30" West, a chord distance of 80.63 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 89° 22' 57" West, along the northerly right of way line of said Antigua Drive, a distance of 41.24 feet to a 1/2-inch iron rod with cap stamped "Half" set at the southeast corner of said Lot 15, for the southwest corner of the herein described tract;

THENCE North 14° 20' 45" East, departing said Antigua Drive and along the east line of said Lot 15, a distance of 289.51 feet to the POINT OF BEGINNING and containing an area of 2.822 acres (122,941 sq. ft.) of land, more or less.

TRACT 3:

Lots 15, and 21, SHARYLAND PLANTATION VILLAGE LAS VILLAS AT LAGO ESCONDIDO, PHASE II, an Addition to the City of Mission, Hidalgo County, Texas, according to map thereof recorded in Volume 46, Page 62, Map Records of Hidalgo County, Texas.

TRACT 4:

Lots 34, 36, 40, 41, and 42, SHARYLAND PLANTATION VILLAGE LAS VILLAS AT LAGO ESCONDIDO, PHASE V, an Addition to the City of Mission, Hidalgo County, Texas, according to map thereof filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 4, 2010, under Clerk's File No. 2072773.

TRACT 5: INTENTIONALLY DELETED.

TRACT 6:

Lots 66, 68, and 69, SHARYLAND PLANTATION VILLAGE MONTE REAL PHASE II SUBDIVISION, an Addition to the City of Mission, Hidalgo County, Texas, according to map thereof filed for record in the Office of the County Clerk of Hidalgo County, Texas, on November, 19, 2010, under Clerk's File No. 2053427.

TRACT 7:

Lots 12, and 19, SHARYLAND PLANTATION VILLAGE SAN MARINO PHASE I SUBDIVISION, an Addition to the City of Mission, Hidalgo County, Texas, according to map thereof recorded in Volume 55, Pages 89 and 90, Map Records of Hidalgo County, Texas.

TRACT 8:

Lots 23, SHARYLAND PLANTATION VILLAGE SAN MARINO PHASE II SUBDIVISION, an Addition to the City of Mission, Hidalgo County, Texas, according to map thereof filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 19, 2010, under Clerk's File No. 2131342.

TRACT 9:

(San Miguel Proposed Lots #16, 17, 18, 19, 20 and 21)

BEING a 4.827 acre (210,249 sq. ft.) tract of land situated in Porciones 58, 59 and 60, City of Mission Texas and out of Lots 121 and 122 of the Amended Map of John H. Shary, as recorded in Volume 0, Page 17, as recorded in Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract being all of that called 1.057 acre tract (Tract A), as described in Document No 1599386 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said tract also being part of that called 2.631 acre tract (Parcel 1), as described in Document No 1599384 O.R.H.C.T., and also being a part of a tract of land conveyed to Hunt Valley Industrial I, LLP, as recorded in Document No. 1599384 O.R.H.C.T., said 4.827 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the northeast corner of Lot 22 of the Lot 22 of SHARYLAND PLANTATION VILLAGE SAN MIGUEL PHASE IV SUBDIVISION, an addition to the City of Mission as recorded in Volume 55, Page 99 M.R.H.C.T., for the most westerly corner of the herein described tract;

THENCE North 40° 17' 29" East, along an interior line of said Hunt Valley Industrial I, LLP tract, at a distance of 75.37 feet pass the south line of that called 4.51 acre tract (remainder) as described in Volume 279, Page 59 of the Deed Records of Hidalgo County, Texas (D.R.H.C.T.), at a distance of 254.27 feet pass the south line of the aforementioned 1.057 acre tract, and continuing for a total distance of 384.83 feet to a 1/2-inch iron rod found at an interior corner of that called 15.11 (Parcel 4) conveyed to Hidalgo County

Drainage District No 1, as recorded in Document No. 1599385 O.R.H.C.T., for the northwesterly corner of the herein described tract;

THENCE South 81 ° 23' 49" East, along the common line of said 15.11 acre tract and said 1.057 acre tract, at a distance of 468.80 feet pass the northwesterly corner said 2.631 acre tract (parcel 1) and continuing for a total distance of distance of 663.16 feet to a 1/2-inch iron rod found at the northwest corner of that called 475 square foot tract conveyed to Carlos Garcia, as described in Document No. 2335928 O.R.H.C.T., for the northeast corner of the herein described tract;

THENCE South 08° 43' 00" West, along the west line of said 475 square foot tract, a distance of 216.22 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the north right of way line of San Lorenzo Street (50.0' right of way), for the southeast corner of the herein described tract;

THENCE North 81° 22' 06" West, along the north right of way line of San Lorenzo Street. a distance of 151.49 feet to a 1/2-inch iron rod found at the point of curvature of a non-tangent circular curve to the left, for an angle corner of the herein described tract;

THENCE Southwesterly, continuing along the northerly right of way line of a cul de sac on said San Lorenzo Street and along said curve to the left with an arc distance of 60.58 feet, having a delta angle of 69° 25' 22", a radius of 50.00 feet, and chord bearing of South 63°56'33" West, a chord distance of 56.94 feet to a 1/2-inch iron rod found at the northeasterly corner of certain Common Area "A" of the SHARYLAND PLANTATION VILLAGE SAN MIGUEL PHASE I SUBDIVISION, an addition to the City of Mission as recorded in Volume 45, Page 69 M.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 61 ° 12' 40" West, departing said San Lorenzo Street and along the northerly line of said Common Area "A", a distance of 113.22 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract:

THENCE South 79° 30' 23" West, continuing along the northerly line of said Common Area "A", a distance of 121.48 feet to a 1/2-inch iron rod found in northerly right of way line of a cul de sac of Santa Clara Street (50.0' right of way), same being the point of curvature of a non-tangent circular curve to the left, for an interior corner of the herein described tract;

THENCE Southwesterly, along the northerly right of way line of Santa Clara Street (50.0' right of way) and along said curve to the left with an arc distance of 134.89 feet, having a delta angle of 154°34'06", a radius of 50.00 feet, and chord bearing of North 87°21'43" West, a chord distance of 97.55 feet to a 1/2-inch iron rod found at the point of a curvature of a reverse curve to the right, for an interior corner of the herein described tract;

THENCE Southwesterly, continuing along the northerly right of way line of said Santa Clara Street and along said reverse curve to the right with an arc distance of 17.85 feet,

having a delta angle of 40°54'23", a radius of 25.00 feet, and chord bearing of South 35°41'36" West, a chord distance of 17.47 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 56° 30' 01" West, along the westerly right of way line of said Santa Clara Street, a distance of 87.51 feet to a 1/2-inch iron rod found at the point of curvature of a non-tangent curve to the left, for an interior corner of the herein described tract;

THENCE Southwesterly, continuing along the westerly right of way line of said Santa Clara Street and along said curve to the left with an arc distance of 140.56 feet, having a delta angle of 15°20'23", a radius of 525.00 feet, and chord bearing of South 49°02'14" West, a chord distance of 140.14 feet to a 1/2-inch iron rod found at the southeast corner of the aforementioned Lot 22, for the most southerly corner of the herein described tract;

THENCE North 49° 59' 24" West, along the easterly line of said Lot 22, a distance of 216.41 feet to the POINT OF BEGINNING and containing 4.827 acres (210,249 sq. ft.) of land, more or less.

TRACT 10:

Lot 37, SHARYLAND PLANTATION VILLAGE SAN MIGUEL PHASE III, an Addition to the City of Mission, Hidalgo County, Texas, according to map thereof recorded in Volume 53, Page 28, Map Records of Hidalgo County, Texas.

LAS PLACITAS PHASE I

TRACT 8:

Lot A, SHARYLAND PLANTATION VILLAGE, LAS PLACITAS SUBDIVISION, PHASE I, an Addition to the City of Mission, Hidalgo County, Texas, according to the Plat or Map thereof recorded in Volume 46, Page 149, Map Records of Hidalgo County, Texas.

LOT W/BUILDING / SALES OFFICE

TRACT 1:

Lot 7A, of REPLAT OF LOTS 6 & 7 SHARYLAND PLANTATION VILLAGE SADDLE CLUB, an Addition to the City of Mission, Hidalgo County, Texas, according to the Plat or Map thereof recorded in Volume 42, Page 111, Map Records of Hidalgo County, Texas.

EXHIBIT B

Permitted Exceptions

1. The following restrictive covenants of record itemized below:

AS TO TRACT 1: No applicable restrictive covenants.

AS TO TRACT 2:

Those as filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and amended by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619; restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on October 19, 2005, under Clerk's File No. 1533984, and amended by instrument filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 18, 2011, under Clerk's File No. 2170671; and as affected by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 7, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603; but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

AS TO TRACT 3: No applicable restrictive covenants.

AS TO TRACT 4A: No applicable restrictive covenants.

AS TO TRACT 5A: No applicable restrictive covenants.

AS TO RESIDENTIAL LOTS & PARCELS:

As to Tracts 1 and 2 (Antigua):

Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and amended by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619; restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on October 19, 2005, under Clerk's File No. 1533984; and as affected by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office

of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603; and as set out by plat recorded in Volume 53, Page 68, Map Records of Hidalgo County, Texas (Antigua Phase II), but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

As to Tracts 3 and 4 (Lago Escondido):

Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and amended by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619; restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 6, 2004 under Clerk's File No. 1367150, and amended by instrument filed for record in the Office of the County Clerk of Hidalgo County, Texas, on July 21, 2005, under Clerk's File No. 1498810, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2008, under Clerk's File No. 1900662, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on November 18, 2008, under Clerk's File No. 1947445; and as affected by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 7, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2005, under Clerk's File No. 1484797, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 23, 2009, under Clerk's File No. 1964432, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603; and as set out by plats recorded in Volume 46, Page 62, Map Records of Hidalgo County, Texas. (Lago Escondido Phase II), and Map filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 4, 2010, under Clerk's File No. 2072773 (Lago Escondido Phase V), but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

As to Tract 5 (Marbella): No applicable restrictive covenants.

As to Tract 6 (Monte Real):

Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and amended by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on October 2, 2003, under Clerk's File No. 1250313, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619, restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on May 4, 2007, under Clerk's File No. 1754840, and as affected by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's

File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603; and as shown on plat filed for record in the Office of the County Clerk of Hidalgo County, Texas, on November 19, 2009, under Clerk's File No. 2053427, but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

As to Tracts 7 and 8 (San Marino):

Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and amended by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619; restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 8, 2008 under Clerk's File No. 1917464, and amended by instrument filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 12, 2009, under Clerk's File No. 1978925; and as affected by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 7 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603; and as set out by plat recorded in Volume 55, Page 89 and 90, Map Records of Hidalgo County, Texas (Phase 1), and as set out by plat filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 19, 2010, under Clerk's File No. 2131342, (Phase 2), but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

As to Tracts 9 and 10 (San Miguel):

Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and amended by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on May 4, 2007, under Clerk's File No. 1754838 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619; and as affected by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603, and as shown by plat recorded in Volume 53, Page 28, Map Records of Hidalgo County, Texas (San Miguel Phase III), but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title

42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

AS TO LAS PLACITAS PHASE I (TRACT 8):

Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on November 12, 2002, under Clerk's File No. 1139369, and filed for record in the Office of the County Clerk of Hidalgo County, Texas on April 23, 2003 under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas on January 7, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 31, 2004, under Clerk's File No. 1419907, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on May 27, 2005, under Clerk's File No. 1484797, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on October 24, 2005, under Clerk's File No. 1535630, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on July 21, 2006, under Clerk's File No. 1641767, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 23, 2009, under Clerk's File No. 1964432 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2009, under Clerk's File No. 2055941 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, amendments filed January 12, 2011, under Clerk's File Nos. 2169618 and 2169619, but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.

AS TO LOT W/BUILDING / SALES OFFICE (TRACT 1):

Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and amended by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619; restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 8, 2008 under Clerk's File No. 1917464, and amended by instrument filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 12, 2009, under Clerk's File No. 1978925; and as affected by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 7 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603; and as set out by plat recorded in Volume 42, Page 111, Map Records of Hidalgo County, Texas, but omitting any covenant condition or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons. (AS TO TRACT 1)

2. through 9. INTENTIONALLY DELETED.

AS TO ALL TRACTS

10. **Rights of tenants in possession, as tenants only, under unrecorded lease agreements as disclosed by Grantor in affidavit of even date herewith.**

11. through 13. **INTENTIONALLY DELETED.**

THE FOLLOWING EXCEPTIONS AS TO TRACT 1:

14. **Easement granted to Hidalgo County Drainage District Number One, by Walter Jackson and wife, A.R. Jackson, dated October 14, 1927, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 383, Page 544, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

15. **Easement granted to Hidalgo County Drainage District Number One, by Mrs. J.D. Anderson, dated September 27, 1927, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 384, Page 103, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

16. **Easement granted to Hidalgo County Drainage District Number One, by First State Bank & Trust Company, dated February 21, 1929, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 384, Page 111, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

17. **Right of way easement granted to Hidalgo County, by Omaha Safe Deposit Company, Trustee, dated March 21, 1934, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 385, Page 633, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

18. **INTENTIONALLY DELETED.**

19. **Levee Easement granted to United States of America, by Hidalgo County, dated February 4, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 475, Page 542, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

20. **Levee Easement granted to United States of America, by Hidalgo County, Texas, dated March 4, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 477, Page 217, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

21. **Easement granted to United States of America, by Hidalgo County, dated June 24, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 480, Page 467, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

22. **Levee Easement granted to United States of America, by Hidalgo County, dated June 24, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume**

480, Page 471, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

23. **Levee Easement granted to United States of America, by Hidalgo County, dated June 24, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 481, Page 443, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
24. **Easement granted to Hidalgo County, by Guy A. Thompson, Trustee, dated June 27, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 483, Page 96, Deed Records Hidalgo County, Texas.**
25. **Easement granted to United States of America, by Hidalgo County, Texas, dated December 23, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 489, Page 274, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
26. through 28. **INTENTIONALLY DELETED.**
29. **Right of way easement granted to Central Power and Light Company, by Mary O'Brien Shary, dated August 9, 1952, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 275, Deed Records Hidalgo County, Texas and assigned in instrument dated May 12, 2006, filed in the Office of the County Clerk of Hidalgo County, Texas, on June 7, 2006, under Clerk's Document No. 1624719, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
30. **Right of way easement granted to Central Power and Light Company, by Allan Shivers, dated August 9, 1952, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 278, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
31. **Right of way easement granted to Central Power and Light Company, by D.D. Berry, dated August 4, 1952, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 279, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
32. **Right of way easement granted to Central Power and Light Company, by Thomas A. Dobbins, dated August 12, 1952, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 385, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
33. **Right of way easement granted to Rio Grande Valley Gas Company, by Allan Shivers, dated August 15, 1953, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 582, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

34. **Right of way easement granted to Texas Eastern Transmission Corporation, a Delaware Corporation, by L. Steiner and Lela Steiner, dated October 8, 1956, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 874, Page 19, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
35. **Right of way easement granted to Texas Eastern Transmission Corporation, a Delaware Corporation, by George S. Dobbins, dated November 27, 1956, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 879, Page 24, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
36. **Right of way easement granted to Texas Eastern Transmission Corporation, a Delaware Corporation, by Thomas A. Dobbins, dated November 27, 1956, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 879, Page 25, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
37. **Right of way easement granted to Texas Eastern Transmission Corporation, by D.D. Berry, dated December 20, 1956, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 881, Page 269, Deed Records Hidalgo County, Texas and assigned in instrument dated July 3, 1985, recorded in Volume 2196, Page 792, Official Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
38. **Utility Easement granted to Texas Eastern Transmission Corporation, by Veterans' Land Board, dated December 10, 1956, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 881, Page 425, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
39. **Right of way easement granted to Bettis & Shepherd Gas Supply Company, by Hidalgo County, dated September 9, 1957, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 901, Page 185, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
40. **Right of way easement granted to Bettis & Shepherd Gas Supply Company, by Hidalgo County, dated September 11, 1957, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 903, Page 80, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
41. **Right of way easement granted to Bettis & Shepherd Gas Supply Company, by Hidalgo County, dated December 17, 1957, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 906, Page 358, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

42. **Right of way easement granted to Bettis & Shepherd Gas Supply Company, by Hidalgo County, dated January 21, 1958, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 908, Page 215, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
43. **Right of way easement granted to Bettis and Shepherd Gas Supply Company, a Texas Corporation, by Thomas A. Dobbins, dated January 11, 1958, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 908, Page 484, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
44. **Right of way easement granted to Central Power and Light Company, by Hidalgo Gin Company, a general partnership, dated November 3, 1959, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 965, Page 38, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
45. **Right of way easement granted to Central Power and Light Company, by John H. Shary, Inc., dated January 18, 1960, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 970, Page 322, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
46. **Right of way easement granted to Central Power and Light Company, by Blaine H. Holcomb, dated January 18, 1960, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 970, Page 329, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
47. **Right of way easement granted to Coastal States Gas Producing Company, by Southtex Land Sales, Inc., dated November 29, 1960, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 268, Deed Records Hidalgo County, Texas and assigned in instrument dated July 3, 1985, recorded in Volume 2196, Page 792, Official Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
48. **Right of way easement granted to Coastal States Gas Producing Company, by Southtex Land Sales, Inc., dated November 29, 1960, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 269, Deed Records Hidalgo County, Texas and assigned in instrument dated July 3, 1985, recorded in Volume 2196, Page 792, Official Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
49. **Right of way easement granted to Coastal States Gas Producing Company, by M.E. Canady and wife, Gladys Canady, dated November 29, 1960, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 272, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
50. **Right of way easement granted to Coastal States Gas Producing Company, by Hidalgo**

County Water Control and Improvement District Number Nineteen, dated November 29, 1960, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 283, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

51. through 54. INTENTIONALLY DELETED.

55. Right of way easement granted to Sharyland Water Supply Corporation, by John H. Shary, Inc., dated October 18, 1968, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1243, Page 121, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

56. Right of way easement granted to Sharyland Water Supply Corporation, by D.D. Berry, et al, dated April 25, 1969, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1243, Page 99, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

57. Right of way easement granted to Sharyland Water Supply Corporation, by John H. Shary, Inc., dated October 18, 1968, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1243, Page 121, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

58. Right of way easement granted to Sharyland Water Supply Corporation, by Allan Shivers, dated October 14, 1968, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1243, Page 129, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

59. Right of way easement granted to Sharyland Water Supply Corporation, by Southtex Land Sales, Inc., dated October 14, 1968, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1243, Page 137, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

60. Right of way easement reserved by Hidalgo County Water Control and Improvement District No. 19, from Allan Shivers, dated April 10, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1359, Page 813, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

61. and 62. INTENTIONALLY DELETED.

