

Denton County
Juli Luke
County Clerk

Instrument Number: 29901

ERecordings-RP

AMENDMENT

Recorded On: March 28, 2023 09:47 AM

Number of Pages: 13

" Examined and Charged as Follows: "

Total Recording: \$74.00

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Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
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STATE OF TEXAS
COUNTY OF DENTON

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Juli Luke
County Clerk
Denton County, TX

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STATE OF TEXAS §
 §
COUNTY OF DENTON §

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR SUTTON FIELDS**
(Denton County, Texas)

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUTTON FIELDS (this "Amendment") is made and entered into as of the 27 day of March, 2023, by CADG SUTTON FIELDS, LLC, a Texas limited liability company ("CTMGT Declarant").

PRELIMINARY STATEMENTS

A. WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Sutton Fields, dated June 25, 2017, recorded on July 28, 2017, as Instrument No. 77463 in the Official Public Records of Denton County, Texas, as modified and amended by that certain First Amendment to the Covenants, Conditions and Restrictions for Sutton Fields on October 3, 2017, recorded on October 5, 2017, as Instrument No. 123471 in the Official Public Records of Denton County, Texas, as modified and amended by that certain Second Amendment of the Covenants, Conditions and Restrictions for Sutton Fields dated March 20, 2018, and recorded on March 21, 2018, as Instrument No. 31260, in the Official Public Records of Denton County, Texas, as modified and amended by that certain Amendment to Correct, dated April 3, 2018, and recorded on April 3, 2018, Instrument No. 37152 in the Official Public Records of Denton County, Texas, as further modified and amended by that certain Amendment to Correct, dated April 3, 2018, and recorded on April 3, 2018, Instrument No. 37153 in the Official Public Records of Denton County, Texas (the "Declaration");

B. WHEREAS, In accordance with Section 7.1 of the Declaration, the Declarants may, at any time and from time to time, amend the Declaration without joinder of any other party to as necessary for clarification or to, among other things, correct technical, typographical or defects or imperfections in the Declaration;

C. WHEREAS, Declarant owns at least one (1) Lot within the Property, and the Declarant turnover date has not occurred, and the Development Period has not expired, and thereby and in accordance with Declarant's rights under the Declaration (including without limitation,

Section B.3.4 of the Declarant's Representations and Reservations, Declarant has the right to amend, modify and/or supplement the Declaration;

D. WHEREAS, Declarant desires to amend, modify, and supplement certain covenants, conditions and restrictions set forth in the Declaration, as more specifically provided in this Amendment.

E. NOW THEREFORE, the Declarant does hereby amend the Declaration as follows:

Declarant desires to amend the Declaration to correct the legal description of the Property to be made subject to the Declaration to reflect the real property described on Exhibit A attached hereto and incorporated herein by reference (the "Land"), and executes and records this Amendment as evidence of such amendment to Exhibit A and the legal description of the Land which is included in the Property subject to the Declaration.

The Declarant intends that all of the Land described on Exhibit A attached hereto, excluding any Save and Except portions of the Land, be considered Property for purposes of this Declaration, and that all of the terms, covenants, conditions, restrictions and obligations of the Declaration will apply to the Land described on Exhibit A attached hereto, and Declarant desires to amend the Declaration to include such Land described on Exhibit A attached hereto within the Property as if same were originally described and included in the Declaration.

NOW, THEREFORE, Declarant does hereby modify and amend the Declaration as follows:

1. Definitions. Unless otherwise defined in this Amendment, all capitalized words or terms used herein shall be defined and have the meaning set forth in the Declaration as modified and amended hereby.