63. Right of way easement granted to Central Power and Light Company, by Leslie William Burrow and Michaelene Elizabeth Kuby, dated December 12, 1989, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 2869, Page 9, Official Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

64. INTENTIONALLY DELETED.

65. **Non-Exclusive Easement granted to City of Mission, by AgHOC, Inc., a Delaware corporation, dated March 17, 1995, filed for record on March 24, 1995, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 443079, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
66. **Non-Exclusive Easement granted to City of Mission, by AGHOC, Inc., a Delaware corporation, dated July 10, 1995, filed for record on July 19, 1995, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 464195, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
67. **INTENTIONALLY DELETED.**
68. **Waterline Easement granted to The City of Mission, by AgHOC, Inc., a Delaware corporation, dated February 24, 1997, filed for record on March 17, 1997, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 585464.**
69. **Easement granted to Hidalgo County Drainage District Number One, by AgHOC, Inc., a Delaware corporation, dated November 24, 1997, filed for record on December 10, 1997, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 642137, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
70. through 73. **INTENTIONALLY DELETED**
74. **Assignment and Conveyance of System, Easements and Components granted to Texas Gas Service Company, by Southern Union Gas Company, dated January 1, 2003, filed for record on January 6, 2003, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1154883.**
75. **Right of way easement granted to Sharyland Utilities, L.P., by Hunt Valley Industrial I, L.P., dated August 26, 2003, filed for record on September 3, 2003, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1238770, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
76. **Waterline Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated December 1, 2003, filed for record on December 11, 2003, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1275228, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
77. **Utility and Access Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated July 17, 2006, filed for record on July 21, 2006, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1641766, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**

78. **Temporary Utility and Roadway Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated May 1, 2008, filed for record on June 9, 2008, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1898290.**
79. **Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated September 3, 2008, filed for record on September 18, 2008, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1929318, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
80. **Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated January 22, 2010, filed for record on January 25, 2010, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2069453, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
81. **Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated May 30, 2014, filed for record on June 4, 2014, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2519160, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
82. **Access and Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated May 30, 2014, filed for record on June 4, 2014, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2519161, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
83. **Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated October 12, 2017, filed for record on October 19, 2017, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2858965, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
84. **Terms, covenants, conditions and provisions as set out in that certain Easement Agreement by and between United Irrigation Company and Bankers Trust Company, dated May 11, 1921, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 177, Page 69, Deed Records Hidalgo County, Texas.**
85. **Terms, covenants, conditions and provisions as set out in that certain Water Contract Agreement by and between United Irrigation Company and Sigrid Madsen and husband, M. Madsen, dated February 13, 1947, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 602, Page 439, Deed Records Hidalgo County, Texas.**
86. **Water Rights conveyed in Deed dated August 9, 1952, from Allan Shivers to Hidalgo County Water Control and Improvement District No. 19, recorded in Volume 752, Page 342, Deed records of Hidalgo County, Texas.**

87. **Water Rights conveyed in Deed dated September 4, 1973, from Allan Shivers and wife, Marialice Shary Shivers to J.F. Inc., a Texas corporation, recorded in Volume 1379, Page 522, Deed records of Hidalgo County, Texas.**
88. **Water Rights conveyed in Deed dated August 1, 1974, from R.J.F., Inc., a Texas corporation to Circle K Land and Cattle Company, recorded in Volume 1416, Page 80, Deed records of Hidalgo County, Texas.**
89. **Water Rights conveyed in Deed dated March 18, 1983, from D.D. Berry and wife, Evelyn M. Berry to Hunt Oil Company, a Delaware Corporation, recorded in Volume 1831, Page 65, Deed records of Hidalgo County, Texas.**
90. **Terms, covenants, conditions and provisions as set forth in that certain Amendment to Certificate of Adjudication by and between Texas Water Commission and Hunt Oil Company, a Delaware Corporation, dated February 16, 1988, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 699, Official Records Hidalgo County, Texas.**
91. **Terms, covenants, conditions and provisions as set forth in that certain Order Combining Water Rights by and between Texas Water Commission, as Lessor, and Hunt Oil Company, a Delaware Corporation, as Lessee, dated March 1, 1988, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 704, Official Records Hidalgo County, Texas.**
92. **Water Rights conveyed in Deed dated July 7, 1994, from Michaelene Elizabeth Kuby to J. Eric Pena, Trustee, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on July 22, 1994, under Clerk's File No. 399396.**
93. **Water Rights reserved in Deed dated December 23, 2002, from AgHOC, Inc., a Delaware corporation to Hunt Valley Industrial I, L.P., a Texas limited partnership, file for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.**
94. **Easements and Conditions as shown on the Map or Plat thereof, filed for record in Volume 1, Page 56, Map Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
95. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Dorothea Hoit Solenberger to Sun Oil Company, dated February 19, 1935, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 8, Page 157, Oil and Gas Lease Records Hidalgo County, Texas.**
96. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Peter Weisman, et al to Frank Rotherth, dated August 5, 1937, filed for record in the**

Office of the County Clerk of Hidalgo County, Texas in Volume 22, Page 225, Oil and Gas Lease Records Hidalgo County, Texas.

- 97. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Dorothea Hoyt Solenberger, et al to Sun Oil Company, dated January 3, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 38, Page 465, Oil and Gas Lease Records Hidalgo County, Texas.**
- 98. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd., a partnership to Harold M. Martin, dated April 13, 1976, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 359, Page 611, Oil and Gas Lease Records Hidalgo County, Texas.**
- 99. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd., a partnership to Atlantic Richfield Company, dated January 25, 1984, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 2000, Page 297, Official Records Hidalgo County, Texas.**
- 100. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Ernest J. Madsen to Atlantic Richfield Company, dated May 3, 1984, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 2003, Page 494, Official Records Hidalgo County, Texas.**
- 101. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd. to IMCO Oil & Gas Company, dated January 5, 1995, filed for record on March 1, 1995, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 438481.**
- 102. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Evelyn M. Berry Roberson to IMCO Oil & Gas Company, dated February 6, 1995, filed for record on March 27, 1995, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 443343.**
- 103. Memorandum and Amendment of Letter Agreement from Black Stone Minerals Company, L.P. to Smith Production Inc., dated June 25, 2002, filed for record on March 4, 2004, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1305006 and Second Memorandum filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 10, 2005, under Clerk's Document No. 1482349.**

As effected by Non-Drilling Agreement dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, Texas.

As effected by Memorandum of Surface Use and Non-Drilling Agreement dated June 30, 2004, filed for record on December 2, 2004, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1409605.

As effected by Surface Use and Non-Drilling Agreement dated June 30, 2004, filed for record on September 20, 2006, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1665414

104. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instruments dated June 25, 1948, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 90, Page 246; dated February 21, 1950, recorded in Volume 106, Page 557; dated March 26, 1951, recorded in Volume 114, Page 70; dated September 17, 1959, recorded in Volume 242, Page 628; dated September 17, 1959, recorded in Volume 243, Page 279; dated November 20, 1972, recorded in Volume 342, Page 970 and dated December 19, 1972, recorded in Volume 343, Page 62 and corrected in instrument dated February 11, 1981, recorded in Volume 399, Page 437, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
105. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instruments dated June 22, 1940, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 470, Page 240; dated April 30, 1943, recorded in Volume 512, Page 272; dated November 22, 1944, recorded in Volume 542, Page 307; dated February 5, 1945, recorded in Volume 559, Page 211; dated July 5, 1945, recorded in Volume 563, Page 439; dated December 10, 1946, recorded in Volume 611, Page 41; dated March 25, 1947, recorded in Volume 613, Page 160; dated March 1, 1947, recorded in Volume 628, Page 381; dated September 21, 1948, recorded in Volume 650, Page 111; dated August 9, 1949, recorded in Volume 668, Page 450; dated October 16, 1950, recorded in Volume 702, Page 276; dated October 31, 1950, recorded in Volume 708, Page 5; dated August 9, 1952, recorded in Volume 752, Page 342; dated November 24, 1952, recorded in Volume 760, Page 337; dated March 17, 1955, recorded in Volume 827, Page 349; dated September 28, 1955, recorded in Volume 842, Page 542; dated August 5, 1959, recorded in Volume 953, Page 532; dated August 17, 1959, recorded in Volume 974, Page 186; dated August 23, 1960, recorded in Volume 986, Page 528; dated September 4, 1973, recorded in Volume 1379, Page 522 and dated June 20, 1975, recorded in Volume 1448, Page 231, Deed Records Hidalgo County, Texas and dated May 10, 1989, recorded in Volume 2760, Page 925, Official Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
106. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deeds dated July 7, 1994, filed for record on July 22, 1994 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 399396; dated August 17, 1997, filed for record on November 18, 1997, under Clerk's Document No. 637583 and dated December 23, 2002, filed for record on January 2, 2003, under Clerk's Document No. 1153789, reference to which instrument is made for all intents and purposes.
107. INTENTIONALLY DELETED.

THE FOLLOWING EXCEPTIONS AS TO TRACT 2:
107. Right of Way as described in Deed from J. W. Hoit, to United Irrigation Co., dated June 4, 1921, filed for record on June 17, 1921, in the Office of the County Clerk of Hidalgo County, Texas in Volume 127, Page 435, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
108. through 112. INTENTIONALLY DELETED.

113. Easement granted to Hidalgo County, by Omaha Safe Deposit Co., Trustee, dated March 21, 1934, filed for record on March 27, 1934, in the Office of the County Clerk of Hidalgo County, Texas in Volume 385, Page 633, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
114. Easement granted to Hidalgo County, by Bankers Mortgage Co., dated May 5, 1934, filed for record on June 21, 1934, in the Office of the County Clerk of Hidalgo County, Texas in Volume 389, Page 190, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
115. through 117. INTENTIONALLY DELETED.
118. Easement granted to United States of America, by Hidalgo County, dated March 4, 1941, filed for record on March 4, 1941, in the Office of the County Clerk of Hidalgo County, Texas in Volume 477, Page 217, Deed Records, Hidalgo County, Texas, as shown on survey prepared by Juan M. Castillo, RPLS No. 6146.
119. through 125. INTENTIONALLY DELETED.
126. Easement granted to Central Power and Light Company, by Mary Obrien Shary, et al, dated August 9, 1952, filed for record on August 12, 1953, in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 275, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
127. Easement granted to Central Power and Light Company, by Allan Shivers, dated August 9, 1952, filed for record on August 12, 1953, in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 277, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
128. Easement granted to Rio Grande Valley Gas Company, by Allan Shivers, dated August 15, 1953, filed for record on August 20, 1953, in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 582, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
129. Easement granted to Rio Grande Valley Gas Company, by Mary Obrien Shary, dated August 15, 1953, filed for record on August 20, 1953, in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 583, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
130. Right of Way Easement granted to Texas Eastern Transmission Corp., by Mary O. Brien Shary, et al, dated December 6, 1956, filed for record on February 4, 1957, in the Office of the County Clerk of Hidalgo County, Texas in Volume 880, Page 502, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
131. Right of Way Easement granted to Texas Eastern Transmission Corp., by Andres M. Holcomb and Blaine H. Holcomb, dated December 6, 1956, filed for record on February 4, 1957, in the Office of the County Clerk of Hidalgo County, Texas in Volume 880, Page 506, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
132. Right of Way Easement granted to Texas Eastern Transmission Corp., by Shary Farms, Inc., dated December 6, 1956, filed for record on February 4, 1957, in the Office of the County Clerk of Hidalgo County, Texas in Volume 880, Page 509, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

133. **Right of Way granted to Bettis and Shepherd Gas Supply Co., by Hidalgo County, dated September 9, 1957, filed for record on October 22, 1957, in the Office of the County Clerk of Hidalgo County, Texas in Volume 901, Page 185, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
134. **Right of Way granted to Bettis and Shepherd Gas Supply Co., by Hidalgo County, dated September 11, 1957, filed for record on November 14, 1957, in the Office of the County Clerk of Hidalgo County, Texas in Volume 903, Page 80, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
135. **Right of Way Easement granted to South Texas Natural Gas Gathering Company, by Blaine H. Holcomb, dated August 5, 1959, filed for record on September 29, 1959, in the Office of the County Clerk of Hidalgo County, Texas in Volume 958, Page 322, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
136. **Right of Way Easement granted to South Texas Natural Gas Gathering Company, by Mary O Brien Shary, et al, dated August 10, 1959, filed for record on September 29, 1959, in the Office of the County Clerk of Hidalgo County, Texas in Volume 958, Page 324, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
137. **Right of Way Easement granted to South Texas Natural Gas Gathering Company, by John H. Shary, dated August 5, 1959, filed for record on September 29, 1959, in the Office of the County Clerk of Hidalgo County, Texas in Volume 958, Page 325, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
138. **Easement granted to Coastal States Gas Producing, Co., by Shary Farms, Inc., dated November 29, 1960, filed for record on January 7, 1961, in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 278, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
139. **Easement and Right of Way granted to Central Power and Light Company, by John H. Shary, dated January 18, 1960, filed for record on February 9, 1960, in the Office of the County Clerk of Hidalgo County, Texas in Volume 970, Page 322, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
140. **Right of Way Easement granted to Coastal Estates Gas Producing Company, by Allan Shivers, dated November 29, 1960, filed for record on January 7, 1961, in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 274, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
141. **Right of Way Easement granted to Coastal Estates Gas Producing Company, by Blaine H. Holcomb, dated November 29, 1960, filed for record on January 7, 1961, in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 275, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
142. **Right of Way Easement granted to Coastal Estates Gas Producing Company, by Allan Shivers, dated November 29, 1960, filed for record on January 7, 1961, in the Office of the County Clerk of Hidalgo County, Texas in Volume 996, Page 277, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
143. **INTENTIONALLY DELETED.**
144. **Right of Way Easement granted to Coastal Estates Gas Producing Company, by Blaine H. Holcomb, dated January 10, 1963, filed for record on January 22, 1963, in the Office of the**

County Clerk of Hidalgo County, Texas in Volume 1052, Page 624, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

145. Right of Way Easement reserved in Deed from Hidalgo County Water Control and Improvement District No. 19, to Allan Shivers, dated April 10, 1973, filed for record on April 11, 1973, in the Office of the County Clerk of Hidalgo County, Texas in Volume 1359, Page 813, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
146. INTENTIONALLY DELETED.
147. Quitclaim of Easement from Hidalgo County, to United States of America, dated June 23, 1975, filed for record on July 16, 1975, in the Office of the County Clerk of Hidalgo County, Texas in Volume 1450, Page 49, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.
148. INTENTIONALLY DELETED.
149. Assignment of Easement granted to Coastal States Crude Gathering Company, by Valero Energy Corporation and Valero Interstate Transmission Company, then known as South Texas Natural Gas Gathering Company, dated July 3, 1985, filed for record on October 11, 1985, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2196, Page 792, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.
150. Easement granted to Hidalgo County Drainage District No. 1, by Hunt Oil Co., dated January 30, 1986, filed for record on February 27, 1986, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2255, Page 156, Official Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
151. INTENTIONALLY DELETED.
152. Easement and Right of Way granted to Central Power and Light Company, by AgHoc, Inc., dated June 2, 1999, filed for record on July 1, 1999 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 787277, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
153. and 154. INTENTIONALLY DELETED.
155. Assignment and Conveyance of System, Easements, and Components, from Southern Union Gas Company, et al, to Texas Gas Service Company, dated January 1, 2003, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 6, 2003, under Clerk's File No. 1154883.
156. Waterline Utility Easement and Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., dated December 1, 2003, filed for record on December 11, 2003 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1275228, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
157. through 159. INTENTIONALLY DELETED.
160. Utility and Access Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated July 17, 2006, filed for record on July 21, 2006 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1641766, as shown on the survey

prepared by Juan M. Castillo, RPLS No. 6146.

161. Temporary Utility and Roadway Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., dated May 1, 2008, filed for record on June 9, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1898290, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146..
162. Gas Easement granted to Texas Gas Service, by Hunt Valley Industrial I, L.P., dated August 15, 2008, filed for record on August 29, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1923624, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
163. Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated September 3, 2008, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 18, 2008, under Clerk's File No. 1929318, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
164. Drainage Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated February 13, 2009, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 20, 2009, under Clerk's File No. 1973157, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
165. Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated March 26, 2009, filed for record on April 6, 2009 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1986173, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
166. Drainage Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated July 3, 2008, filed for record on May 22, 2009 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2000613, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
167. Utility Easement and Right of Way granted to Sharyland Utilities, L.P., by Hidalgo County Water Control and Improvement District No. 19, dated October 26, 2009, filed for record on November 23, 2009 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2054136, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
168. Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated January 22, 2010, filed for record on January 25, 2010 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2069453, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
169. Modification of Grant of Right of Way and Easement Agreement between Hunt Valley Industrial I, and Mission Pipeline, LLC, dated January 1, 2011, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 28, 2011, under Clerk's File No. 2174617, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
170. Electric Utility Easement granted to Sharyland Utilities, L.P., by Hunt Valley I, L.P., dated October 11, 2011, filed for record on December 28, 2011 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2268185, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
171. Canal Easement granted to Hidalgo County Water Control and Improvement District No. 19, by Hunt Valley Industrial I, L.P., dated February 3, 2012, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2012, under Clerk's File No.

2278052, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

172. **Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated May 30, 2014, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 4, 2014, under Clerk's File No. 2519160, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
173. **Access and Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated May 30, 2014, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 4, 2014, under Clerk's File No. 2519161, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
174. **Utility Easement and Right of Way granted to Sharyland Utilities, by Hunt Valley Industrial I, L.P., dated March 10, 2015, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on May 21, 2015, under Clerk's File No. 2613274.**
175. **Utility Easement and Right of Way granted to Sharyland Utilities, by Hunt Valley Industrial I, L.P., dated March 10, 2015, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on May 21, 2015, under Clerk's File No. 2613275, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
176. **Assignment and Assumption Agreement for Rights of Way from Sharyland Utilities, L.P., to Sharyland Distribution and Transmission Services, LLC, dated December 19, 2016, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 26, 2017, under Clerk's File No. 2826492, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
177. **Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated October 12, 2017, filed for record on October 19, 2017 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2858965, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
178. **Easements and conditions as shown on plat recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
179. **Easements and conditions as shown on plat recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
180. **Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Harriett E. Burnham to Lyle Burnham, dated February 21, 1933, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 388, Page 95, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
181. **Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
182. **Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Dorothea Hoyt Solenberger, et al, to Sigrid Madsen, dated**

February 5, 1945, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 559, Page 211, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

183. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Sterling Dietz to Hidalgo County, Trustee, dated July 5, 1945, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 563, Page 439, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
184. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Mackay Solenberger to M. Madsen, dated December 10, 1946, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 611, Page 41, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
185. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Mackay Solenberger, et al to Carl Mortensen, dated March 25, 1947, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 613, Page 160, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
186. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Mary O Brien Shary, et al, to John H. Shary, Inc., dated March 1, 1947, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 628, Page 381, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
187. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from R. H. Mahan and Hilda C. Mahan to Victor Gray, dated September 21, 1948, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 650, Page 111, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
188. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Victor Gray and Ora Gray to J. D. Pawlik, dated August 9, 1949, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 668, Page 450, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
189. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from John H. Shary to Carl Mortensen, dated March 27, 1951, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 720, Page 380, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
190. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Allan Shivers and Marialice Shivers to Carl Mortensen, dated Mach 27, 1951, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 724, Page 576, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
191. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from F. W. Dooley and Ruth Irene Dooley to Allan Shivers, dated August 30, 1951, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 728, Page 130, Deed Records Hidalgo County, Texas, reference to which

instrument is made for all intents and purposes.

192. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Mary O Brien Shary, et al to John Shary, Inc., dated March 26, 1951, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 114, Page 70, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
193. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Allen Shivers to Hidalgo County Water Control and Improvement District No. 19, dated August 9, 1952, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 752, Page 342, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
194. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Fernando Rivera and Maximina S. Rivera to Allan Shivers, dated June 26, 1953, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 777, Page 326, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
195. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Mary O Brien Shary, et al to Allan Shivers, dated September 17, 1959, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 242, Page 628, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
196. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Marydale Sampson Suttle, et al, to Blaine H. Holcomb, dated November 18, 1959, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 963, Page 273, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
197. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Mary O Brien Shary, et al to Allan Shivers, September 17, 1959, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 243, Page 277, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
198. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Mary O Brien Shary, et al to Allan Shivers, September 17, 1959, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 243, Page 279, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
199. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from P. Jane Filinger Gross to Blaine H. Holcomb, dated August 16, 1961, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1014, Page 636, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
200. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from John D. Pawlik, to John H. Shary, Inc., dated December 28, 1961, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1024, Page 74, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

201. **Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Allan Shivers to John D. Pawlik, dated December 5, 1961, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1024, Page 76, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
202. **Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Allan Shivers and wife, Marialice Shary Shivers to R. J. F., Inc., dated September 4, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1379, Page 522, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
203. **Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Florence Urbanczik Pawlik to Robert Eugene Pawlik, et al, dated February 12, 1975, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1440, Page 523, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
204. **Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Florence Urbanczik Pawlik to Robert Eugene Pawlik, et al, dated October 24, 1974, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1425, Page 492, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
205. **Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Daniel Peter Pawlik to Robert Eugene Pawlik and Wilfred S. Pawlik, dated July 28, 1982, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 11, 2001, under Clerk's File No. 977903, reference to which instrument is made for all intents and purposes.**
206. **Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.**
207. **Water Rights reserved in deed from Allen Shivers to Hidalgo County Water Control and Improvement District No. 19, dated August 9, 1952, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 752, Page 342, Deed Records Hidalgo County, Texas.**
208. **Water Rights reserved in deed from Allan Shivers and wife, Marialice Shary Shivers to R. J. F., Inc., dated September 4, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1379, Page 522, Deed Records Hidalgo County, Texas.**
209. **Water Rights reserved in deed from R. J. F., Inc., to Circle K Land and Cattle Company, dated August 1, 1974, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1416, Page 80, Deed Records Hidalgo County, Texas.**
210. **Water Rights as set out by instruments dated February 16, 1988, filed for record on March 9, 1988, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 699, Official Records Hidalgo County, Texas, and dated March 1, 1988, filed for record on March 9, 1988, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 704, Official Records Hidalgo County, Texas.**
211. **Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on**

January 2, 2003, under Clerk's File No. 1153789.