2. Land Subject to Declaration. In accordance with the provisions of Section 7.1 of the Declaration, the Declarant does hereby amend the Declaration to provide that the "Land," as original described in the Declaration shall include and mean and refer to all of the Land described on Exhibit A attached hereto, and such Land is part of the Property subject to the Declaration. In this regard, the Declarant hereby adopts, establishes and imposes the covenants, conditions, restrictions, assessments, easements, liens and charges of the Declaration as they apply to Lots and Common Areas developed or to be developed upon the Land, and declares that Land and all portions thereof are and shall be held, transferred, used, assigned, sold, conveyed and occupied subject to all such covenants, conditions, restrictions, assessments, easements, liens and charges as set forth in the Declaration with respect to Land as set forth in this Amendment. Each Lot within the Land shall be subject to the use restrictions and architectural controls as provided in the Declaration which apply to Lots and any residence or other improvement or structure constructed thereon. Exhibit A attached to the original Declaration and any modifications or amendments thereto is hereby modified and amended and replaced in its entirety with Exhibit A attached hereto effective as of the date of the Declaration, as if same was originally included in the Declaration.

3. No Other Effect. Except as expressly amended by this Amendment, the terms and provisions of the Declaration are not amended, modified or supplemented, and the Declaration, as amended hereby, is hereby supplemented, modified and amended by the Declarant and the Land described on Exhibit A attached hereto is hereby affected by and included in the Property affected by such Declaration as set forth herein.

4. Severability. Invalidity of any provision of this Amendment by judgment or court order shall in no way affect any other provision of this Amendment or the remainder of this Amendment which shall remain in full force and effect. Furthermore, in lieu of each such illegal, invalid, or unenforceable provision, there shall be added automatically as a part of this Amendment a provision as similar in terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.

5. Headings. The headings contained in this Amendment are for reference purposes only and shall not in any way affect the meaning or interpretation of this Amendment.

REMAINDER OF PAGE LEFT BLANK - SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed
this 27 day of March, 2023.

DECLARANT:

CADG Lincoln Park, LLC,
a Texas limited liability company

By: CADG Holdings, LLC,
a Texas limited liability company,
Its Sole Member

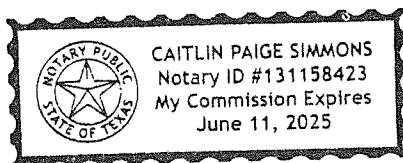
By: MMM Ventures, LLC,
a Texas limited liability company
Its Manager

By: 2M Ventures, LLC,
a Delaware limited liability company
Its Manager

By: Mehrdad Moayed
Name: Mehrdad Moayed
Its: Manager

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the 27 day of March, 2023, by Mehrdad Moayed, Manager of 2M Ventures, LLC, as Manager of MMM Ventures, LLC, as Manager of CADG Holdings, LLC, as Sole Member of CADG Lincoln Park, LLC, a Texas limited liability company on behalf of said company, and in the capacities herein stated.



Caitlin
Notary Public, State of Texas

Signature Page

EXHIBIT A

LEGAL DESCRIPTION OF THE LAND

(See Attached)

LEGAL DESCRIPTION
494.883 ACRE TRACT

BEING that certain tract of land situated in the Freeman Wilkerson Survey, Abstract No. 1411, the Thomas B. Cox Survey, Abstract No. 309, the Carrol Jackson Survey, Abstract No. 1546, the Jacob Rue Survey, Abstract No. 1109, and the Hiram Rue Survey, Abstract No. 1111, in Denton County, Texas, and being all of that certain tract of land described in deed to Tarsan Corporation recorded in Document No. 2002-108524, of the Real Property Records of Denton County, Texas (RPRDCT), being all of those certain tracts of land described in deeds to Mike A. Myers Investment Holdings, L.P. recorded in Document No. 2005-33384, RPRDCT, Document No. 2007-53939 RPRDCT, and Document No. 2005-93340, RPRDCT, all of that certain tract of land described in deed to The Amanda S. Myers Irrevocable Asset Trust recorded in Document No. 2011-125051, RPRDCT, all of that certain tract of land described in deed to Ok Kyun and Youngmoo Kim, Trustees of the Kim Family Living Trust recorded in Document No. 2005-86220, RPRDCT, and part of that certain tract of land described in deed to Frisco Industrial Partners recorded in Document NO. 2008-66233, RPRDCT, and being more particularly described as follows;

BEGINNING at a 1/2 inch capped iron rod found, said iron rod being located on the east right-of-way line of Farm to Market (FM) Road No. 1385 (variable width R.O.W.), and also being the northwest corner of Countryview Addition, an addition to Denton County according to Final Plat recorded in Cabinet F, Page 267, of the Plat Records of Denton County, Texas;

THENCE North 01°28'19" East, with said east right-of-way line of FM No. 1385, a distance of 310.72 feet to a 1/2 inch iron rod found for corner, said iron rod being the northwest corner of the aforementioned Mike A. Myers Investment Holdings, L.P. tract, recorded in Document No. 2007-53939 RPRDCT, and a southwest corner of the aforementioned Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-93340 RPRDCT;

THENCE North 01°22'30" East, continuing with the east right-of-way line of FM No. 1385, a distance of 204.07 feet to a 1/2 inch iron rod found for corner, said iron rod being the northwest corner of said Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-93340 RPRDCT, and the southwest corner of the aforementioned tract of land described in deed to Tarsan Corporation recorded in Document No. 2002-108524, RPRDCT;

THENCE North 01°32'20" East, continuing with the east right-of-way line of FM No. 1385, a distance of 455.39 feet to a 1/2 inch iron rod found for corner;

THENCE North 01°55'54" East, continuing with the east right-of-way line of FM No. 1385, a distance of 446.59 feet to a 1/2 inch iron rod found for corner at the intersection of the east right-of-way line of FM No. 1385, and the approximate center of Crutchfield Road (undedicated public road), and the northwest corner of said Tarsan Corporation tract;

THENCE North 89°43'38" East, with said approximate center of Crutchfield Road, and the north line of the Tarsan tract, and the aforementioned Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-33384, RPRDCT, a distance of 3428.14 feet to a railroad spike

found for corner at the northeast corner of said Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-33384, RPRDCT;

THENCE North 00°08'37" West, continuing with the approximate center of Crutchfield Road, and with the west line of the aforementioned Amanda S. Myers Irrevocable Asset Trust tract, a distance of 858.91 feet to a 1/2 inch iron rod found for corner, said iron rod being the northwest corner of said Amanda S. Myers Irrevocable Asset Trust tract, and the southeast corner of that certain tract of land described in deed to Fashand Farm, Ltd. recorded in Document No. 2004-135532, RPRDCT;

THENCE North 89°30'51" East, continuing with the approximate center of Crutchfield Road, and with the north line of the Amanda S. Myers Irrevocable Asset Trust tract, a distance of 1759.29 feet to a 1/2 inch iron rod found for corner;

THENCE South 00°23'19" East, with the east line of the Amanda S. Myers Irrevocable Asset Trust tract, and the west line of that certain tract of land described in deed to Smiley Road, Ltd. recorded in Document No. 2006-2064, RPRDCT, a distance of 2685.16 feet to a 5/8 inch iron rod found for corner;

THENCE South 89°13'31" West, with a line described in Boundary Line Agreement recorded in Instrument No. 2005-122140, RPRDT, a distance of 527.69 feet to a 1/2 inch iron rod found for corner;

THENCE South 00°41'45" West, with a line described in said Boundary Line Agreement recorded in Instrument No. 2005-122140, RPRDT, a distance of 2985.21 feet to a 60d nail found in asphalt for corner, said nail being located in the approximate center of Parvin Road (undedicated public road);

THENCE North 89°11'44" West, with said approximate center of Parvin Road, and with a line described in said Boundary Line Agreement recorded in Instrument No. 2005-122140, RPRDT, a distance of 1163.46 feet to a 3/8 inch iron rod found for corner;

THENCE North 00°42'55" West, leaving the approximate center of Parvin Road, and with the west line of the Amanda S. Myers Irrevocable Asset Trust tract, the east line of that certain tract of land described in deed to Donald K. Estep and Sonja K. Estep recorded in Document No. 2011-67774, RPRDCT, and that certain tract of land described in deed to Donald Kenny Estep and Sonja Kay Estep recorded in Document No. 2001-99806, RPRDCT, a distance of 280.30 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE South 89°32'42" West, with a south line of that certain tract of land described in deed to Ok Kyun and Youngmoo Kim, Trustees of the Kim Family Living Trust recorded in Document No. 2005-86220, RPRDCT, a distance of 239.66 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE South 00°49'27" East, with an easterly line of said Kim Family Living Trust tract, the west line of said Estep tracts, and the west line of that certain tract of land described in deed to