212. **Water Rights as set out in Special Warranty Deed from Robert Eugene Pawlik, et al, to Hunt Valley Industrial I, L.P., dated September 22, 2003, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 25, 2003, under Clerk's File No. 1247805.**
213. **Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.**
214. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Dorothea Hoyt Solenberger to Sun Oil Company, dated February 19, 1935, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 8, Page 157, Oil and Gas Lease Records Hidalgo County, Texas.**
215. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Dorothea Hoyt Solenberger, et al, to Sun Oil Company, dated January 3, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 38, Page 465, Oil and Gas Lease Records Hidalgo County, Texas.**
216. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S. Minerals, Ltd., to Harold M. Martin, dated April 13, 1976, filed for record on July 8, 1976, in the Office of the County Clerk of Hidalgo County, Texas in Volume 359, Page 611, Oil and Gas Lease Records Hidalgo County, Texas, and as affected by instrument dated August 4, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 27, 2004, under Clerk's File No. 1375169.**
217. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Vernon B. Hill, Jr., et al, to IMCO Oil and Gas Company, dated June 13, 1996, filed for record on August 7, 1996 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 542044.**
218. **INTENTIONALLY DELETED.**
219. **Terms, conditions, and stipulations contained in Memorandum and Amendment of Letter Agreement executed by and between Black Stone Minerals Company, L.P., and Smith Production, Inc., dated June 25, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 4, 2004, under Clerk's File No. 1305006.**
220. **Lien for assessments as set out Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 7, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079.**
- 220a. **Any rights, easements, interest or claims which may exist by reason of or reflected by any roads and or street whether public or private, opened or unopened, as shown on the**

survey prepared by Juan M. Castillo, RPLS No. 6146.

THE FOLLOWING EXCEPTIONS AS TO TRACT 3:

221. INTENTIONALLY DELETED.

222. Right of way easement granted to Central Power and Light Company, by Mary O'Brien Shary, dated August 9, 1952, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 275, Deed Records Hidalgo County, Texas and assigned in instrument dated May 12, 2006, filed in the Office of the County Clerk of Hidalgo County, Texas, on June 7, 2006, under Clerk's Document No. 1624719, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

223. through 245. INTENTIONALLY DELETED.

246. Right of Way Easement granted to Texas Eastern Transmission Corp., by Mary O. Brien Shary, et al, dated December 6, 1956, filed for record on February 4, 1957, in the Office of the County Clerk of Hidalgo County, Texas in Volume 880, Page 502, Deed Records Hidalgo County, Texas.

247. through 259. INTENTIONALLY DELETED.

260. Assignment of Easement granted to Coastal States Crude Gathering Company, by Valero Energy Corporation and Valero Interstate Transmission Company, then known as South Texas Natural Gas Gathering Company, dated July 3, 1985, filed for record on October 11, 1985, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2196, Page 792, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

261. INTENTIONALLY DELETED.

262. Assignment and Conveyance of System, Easements and Components granted to Texas Gas Service Company, by Southern Union Gas Company, dated January 1, 2003, filed for record on January 6, 2003, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1154883, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

263. through 270. INTENTIONALLY DELETED.

271. Canal Easement granted to Hidalgo County Water Control and Improvement District No. 19, by Hunt Valley Industrial I, L.P., dated February 3, 2012, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2012, under Clerk's File No. 2278052, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

272. and 273. INTENTIONALLY DELETED.

274. Drainage Easement Dedication to City of Mission by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated February 13, 2009, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 20, 2009, under Clerk's File No. 1973157, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

275. and 276. INTENTIONALLY DELETED.

277. Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated January 22, 2010, filed for record on January 25, 2010, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2069453, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
278. Utility Easement Dedication granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated January 22, 2010, filed for record on January 25, 2010, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2069454, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
279. through 283. INTENTIONALLY DELETED.
284. Easements and Conditions as shown on the Map or Plat thereof, filed for record in Volume 1, Page 56, Map Records Deed County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.
285. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Dorothea Hoit Solenberger to Sun Oil Company, dated February 19, 1935, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 8, Page 157, Oil and Gas Lease Records Hidalgo County, Texas.
286. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Dorothea Hoit Solenberger, et al to Sun Oil Company, dated January 3, 1941, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 38, Page 465, Oil and Gas Lease Records Hidalgo County, Texas.
287. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd., a partnership to Harold M. Martin, dated April 13, 1976, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 359, Page 611, Oil and Gas Lease Records Hidalgo County, Texas.
288. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd. to IMCO Oil & Gas Company, dated January 5, 1995, filed for record on March 1, 1995, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 438481. Amendment filed for record in the Office of the County Clerk of Hidalgo County, Texas, on May 17, 1996, under Clerk's File No. 524615.
289. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Vernon B. Hill, Jr., et al, to IMCO Oil and Gas Company, dated June 13, 1996, filed for record on August 7, 1996 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 542044.
- As effected by Non-Drilling Agreement dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, Texas.
290. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instruments dated June 25, 1948, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 90, Page 246; dated February 21, 1950, recorded in Volume 106, Page 557; dated March 26, 1951, recorded in Volume 114, Page 70; dated September 17, 1959, recorded in Volume 242, Page 628; dated September 17, 1959, recorded in Volume 243, Page 279; dated November 20, 1972, recorded in Volume 342, Page 970 and dated December 19, 1972, recorded in Volume 343, Page 62 and corrected in instrument dated February 11, 1981, recorded in Volume 399, Page 437, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

291. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instruments dated June 22, 1940, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 470, Page 240; dated April 30, 1943, recorded in Volume 512, Page 272; dated November 22, 1944, recorded in Volume 542, Page 307; dated February 5, 1945, recorded in Volume 559, Page 211; dated July 5, 1945, recorded in Volume 563, Page 439; dated December 10, 1946, recorded in Volume 611, Page 41; dated March 25, 1947, recorded in Volume 613, Page 160; dated March 1, 1947, recorded in Volume 628, Page 381; dated September 21, 1948, recorded in Volume 650, Page 111; dated August 9, 1949, recorded in Volume 668, Page 450; dated October 16, 1950, recorded in Volume 702, Page 276; dated October 31, 1950, recorded in Volume 708, Page 5; dated August 9, 1952, recorded in Volume 752, Page 342; dated November 24, 1952, recorded in Volume 760, Page 337; dated March 17, 1955, recorded in Volume 827, Page 349; dated September 28, 1955, recorded in Volume 842, Page 542; dated August 5, 1959, recorded in Volume 953, Page 532; dated August 17, 1959, recorded in Volume 974, Page 186; dated August 23, 1960, recorded in Volume 986, Page 528; dated September 4, 1973, recorded in Volume 1379, Page 522 and dated June 20, 1975, recorded in Volume 1448, Page 231, Deed Records Hidalgo County, Texas and dated May 10, 1989, recorded in Volume 2760, Page 925, Official Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
292. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from John H. Shary to Carl Mortensen, dated March 27, 1951, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 720, Page 380, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
293. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Allan Shivers and Marialice Shivers to Carl Mortensen, dated March 27, 1951, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 724, Page 576, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
294. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Marydale Sampson Suttle, et al, to Blaine H. Holcomb, dated November 18, 1959, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 963, Page 273, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
295. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from P. Jane Filinger Gross to Blaine H. Holcomb, dated August 16, 1961, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1014, Page 636, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
296. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from John D. Pawlik, to John H. Shary, Inc., dated December 28, 1961, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1024, Page 74, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
297. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Allan Shivers to John D. Pawlik, dated December 5, 1961, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1024, Page 76, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

298. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Florence Urbanczik Pawlik to Robert Eugene Pawlik, et al, dated February 12, 1975, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1440, Page 523, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
299. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Florence Urbanczik Pawlik to Robert Eugene Pawlik, et al, dated October 24, 1974, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1425, Page 492, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
300. Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Daniel Peter Pawlik to Robert Eugene Pawlik and Wilfred S. Pawlik, dated July 28, 1982, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 11, 2001, under Clerk's File No. 977903, reference to which instrument is made for all intents and purposes.
301. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
302. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
303. Water Rights as set out in Special Warranty Deed from Robert Eugene Pawlik, et al, to Hunt Valley Industrial I, L.P., dated September 22, 2003, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 25, 2003, under Clerk's File No. 1247805.
304. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
305. Terms, conditions, and stipulations contained in Memorandum and Amendment of Letter Agreement executed by and between Black Stone Minerals Company, L.P., and Smith Production, Inc., dated June 25, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 4, 2004, under Clerk's File No. 1305006.

THE FOLLOWING EXCEPTIONS AS TO TRACT 4A:

306. INTENTIONALLY DELETED.
307. Right-of-Way Easement granted to The Valley Pipe Line Co., by instrument dated August 10, 1935, recorded in Volume 417, Page 398, Deed Records of Hidalgo County, Texas.
308. through 313. INTENTIONALLY DELETED.

314. Easement granted to La Gloria Corporation, by Missionary Society of Oblate Fathers of Texas, dated September 5, 1950, filed for record on September 16, 1950, in the Office of the County Clerk of Hidalgo County, Texas in Volume 657, Page 464, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RLPS No. 6146.
315. through 330. INTENTIONALLY DELETED.
331. Easements reserved in Deed dated October 7, 1968, recorded in Volume 1214, Page 1014, Deed Records of Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS NO. 6146.
332. through 343. INTENTIONALLY DELETED.
344. Drainage Ditch Easement and Right of Way granted to Sharyland Utilities, L.P., dated June 28, 2000, filed for record on July 10, 2000 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 886942, as noted on the survey prepared by Juan M. Castillo, RPLS NO. 6146.
345. through 354. INTENTIONALLY DELETED.
355. Utility Easement granted to City of Mission, by Hunt Valley Industrial, I, L.P., dated January 22, 2010, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 25, 2010, under Clerk's File No. 2069454, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
356. INTENTIONALLY DELETED.
357. Utility Easement granted to City of Mission, by instrument dated May 30, 2014, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 4, 2014, under Clerk's File No. 2519160, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
358. Assignment and Assumption Agreement for Rights of Way from Sharyland Utilities, L.P., to Sharyland Distribution and Transmission Services, LLC, dated December 19, 2016, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 26, 2017, under Clerk's File No. 2826492, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.
359. Easements and conditions as shown on the Map recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.
360. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
361. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.

- 362. **Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.**
- 363. **Water Rights reserved in deed from Allan Shivers and wife, Marialice Shary Shivers to R. J. F., Inc., dated September 4, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1379, Page 522, Deed Records Hidalgo County, Texas.**
- 364. **Water Rights reserved in Deed from R. J. F., Inc., to Circle K Land and Cattle Company, dated August 1, 1974, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1416, Page 80, Deed Records Hidalgo County, Texas.**
- 365. **through 366b. INTENTIONALLY DELETED.**

THE FOLLOWING EXCEPTIONS AS TO TRACT 5A:

- 367. **through 380. INTENTIONALLY DELETED.**
- 381. **Easement granted to City of Mission, by Southtex Land Sales, Inc., a Texas corporation, dated March 22, 1974, recorded in Volume 1401, Page 978, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
- 382. **Right of way easement granted to Hidalgo County Water Control and Improvement District No. 19, by Hunt Oil Company, dated November 18, 1983, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1910, Page 573, Official Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
- 383. **through 395. INTENTIONALLY DELETED.**
- 396. **Utility and Access Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated January 22, 2009, filed for record on January 30, 2009 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1966587, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
- 397. **Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated October 12, 2017, filed for record on October 19, 2017 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2858965, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
- 398. **through 401. INTENTIONALLY DELETED.**
- 402. **Utility and Right of way easement granted to Sharyland Utilities, L.P., by Hunt Valley Development, dated October 24, 2011, filed for record on May 14, 2012 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 2307808, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
- 403. **Drainage Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated September 2, 2008, filed for record on September 11, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1927357, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
- 404. **through 408. INTENTIONALLY DELETED.**
- 409. **Easements and Conditions as shown on the Map or Plat thereof, filed for record in Volume**

1, Page 17, Map Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

410. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd. to Harold M. Martin, dated April 13, 1976, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 359, Page 611, Oil and Gas Lease Records Hidalgo County, Texas.
411. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Paul Burrhus and wife, Mary Burrhus to Harold M. Martin, dated July 9, 1976, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 360, Page 285, Oil and Gas Lease Records Hidalgo County, Texas.
412. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd. to Meyers-Lasher, Inc., dated February 11, 1980, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 391, Page 406, Oil and Gas Lease Records Hidalgo County, Texas.
413. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Anita Ryland Musgrave to Smith Production, Inc., dated October 7, 2006, filed for record on December 28, 2006 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1702844.
414. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Anadarko Land Corp., a Nebraska corporation to Smith Production, Inc., a Texas corporation, dated November 1, 2005, filed for record on December 30, 2005 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1561992.
415. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from AgHOC, Inc., a Delaware corporation to Hunt Valley Industrial I, L.P., a Texas limited partnership, dated December 23, 2002, filed for record on January 2, 2003 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1153789, reference to which instrument is made for all intents and purposes.
416. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Mary O'Brien Shary, Individually and as Independent Executrix of the Estate of John H. Shary, Deceased to Allan Shivers, dated September 17, 1959, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 243, Page 277, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
417. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by United Irrigation Company to Allan Shivers, dated December 1, 1948, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 95, Page 327, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
418. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by United Irrigation Company to Allan Shivers, dated June 25, 1948, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 90, Page 246, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
419. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shivers and wife, Marialice Shary Shivers, et

al to John Shary Shivers, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 342, Page 970, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

420. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Four S Minerals, Ltd., a Texas limited partnership to Black Stone Minerals Company, L.P., a Delaware limited partnership and Black Stone Interests, LLC, a Delaware limited liability company, dated December 1, 1998, filed for record on January 29, 1999 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 744276, reference to which instrument is made for all intents and purposes.
421. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Black Stone Interests, L.L.C., a Delaware limited liability company to Black Stone Minerals Company, L.P., a Delaware limited partnership, dated May 28, 1999, filed for record on June 25, 1999 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 785825, reference to which instrument is made for all intents and purposes.
422. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Leon H. Brown and wife, Margaret C. Brown to Clyde Foster, dated May 21, 1953, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 144, Page 479, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
423. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Leon H. Brown and wife, Margaret C. Brown to Horace Beachum and John Smiley, dated May 21, 1953, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 144, Page 478, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
424. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shivers and wife, Maria Alice Shary Shivers, et al to Four S Minerals, Ltd., dated December 19, 1972, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 343, Page 62, Correction dated February 11, 1981, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 399, Page 437, both in Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
425. Non-Drilling Agreement dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, Texas. As affected by instrument filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605.
426. Non-Drilling Agreement dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
427. Water Rights conveyed in Deed dated October 1, 1917, from Bankers Trust Company, Trustee to John H. Shary, recorded in Volume 56, Page 579, Deed Records, Hidalgo County, Texas.
428. Water Rights conveyed in Deed dated September 4, 1973, from Allan Shivers and wife, Marialice Shary Shivers to R.J.F., INC., a Texas corporation, recorded in Volume 1379,

Page 522, Deed Records, Hidalgo County, Texas.

429. **Water Rights conveyed in Deed dated August 1, 1974, from R.J.F., INC., a Texas corporation, to Hunt Investment Corporation recorded in Volume 1416, Page 80, Deed Records, Hidalgo County, Texas.**
430. **Water Rights as set out by instruments dated February 16, 1988, filed for record on March 9, 1988, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 699, Official Records Hidalgo County, Texas, and dated March 1, 1988, filed for record on March 9, 1988, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 704, Official Records Hidalgo County, Texas.**
431. **Water rights reserved in Deed dated December 23, 2002, from AgHOC, Inc. to Hunt Valley Industrial I, L.P., filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.**
432. **Terms, conditions, and stipulations contained in Memorandum and Amendment of Letter Agreement executed by and between Black Stone Minerals Company, L.P., and Smith Production, Inc., dated June 25, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 4, 2004, under Clerk's File No. 1305006.**
433. through 436a. **INTENTIONALLY DELETED.**
- 436b. **Quitclaim of Easement granted by Hidalgo County, by instrument dated January 21, 1986, recorded in Volume 2240, Page 493, Official Records of Hidalgo County, Texas, as shown on survey prepared by Juan M. Castillo, RPLS No. 6146.**

THE FOLLOWING EXCEPTIONS AS TO RESIDENTIAL LOTS & PARCELS:

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 1 (ANTIGUA):

437. **Easements and conditions. as shown on plat recorded in Volume 53, Page 68, Map Records of Hidalgo County, Texas.**
438. **Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Paul Weston and Bertha W. Weston to Peter Espensen, dated April 12, 1949, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 661, Page 68, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
439. **Mineral interest, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Peter Espensen and Minnie Espensen to H.R. Beachum, dated July 21, 1950, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 695, Page 606, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
440. **Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from W. T. Gibbs, et al, to John H. Shary, Inc., dated March 21, 1955, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 827, Page 398, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**

441. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
442. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
443. Non Drilling Stipulations as set out by instrument executed by Four S. Minerals, Ltd., dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
444. Lien for assessments as set out in Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on October 19, 2005, under Clerk's File No. 1533984, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 2 (ANTIGUA):

445. INTENTIONALLY DELETED
446. Easements and conditions as shown on plat recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas, as noted on survey prepared by Juan M. Castillo, RPLS No. 6146, dated July 11, 2019
447. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

448. **Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.**
449. **Non Drilling Stipulations as set out by instrument executed by Four S. Minerals, Ltd., dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.**
450. **Lien for assessments as set out Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on October 19, 2005, under Clerk's File No. 1533984, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.**
451. **INTENTIONALLY DELETED.**
452. **Any claim or allegation that the land described in Schedule A of this policy, was conveyed in violation of V.A.T.C Local Government Code, Sections 212.004, et seq. or 232.001, or in violation of any county or municipal ordinance affecting subdivisions, or any loss of the use of the land by reason thereof.**

453. **INTENTIONALLY DELETED.**

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 3 (Lago Escondido, Phase II, Lots 15 and 21):

454. **Right of Way Easement granted to Central Power and Light Company, by Allan Shivers, dated August 9, 1952, filed for record on August 12, 1953, in the Office of the County Clerk of Hidalgo County, Texas in Volume 779, Page 277, Deed Records Hidalgo County, Texas. (Applies to Lot 15 only)**
455. **Right of Way Easement granted to Southwestern Bell Telephone Co., by Allan Shivers, dated April 9, 1960, filed for record on July 19, 1960, in the Office of the County Clerk of Hidalgo County, Texas in Volume 983, Page 575, Deed Records Hidalgo County, Texas.**
456. **Easements and conditions as shown on the Map recorded in Volume 46, Page 62, Map Records of Hidalgo County, Texas.**

457. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
458. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated November 15, 2001, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on November 28, 2001, under Clerk's File No. 1028545.
459. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
460. and 461. INTENTIONALLY DELETED.
462. Lien for assessments as set out in Restrictions and amendments filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 7, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2005, under Clerk's File No. 1484797, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 23, 2009, under Clerk's File No. 1964432, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 4 (Lago Escondido, Phase V, Lots 34, 36, 40-42):

463. Utility Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., dated March 2, 2009, filed for record on April 6, 2009 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1986172.
464. Easements and conditions as shown on the Map filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 4, 2010, under Clerk's File No. 2072773.

465. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
466. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated November 15, 2001, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on November 28, 2001, under Clerk's File No. 1028545.
467. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
468. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
469. through 470. INTENTIONALLY DELETED.
471. Lien for assessments as set out in Restrictions and amendments filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 7, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2005, under Clerk's File No. 1484797, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 23, 2009, under Clerk's File No. 1964432, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 5 (Marbella, Phase II, Lots 31, 33, 39-41):

472. through 480. INTENTIONALLY DELETED

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 6 (Monte Real, Phase II,

Lots 66, 68-69):

481. Easements and conditions as shown on plat recorded under Clerks File No. 2053427, Map Records of Hidalgo County, Texas.
482. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
483. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
484. Lien for assessments as set out Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 7 (San Marino, Phase I, Lots 12 and 19):

485. Easements and conditions as shown on the thereof recorded in Volume 55, Pages 89 and 90, Map Records of Hidalgo County, Texas.
486. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
487. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 29, 1999, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 14, 2000, under Clerk's File No. 838186.
488. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
489. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County,

and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.

490. Lien for assessments as set out Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 1, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.

491. and 492. INTENTIONALLY DELETED.

493. Terms, conditions, and stipulations contained in Amended and Restated Private Street Agreement between Hunt Valley Industrial I, L.P., and City of Mission, dated March 11, 2009, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 11, 2009, under Clerk's File No. 1978792.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 8 (San Marino, Phase II, Lots 2, 3 and 23):

494. INTENTIONALLY DELETED.
495. Utility Easement granted to City of Mission, by Hunt Valley Industrial, I, L.P., dated May 23, 2008, filed for record on May 28, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1894185.
496. Easements and conditions as shown on the Map filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 19, 2010, under Clerk's File No. 2131342.
497. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
498. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 29, 1999, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 14, 2000, under Clerk's File No. 838186.
499. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
500. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County,

and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.

501. Lien for assessments as set out Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 1, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.

502. and 503. INTENTIONALLY DELETED.

504. Terms, conditions, and stipulations contained in amended and restated Private Street Agreement between Hunt Valley Industrial I, L.P., and City of Mission, dated February 9, 2009, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 18, 2009, under Clerk's File No. 1971644, and amended by instrument dated March 11, 2009, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 11, 2009, under Clerk's File No. 1978792.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 9 (San Miguel - Proposed Lots #16, 17, 18, 19, 20 and 21):

505. through 512. INTENTIONALLY DELETED.

513. Easements and conditions as shown on plat recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas.

514. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Mouldon B. Smith and Lydia Smith to Allan Shivers, dated August 7, 1951, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 729, Page 53, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

515. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Mouldon B. Smith and Lydia Smith to Allan Shivers, dated August 21, 1957, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 896, Page 394, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

516. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

517. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23,

2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.

518. Water Rights as reserved in Deed from Hidalgo County Drainage District No. 1, dated March 30, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 5, 2006, under Clerk's File No. 1599384.
519. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
520. Lien for assessments as set out Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.
521. through 523. INTENTIONALLY DELETED.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 10 (San Miguel - Lot 37):

524. Easements and conditions as shown on the Volume 53, Page 28, Map Records of Hidalgo County, Texas.
525. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Mouldon B. Smith and Lydia Smith to Allan Shivers, dated August 7, 1951, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 729, Page 53, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
526. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from Mouldon B. Smith and Lydia Smith to Allan Shivers, dated August 21, 1957, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 896, Page 394, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
527. Lien for assessments as set out Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.
528. Prescriptive rights for roads, public or private, ditches, canals and/or utilities which are not a part of the public record, but visible from an inspection of the proposed insured

land(s) or revealed by a proper survey.

529. and 530. INTENTIONALLY DELETED.

THE FOLLOWING EASEMENTS AND EXCEPTIONS AS TO TRACT 10:

531. through 533. INTENTIONALLY DELETED.

THE FOLLOWING EXCEPTIONS AS TO LAS PLACITAS PHASE I (TRACT 8):

534. INTENTIONALLY DELETED.

535. Easements and conditions as shown on the Map recorded in Volume 46, Page 149, Map Records of Hidalgo County, Texas.

536. Non-Drilling Agreement dated July 13, 1973, recorded in Volume 345, Page 870, Oil and Gas Lease Records of Hidalgo County Texas.

537. Memorandum of Surface Use and Non-drilling Agreement dated June 30, 2004, filed for record on December 2, 2004, under Clerk's File No. 1409605 and dated September 5, 2006, filed for record on September 20, 2006 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's File No. 1665414.

538. Mineral conveyances as contained in instrument recorded in Volume 343, Page 63, Oil and Gas Lease Records of Hidalgo County, Texas.

539. All oil, gas, and other minerals reserved in Deed dated May 24 1999 filed for record in the Office of the County Clerk of Hidalgo County, Texas on May 28, 1999 under Clerk's File No. 778612.

540. Non-Drilling Stipulations contained in Deed dated May 24, 1999 filed for record in the Office of the County Clerk of Hidalgo County, Texas on May 28, 1999 under Clerk's File No. 778612 and Deed dated May 31, 2001, filed for record in the Office of the County Clerk of Hidalgo County, Texas on July 3, 2001, under Clerk's File No. 984621, and in Deed dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.

541. All service rights for irrigation waters from Hidalgo County Irrigation District No. 19 and all water rights, including but not limited to surface water and groundwater or any type or kind, whether claimed or owned under common law, court decision statutory, or pursuant to Certificates of Adjudication, as reserved in Deed dated May 24, 1999 filed for record in the Office of the County Clerk of Hidalgo County, Texas on May 28 1999 under Clerk's File No. 778612 and Deed dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.

542. Lien for Assessment as set out in Restrictions filed for recorded in the Office of the

County Clerk of Hidalgo County, Texas on November 12, 2002, under Clerk's File No. 1139369, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 31, 2004, under Clerk's File No. 1419907 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on July 21, 2006, under Clerk's File No. 1641767, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2005, under Clerk's File No. 1484797 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 23, 2009, under Clerk's File No. 1964432 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2009, under Clerk's File No. 2055941 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240.

543. and 544. INTENTIONALLY DELETED.

545. Terms, conditions, and stipulations contained in Architectural Guidelines for Sharyland Plantation dated April 15, 2003, filed for record in the Office of the County Clerk of Hidalgo County, Texas on April 23, 2003, under Clerk's File No. 1191067, filed for record in the Office of the County Clerk of Hidalgo County, Texas on January 7, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 31, 2004, under Clerk's File No. 1419907, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on July 21, 2006, under Clerk's File No. 1641767 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 19, 2005, under Clerk's File No. 1425813 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 16, 2005, under Clerk's File No. 1484797 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 23, 2009, under Clerk's File No. 1964432 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2009, under Clerk's File No. 2055941 and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240.

546. INTENTIONALLY DELETED.

THE FOLLOWING EXCEPTIONS AS TO LOT WITH BUILDING / SALES OFFICE (TRACT 1):

547. INTENTIONALLY DELETED.

548. Utility Easement granted to City of Mission, by Hunt Valley Industrial, I, L.P., dated May 23, 2008, filed for record on May 28, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1894185.

549. Easements and Conditions as shown on the Map or Plat thereof, filed for record in Volume 42, Page 111, Map Records Hidalgo County, Texas.

550. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shiver and wife, Marialice Shary Shivers to

John H. Shary, et al, dated November 20, 1972, filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 342, Page 970, Deed Records Hidalgo County, Texas, and corrected by instrument filed for record in the Office of the County Clerk of Hidalgo, County, Texas in Volume 399, Page 437, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

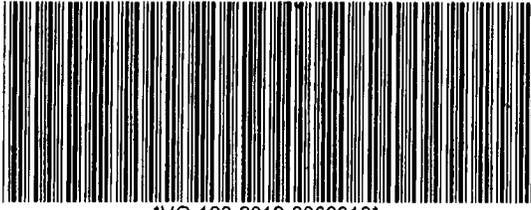
551. **Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 29, 1999, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 14, 2000, under Clerk's File No. 838186.**

552. **Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.**

553. **Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.**

554. **Lien for assessments as set out in Restrictions filed for record in the Office of the County Clerk of Hidalgo County, Texas, on November 12, 2002, under Clerk's File No. 1139369, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 1, 2004, under Clerk's File No. 1283073, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 3, 2010, under Clerk's File No. 2072240, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 28, 2011, under Clerk's File No. 2268154, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on August 25, 2016, under Clerk's File No. 2741079, and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 2, 2018, under Clerk's File No. 2885603.**

Attachment 4



VG-120-2019-3069818

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 3069818

Billable Pages: 36

Recorded On: December 06, 2019 12:31 PM

Number of Pages: 37

*****Examined and Charged as Follows*****

Total Recording: \$ 176.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 3069818
Receipt No: 20191206000098
Recorded On: December 06, 2019 12:31 PM
Deputy Clerk: Imelda Leal
Station: CH-1-CC-K27

Record and Return To:

Fidelity National Financial
2828 Routh Street Ste. 800
attn: Stephany Jones fed-ex pkg
Dallas TX 75201



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF HIDALGO §

HUNT VALLEY INDUSTRIAL I, L.P., a Texas limited partnership (hereinafter called "Grantor"), in consideration of the sum of TEN AND NO/100THS (\$10.00) DOLLARS and other good and valuable consideration in hand paid by CASCADE REAL ESTATE OPERATING, LP, a Texas limited partnership (hereinafter called "Grantee"), whose address is c/o Killam Oil Co., Ltd., 4320 University Blvd., P.O. Box 499, Laredo, Texas 78042, the receipt and sufficiency of which are hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD AND CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee, the real property located in Hidalgo County, Texas, which is more particularly described on Exhibit "A" attached hereto and made a part hereof for all purposes, together with all improvements and fixtures affixed or attached thereto and all easements and rights appurtenant thereto (collectively, the "Land"), and Grantor's right, title and interest (if any) in and to: (i) any strip or gore or any land lying in the bed of any street, road, alley or right-of-way, open or closed, adjacent to or abutting such Land; and (ii) any and all air rights, water rights, mineral rights, subsurface rights, development rights permitting to such Land (the Land and all of the foregoing being collectively referred to herein as the "Property").

Permitted Exceptions

This conveyance is made expressly subject to those matters listed on Exhibit "B" attached hereto (the "Permitted Exceptions"), to the extent they actually affect title to the Property.

EXCEPT AS OTHERWISE PROVIDED IN THIS DEED AND SECTION 8(a) OF THE AGREEMENT OF SALE BETWEEN GRANTOR AND GRANTEE, GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTOR HAS NOT MADE, DOES NOT MAKE AND SPECIFICALLY NEGATES AND DISCLAIMS ANY REPRESENTATIONS, WARRANTIES (OTHER THAN THE SPECIAL WARRANTY OF TITLE AS SET OUT IN THE DEED OR AS EXPRESSLY SET FORTH HEREIN), PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO THE PROPERTY. SPECIFICALLY, BUT WITHOUT LIMITATION, EXCEPT AS EXPRESSLY STATED IN THIS DEED AND IN SECTION 8(a) OF THE AGREEMENT OF SALE, GRANTOR HAS

NOT MADE, DOES NOT MAKE AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS REGARDING COMPLIANCE WITH ANY ENVIRONMENTAL PROTECTION, POLLUTION OR LAND USES LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, INCLUDING THE EXISTENCE IN OR ON THE PROPERTY OF ANY HAZARDOUS MATERIALS OR CONDITIONS AFFECTED BY ENVIRONMENTAL LAWS. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT THE LAND FOR AN EXTENDED PERIOD HAS BEEN DEVOTED TO AGRICULTURAL PRODUCTION, POSSIBLY INVOLVING APPLICATION TO THE LAND OF FERTILIZERS AND/OR PESTICIDES AND OTHER COMMON FARMING ACTIVITIES SUCH AS EQUIPMENT MAINTENANCE, REFUELING AND REPAIR. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT HAVING BEEN GIVEN THE OPPORTUNITY TO INSPECT THE PROPERTY, GRANTEE IS RELYING SOLELY ON ITS OWN INVESTIGATION OF THE PROPERTY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY GRANTOR. EXCEPT TO THE EXTENT, IF ANY, OTHERWISE EXPRESSLY STATED IN THIS DEED OR IN SECTION 8(a) OF THE AGREEMENT OF SALE. GRANTEE AGREES TO ACCEPT THE PROPERTY AND HEREBY WAIVES AND RELEASES GRANTOR FROM ALL OBJECTIONS OR CLAIMS AGAINST GRANTOR ARISING FROM OR RELATED TO THE PHYSICAL CONDITION OF THE PROPERTY OR TO ANY HAZARDOUS MATERIALS ON THE PROPERTY, WHETHER BY CONTRACT, UNDER LAW, UNDER ANY RIGHT OF CONTRIBUTION, OR OTHERWISE, PROVIDED, THAT GRANTEE DOES NOT RELEASE GRANTOR OF OR FROM ANY REPRESENTATION, WARRANTY, COVENANT OR AGREEMENT OF GRANTOR SET FORTH IN THE AGREEMENT OF SALE OR THE WARRANTY OF TITLE UNDER THIS DEED.

GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT ANY INFORMATION PROVIDED OR TO BE PROVIDED WITH RESPECT TO THE PROPERTY BY GRANTEE WAS OBTAINED FROM A VARIETY OF SOURCES AND THAT GRANTOR HAS NOT MADE ANY INDEPENDENT INVESTIGATION OR VERIFICATION OF SUCH INFORMATION AND MAKES NO REPRESENTATIONS AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION EXCEPT AS EXPRESSLY SET FORTH HEREINABOVE. GRANTOR IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY, OR THE OPERATION THEREOF, FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON.

EXCEPT AS OTHERWISE PROVIDED IN SECTION 8(a) OF THE AGREEMENT OF SALE, GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SALE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS" CONDITION AND BASIS WITH ALL FAULTS, EXCEPT AS OTHERWISE PROVIDED HEREIN. IT IS UNDERSTOOD AND AGREED THAT THE PURCHASE PRICE HAS BEEN NEGOTIATED BASED ON THE FACT THAT THE PROPERTY IS SOLD BY GRANTOR AND PURCHASED BY GRANTEE SUBJECT TO THE FOREGOING.

TO HAVE AND TO HOLD the Property, subject as aforesaid, unto Grantee, its successors and assigns FOREVER, and Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property, subject as aforesaid, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

[SIGNATURE ON FOLLOWING PAGE]

EXECUTED as of the 4th day of December, 2019.

GRANTOR:

HUNT VALLEY INDUSTRIAL I, L.P.,
a Texas limited partnership

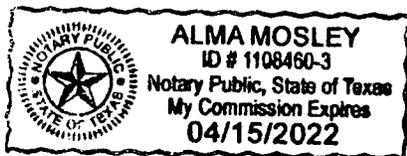
By: Hunt Valley Development I, LLC,
a Texas limited liability company,
its general partner

By: [Signature]
Name: Dave B. Hornquist
Title: Vice President

STATE OF TEXAS)
)
COUNTY OF DALLAS)

This instrument was acknowledged before me on the 2nd day of December, 2019, by Dave B. Hornquist, Vice Pres. Int of HUNT VALLEY DEVELOPMENT I, LLC, a Texas limited liability company, the general partner of HUNT VALLEY INDUSTRIAL I, L.P., a Texas limited partnership, on behalf of said limited partnership.

[Signature]
Notary Public in and for the State of Texas



Record and Return to:
Chicago Title
2828 Routh Street #800
Dallas, TX 75201
Attn: Pam Medlin

EXHIBIT A

Legal Description

TRACT 4:

BEING a 383.89 Acre tract (16,722,156 sq. ft) of land situated in Porciones 53 through 57, City of Mission Texas and being out of Lots 5-9, 5-10, 5-11, 5-12, 6-8, 6-9 and 235.64 acre tract (remainder) of the WEST ADDITION TO SHARYLAND, as recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of that tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 398.89 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the northeast corner of that called 10.449 acre tract conveyed to Union Design Developer, L.P., as recorded in Document No. 1738792 O.R.H.C.T., same corner being in the south right of way line of FM 1016 (Military Road) (right of way varies), for the most easterly northwest corner of the herein described tract;

THENCE South 83° 24' 52" East, along said south right of way line of FM 1016, a distance of 1,624.48 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE South 37° 26' 31" East, continue along said south right of way line of FM 1016, a distance of 69.52 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the west right of way line of FM 396 (Anzalduas Highway) (right of way width varies), for the most easterly northeast corner of the herein described tract;

THENCE South 08° 31' 05" West, along the west right of way line of said FM 396, a distance of 222.62 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the point of curvature of a tangent curve to the right, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the right with an arc distance of 373.95 feet, having a delta angle of 06°13'03", a radius of 3,446.00 feet, and chord bearing of South 11°37'37" West, a chord distance of 373.77 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the point of curvature of a reverse curve to the left, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the left with an arc distance of 548.45 feet, having a delta angle of 06°13'03", a radius of 5,054.00 feet, and chord bearing of South 11°37'37" West, a chord distance of 548.18 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE South 08° 29' 39" West, continue along west right of way line of said FM 396, at a distance of 84.46 feet pass the north right of way line of Irrigation Canal (60.0' right of way), at a distance of 149.94 feet pass the common line of said Irrigation Canal and St Louis Brownsville & Mexico Railroad, as per Volume 0, Page 486 Deed Records Hidalgo County, Texas (D.R.H.C.T.) (100.0' right of way), at distance of 250.92 feet pass the south right of way line of said Railroad and continuing for a total distance of 440.57 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the point of curvature of a tangent curve to the left, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the left with an arc distance of 619.88 feet, having a delta angle of 17°17'29", a radius of 2,054.00 feet, and chord bearing of South 00°07'40" East, a chord distance of 617.53 feet to a 1/2-inch iron rod with cap stamped "Half" set, in the point of curvature of a reverse curve to the right, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the right with an arc distance of 125.41 feet, having a delta angle of 08°21'19", a radius of 860.00 feet, and chord bearing of South 04°43'07" East, a chord distance of 125.30 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an angle corner of the herein described tract;

THENCE South 08° 31' 03" West, continue along the west right of way line of said FM 396, a distance of 1,132.45 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an angle corner of the herein described tract;

THENCE South 53° 48' 41" West, continue along the west right of way line of said FM 396, a distance of 70.79 feet to a TxDot brass monument found, for an angle corner of the herein described tract;

THENCE South 08° 19' 54" West, continue along the west right of way line of said FM 396, a distance of 119.84 feet to a 1/2-inch iron rod found in the north line of the ANZALDUAS BRIDGE SUBDIVISION as recorded in Volume 53, Page 33. M.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 81° 23' 40" West, along the north line of said ANZALDUAS BRIDGE SUBDIVISION, a distance of 461.06 feet to a 1/2-inch iron rod with cap stamped "Half" set for the northwest corner of said subdivision, for an interior corner of the herein described tract;

THENCE South 08° 31' 22" West, along the west line of said ANZALDUAS BRIDGE SUBDIVISION, at a distance of 1,470.81 feet pass a TxDot brass monument found in the northerly right of way line of H.C.R.M.A. parcel (right of way width varies), at a distance of 1557.50 feet pass a 5/8-inch iron rod found in the southwesterly corner of said H.C.R.M.A. parcel, and continuing for a total distance of 1,847.19 feet to a 1/2-inch iron rod with cap stamped "Half" set in the existing southerly right of way line of FM 494, same being the easterly line of that called 31.30 acre tract conveyed to Sonja Elisabeth Wasser as described in Document No. 1906337 O.R.H.C.T., for the most southerly southeast corner of the herein described tract;