Claude Adams and Kathleen Adams recorded in Document No. 2011-67775, RPRDCT, and the west line of that certain tract of land described in deed to David P. Brewer and Carolyn Brewer recorded in Document No. 2012-34990, RPRDCT, a distance of 734.88 feet to a 1/2 inch iron rod found for corner at the southwest corner of said Brewer tract, and an interior "ell" corner of the Kim Family Living Trust tract;

THENCE North 89°20'27" East, a distance of 238.85 feet to a 1/2 inch iron rod found for corner, said iron rod being located at the southwest corner of the Brewer tract, a northeast corner of the Kim Family Living Trust tract, and also being located in the aforementioned approximate center of Parvin Road;

THENCE South 00°32'10" East, with an easterly line of the Kim Family Living Trust tract, and said approximate center of Parvin Road, a distance of 490.79 feet to a 1/2 inch iron rod found for corner at the most southerly southeast corner of the Kim Family Living Trust tract;

THENCE South 89°26'22" West, with the south line of the Kim Family Living Trust tract, and the approximate center of Parvin Road, a distance of 378.96 feet to a nail in asphalt found for corner;

THENCE North 00°17'53" East, leaving the approximate center of Parvin Road, and with a west line of the Kim Family Living Trust tract, and the east line of that certain tract of land described in deed to John M. Cospers and Jackie Cospers recorded in Volume 626, Page 706, RPRDCT, passing at a distance of 27.73 feet a 5/8 inch iron rod in concrete found, continuing in all, a distance of 267.98 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner, from which a 5/8 inch iron rod in concrete found bears South 00°17'53" West, a distance of 2.99 feet;

THENCE South 89°25'59" West, with a south line of the Kim Family Living Trust tract, and the north line of the Cospers tract, a distance of 824.19 feet to a 1/2 inch iron rod found for corner;

THENCE South 00°39'57" East, with the west line of the Cospers tract, and an easterly line of the Kim Family Living Trust tract, passing at a distance of 244.64 feet a 1/2 inch iron rod found, continuing in all, a distance of 265.80 feet to a 1/2 inch iron rod found for corner at a southeast corner of Kim Family Living Trust tract, and also being located in the aforementioned approximate center of Parvin Road;

THENCE South 89°09'41" West, with the south line of the Kim Family Living Trust tract, and the approximate center of Parvin Road, passing at a distance of 411.81 feet a 1/2 inch iron rod found at the northeast corner of that certain tract of land described in deed to Swisher Partners, L.P. recorded in Document No. 2004-7927, RPRDCT, continuing in all, a distance of 462.41 feet to a 1/2 inch iron rod found for corner at the southeast corner of that certain tract of land described in deed to the City of Celina, Texas recorded in Document No. 2008-62468, RPRDCT;

THENCE North 00°41'57" West, with the east line of said City of Celina, Texas tract, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE South 89°18'56" West, with a north line of the City of Celina, Texas tract, and Parvin Road, a distance of 1107.30 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE North 00°41'04" West, leaving said north line of Parvin Road, a distance of 843.46 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE South 89°18'56" West, a distance of 815.06 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner, said iron rod being located on an easterly line of said City of Celina, Texas tract, and the aforementioned east right-of-way line of FM No. 1385;

THENCE North 01°32'26" East, with said east right-of-way line of FM No. 1385 according to City of Celina, Texas tract deed, a distance of 350.05 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE North 89°22'47" East, leaving the east right-of-way line of FM No. 1385, and with the north line of the aforementioned tract of land described in deed to Frisco Industrial Partners recorded in Document No. 2008-66233, RPRDCT, and the south line of that certain tract of land described in deed to Anna Liz Hong recorded in Document No. 2014-15601, RPRDCT, a distance of 1908.52 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE North 00°41'47" West, with the east line of said Anna Liz Hong tract, and the most westerly line of the aforementioned Kim Family Living Trust tract, a distance of 1546.84 feet to an old wood corner post found for corner, from which a 5/8 inch iron rod found bears South 16°28'53" West, a distance of 1.57 feet;