THENCE North 34° 41' 39" West, continuing along the common line of said FM 494 and said 31.30 acre tract, a distance of 1298.27 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an angle corner of the herein described tract;

THENCE North 79° 27' 12" West, continue along said common line, a distance of 141.67 feet to a 1/2-inch iron rod found in the easterly right of way line of 5994 Wing Road (48.74' found right of way), for an interior corner of the herein described tract;

THENCE North 34° 40' 34" West, across said Wing Road, a distance of 48.33 feet to a 1/2-inch iron rod with cap stamped "Half" set in the westerly right of way line of said Wing Road, for an interior corner of the herein described tract;

THENCE South 55° 19' 25" West, along the westerly right of way line of said Wing Road, a distance of 1190.09 feet to a 1/2-inch iron rod found at the northeasterly corner of that called 1.0 acre tract conveyed to Hidalgo County as recorded in Volume 1214, Page 1014 of D.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 47° 40' 35" West, continuing along the northerly line of said 1.0 acre tract, a distance of 203.21 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the northerly corner of said 1.0 acre tract, for an interior corner of the herein described tract;

THENCE South 55° 19' 25" West, continue along the westerly line of said 1.0 acre tract, a distance of 220.00 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the northerly right of way line of that called 3.94 acre tract "Granjeno Canal" as recorded in Volume 752, Page 342 D.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 47° 40' 35" West, along the northerly right of way line of said 3.94 acre tract, a distance of 22.66 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 43° 34' 45" West, continue the northerly right of way line of said 3.94 acre tract, a distance of 277.93 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 35° 53' 45" West, continue the northerly right of way line of said 3.94 acre tract, a distance of 297.10 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 30° 17' 55" West, continue the northerly right of way line of said 3.94 acre tract, a distance of 929.59 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the east line of that called 100.900 acre tract conveyed to Catholic Diocese of Brownsville as recorded in Document No. 814019 O.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 57° 28' 17" East, along the east line of said 100.900 acre tract, a distance of 719.44 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE North 56° 00' 55" East, continuing along the east line of said 100.900 acre tract, a distance of 823.51 feet to a 1-inch iron pipe found in the southerly right of way line of said FM 494, for an interior corner of the herein described tract;

THENCE North 34° 28' 01" West, along the southerly right of way line of said FM 494, at a distance of 1,114.66 feet to a 1/2-inch iron rod found pass the common corner of said 100.900 acre tract and that 39.89 acre tract conveyed to San Juan Diego Catholic High School as described in Document No. 2219429 O.R.H.C.T. and continuing for a total distance of 1,565.20 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the point of curvature of a tangent curve to the right, for an angle corner of the herein described tract;

THENCE Northwesterly, continue along the southerly right of way line of said FM 494, along said curve to the right with an arc distance of 478.11 feet, having a delta angle of 04°44'23", a radius of 5,779.58 feet, and chord bearing of North 32°05'53" West, a chord distance of 477.97 feet to a 5/8-inch iron rod found, for an angle corner of the herein described tract;

THENCE North 29° 43' 41" West, continuing along the southerly right of way line of said FM 494, a distance of 78.53 feet to a 5/8-inch iron rod found in the point of curvature of a non-tangent curve to the right, for an exterior corner of the herein described tract;

THENCE Northwesterly, continue along the southerly right of way line of said FM 494, along said curve to the right with an arc distance of 122.35 feet, having a delta angle of 18°49'26", a radius of 372.40 feet, and chord bearing of North 20°18'58" West, a chord distance of 121.80 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE North 29° 02' 08" West, continue along the north right of way line of said FM 494, a distance of 149.22 feet to a pk nail found at common corner of said 39.89 acre tract and the southeasterly corner of the Dohrn Canal (120.0' right of way) as recorded in Volume 752, Page 342 D.R.H.C.T., for an interior corner of the herein described tract;

THENCE South 79° 47' 57" West, along the common line of said DOHRN CANAL and said 39.89 acre tract, a distance of 1,470.19 feet to a 1/2-inch iron rod found in the easterly line of that Tract 326C of the U.S. FISH AND WILDLIFE, as recorded in Volume 1510, Page 87 D.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 14° 13' 13" West, along the easterly line of said Tract 326C, a distance of 88.35 feet to a 1-1/2-inch iron pipe found, for an angle corner of the herein described tract;

THENCE North 15° 11' 03" West, continuing along the easterly line of said Tract 326C, at a distance of 687.96 feet pass the common corner of said Tract 326C and that 4.781 acre tract (tract II) as recorded in Document No. 814019 O.R.H.C.T., and continuing for a total distance of 814.25 feet to a 3-inch iron pipe found, for an interior corner of the herein described tract;

THENCE North 74° 48' 57" East, continuing along the easterly line of said 4.781 acre tract, a distance of 40.04 feet to a 3-inch iron pipe found, for an angle corner of the herein described tract;

THENCE North 15° 02' 33" West, continuing along the easterly line of said 4.781 acre tract, a distance of 140.00 feet to a 3-inch iron pipe found, for an angle corner of the herein described tract;

THENCE North 02° 01' 27" East, continuing along the easterly line of said 4.781 acre tract, a distance of 99.20 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the southerly line of RIVERSIDE SUBDIVISION "A", from where a 3-inch iron pipe found bears North 04° 15' 01" East, a distance of 9.32 feet, for an exterior corner of the herein described tract;

THENCE North 59° 44' 27" East, along the southerly line of RIVERSIDE SUBDIVISION "A", at a distance of 94.60 feet pass the southerly line of said Granjeno Canal, and continuing for a total distance of 296.64 feet to a 1/2-inch iron rod with cap stamped "Halff" set at southerly corner of the RIVERSIDE SUBDIVISION "B", for an interior corner of the herein described tract;

THENCE North 26° 15' 28" West, along the westerly line of said RIVERSIDE SUBDIVISION "B", a distance of 501.20 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 16° 07' 01" West, continuing along the westerly line of said RIVERSIDE SUBDIVISION "B", a distance of 515.60 feet to a 1/2-inch iron rod found at the northwesterly corner of Lot 2 of said subdivision "B", for the most westerly northwest corner of the herein described tract;

THENCE North 59° 44' 27" East, along the northerly line of said Lot 2, a distance of 483.24 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the westerly right of way line of the SAN BENITO & RIO GRANDE VALLEY RAILROAD (100.0' right of way), for the most northerly corner of the herein described tract;

THENCE South 29° 46' 58" East, along the westerly right of way line of said Railroad, a distance of 500.00 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 60° 51' 10" East, across said SAN BENITO & RIO GRANDE VALLEY RAILROAD, at a distance of 100.00 feet pass the common line of said Railroad and Old Military Road (70.0 right

of way) and continuing for total a distance of 170.00 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 28° 49' 23" East, along the easterly right of way line of said Old Military Road, a distance of 97.06 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 37° 30' 25" East, along an interior line of the aforementioned Hunt Valley Industrial Tract, a distance of 100.00 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the southerly right of way line of aforementioned FM 1016 (Military Hwy), same being in the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southeasterly, along the southerly right of way line of said FM 1016, along said curve to the left with an arc distance of 268.86 feet, having a delta angle of 05°09'35", a radius of 2985.55 feet, and chord bearing of South 55°15'36" East, a chord distance of 268.77 feet to a 1/2-inch iron rod found, for an angle corner of the herein described tract;

THENCE South 33° 20' 54" East, along the southerly right of way line of said FM 1016, a distance of 69.61 feet to a 1/2-inch iron rod with cap stamped "Halff" set, at the northerly corner of that 0.723 acre tract conveyed to the Mission Consolidated Independent School District as recorded in Document No. 2766788 O.R.H.C.T., for an interior corner of the herein described tract;

THENCE South 65° 44' 08" West, along the westerly line of said 0.723 acre tract, a distance of 213.51 feet to a 3/4-inch iron rod found in the easterly right of way line of said Old Military Road, for an interior corner of the herein described tract;

THENCE South 29° 49' 07" East, along the easterly right of way line of said Old Military Road, a distance of 1,159.87 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southeasterly, continuing along the southerly right of way line of said FM 1016, along said curve to the left with an arc distance of 535.08 feet, having a delta angle of 36°43'09", a radius of 834.93 feet, and chord bearing of South 48°06'37" East, a chord distance of 525.97 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 81° 12' 06" East, continuing along the northerly right of way line of said Old Military Road, a distance of 359.40 feet to a 5/8-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 08° 07' 50" West, continuing along the northerly right of way line of said Old Military Road, a distance of 39.44 feet to a 5/8-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 81° 26' 51" East, continuing along the northerly right of way line of said Old Military Road, at a distance of 1320.08 feet pass the common line of aforementioned Lots 5-10 and 5-11, at a distance of 1710.72 feet pass the southwest corner of the AMENDED MAP O.E. INVESTMENTS SUBDIVISION No 2, as recorded in Volume 52, Page 39 M.R.H.C.T., and continuing for a total distance of 1980.20 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE North 08° 33' 16" East, along the east line of said AMENDED MAP O.E. INVESTMENTS SUBDIVISION No 2, at a distance of 698.00 feet pass the northeast corner of said subdivision, continuing for a total distance of 1220.24 feet to the POINT OF BEGINNING and containing a gross area 383.89 acres of land, more or less.

SAVE AND EXCEPT a 2.64 acre tract of land described in deed to the City of Mission dated July 15, 2011 recorded under Clerk's Document Number 2224163, Official Records of Hidalgo County, Texas on July 20, 2011.

FURTHER SAVE AND EXCEPT a calculated 3.205 acre tract of land known as Granjeno Canal and a calculated 3.475 acre tract of land known as Dohrn Canal recorded in Volume 752, Page 342, Deed Records, Hidalgo County, Texas.

FURTHER SAVE AND EXCEPT a calculated 5.80 acres out of a 65 foot wide canal right of way belonging to the Hidalgo County Water Control and Improvement District No. 19 as shown on Volume 1, Page 56, Map Records of Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT a calculated 17.13 acres out of F.M. 494 and F.M. 1016 both as shown on Volume 1, Page 56 of the Map Records of Hidalgo County, Texas. Additional right of way for F.M. 494 as recorded in Volume 1290, Pages 489-93 and Volume 1288, Pages 157-60 and Volume 1290, Pg. 512-15, Deed Records of Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT: 2 tracts of land reserved for the future Hidalgo County Regional Mobility Authority Loop Road, 18.873 acres (calculated) as described in Notice of Lis Pendens recorded in Document Number 2820910 of the Official Records of Hidalgo County, Texas and 0.688 acres (record) as described in Notice of Lis Pendens recorded in Document Number 2803066, Official Records of Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT a 1.00 acre tract of land described in deed to Michael Wallace as recorded in Document Number 2016-2749524, Official Records of Hidalgo County, Texas.

FURTHER SAVE AND EXCEPT a 1.00 acre tract of land described in deed to Todd Watson as recorded in Document Number 2016-2326231, Official Records of Hidalgo County, Texas.

FURTHER SAVE AND EXCEPT a 1.00 acre tract of land described in deed to Oscar Gonzalez as recorded in Document Number 2016-2326234, Official Records of Hidalgo County, Texas.

FURTHER SAVE AND EXCEPT a 1.00 acre tract of land described in deed to Paul Curtin as recorded in Document Number 2012-2326229, Official Records of Hidalgo County, Texas.

FURTHER SAVE AND EXCEPT a 1.00 acre tract of land described in deed to Raul Garcia as recorded in Document Number 2858565, Official Records of Hidalgo County, Texas.

FURTHER SAVE AND EXCEPT:

BEING a 47.308 Acre tract (2,060,719 sq. ft) of land situated in Porcion 57, City of Mission Texas and being out of Lots 5-11 and 5-12 of the WEST ADDITION TO SHARYLAND, as recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of that tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 47.308 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found at the northeast corner of that called 10.449 acre tract conveyed to Union Design Developer, L.P., as recorded in Document No. 1738792 O.R.H.C.T., same corner being in the south right of way line of FM 1016 (Military Road) (right of way varies), for the northwest corner of the herein described tract;

THENCE South 83° 24' 52" East, along said south right of way line of FM 1016, a distance of 1,624.48 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an angle corner of the herein described tract;

THENCE South 37° 26' 31" East, continue along said south right of way line of FM 1016, a distance of 69.52 feet to a 1/2-inch iron rod with cap stamped "Half" found in the west right of way line of FM 396 (Anzalduas Highway) (right of way width varies), for the most easterly northeast corner of the herein described tract;

THENCE South 08° 31' 05" West, along the west right of way line of said FM 396, a distance of 222.62 feet to a 1/2-inch iron rod with cap stamped "Half" found in the point of curvature of a tangent curve to the right, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the right with an arc distance of 373.95 feet, having a delta angle of 06°13'03", a radius of 3,446.00 feet, and chord bearing of South 11°37'37" West, a chord distance of 373.77 feet to a 1/2-inch iron rod with cap stamped "Half" found in the point of curvature of a reverse curve to the left, for an angle corner of the herein described tract;

THENCE Southerly, continue along the west right of way line of said FM 396, along said curve to the left with an arc distance of 548.45 feet, having a delta angle of 06°13'03", a radius of 5,054.00 feet, and chord bearing of South 11°37'37" West, a chord distance of 548.18 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an angle corner of the herein described tract;

THENCE South 08° 31' 03" West, continue along west right of way line of said FM 1016, a distance of 84.46 feet to a 1/2-inch iron rod with cap stamped "Half" set in the north right of way line of Irrigation Canal (60.0' right of way), for the southeast corner of the herein described tract;

THENCE North 81° 26' 51" West, along said north right of way line of Irrigation Canal, a distance of 1624.32 feet to a 1/2-inch iron rod found at the southeast of the AMENDED MAP O.E. INVESTMENTS SUBDIVISION No 2, as recorded in Volume 52, Page 39 M.R.H.C.T., for the southwest corner of the herein described tract;

THENCE North 08° 33' 16" East, along the east line of said AMENDED MAP O.E. INVESTMENTS SUBDIVISION No 2, at a distance of 698.00 feet pass the northeast corner of said subdivision, continuing for a total distance of 1220.24 feet to the POINT OF BEGINNING and containing a gross area 47.308 acres (2,060,719 sq. ft) of land, more or less.

TRACT 5:

BEING a 765.84 Acre tract of land situated in Porciones 59 and 60, City of Mission Texas and being part or all of Lots 2, 3, 4, 12, 13, 14, 22, 23, 24, 31, 32, 33, 34, 41, 42, 43, 44, 51, 52, 53 & 54 of the JOHN H. SHARY SUBDIVISION, as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of that tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 765.84 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Half" set at the intersection of the south right of way line of FM 1016 (Military Road) (right of way varies) and the east right of way line of FM 396 (Anzalduas Highway) (right of way varies), same being the point of curvature of a non-tangent curve to the right for the northwesterly corner of the herein described tract;

THENCE Southerly, along the south right of way line of FM 1016, along said curve to the right with an arc distance of 99.80 feet, having a delta angle of 00°30'06", a radius of 11,399.16 feet, and chord bearing of South 81°44'36" East, a chord distance of 99.80 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 81° 28' 36" East, along said south right of way line of FM 1016, a distance of 2,352.84 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 36° 27' 45" East, continuing along said south right of way line of FM 1016, a distance of 74.14 feet to a 1/2-inch iron rod found in the west right of way line of Glasscock Road (40.0' right of way), for an interior corner of the herein described tract;

THENCE South 81° 22' 18" East, across right of way line of said Glasscock Road, a distance of 40.00 feet to a 1/2-inch iron rod with cap stamped "Half" set in the east right of way line of said Glasscock Road, for an interior corner of the herein described tract;

THENCE North 53° 41' 29" East, along the south right of way line of said FM 1016, a distance of 70.96 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE South 81° 36' 20" East, continuing along said south right of way line of said FM 1016, a distance of 1,249.34 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 81° 29' 21" East, continuing along said south right of way line of said FM 1016, a distance of 1,195.88 feet to a 1/2-inch iron rod with cap stamped "Half" set, same being the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southeasterly, continuing along said south right of way line of said FM 1016, along said curve to the left with an arc distance of 36.24 feet, having a delta angle of 00°10'49", a radius of 11,519.16 feet, and chord bearing of South 81°34'45" East, a chord distance of 36.24 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 36° 35' 30" East, continuing along said southerly right of way line of said FM 1016, a distance of 70.94 feet to a 1/2-inch iron rod with cap stamped "Half" set in the west right of way line of FM 494 (S. Shary Road) (right of way varies), for an interior corner of the herein described tract;

THENCE South 08° 37' 42" West, continuing along the west right of way line of said S. Shary Road, a distance of 696.71 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 12° 55' 03" West, continuing along the west right of way line of said S. Shary Road, a distance of 200.60 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 08° 37' 42" West, continuing along the west right of way line of said S. Shary Road, a distance of 343.94 feet to a 1/2-inch iron rod with cap stamped "Half" set the common corner of said Lot 54 and said Lot 44, for an interior corner of the herein described tract;

THENCE South 07° 52' 21" West, continuing along the west right of way line of said S. Shary Road, at a distance of 21.23 feet pass the north right of way line of Railroad (100.0' right of way), continuing for a total a distance of 121.02 feet to a 1/2-inch iron rod found in the south right of way line of said Railroad, for an interior corner of the herein described tract;

THENCE South 08° 35' 07" West, continuing along the west right of way line of said S. Shary Road, a distance of 90.24 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continuing along the west right of way line of said S. Shary Road, along said curve to the left with an arc distance of 199.12 feet, having a delta angle of 01°00'00", a radius of

11,409.16 feet, and chord bearing of South 09°05'07" West, a chord distance of 199.12 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 09° 35' 07" West, continuing along the west right of way line of said S. Shary Road, a distance of 945.97 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Southerly, continuing along the west right of way line of said S. Shary Road, along said curve to the left with an arc distance of 200.87 feet, having a delta angle of 01°00'00", a radius of 11,509.16 feet, and chord bearing of South 09°05'07" West, a chord distance of 200.87 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 08° 35' 07" West, continuing along the west right of way line of said S. Shary Road, a distance of 99.99 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 08° 35' 13" West, continuing along the west right of way line of said S. Shary Road, a distance of 983.96 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the common corner of said Lot 24 and said Lot 34, for an interior corner of the herein described tract;

THENCE South 08° 35' 42" West, continuing along the west right of way line of said S. Shary Road, at a distance of 1423.58 feet pass the northerly right of line of Future HCRMA Road (SH 365), at a distance of 1944.15 feet to a TxDOT brass disk passing the southerly right of line of said Future (SH 365), continuing for total a distance of 2,640.68 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE South 08° 36' 41" West, continuing along the west right of way line of said S. Shary Road, a distance of 683.50 feet to a 1/2-inch iron rod found at the northeast corner of that called 0.48 acre tract (exhibit "B") conveyed to Yvette Cabrera a/k/a/ Ivette Cabrera Prevot, as described in Document No. 2799744 O.R.H.C.T., for the southeast corner of the herein described tract;

THENCE North 81° 25' 20" West, departing the west right of way line of said S. Shary Road, along the south line of said Lot 4 remainder, a distance of 809.67 feet to a 1/2-inch iron rod found in an interior line of said Hunt Valley Industrial I, LLP, Tract as described in Document No. 1153789 O.R.H.C.T., same being the northwest corner of that 0.18 acre tract as per Hidalgo County Appraisal District No ID 523295, for an interior corner of the herein described tract;

THENCE South 08° 36' 39" West, along said interior line, a distance of 274.89 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the north right of way line of FM 494 (right of way varies), same being the point of curvature of a curve to the right, for an exterior corner of the herein described tract;

THENCE Northwesterly, along the northerly right of way line of said FM 494, along said curve to the right with an arc distance of 136.18 feet, having a delta angle of 00°41'02", a radius of 11,409.16 feet, and chord bearing of North 81°42'07" West, a chord distance of 136.18 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE North 81° 21' 36" West, continuing along said north right of way line of FM 494, a distance of 392.44 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the southeast corner of that called 3.47 acre tract (tract 2) conveyed to City of Granjeno, as described in Document No. 1243656 O.R.H.C.T., for an exterior corner of the herein described tract;