THENCE North 00°24'23" West, with the west line of the aforementioned Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-33384, RPRDCT, passing at a distance of 479.75 feet a 5/8 inch iron rod found at the southeast corner of that certain tract of land described in deed to Lee A. Brown recorded in Document No. 2003-122624, RPRDCT, continuing with said west line of the Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-33384, RPRDCT, and the east line of said Lee A. Brown tract, in all, a total distance of 951.64 feet to a 5/8 inch iron rod found for corner at the southeast corner of the aforementioned Countryview Addition;

THENCE North 00°07'02" West, continuing with the west line of the Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-33384, RPRDCT, and the east line of said Countryview Addition, a distance of 588.61 feet to a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner, from which a 1/2 inch iron rod found bears South 89°26'31" West, a distance of 1.51 feet;

THENCE South 89°18'14" West, with the south line of the aforementioned Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-93340, RPRDCT, a distance of 1301.63 feet to a 1/2 inch iron rod found for corner at the most southerly southwest corner of said Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-93340 RPRDCT,

and the southeast corner of the aforementioned Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2007-53939 RPRDCT;

THENCE South 89°15'45" West, with the south line of said Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2007-53939 RPRDCT, a distance of 522.72 feet to the POINT OF BEGINNING of herein described tract of land containing an area of 494.883 acres of land.

END OF DESCRIPTION FOR 494.883 ACRES AS DESCRIBED ABOVE

BEGIN DESCRIPTION OF 127.930 ACRES SAVE AND EXCEPT 15.044 ACRES FOR A TOTAL NET AREA OF 112.886 ACRES

LEGAL DESCRIPTION – 112.886 ACRE TRACT

BEING that certain tract of land situated in the Thomas H. McIntyre Survey, Abstract No. 903, in Denton County, Texas, and being part of that certain tract of land described in deed to Denton County 128 Development LLC recorded in Document No. 2013-135475, of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described as follows:

LEGAL DESCRIPTION – 127.930 ACRES

BEING that certain tract of land situated in the Thomas H. McIntyre Survey, Abstract No. 903, in Denton County, Texas, and being all of that certain tract of land described in deed to Denton County 128 Development LLC recorded in Document No. 2013-135475, of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found at the intersection of the east right-of-way line of Farm to Market (FM) Road No. 1385 (variable width R.O.W.), and the approximate center of Crutchfield Road (undedicated public road), said iron rod also being the northwest corner of that certain tract of land described in deed to Tarsan Corporation recorded in Document No. 2002-108524, RPRDCT;

THENCE North 89°43'38" East, continuing with the east right-of-way line of FM No. 1385, a distance of 2.88 feet to the POINT OF BEGINNING of herein described tract, a 1/2 inch iron rod found for corner, said iron rod being the southwest corner of said Denton County 128 Development LLC tract;

THENCE North 01°41'02" East, continuing with the east right-of-way line of FM No. 1385, a distance of 606.22 feet to a 1/2 inch iron rod found for corner;

THENCE North 00°48'15" East, continuing with the east right-of-way line of FM No. 1385, a distance of 797.75 feet to a 1/2 inch iron rod found for corner at the most westerly northwest corner of said Denton County 128 Development LLC tract, and the southwest corner of that certain tract of land described in deed to Munish Gupta and Anusha Gupta recorded in Document No. 2013-84112, RPRDCT;

THENCE North 89°33'57" East, leaving the east right-of-way line of FM No. 1385, and with the north line of said Denton County 128 Development LLC tract, and the south line of said Gupta tract, a distance of 1280.98 feet to a 1/2 inch iron rod found for corner;

THENCE North 00°21'49" West, with a west line of said Denton County 128 Development LLC tract, the east line of said Gupta tract, and the east line of that certain tract of land described in deed to Dena C. Riley recorded in Document No. 00-R0050894, RPRDCT, a distance of 547.19 feet to a 5/8 inch capped iron rod ("J-E #3700) found for corner at the southeast corner of that certain tract of land described in deed to Jeff Hamner recorded in Volume 2156, Page 762, RPRDCT;

THENCE North 00°25'32" West, with a west line of said Denton County 128 Development LLC tract, and an east line of said Jeff Hamner tract, a distance of 553.05 feet to a 1/2 inch iron rod found for corner at the northeast corner of said Jeff Hamner tract, and the southeast corner of that certain tract of land described in deed to 28 & 12 Arm on Preston Road, Ltd. recorded in Instrument No. 2004-137416, RPRDCT;

THENCE North 00°02'29" East, with a west line of said Denton County 128 Development LLC tract, and the east line of said 28 & 12 Arm on Preston Road, Ltd. tract, a distance of 73.81 feet to a 1/2 inch iron rod found for corner at the most northerly northwest corner of said Denton County 128 Development LLC tract, and the most southerly southwest corner of that certain tract of land described in deed to Blue Angus Ranch, LP, recorded in Instrument No. 2007-107216, RPRDCT;

THENCE South 89°46'58" East, with the most northerly north line of said Denton County 128 Development LLC tract, and the most southerly south line of said Blue Angus Ranch, LP tract, a distance of 959.75 feet to a 3/8 inch iron rod found for corner at the most southerly southeasterly corner of said Blue Angus Ranch, LP tract, and a

southwest corner of that certain tract of land described in deed to Fashand Farm, Ltd. recorded in Document No. 2004-135532, RPRDCT;

THENCE South 89°47'30" East, continuing with the most northerly north line of said Denton County 128 Development LLC tract, and with a south line of said Fashand Farm, Ltd. tract, a distance of 395.36 feet to a 1/2 inch iron rod found for corner;

THENCE South 02°55'32" West, with an east line of said Denton County 128 Development LLC tract, and a west line of said Fashand Farm, Ltd. tract, a distance of 454.72 feet to a 1/2 inch iron rod found for corner;

THENCE North 89°27'35" East, with a north line of said Denton County 128 Development LLC tract, and a south line of said Fashand Farm, Ltd. tract, a distance of 156.79 feet to 1/2 inch iron rod found for corner at a northeast corner of said Denton County 128 Development LLC tract, and the northwest corner of that certain tract of land described in deed to Fashand Farm, Ltd. recorded in Document No. 2005-21653, RPRDCT;

THENCE South 00°09'07" East, with the most easterly east line of said Denton County 128 Development LLC tract, the west line of said Fashand Farm, Ltd. tract recorded in Document No. 2005-21653, RPRDCT, and the west line of that certain tract of land described in deed to Jan M. Paliwoda and Margaret Paliwoda recorded in Volume 4364, Page 1631, RPRDCT, a distance of 2035.13 feet to a 1/2 inch capped iron rod (#6005) found for corner at the northeast corner of that certain tract of land described in deed to SBA Towers IV, LLC recorded in Document No. 2013-94302, RPRDCT;

THENCE South 89°09'16" West, with the north line of said SBA Towers IV, LLC tract, a distance of 50.18 feet to a 1/2 inch capped iron rod (#6005) found for corner;

THENCE South 00°57'44" East, with the west line of said SBA Towers IV, LLC tract, a distance of 50.16 feet to a 1/2 inch capped iron rod (#6005) found for corner;

THENCE North 89°07'28" East, with the south line of said SBA Towers IV, LLC tract, a distance of 49.90 feet to a 1/2 inch iron rod found for corner on said most easterly east line of said Denton County 128 Development LLC tract, and the west line of said Jan M. Paliwoda and Margaret Paliwoda tract;