THENCE North 08° 36' 39" East, along the east line of said 3.47 acre tract, a distance of 333.14 to a 1/2-inch iron rod found at the northeast corner of said 3.47 acre tract, for an interior corner of the herein described tract;

THENCE North 81° 24' 18" West, along the north line of said 3.47 acre tract, a distance of 454.00 feet to a 1/2-inch iron rod found in the east line of that called 2.51 acre tract (tract 1) conveyed to the City of Granjeno, Document No. 1243656 O.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 08° 37' 47" East, along the east line of said 2.51 acre tract, a distance of 251.54 feet to a 1/2-inch iron rod found at the northeast corner of said 2.51 acre tract, for an interior corner of the herein described tract;

THENCE North 81° 23' 20" West, along the north line of said 2.51 acre tract, at a distance of 187.08 feet pass a 1/2-inch iron rod found at the common corner of said 2.51 acre tract and Granjeno Cemetery tract, continuing for a total distance of 424.09 feet to a 1/2-inch iron rod found at the northwest corner of said Granjeno Cemetery tract, for an interior corner of the herein described tract;

THENCE South 08° 38' 32" West, along the west line of said Granjeno Cemetery tract, a distance of 544.19 feet to a 1/2-inch iron rod found at the northeast corner of that called 0.037 acre tract owned by the City of Mission, as described in Document No. 449059 O.R.H.C.T, for an interior corner of the herein described tract;

THENCE North 81° 32' 42" West, along the north line of said 0.037 acre tract, a distance of 39.34 feet to a 1/2-inch iron rod found at the northwest corner of said 0.037 acre tract, for an interior corner of the herein described tract;

THENCE South 09° 27' 46" West, along the west line of said 0.037 acre tract, a distance of 39.85 feet to a 1/2-inch iron rod found at the southwest corner of said 0.037 acre tract, same being in the north right of way line of said FM 494, for an exterior corner of the herein described tract;

THENCE North 81° 29' 32" West, along the north right of way line of said FM 494, a distance of 193.70 feet to a 1/2-inch iron rod found, for an angle corner of the herein described tract;

THENCE North 36° 29' 17" West, along the north right of way line of said FM 494, a distance of 143.27 feet to a 1/2-inch iron rod found in the east right of way line of Glasscock Road (40.0' right of way), for an angle corner of the herein described tract;

THENCE North 80° 50' 44" West, across Glasscock Road right of way, a distance of 40.54 feet to a 1/2-inch iron rod found in the west right of way line of Glasscock Road, for an interior corner of the herein described tract;

THENCE South 52° 34' 26" West, along the northerly right of way of said FM 494, a distance of 140.11 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 81° 23' 59" West, along the northerly right of way of said FM 494, a distance of 63.48 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a tangent curve to the right, for an angle corner of the herein described tract;

THENCE Northwesterly, continuing along the northerly right of way line of said FM 494, along said curve to the right with an arc distance of 1,159.26 feet, having a delta angle of 35°43'06", a radius of 1,859.56 feet, and chord bearing of North 63°32'37" West, a chord distance of 1,140.58 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE North 45° 41' 14" West, continuing along the northerly right of way of said FM 494, a distance of 126.27 feet to a 5/8-inch iron rod found at the southwest corner of H.C.W.C. & I.D. # 19 (100.0' right of way), for the southwest corner of the herein described tract;

THENCE North 08° 35' 58" East, along the west right of way line of said H.C.W.C. & I.D. # 19, at a distance of 885.34 feet pass a TxDOT brass disk found at the southeast corner of the Anzalduas Bridge Subdivision, as recorded in Volume 53, Page 33 M.R.H.C.T., continuing for total distance of 3,420.15 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the northeast corner of said Subdivision, for an interior corner of the herein described tract;

THENCE North 81° 23' 40" West, along the north line of said Anzalduas Bridge Subdivision, a distance of 1,223.28 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the east right of way line of the aforementioned FM 396 (Anzalduas Highway), for an exterior corner of the herein described tract;

THENCE North 08° 30' 24" East, departing said north line and along the east right of way line of said FM 396, a distance of 124.35 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 36° 26' 18" West, continuing along the east right of way line of said FM 396, a distance of 63.70 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 08° 30' 24" East, continuing along the east right of way line of said FM 396, a distance of 905.05 feet to a TxDOT brass disk found, for an interior corner of the herein described tract;

THENCE North 08° 32' 52" East, continuing along the east right of way line of said FM 396, a distance of 210.58 feet to a TxDOT brass disk found at the point of curvature of a non-tangent curve to the left, for an interior corner of the herein described tract;

THENCE Northerly, continuing along the easterly right of way line of said FM 396, along said curve to the left with an arc distance of 707.21 feet, having a delta angle of 19°43'39", a radius of 2,054.00 feet, and chord bearing of North 18°22'54" East, a chord distance of 703.72 feet to a 3/4-inch iron rod with cap stamped "RODS Surveying" set, for an angle corner of the herein described tract;

THENCE North 08° 31' 05" East, continuing along the east right of way line of said FM 396, at a distance of 284.22 feet pass the south right of way line of said Railroad, at a distance of 384.96 feet pass the north right of way line of said Railroad, continuing for a total distance of 497.22 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Northerly, continuing along the easterly right of way line of said FM 396, along said curve to the left with an arc distance of 548.45 feet, having a delta angle of 06°13'03", a radius of 5,054.00 feet, and chord bearing of North 05°24'33" East, a chord distance of 548.18 feet to a 1/2-inch iron rod with cap stamped "Halff" set at the point of curvature of a reverse curve to the right, for an angle corner of the herein described tract;

THENCE Northerly, continuing along the easterly right of way line of said FM 396, along said reverse curve to the right with an arc distance of 373.95 feet, having a delta angle of 06°13'03", a radius of 3,446.00 feet, and chord bearing of North 05°24'33" East, a chord distance of 373.77 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE North 08° 31' 05" East, continuing along the east right of way line of said FM 396, a distance of 231.23 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 53° 02' 29" East, along the easterly right of way line of said FM 396, a distance of 72.08 feet to the POINT OF BEGINNING and containing a gross area 765.84 acres of land, more or less.

SAVE AND EXCEPT: a 5.0 acre tract (record) of land previously conveyed to Sharon Boehmer as described in Warranty Deed dated September 29, 1989, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on February 1, 1990, under Volume 2867, Page 720 Deed Records, Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT: a 5.0 acre tract (record) of land previously conveyed to Arlene Luna as described in Warranty Deed dated September 29, 1989, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 10, 1990, under Volume 2898, Page 351 Deed Records, Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT: a 10.0 acre tract (record) of land previously conveyed to Kevin Boehmer as described in Warranty Deed dated September 29, 1989, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 27, 1973, under Volume 1391, Page 545 Deed Records, Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT: a 2.0 acre tract (record) of land previously conveyed to Arlene Luna Trustee as described in Warranty Deed dated April 22, 2015, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 25, 2005, under Clerk's File Number 2605582;

FURTHER SAVE AND EXCEPT: a 38.0 acre tract (record) of land previously conveyed to Arlene Luna Trustee as described in Warranty Deed dated March 15, 2015, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on April 17, 2015, under Clerk's File Number 2603663; FURTHER SAVE AND EXCEPT: 11.11 acres (calculated) out of a 100 foot and a 60 foot wide Hidalgo County Water Control and Improvement District canal right of way as shown on the map of John H. Shary Subdivision Volume 1, Page 17 of the Map Records of Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT: 3 tracts of land reserved for the future Hidalgo County Regional Mobility Authority Loop Road, 24.40 acres (record) as described in Notice of Lis Pendens recorded in Document Number 2781790 of the Official Records of Hidalgo County, Texas and 11.085 acres (record) as described in Notice of Lis Pendens recorded in Document Number 2781791 of the Official Records of Hidalgo County, Texas and 0.938 acres (record) as described in Notice of Lis Pendens recorded in Document Number 2781784 of the Official Records of Hidalgo County, Texas;

FURTHER SAVE AND EXCEPT:

BEING a 154.233 acres (6,718,403 sq. ft.) tract of land situated in Porciones 59 and 60, City of Mission Texas and being part or all of Lots 51, 52, 53 & 54 of the JOHN H. SHARY SUBDIVISION, as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of that tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 154.233 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Half" found at the intersection of the south right of way line of FM 1016 (Military Road) (right of way varies) and the east right of way line of FM 396 (Anzalduas Highway) (right of way varies), same being the point of curvature of a non-tangent curve to the right for the northwesterly corner of the herein described tract;

THENCE Southerly, along the south right of way line of FM 1016, along said curve to the right with an arc distance of 99.80 feet, having a delta angle of 00°30'06", a radius of 11,399.16 feet, and

chord bearing of South 81°44'36" East, a chord distance of 99.80 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an interior corner of the herein described tract;

THENCE South 81° 28' 36" East, along said south right of way line of FM 1016, a distance of 2,352.84 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an angle corner of the herein described tract;

THENCE South 36° 27' 45" East, continuing along said south right of way line of FM 1016, a distance of 74.14 feet to a 1/2-inch iron rod found in the west right of way line of Glasscock Road (40.0' right of way), for an interior corner of the herein described tract;

THENCE South 81° 22' 18" East, across right of way line of said Glasscock Road, a distance of 40.00 feet to a 1/2-inch iron rod with cap stamped "Half" found in the east right of way line of said Glasscock Road, for an interior corner of the herein described tract;

THENCE North 53° 41' 29" East, along the south right of way line of said FM 1016, a distance of 70.96 feet to a 1/2-inch iron rod found, for an angle corner of the herein described tract;

THENCE South 81° 36' 20" East, continuing along said south right of way line of said FM 1016, a distance of 1,249.34 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an interior corner of the herein described tract;

THENCE South 81° 29' 21" East, continuing along said south right of way line of said FM 1016, a distance of 1,195.88 feet to a 1/2-inch iron rod with cap stamped "Half" found, same being the point of curvature of a curve to the left, for an interior corner of the herein described tract;

THENCE Easterly, continuing along said south right of way line of said FM 1016, along said curve to the left with an arc distance of 36.24 feet, having a delta angle of 00°10'49", a radius of 11,519.16 feet, and chord bearing of South 81°34'45" East, a chord distance of 36.24 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an interior corner of the herein described tract;

THENCE South 36° 35' 30" East, continuing along said southerly right of way line of said FM 1016, a distance of 70.94 feet to a 1/2-inch iron rod with cap stamped "Half" set in the west right of way line of FM 494 (S. Shary Road) (right of way varies), for an interior corner of the herein described tract;

THENCE South 08° 37' 42" West, continuing along the west right of way line of said S. Shary Road, a distance of 696.71 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an interior corner of the herein described tract;

THENCE South 12° 55' 03" West, continuing along the west right of way line of said S. Shary Road, a distance of 200.60 feet to a 1/2-inch iron rod with cap stamped "Half" found, for an interior corner of the herein described tract;

THENCE South 08° 37' 42" West, continuing along the west right of way line of said S. Shary Road, a distance of 343.94 feet to a 1/2-inch iron rod with cap stamped "Half" set the common corner of said Lot 54 and said Lot 44, for an interior corner of the herein described tract;

THENCE South 07° 52' 21" West, continuing along the west right of way line of said S. Shary Road, a distance of 21.23 feet to a 1/2-inch iron rod with cap stamped "Half" set in the north right of way line of St. Louis Brownsville & Mexico Railway as recorded in Volume 0, Page 466 D.R.H.C.T., (100.0' railroad right of way), for the southeast corner of the herein described tract;

THENCE North 81° 21' 37" West, along said north right of way line, at a distance of 2,567.11 feet pass the east right of way line aforementioned Glasscock Road, continuing along said north right

of way line, for a total distance of 2,594.17 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an angle corner of the herein described tract;

THENCE North 81° 22' 38" West, continuing along said north right of way line, at a distance of 12.93 feet pass the west right of way line of said Glasscock Road, continuing along said north right of way line, for a total distance of 2,281.03 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the point of curvature of a curve to the left, for an angle corner of the herein described tract;

THENCE Westerly, continuing along said north right of way line, along said curve to the left with an arc distance of 235.91 feet, having a delta angle of 07°21'22", a radius of 1,837.49 feet, and chord bearing of North 85°04'34" West, a chord distance of 235.75 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the east right of way line of aforementioned FM 396, for the southwesterly corner of the herein described tract;

THENCE North 08° 31' 05" East, along the east right of way line of said FM 396, a distance of 113.19 feet to a 1/2-inch iron rod with cap stamped "Halff" found in the point of curvature of a curve to the left, for an angle corner of the herein described tract;

THENCE Northerly, continuing along the easterly right of way line of said FM 396, along said curve to the left with an arc distance of 548.45 feet, having a delta angle of 06°13'03", a radius of 5,054.00 feet, and chord bearing of North 05°24'33" East, a chord distance of 548.18 feet to a 1/2-inch iron rod with cap stamped "Halff" found at the point of curvature of a reverse curve to the right, for an angle corner of the herein described tract;

THENCE Northerly, continuing along the easterly right of way line of said FM 396, along said reverse curve to the right with an arc distance of 373.95 feet, having a delta angle of 06°13'03", a radius of 3,446.00 feet, and chord bearing of North 05°24'33" East, a chord distance of 373.77 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an angle corner of the herein described tract;

THENCE North 08° 31' 05" East, continuing along the east right of way line of said FM 396, a distance of 231.23 feet to a 1/2-inch iron rod with cap stamped "Halff" found, for an angle corner of the herein described tract;

THENCE North 53° 02' 29" East, continuing along the easterly right of way line of said FM 396, a distance of 72.08 feet to the POINT OF BEGINNING and containing an area 154.233 acres (6,718,403 sq. ft.) of land, more or less.

TRACT 7 - PARCEL A:

BEING a 382.78 acre tract (16,673,758 sq. ft.) of land situated in Porciones, 59 and 60, City of Mission Texas and being part or all of Lots 5, 15, 25, 26, 27, 28, 35, 36, 37, 38, 45 & 46 of the JOHN H. SHARY SUBDIVISION, as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of tract of land described in deed to Hunt Valley Industrial I, L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 382.78 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Halff" set at the intersection of the south right of way line of St. Louis Brownsville & Mexico Railway (100.0' right-of-way) and the east right of way line of FM 494 (South Shary Rd.) (right of way varies), for the northwesterly corner of the herein described tract;

THENCE South 81° 23' 00" East, departing said south right of way of Railway and along said south right of way line of said St. Louis Brownsville & Mexico Railway, a distance of 1,413.49 feet to a

1/2-inch iron rod with cap stamped "Half" set at the northwest corner of that called 6.026 acre tract conveyed to Sharyland Distribution & Transmission Services, LLC, as recorded in Document No. 2062598 O.R.H.C.T., for an interior corner of the herein described tract;

THENCE South 08° 37' 00" West, departing said south right of way of Railway and along the west line of said 6.026 acre tract, a distance of 750.00 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 81° 23' 00" East, along the south line of said 6.026 acre tract, a distance of 350.00 feet to a 1/2-inch iron rod with cap stamped "Half" set at the southeast corner of said 6.026 acre tract, for an interior corner of the herein described tract;

THENCE North 08° 37' 00" East, along the east line of said 6.026 acre tract, a distance of 750.00 feet to a 1/2-inch iron rod with cap stamped "Half" set in the aforementioned south right of way line of the St. Louis Brownsville & Mexico Railway, for an interior corner of the herein described tract;

THENCE South 81° 23' 00" East, along said south right of way line of St. Louis Brownsville & Mexico Railway, a distance of 684.86 feet to a 1/2-inch iron rod with cap stamped "Half" set at northwest corner of SHARYLAND BUSINESS PARK LOT 7, as recorded in Document No. 2927447 M.R.H.C.T., for an exterior corner of the herein described tract;

THENCE South 08° 35' 45" West, along the west line of said Lot 7, at a distance of 750.06 feet pass a 1/2-inch iron rod found in the north right of way line of Honduras Ave. (80.0' right of way), continuing for a total distance of 830.02 feet to a 1/2-inch iron rod found in the south right of way line of said Honduras Ave., same being the northeast corner of that called 14.96 acre tract (Tract 1) as described in Document No. 1978143 O.R.H.C.T., for an interior corner of the herein described tract;

THENCE North 81° 22' 50" West, along the north line of said 14.96 acre tract, a distance of 349.49 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE South 08° 37' 10" West, along the west line of said 14.96 acre tract, a distance of 1,510.00 feet to a 1/2-inch iron rod with cap stamped "Half" set at the southwesterly corner of said 14.96 acre tract, for an interior corner of the herein described tract;

THENCE South 81° 22' 50" East, along the south line of said 14.96 acre tract, a distance of 350.11 feet to a 1/2-inch iron rod found, for an interior corner of the herein described tract;

THENCE North 08° 35' 45" East, along the east line of said 14.96 acre tract, a distance of 599.98 feet to a 1/2-inch iron rod with cap stamped "Half" set at an interior corner of said 14.96 acre tract, for an interior corner of the herein described tract;

THENCE South 81° 22' 54" East, continuing along south line of said 14.96 acre tract, at a distance of 1,539.58 feet pass a 1/2-inch iron rod found at the southwest corner of International Parkway (80.0' right of way), at a distance of 1,619.55 feet pass a 1/2-inch iron rod found at southeast corner of said International Parkway, continuing with the south line of said 4.189 acre tract (Tract II), as described in said Document No. 1978143 O.R.H.C.T., for a total distance of 2,532.06 feet to a 1/2-inch iron rod with cap stamped "RGEC" found, for an interior corner of the herein described tract;

THENCE North 08° 36' 48" East, along the east right of way line of a Drainage right of way (200.0' wide), as described in Document No. 1504324 O.R.H.C.T., a distance of 1,026.63 feet to a 1/2-inch iron rod found at the southwest corner of Lot 15 of the SHARYLAND BUSINESS PARK, as recorded in Volume 35, Page 189 M.R.H.C.T., for an interior corner of the herein described tract;

THENCE South 81° 22' 12" East, along the south line of said Lot 15, at a distance of 368.52 feet pass a 1/2-inch iron rod with cap stamped "RGEN" found at the southeast corner of said Lot 15, at a distance of 389.58 feet pass the existing west right of way line of Bentsen Road (80.0' right of way), continuing for total a distance of 409.58 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the east line aforementioned JOHN H. SHARY SUBDIVISION, for the most easterly northeast corner of the herein described tract;

THENCE South 08° 34' 30" West, along said east line, a distance of 2,032.15 feet to a 1/2-inch iron rod with cap stamped "Halff" set at southeasterly corner of that called 51.10 acre tract (I.B.W.C. Levee) conveyed to the Hidalgo County, as described in Volume 545, Page 283 of the Deed Records of Hidalgo County, Texas (D.R.H.C.T.), for the southeasterly corner of the herein described tract;

THENCE departing said east line and along the southerly line of said called 51.10 acre tract the following courses and distances:

South 60° 17' 32" West, a distance of 1,023.70 feet to an angle corner.

South 72° 49' 52" West, a distance of 542.20 feet to an angle corner.

North 73° 46' 58" West, a distance of 824.80 feet to an angle corner.

South 84° 14' 07" West, a distance of 219.80 feet to an angle corner.

South 62° 40' 02" West, a distance of 873.50 feet to an angle corner.

North 78° 28' 38" West, a distance of 475.80 feet to an angle corner.

South 77° 58' 52" West, a distance of 333.20 feet to an angle corner.

South 67° 27' 22" West, a distance of 260.30 feet to an angle corner.

South 39° 07' 52" West, a distance of 1,578.10 feet to an angle corner.