THENCE South 00°54'46" East, with said most easterly east line of said Denton County 128 Development LLC tract, and the west line of the Jan M. Paliwoda and Margaret Paliwoda tract, a distance of 31.06 feet to a 1/2 inch iron rod found for corner on said approximate center of Crutchfield Road, and being the southeast corner of said Denton County 128 Development LLC tract;

THENCE South 89°43'38" West, with said approximate center of Crutchfield Road, the north line of that certain tract of land described in deed to Mike A. Myers Investment Holdings, L.P. tract recorded in Document No. 2005-33384, RPRDCT, and the north line of said Tarsan tract, a distance of 2797.59 feet to the POINT OF BEGINNING of herein described tract of land containing an area of 127.930 acres of land;

SAVE AND EXCEPT the following 15.044 Acre Tract of land being more particularly described as follows:

LEGAL DESCRIPTION – 15.044 ACRE TRACT

BEING that certain tract of land situated in the Thomas H. McIntyre Survey, Abstract No. 903, in Denton County, Texas, and being part of that certain tract of land described in deed to Denton County 128 Development LLC recorded in Document No. 2013-135475, of the Real Property Records of Denton County, Texas (RPRDCT), and being more particularly described as follows;

COMMENCING at a 1/2 inch iron rod found at the intersection of the east right-of-way line of Farm to Market (FM) Road No. 1385 (variable width R.O.W.), and the approximate center of Crutchfield Road (undedicated public road), said iron rod also being the southwest corner of said Denton County 128 Development LLC tract, from which

a 1/2 inch iron rod found on said east right-of-way line of FM Road No. 1385 bears North 01°41'02" East, a distance of 606.22 feet;

THENCE North 89°43'38" East, with said approximate center of Crutchfield Road, with said south line of the Denton County 128 Development LLC tract, and the north line of that certain tract of land described in deed to Tarsan Corporation recorded in Document No. 2002-108524, RPRDCT, a distance of 53.68 feet, from which a 1/2 inch iron rod found at the most southerly southeast corner of said Denton County 128 Development LLC tract bears North 89°43'38" East, a distance of 2743.91 feet;

THENCE North 00°16'22" West, leaving said approximate center of Crutchfield Road, and said common line of the Denton County 128 Development LLC tract, and the Tarsan Corporation tract, a distance of 45.00 feet to the POINT OF BEGINNING of herein described tract of land;

THENCE the following bearings and distances to 5/8 inch iron rods with plastic caps marked "PETITT-RPLS 4087" set for corner;

North 44°17'26" West, a distance of 34.74 feet;

North 01°41'30" East, a distance of 125.09 feet;

North 03°30'57" West, a distance of 110.18 feet;

North 01°41'30" East, a distance of 223.64 feet;

North 06°12'20" East, a distance of 118.95 feet;

North 00°48'41" East, a distance of 118.28 feet;

North 45°48'41" East, a distance of 35.36 feet;

And South 89°11'19" East, a distance of 531.97 feet, said iron rod being the beginning of a tangent curve to the left;

THENCE with said curve having a central angle of 44°12'24", a radius of 340.00 feet, a chord which bears North 68°42'29" East, a chord distance of 255.87 feet, for an arc distance of 262.33 feet to the end of said curve, a 5/8 inch iron rod with plastic cap marked "PETITT-RPLS 4087" set for corner;

THENCE the following bearings and distances to 5/8 inch iron rods with plastic caps marked "PETITT-RPLS 4087" set for corner;

South 43°16'28" East, a distance of 81.39 feet;

South 10°26'21" East, a distance of 50.00 feet;

South 00°18'36" East, a distance of 717.45 feet;

And South 89°43'38" West, being 45 feet north of and parallel to said approximate center of Crutchfield Road, said south line of the Denton County 128 Development LLC tract, and the north line said Tarsan Corporation tract, a distance of 858.23 feet to the POINT OF BEGINNING of herein described tract of land containing an area of 15.044 acres of land.

LEAVING A NET AREA OF 112.886 ACRES OF LAND.

Note: The bearings shown and recited hereon are referenced to the Texas State Plane Coordinate System ~ Texas North Central Zone No. 4202 ~ NAD 83