South 23° 12' 02" West, a distance of 423.33 feet to a 1/2-inch iron rod with cap stamped "Halff" set in, for a southerly interior corner of the herein described tract;

THENCE South 31° 55' 29" West, departing the southerly line of said 51.10 acre tract and along a southerly line of the herein described tract, a distance of 88.66 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 81° 31' 30" West, along said southerly line of the herein described tract, a distance of 92.30 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 08° 36' 30" East, along an interior line of the herein described tract, a distance of 349.69 feet to a 1/2-inch iron rod with cap stamped "Halff" set, for an interior corner of the herein described tract;

THENCE North 81° 25' 20" West, at a distance of 111.52 feet pass the northeast corner of that called 2.70 acre tract conveyed to Carrera Guadalupe and Trinidad, as described in Document No. 7063 D.R.H.C.T., continuing for a total distance of 342.51 feet to a 1/2-inch iron rod with cap stamped "Halff" set in the east right of way line of said FM 494 (Shary Road), for the most westerly southwest corner of the herein described tract;

THENCE North 08° 35' 44" East, along said east right of way line, a distance of 682.90 feet to a 1/2-inch iron rod with cap stamped "Half" set at the common corner between said Lots 5 and 15 of said JOHN H. SHARY SUBDIVISION, for an angle corner of the herein described tract;

THENCE North 08° 35' 57" East, continuing along said east right of way line, a distance of 2,640.28 feet to a 1/2-inch iron rod with cap stamped "Half" set at the common corner of said Lots 25 and 35 of said JOHN H. SHARY SUBDIVISION, for an angle corner of the herein described tract;

THENCE North 08° 32' 33" East, continuing along said east right of way line, a distance of 983.95 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an interior corner of the herein described tract;

THENCE North 08° 38' 52" East, continuing along said east right of way line, a distance of 100.01 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a curve to the right, for an angle corner of the herein described tract;

THENCE Northerly, continuing along said east right of way line, along said curve to the right with an arc distance of 200.52 feet, having a delta angle of 00°05'35", a radius of 123,565.43 feet, and chord bearing of North 09°18'50" East, a chord distance of 200.52 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an angle corner of the herein described tract;

THENCE North 09° 35' 14" East, continuing along said east right of way line, a distance of 945.95 feet to a 1/2-inch iron rod with cap stamped "Half" set at the point of curvature of a curve to the right, for an angle corner of the herein described tract;

THENCE Northerly, continuing along said east right of way line, along said curve to the right with an arc distance of 199.13 feet, having a delta angle of 01°00'00", a radius of 11,409.16 feet, and chord bearing of North 10°05'14" East, a chord distance of 199.12 feet to a 1/2-inch iron rod with cap stamped "Half" set, for an angle corner of the herein described tract;

THENCE North 10° 35' 14" East, continuing along said east right of way line, a distance of 91.67 feet to the POINT OF BEGINNING and containing a gross area 382.78 acres (16,673,758 sq. ft.) of land, more or less.

SAVE AND EXCEPT: 3 tracts of land reserved for the future Hidalgo County Regional Mobility Authority Loop Road, 8.019 acres (record) as described in Notice of Lis Pendens recorded in Document Number 2781789 of the Official Records of Hidalgo County, Texas and 0.700 acres (record) as described in Notice of Lis Pendens recorded in Document Number 2781785 of the Official Records of Hidalgo County, Texas and 42.016 acres (record) as described in Notice of Lis Pendens recorded in Document Number 2781788 of the Official Records of Hidalgo County, Texas;

SAVE AND EXCEPT 7.791 Acres being out of the Hidalgo County Water Control and Improvement District canal right of way as shown on the Amended Map of John H. Shary Subdivision Volume 0, Page 18 of the Map Records of Hidalgo County, Texas and as referenced in Volume 1509, Page 524 D.R.H.C.T.;

Leaving 324.25 net acres or 14,124,504 square feet of land, more or less.

TRACT 7 – PARCEL B:

BEING a 251.80 acre tract (10,968,609 sq. ft.) of land situated in Porciones 59 and 60, City of Mission Texas and being part or all of Lots D, 5, 5A, 6, 7, 8, 16, 17, 18, 27 and 28 of the JOHN H. SHARY SUBDIVISION, as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas (M.R.H.C.T.), said tract also being out of tract of land described in deed to Hunt Valley Industrial I,

L.P., as recorded in Document No. 1153789 of the Official Records of Hidalgo County, Texas (O.R.H.C.T.), said 251.80 acre tract and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Halff" set in the east line of said JOHN H. SHARY SUBDIVISION for the most easterly southeast corner of that called 51.10 acre tract conveyed to Hidalgo County, as recorded in Volume 551, Page 290 of the Deed Records Hidalgo County, Texas (D.R.H.C.T.), same being in the centerline of Bentsen Road (60.0' existing right of way), for the northeasterly corner of the herein described tract;

THENCE South 08° 34' 30" West, along the east line of said JOHN H. SHARY SUBDIVISION, at a distance of 2,256.21 feet pass the northerly line of that called 7.09 acre tract (Levee Tract 1) conveyed to United States of America, as described in Volume 1356, Page 574 D.R.H.C.T., at a distance of 2,552.56 feet pass the southerly line of said 7.09 acre tract, continuing along said east line, for total distance of 4,319.27 feet to a 1/2-inch iron rod with cap stamped Halff found on the remnants north bank of the Rio Grande River, for the southeasterly corner of the herein described tract;

THENCE along the northerly bank remnants of the Rio Grande River the following courses and distances:

North 63° 48' 11" West, a distance of 153.00 feet to a point, for an angle corner of the herein described tract;

North 87° 09' 06" West, a distance of 362.00 feet to a point, for an angle corner of the herein described tract;

South 68° 33' 04" West, a distance of 621.00 feet to a point, for an angle corner of the herein described tract;

South 47° 31' 21" West, a distance of 521.20 feet to a point, for an angle corner of the herein described tract;

South 35° 28' 49" West, a distance of 444.40 feet to a point, for an angle corner of the herein described tract;

South 30° 55' 04" West, a distance of 386.20 feet to a point, for an angle corner of the herein described tract;

South 23° 43' 31" West, a distance of 437.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 13° 08' 46" West, departing said northerly bank remnants of the Rio Grande River, a distance of 724.20 feet to a point, for an angle corner of the herein described tract;

THENCE North 11° 20' 51" West, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 213.30 feet to a point, for an angle corner of the herein described tract;

THENCE North 78° 08' 39" East, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 338.10 feet to a point, for an angle corner of the herein described tract;

THENCE North 01° 52' 46" West, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 266.00 feet to a point, for an angle corner of the herein described tract:

THENCE North 24° 12' 14" East, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 90.00 feet to a point, for an angle corner of the herein described tract:

THENCE North 16° 07' 46" West, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 60.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 16° 42' 14" East, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 565.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 20° 27' 14" East, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 170.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 09° 57' 14" East, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 330.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 05° 12' 14" East, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 176.48 feet to a point in the southerly line of that called 13.02 acre tract (Tract 1 Levee) conveyed to United States of America, as described in Volume 1367, Page 759 of the D.R.H.C.T., for an angle corner of the herein described tract;

THENCE North 68° 36' 24" East, along the southerly line of said 13.02 acre tract, a distance of 11.88 feet to a point, for an angle corner of the herein described tract;

THENCE North 05° 12' 20" East, along the apparent easterly line of Las Ruelas Banco No 141 and across said 13.02 acre tract, a distance of 186.65 feet to a point, for an angle corner of the herein described tract;

THENCE North 01° 02' 15" East, along the apparent easterly line of Las Ruelas Banco No 141 and across said 13.02 acre tract, at a distance of 73.60 feet pass the northerly line of said 13.02 tract, continuing for a distance of 149.20 feet to a point, for an angle corner of the herein described tract;

THENCE North 18° 47' 55" West, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 145.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 12° 22' 35" West, along the apparent easterly line of Las Ruelas Banco No 141, a distance of 185.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 25° 32' 45" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 156.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 40° 32' 55" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 300.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 50° 18' 05" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 400.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 67° 48' 15" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 132.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 56° 33' 25" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 148.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 70° 53' 35" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 415.00 feet to a point, for an angle corner of the herein described tract;

THENCE North 86° 03' 45" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 390.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 77° 36' 05" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 200.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 88° 05' 55" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 300.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 60° 15' 45" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 165.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 67° 30' 35" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 370.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 49° 50' 25" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 215.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 39° 50' 15" West, along the apparent northerly line of Las Ruelas Banco No 141, a distance of 165.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 26° 50' 37" West, along the apparent westerly line of Las Ruelas Banco No 141, a distance of 160.00 feet to a point, for an angle corner of the herein described tract;

THENCE South 31° 55' 29" West, along the apparent westerly line of Las Ruelas Banco No 141, a distance of 202.21 feet to a point to the southerly line of aforementioned 51.10 acre tract, for the southwesterly corner of the herein described tract;

THENCE North 23° 12' 02" East, along the southerly line of said 51.10 acre tract, a distance of 423.33 feet to a point, for an angle corner of the herein described tract;

THENCE North 39° 07' 52" East, continuing along the southerly line of said 51.10 acre tract, a distance of 1,578.10 feet to a point, for an angle corner of the herein described tract;

THENCE North 67° 27' 22" East, continuing along the southerly line of said 51.10 acre tract, a distance of 260.30 feet to a point, for an angle corner of the herein described tract;

THENCE North 77° 58' 52" East, continuing along the southerly line of said 51.10 acre tract, a distance of 333.20 feet to a point, for an angle corner of the herein described tract;

THENCE South 78° 28' 38" East, continuing along the southerly line of said 51.10 acre tract, a distance of 475.80 feet to a point, for an angle corner of the herein described tract;

THENCE North 62° 40' 02" East, continuing along the southerly line of said 51.10 acre tract, a distance of 873.50 feet to a point, for an angle corner of the herein described tract;

THENCE North 84° 14' 07" East, continuing along the southerly line of said 51.10 acre tract, a distance of 219.80 feet to a point, for an angle corner of the herein described tract;

THENCE South 73° 46' 58" East, continuing along the southerly line of said 51.10 acre tract, a distance of 824.80 feet to a point, for an angle corner of the herein described tract;

THENCE North 72° 49' 52" East, continuing along the southerly line of said 51.10 acre tract, a distance of 542.20 feet to a point, for an angle corner of the herein described tract;

THENCE North 60° 17' 32" East, continuing along the southerly line of said 51.10 acre tract, at a distance of 998.22 feet pass the west right of way line of aforementioned Bentsen Road, continuing for total distance of 1023.70 feet to the POINT OF BEGINNING and containing a gross area 251.80 acre tract (10,968,609 sq. ft.) of land, more or less.

EXHIBIT B

Permitted Exceptions

1. The following restrictive covenants of record itemized below:

AS TO TRACT 4: No applicable restrictive covenants.

AS TO TRACT 5: No applicable restrictive covenants.

AS TO TRACT 7 - PARCEL A:

Those as filed for record in the Second Amended and Restated Master Declaration filed for record on November 12, 2002, under Clerk's Document No. 1139369; Amended and Restated Master Declaration filed for record on December 31, 2004, under Clerk's Document No. 1419727; Correction and Substitution filed for record on April 15, 2005, under Clerk's Document No. 1459521; Supplement filed for record on May 2, 2005, under Clerk's Document No. 1466441; Second Amendment to the Second Amended and Restated Master Declaration filed for record on January 19, 2005, under Clerk's Document No. 1425813; and filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 12, 2011, under Clerk's File Nos. 2169618 and 2169619; Second Amended and Restated Declaration filed for record on November 14, 2003, under Clerk's Document No. 1266504; Second Amendment to the Second Amended and Restated Declaration filed for record on October 24, 2005, under Clerk's Document No. 1535629; Architectural Guidelines filed for record on December 18, 2003, under Clerk's Document No. 1277634; Amendment to the Architectural Guidelines filed for record on October 24, 2005, under Clerk's Document No. 1535631; Third Amendment to the Notice of Dedicatory Instruments filed for record on February 3, 2010, under Clerk's Document No. 2072240; Notice of Dedicatory Instruments filed for record on November 16, 2011, under Clerk's Document No. 2257865; First Supplement filed for record on December 28, 2011, under Clerk's Document No. 2268154; First Amendment to the First Supplement filed for record on August 25, 2016, under Clerk's Document No. 2741079 and Second Supplement filed for record on February 2, 2018, under Clerk's Document No. 2885603, but omitting any covenant conditions or restriction, if any, based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that the covenant, condition, or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but not discriminate against handicapped persons.

AS TO TRACT 7 - PARCEL B: No applicable restrictive covenants.

2. through 9. INTENTIONALLY DELETED.

AS TO ALL TRACTS

10. **Rights of tenants in possession, as tenants only, under unrecorded lease agreements disclosed by Grantor in affidavit of even date herewith.**

11. through 305. INTENTIONALLY DELETED.

THE FOLLOWING EXCEPTIONS AS TO TRACT 4:

306. INTENTIONALLY DELETED.
307. Right-of-Way Easement granted to The Valley Pipe Line Co., by instrument dated August 10, 1935, recorded in Volume 417, Page 398, Deed Records of Hidalgo County, Texas.
308. through 313. INTENTIONALLY DELETED.
314. Easement granted to La Gloria Corporation, by Missionary Society of Oblate Fathers of Texas, dated September 5, 1950, filed for record on September 16, 1950, in the Office of the County Clerk of Hidalgo County, Texas in Volume 657, Page 464, Deed Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RLPS No. 6146.
315. through 330. INTENTIONALLY DELETED.
331. Easements reserved in Deed dated October 7, 1968, recorded in Volume 1214, Page 1014, Deed Records of Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS NO. 6146.
332. through 343. INTENTIONALLY DELETED.
344. Drainage Ditch Easement and Right of Way granted to Sharyland Utilities, L.P., dated June 28, 2000, filed for record on July 10, 2000 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 886942, as noted on the survey prepared by Juan M. Castillo, RPLS NO. 6146.
345. INTENTIONALLY DELETED.
346. Right-of-Way Easement granted to Sharyland Utilities, L.P., by instrument dated August 26, 2003, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 3, 2003, under Clerk's File No. 1238771 amended and restated in document recorded under clerks file No. 1912602 and 1238772, and amended under Clerks File No. 1785390, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
347. through 349. INTENTIONALLY DELETED.
350. Right-of-Way Easement granted to Sharyland Utilities, L.P., by instrument dated June 26, 2008, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on July 10, 2008, under Clerk's File No. 1908940, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
351. Right-of-Way Easement granted to Sharyland Utilities, L.P., by instrument dated April 30, 2008, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on July 10, 2008, under Clerk's File No. 1908944, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
352. through 357. INTENTIONALLY DELETED.
358. Assignment and Assumption Agreement for Rights of Way from Sharyland Utilities, L.P., to Sharyland Distribution and Transmission Services, LLC, dated December 19, 2016, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 26, 2017, under Clerk's File No. 2826492, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.
359. Easements and conditions as shown on the Map recorded in Volume 1, Page 56, Map

Records of Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.

- 360. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
- 361. Non Drilling Stipulations executed by Four S. Minerals, Ltd., by instrument dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo, County, Texas, on September 7, 1973, in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, and as affected by instrument dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605, and instrument dated September 5, 2006, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
- 362. Water Rights as reserved in Special Warranty Deed from AgHOC, Inc., dated December 23, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
- 363. Water Rights reserved in deed from Allan Shivers and wife, Marialice Shary Shivers to R. J. F., Inc., dated September 4, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1379, Page 522, Deed Records Hidalgo County, Texas.
- 364. Water Rights reserved in Deed from R. J. F., Inc., to Circle K Land and Cattle Company, dated August 1, 1974, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1416, Page 80, Deed Records Hidalgo County, Texas.
- 365. through 366a. INTENTIONALLY DELETED.
- 366b. Railroad right of way dedicated to San Benito and Rio Grande Valley Railroad as recorded in Volume 0, Page 466, Deed Records, Hidalgo County, Texas.

THE FOLLOWING EXCEPTIONS AS TO TRACT 5:

- 367. Right of way easement granted to St. Louis Brownsville & Mexico Railway Co., dated June 18, 1906, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume "O", Page 446, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
- 368. through 373. INTENTIONALLY DELETED.
- 374. Right of way easement granted to Hidalgo County Drainage District No. 1, by Allan Shivers, dated June 22, 1971, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1290, Page 529, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
- 375. and 376. INTENTIONALLY DELETED.
- 377. Right of way easement granted to Hidalgo County Water Control and Improvement District No. 19, by Allan Shivers, dated April 10, 1962, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1032, Page 196, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

378. through 390. INTENTIONALLY DELETED.

391. Right of way easement granted to Sharyland Utilities, L.P., by Hunt Valley Development I, LLC, dated August 26, 2003, filed for record on September 3, 2003 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1238773, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

392. Right of way easement granted to Sharyland Utilities, L.P., by AgHOC, Inc., dated October 15, 2002, filed for record on October 25, 2002 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1134720, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

393. and 394. INTENTIONALLY DELETED.

395. Gas Easement granted to Texas Gas Service, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated August 15, 2008, filed for record on August 29, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1923624.

396. and 397. INTENTIONALLY DELETED.

398. Utility and Right of way easement granted to Sharyland Utilities, L.P., by Hunt Valley Industrial I, L.P., dated February 28, 2008, filed for record on February 28, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1861376, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

399. INTENTIONALLY DELETED.

400. Utility and Right of way easement granted to Sharyland Utilities, L.P., by Hunt Valley Development, dated April 30, 2008, filed for record on July 10, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1908943, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

401. Utility and Right of way easement granted to Sharyland Utilities, L.P., by Hunt Valley Development, dated April 30, 2008, filed for record on July 10, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1908942, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

402. INTENTIONALLY DELETED.

403. Drainage Easement granted to City of Mission, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated September 2, 2008, filed for record on September 11, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1927357, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

404. Drainage Easement granted to City of McAllen, by Hunt Valley Industrial I, L.P., a Texas limited partnership, dated August 7, 2008, filed for record on August 21, 2008 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1921376, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.

405. through 408. INTENTIONALLY DELETED.

409. Easements and Conditions as shown on the Map or Plat thereof, filed for record in Volume 1, Page 17, Map Records Hidalgo County, Texas, as noted on the survey prepared by Juan

M. Castillo, RPLS No. 6146.

- 410. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd. to Harold M. Martin, dated April 13, 1976, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 359, Page 611, Oil and Gas Lease Records Hidalgo County, Texas.**
- 411. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Paul Burrhus and wife, Mary Burrhus to Harold M. Martin, dated July 9, 1976, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 360, Page 285, Oil and Gas Lease Records Hidalgo County, Texas.**
- 412. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd. to Meyers-Lasher, Inc., dated February 11, 1980, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 391, Page 406, Oil and Gas Lease Records Hidalgo County, Texas.**
- 413. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Anita Ryland Musgrave to Smith Production, Inc., dated October 7, 2006, filed for record on December 28, 2006 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1702844.**
- 414. Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Anadarko Land Corp., a Nebraska corporation to Smith Production, Inc., a Texas corporation, dated November 1, 2005, filed for record on December 30, 2005 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1561992.**
- 415. Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deed from AgHOC, Inc., a Delaware corporation to Hunt Valley Industrial I, L.P., a Texas limited partnership, dated December 23, 2002, filed for record on January 2, 2003 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1153789, reference to which instrument is made for all intents and purposes.**
- 416. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Mary O'Brien Shary, Individually and as Independent Executrix of the Estate of John H. Shary, Deceased to Allan Shivers, dated September 17, 1959, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 243, Page 277, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
- 417. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by United Irrigation Company to Allan Shivers, dated December 1, 1948, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 95, Page 327, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
- 418. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by United Irrigation Company to Allan Shivers, dated June 25, 1948, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 90, Page 246, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
- 419. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shivers and wife, Marialice Shary Shivers, et al to John Shary Shivers, et al, dated November 20, 1972, filed for record in the Office of**

the County Clerk of Hidalgo County, Texas in Volume 342, Page 970, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.

420. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Four S Minerals, Ltd., a Texas limited partnership to Black Stone Minerals Company, L.P., a Delaware limited partnership and Black Stone Interests, LLC, a Delaware limited liability company, dated December 1, 1998, filed for record on January 29, 1999 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 744276, reference to which instrument is made for all intents and purposes.
421. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Black Stone Interests, L.L.C., a Delaware limited liability company to Black Stone Minerals Company, L.P., a Delaware limited partnership, dated May 28, 1999, filed for record on June 25, 1999 in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 785825, reference to which instrument is made for all intents and purposes.
422. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Leon H. Brown and wife, Margaret C. Brown to Clyde Foster, dated May 21, 1953, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 144, Page 479, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
423. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Leon H. Brown and wife, Margaret C. Brown to Horace Beachum and John Smiley, dated May 21, 1953, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 144, Page 478, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
424. Mineral interest, together with all rights relative thereto, express or implied, as described in that certain instrument executed by Allan Shivers and wife, Maria Alice Shary Shivers, et al to Four S Minerals, Ltd., dated December 19, 1972, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 343, Page 62, Correction dated February 11, 1981, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 399, Page 437, both in Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.
425. Non-Drilling Agreement dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, Texas. As affected by instrument filed for record in the Office of the County Clerk of Hidalgo County, Texas, on December 2, 2004, under Clerk's File No. 1409605.
426. Non-Drilling Agreement dated June 30, 2004, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on September 20, 2006, under Clerk's File No. 1665414.
427. Water Rights conveyed in Deed dated October 1, 1917, from Bankers Trust Company, Trustee to John H. Shary, recorded in Volume 56, Page 579, Deed Records, Hidalgo County, Texas.
428. Water Rights conveyed in Deed dated September 4, 1973, from Allan Shivers and wife, Marialice Shary Shivers to R.J.F., INC., a Texas corporation, recorded in Volume 1379, Page 522, Deed Records, Hidalgo County, Texas.

429. Water Rights conveyed in Deed dated August 1, 1974, from R.J.F., INC., a Texas corporation, to Hunt Investment Corporation recorded in Volume 1416, Page 80, Deed Records, Hidalgo County, Texas.
430. Water Rights as set out by instruments dated February 16, 1988, filed for record on March 9, 1988, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 699, Official Records Hidalgo County, Texas, and dated March 1, 1988, filed for record on March 9, 1988, in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 704, Official Records Hidalgo County, Texas.
431. Water rights reserved in Deed dated December 23, 2002, from AgHOC, Inc. to Hunt Valley Industrial I, L.P., filed for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.
432. Terms, conditions, and stipulations contained in Memorandum and Amendment of Letter Agreement executed by and between Black Stone Minerals Company, L.P., and Smith Production, Inc., dated June 25, 2002, filed for record in the Office of the County Clerk of Hidalgo County, Texas, on March 4, 2004, under Clerk's File No. 1305006.
433. through 436. INTENTIONALLY DELETED.
- 436a. Any rights, easements, interest or claims which may exist by reason of or reflected by canal ROWs, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146.
- 436b. through 476. INTENTIONALLY DELETED.

THE FOLLOWING EXCEPTIONS AS TO TRACT 7 - PARCEL A and PARCEL B:

477. Right of way easement granted to Central Power and Light Company, by John H. Shary, dated March 21, 1933, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 375, Page 529, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A)
478. Right of way easement granted to Central Power and Light Company, by John H. Shary, dated March 21, 1933, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 375, Page 530, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel B)
479. Right of way easement granted to Central Power and Light Company, by John H. Shary, dated March 21, 1933, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 375, Page 533, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel B)
480. Right of way easement granted to Valley Pipe Line Company, by John H. Shary, dated August 10, 1935, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 414, Page 607, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel B)
481. Right of way easement granted to The Valley Pipe Line Company, by John H. Shary, dated August 10, 1935, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 416, Page 565, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel B)

482. Right of way easement granted to Valley Pipe Line Company, by John H. Shary, dated August 10, 1935, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 418, Page 1, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A)
483. INTENTIONALLY DELETED.
484. Levee Easement granted to Hidalgo County, by John H. Shary, dated January 3, 1945, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 545, Page 283, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A)
485. INTENTIONALLY DELETED.
486. Levee Easement granted to United States of America, by Hidalgo County, dated February 23, 1945, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 551, Page 294, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A)
487. Right of way easement granted to L.M. Berry, by Mary O'Brien Shary, Individually and as Independent Executrix of the Estate of John H. Shary, Deceased, dated November 15, 1957, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 903, Page 563, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A and B)
488. INTENTIONALLY DELETED.
489. Right of way easement granted to Hidalgo County Water Control and Improvement District No. 19, by John H. Shary, Inc., a Texas Corporation, dated April 10, 1962, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1032, Page 197, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A)
490. Right of way easement granted to Hidalgo County, by Allan Shivers, dated June 22, 1971, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1290, Page 527, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A and B)
491. INTENTIONALLY DELETED.
492. Levee Easement granted to United States of America, by Hidalgo County, dated March 19, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1356, Page 574, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel B)
493. Right of way easement granted to R.J.F., Inc., a Texas corporation, by Allan Shivers and wife, Marialice Shary Shivers, dated September 4, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1379, Page 522, Deed Records Hidalgo County, Texas, as noted on survey prepared by Juan M. Castillo, RPLS NO. 6146.
494. Drainage Ditch Easement granted to Hidalgo County Drainage District No. 1, by Hunt Investment Corporation, dated October 9, 1975, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1461, Page 549, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel B)

495. **Right of way easement granted to Central Power and Light Company, by Hunt Oil Company, a Delaware corporation, d/b/a Sharyland Plantation, dated June 6, 1978, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 1599, Page 290, Deed Records Hidalgo County, Texas, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel B)**
496. through 498. **INTENTIONALLY DELETED.**
499. **Utility Easement and Right of Way granted to Sharyland Utilities, L.P., by AgHoc, Inc., dated October 15, 2002, filed for record on October 25, 2002, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1134719, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A)**
500. **Utility Easement and Right of Way granted to Sharyland Utilities, L.P., by Hunt Valley Industrial I, L.P., dated October 15, 2002, filed for record on October 25, 2002, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1134723, as shown on the survey prepared by Juan M. Castillo, RPLS No. 6146. (Affects Parcel A)**
501. **Assignment and Conveyance of System, Easements and Components granted to Texas Gas Service Company, by Southern Union Gas Company, dated January 1, 2003, filed for record on January 6, 2003, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1154883.**
502. **INTENTIONALLY DELETED.**
503. **Utility Easement granted to City of McAllen, by Hidalgo County Water Control & Improvement District #19, dated July 10, 2008, filed for record on July 18, 2008, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1911352.**
504. through 507. **INTENTIONALLY DELETED.**
508. **Water Rights conveyed in Deed dated August 9, 1952, from Allan Shivers to Hidalgo County Water Control and Improvement District No. 19, recorded in Volume 752, Page 342, Deed records of Hidalgo County, Texas.**
509. **Water Rights conveyed in Deed dated September 4, 1973, from Allan Shivers and wife, Marialice Shary Shivers to R.J.F., Inc., a Texas corporation, recorded in Volume 1379, Page 522, Deed Records of Hidalgo County, Texas.**
510. **Water Rights conveyed in Deed dated August 1, 1974, from R.J.F., Inc., a Texas corporation to Hunt Investment Corporation, a Delaware corporation, recorded in Volume 1416, Page 80, Deed Records of Hidalgo County, Texas.**
511. **Water Rights conveyed in instrument dated February 14, 1986, from Hunt Oil Company to Southwest Investment Group of Hidalgo County, recorded in Volume 2256, Page 596, Official Records of Hidalgo County, Texas.**
512. **Terms, covenants, conditions and provisions as set forth in that certain Amendment to Certificate of Adjudication by and between Texas Water Commission and Hunt Oil Company, a Delaware Corporation, dated February 16, 1988, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 699, Official Records Hidalgo County, Texas.**

513. **Terms, covenants, conditions and provisions as set forth in that certain Order Combining Water Rights by and between Texas Water Commission, as Lessor, and Hunt Oil Company, a Delaware Corporation, as Lessee, dated March 1, 1988, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 2566, Page 704, Official Records Hidalgo County, Texas.**
514. **Water Rights reserved in Deed dated December 23, 2002, from AgHOC, Inc., a Delaware corporation to Hunt Valley Industrial I, L.P., a Texas limited partnership, file for record in the Office of the County Clerk of Hidalgo County, Texas, on January 2, 2003, under Clerk's File No. 1153789.**
515. **Easements and Conditions as shown on the Map or Plat thereof, filed for record in Volume 1, Page 17, Map Records Hidalgo County, Texas, as noted on the survey prepared by Juan M. Castillo, RPLS No. 6146.**
516. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd., a partnership to Harold M. Martin, dated April 13, 1976, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 359, Page 611, Oil and Gas Lease Records Hidalgo County, Texas.**
517. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd., a partnership to Inexco Oil Company, dated September 7, 1977, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 369, Page 636, Oil and Gas Lease Records Hidalgo County, Texas.**
518. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd. to IMCO Oil & Gas Company, dated January 5, 1995, filed for record on March 1, 1995, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 438481.**
519. **Memorandum of Option Agreement, together with all rights relative thereto, express or implied, from Four S Minerals, Ltd., a partnership to TASCAs Exploration Company, dated November 11, 1998, filed for record on November 16, 1998, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 725475.**
520. **Memorandum and Amendment of Letter Agreement from Black Stone Minerals Company, L.P. to Smith Production Inc., dated June 25, 2002, filed for record on March 4, 2004, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1305006 and Second Memorandum filed for record in the Office of the County Clerk of Hidalgo County, Texas, on June 10, 2005, under Clerk's Document No. 1482349.**
521. **Oil, Gas and Mineral Lease, together with all rights relative thereto, express or implied, from Richard K. Straw to Smith Production, Inc., dated March 16, 2006, filed for record on April 10, 2006, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1601277.**

As effected by Non-Drilling Agreement dated July 31, 1973, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 345, Page 870, Oil and Gas Lease Records Hidalgo County, Texas.

As effected by Memorandum of Surface Use and Non-Drilling Agreement dated June 30, 2004, filed for record on December 2, 2004, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 1409605.

As effected by Notice Regarding Surface Use and Non-Drilling Agreement dated September 5, 2006, filed for record on September 20, 2006, in the Office of the County

Clerk of Hidalgo County, Texas, under Clerk's Document No. 1665414.

522. **Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deeds dated September 17, 1959, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 242, Page 628; dated June 18, 1969, recorded in Volume 325, Page 444; dated November 20, 1972, recorded in Volume 342, Page 970 and dated December 19, 1972, recorded in Volume 343, Page 62, Oil and Gas Lease Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
523. **Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deeds dated March 1, 1947, filed for record in the Office of the County Clerk of Hidalgo County, Texas in Volume 628, Page 381; dated August 9, 1952, recorded in Volume 752, Page 342; dated March 10, 1966, recorded in Volume 1142, Page 84 and dated September 4, 1973, recorded in Volume 1379, Page 522, Deed Records Hidalgo County, Texas, reference to which instrument is made for all intents and purposes.**
524. **Reservation of all oil, gas, and other minerals, together with all rights relative thereto, express or implied, reserved to grantor in that certain deeds dated December 1, 1998, filed for record on January 29, 1999, in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's Document No. 744276; dated December 1, 1998, filed for record on June 25, 1999, under Clerk's Document No. 785825 and dated December 23, 2002, filed for record on January 2, 2003, under Clerk's Document No. 1153789, reference to which instrument is made for all intents and purposes.**

Attachment 5

Hidalgo County Water Control & Improvement District 19

P.O. Box 1043

Mission, TX 78573-0017



Oscar O. Gonzalez, Jr.

President & General Manager

Office: (956) 529-5305

Mobile: (956) 266-6370

June 30, 2021

Mr. Radcliff Killam II
Killam Development Ltd., and
Big Sky Commercial Property Investments, LLC
4320 University Boulevard
Laredo, Texas 78041

RE: Authorization to Use HCWCID No. 19 Diversion Facilities

Dear Mr. Killam:

This is in response to the request of Killam Development Ltd (Certificate of Adjudication Nos 23-2721 and 23-2759) and Big Sky Commercial Property Investments, LLC (COA Nos. 23-332A and 23-264) to utilize the diversion point, pumps, and facilities of HCWCID No. 19 in Hidalgo County to divert and deliver Rio Grande water for irrigation of lands in and near the District in Hidalgo County. This letter is to confirm that the authorization is granted.

Please make sure that the undersigned is named on the agent authorization forms with the TCEQ Watermaster, so that I can coordinate with the Watermaster on requesting and reporting the diversion and use of such water.

If you have any questions, please let me know.

Sincerely,

Oscar O. Gonzalez, Jr.

President & General Manager of HCWCID 19.

Attachment 6

**BIG SKY COMMERCIAL PROPERTY
INVESTMENTS, LLC**

4320 University Boulevard
P. O. Box 499
Laredo, Texas 78042

Phone 956-962-9592
Fax 956.724-2546
Website killamco.com

August 25, 2021

Mr. Radcliff Killam II
Killam Development Ltd., and
Big Sky Commercial Property Investments, LLC
4320 University Boulevard
Laredo, Texas 78041

RE: Authorization to Use Big Sky Pump and Diversion Facilities.

Dear Mr. Killam:

This is in response to the request of Killam Development, Ltd (Certificate of Adjudication Nos 23-2721 and 23-2759), to utilize the diversion point, pumps and facilities of Big Sky Commercial Property Investments, LLC., to divert Rio Grande water for irrigation of lands in Hidalgo County, Texas. This letter is to confirm that the authorization is granted.

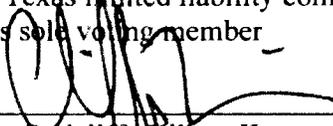
Please make sure that the agent authorization forms are updated with the TCEQ Watermaster, so that we can coordinate with the Watermaster on requesting and reporting the diversion and use of such water. If you have any questions, please let me know.

Sincerely,

**BIG SKY COMMERCIAL PROPERTY
INVESTMENTS, LLC,**

a Texas limited liability company

By: Killam Management, L.C.,
a Texas limited liability company,
its sole voting member

By: 
Name: Radcliffe Killam II
Title: Manager

Attachment 7

CONSENT FOR IRRIGATION LAND

This Consent for Irrigation Land (the “*Contract*”), dated effective as of August 27, 2021, is executed and entered into by Killam Development, Ltd, a Texas limited partnership (“*Killam*”), Big Sky Commercial Property Investments, LLC, a Texas limited liability company (“*Big Sky*”), Charco Land Sales, LLC, a Texas limited liability company (“*Charco*”), Cascade Real Estate Operating, LP, a Texas limited partnership (“*Cascade I*”), and Cascade Real Estate Operating No. 2, L.P., a Texas limited partnership (“*Cascade II*”). Each of the entities listed above is a “*Party*” and collectively they are the “*Parties*.”

WHEREAS, Killam holds Certificate of Adjudication Nos. 23-2721 and 23-2759 (“*Killam Water Rights*”), which authorize the diversion and use of water from the Rio Grande for irrigation purposes:

WHEREAS, Big Sky holds Certificate of Adjudication Nos. 23-332A and 23-364 (“*Big Sky Water Rights*”), which authorize the diversion and use of water from the Rio Grande for irrigation purposes; and

WHEREAS, Charco, Cascade I and Cascade II (collectively, “*Landowners*”) are landowners in Hidalgo County which have a need for irrigation water from the Rio Grande to grow agricultural crops.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Consent for Irrigation. Beginning on the Effective Date and continuing until 11:59 PM on the date ten (10) years afterwards (“*Termination Date*”), Landowners authorize and consent for Killam and Big Sky to irrigate the lands of Landowners in Hidalgo County using the Killam Water Rights and the Big Sky Water Rights (collectively, the “*Water Rights*”). The authorization to irrigate shall not continue beyond the Termination Date, unless extended by written agreement of the Parties.

2. Regulatory Requirements. Prior to the start of irrigation on the land of the Landowners, Killam and Big Sky shall, individually, ensure each has the appropriate approvals of the Texas Commission on Environmental Quality (“*TCEQ*”) and the Rio Grande Watermaster for the irrigation of the land. If any additional approval is required, the Party needing the approval shall file the necessary application and obtain approval for the diversion and use of water prior to the diversion or irrigation of the land.

3. Right to Terminate and Notice. At any time prior to the Termination Date, any Landowner may terminate the Contract as to either Big Sky or Killam, or both, by providing the affected Party not less than 30 days advance notice of termination. The notice shall state the date of termination, and on and after that date the notified Party shall have no further rights under the Contract.

4. Governing Law. THIS CONTRACT SHALL BE GOVERNED BY AND CONSTRUED AND ENFORCED IN ACCORDANCE WITH THE LAWS OF THE STATE OF

TEXAS WITHOUT GIVING EFFECT TO ANY CHOICE OR CONFLICT OF LAW PROVISIONS.

5. Binding Effect. This Contract is binding on, and inures to the benefit of, and is enforceable by, the Parties and their respective successors and assigns.

6. Counterparts. This Contract may be executed in multiple counterparts, each of which will be deemed an original, but all of which together will be deemed to be one and the same agreement. A signed copy of this Contract delivered by facsimile, e-mail or other means of electronic transmission has the same legal effect as delivery of an original signed copy of this Contract.

7. Third Parties. The Parties agree that there are no third party beneficiaries to this Contract. This Contract shall not be construed as creating any rights in any third party or any duty to any third party.

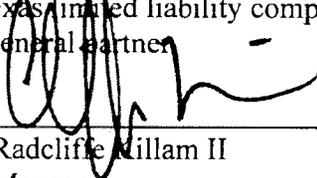
8. Authority. The respective signatories to this Contract covenant that they are fully authorized to sign and execute this Contract on behalf of their respective Party, and by such signature each such person represents that they have obtained all the necessary authority and approval, including, if required, the actual approval of their Board of Directors, to execute the Contract.

[signature pages follow]

The undersigned have executed this Assignment as of the date first written above.

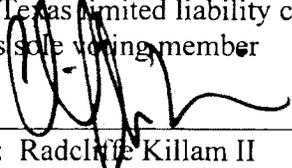
KILLAM DEVELOPMENT, LTD,
a Texas limited partnership

By: Killam Management, L.C.,
a Texas limited liability company,
its general partner

By: 
Name: Radcliffe Killam II
Title: Manager

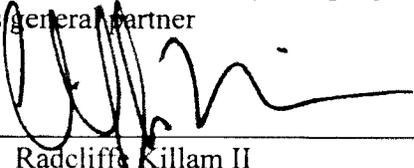
**BIG SKY COMMERCIAL PROPERTY
INVESTMENTS, LLC,**
a Texas limited liability company

By: Killam Management, L.C.,
a Texas limited liability company,
its sole voting member

By: 
Name: Radcliffe Killam II
Title: Manager

CHARCO LAND SALES, LLC,
a Texas limited liability company

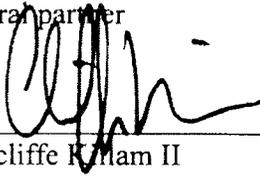
By: Killam Management, L.C.,
a Texas limited liability company,
its general partner

By: 
Name: Radcliffe Killam II
Title: Manager

[Signature Page]

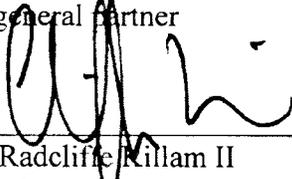
**CASCADE REAL ESTATE OPERATING NO.
2, LP,**
a Texas limited partnership

By: Killam Management, L.C.,
a Texas limited liability company,
its general partner

By: 
Name: Radcliffe Killam II
Title: Manager

CASCADE REAL ESTATE OPERATING, LP,
a Texas limited partnership

By: Killam Management, L.C.,
a Texas limited liability company,
its general partner

By: 
Name: Radcliffe Killam II
Title: Manager

[Signature Page]

Consent for Irrigation Land