

**NORTH TEXAS TOLLWAY AUTHORITY
DOCUMENTATION BETWEEN
VALWOOD IMPROVEMENT AUTHORITY
REGARDING
USACE PERMIT COMPLIANCE
AND
TRANSFER OF RIGHT-OF-WAY
(SEGMENT IV OF PGBT)**

[ORIGINAL]

ORIGINAL

**NORTH TEXAS TOLLWAY AUTHORITY
DOCUMENTATION BETWEEN
VALWOOD IMPROVEMENT AUTHORITY
REGARDING
USACE PERMIT COMPLIANCE
AND
TRANSFER OF RIGHT-OF-WAY
(SEGMENT IV OF PGBT)**

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1. Declaration of Restrictive Covenants (Hydraulic Mitigation Area)
2. Declaration of Restrictive Covenants and Easement Agreement (Mitigation Reserve Areas)
3. Declaration of Restrictive Covenants and Easement Agreement (Forested Buffer Riparian Mitigation Areas and Open Water Habitat Mitigation Area)
4. Declaration of Restrictive Covenants (Forested Riparian Buffer Mitigation Areas, Open Water Habitat Mitigation Areas, and Emergent Wetland Habitat Areas)
5. Special Warranty Deed (Segment IV) for Parcels 25-2 and 25-4
6. Joint Use Agreement (Segment IV) for Parcels 25-34, 25-40 and 25-41



DECLARATION OF RESTRICTIVE COVENANTS
(Hydraulic Mitigation Area)

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

THIS DECLARATION OF RESTRICTIVE COVENANTS (this "instrument"), is executed the 13th day of May, 2008 (the "Execution Date") to be effective as of the 7th day of October, 2002 (the "Effective Date") by the **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS, F/K/A FARMERS BRANCH-CARROLLTON FLOOD CONTROL DISTRICT OF DALLAS COUNTY, TEXAS**, a flood control district, acting by and through its Board of Directors (hereinafter identified as "Valwood"), for the benefit of the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority and a political subdivision of the State of Texas (hereinafter identified as the "NTTA").

Recitals

WHEREAS, Valwood, owns certain property in Dallas County, Texas, that Valwood uses for maintaining flood-control facilities, levees and similar structures, drainage facilities, access roads and other facilities (the "Valwood Property"); and

WHEREAS, the NTTA is constructing and operating a controlled access toll turnpike project (the "Project") as defined in, permitted by, and in accordance with the provisions of Chapter 366, Texas Transportation Code (known as the "Regional Tollway Authority Act"), to all terms of which Chapter and Act reference is hereby made, such Project being known as Segment IV of the President George Bush Turnpike; and

WHEREAS, it is necessary and desirable for the NTTA to require certain restrictions on the use of the Valwood Property in order to construct and operate the Project; and

WHEREAS, on even date herewith, Valwood and the NTTA have entered into (1) a Joint Use Agreement, and (2) an Interlocal Agreement for the Design, Construction and Maintenance of Segment IV of the President George Bush Turnpike ("ILA") setting forth their respective rights, obligations, and agreements concerning the Valwood Property and the Project; and

WHEREAS, the Valwood Property includes 66.774 acres of land identified in the ILA as the Hydraulic Mitigation Area, which are described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the NTTA and Valwood have agreed in the ILA that Valwood shall conduct certain activities in and restrict its use of the Hydraulic Mitigation Area as more fully described herein below; and

WHEREAS, the NTTA and Valwood desire to execute this Declaration of Restrictive Covenants to evidence Valwood's obligations and restrictions on the use of the Hydraulic Mitigation Area;

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the NTTA and Valwood hereby agree as follows:

1. **Valwood's Covenants.** For and in consideration of these premises and the mutual covenants and agreements of the parties in the ILA, the receipt and sufficiency of which Valwood hereby acknowledges, Valwood hereby covenants and agrees as follows:

a. **Maintenance.** Valwood shall maintain the Hydraulic Mitigation Area through its usual maintenance activities which include, but are not limited to, mowing, fertilization, and herbicide use in order to suppress the intrusion of trees and shrubs in the area.

b. **Valley Storage and Wetland Mitigation.** Any flood water retention ("Valley Storage") and wetland mitigation areas resulting from the removal of fill material within the Hydraulic Mitigation Area by Valwood shall remain under the control of Valwood. In the event that Valwood elects to use a portion of the bottom of the Hydraulic Mitigation Area for Valley Storage and wetland mitigation, Valwood agrees that such use shall not negatively impact the NTTA's USACE Permit No. 199700020.

c. **Use by Third Parties.** Valwood will not consent to any third party not affiliated with Valwood taking any action on or about the Hydraulic Mitigation Area that is inconsistent with the restrictions placed in subsection a. and b. above.

d. **Removal of Improvements.** Valwood shall not place on or in the Hydraulic Mitigation Area any building, fence, structure, or other improvement which, in the sole judgment of the NTTA, is inconsistent with the intended function of this mitigation area.

2. **Successor and Assigns.** This instrument shall be binding upon and inure to the benefit of the respective legal representatives, successors, assigns, and devisees of the parties. Without limiting the generality of the foregoing, Valwood shall have the right to transfer any Valley Storage and/or mitigation rights to a third party; provided, however, that any such rights transferred to a third party shall be subject to the restrictions set forth in this instrument.

3. **Interlocal Agreement; Merger.** This instrument is entered into pursuant to, and as part of the agreements and transactions set forth in, the ILA and the other instruments referenced in the ILA, and it shall be interpreted and enforced to be consistent with the ILA and such other instruments referenced in the ILA. Otherwise, this instrument contains the whole agreement between Valwood and the NTTA relating to the matters that are the subject of this instrument and supersedes all previous understandings and agreements between Valwood and the NTTA relating to such matters.

4. **General Provisions**


a. Valwood agrees that any conveyance hereafter made by Valwood or any future owner of all or any portion of the Hydraulic Mitigation Area will refer to and incorporate this instrument by reference.

b. In the event any provision of this instrument is determined by an appropriate court to be void and unenforceable, the remaining provisions shall remain valid and binding.

c. This instrument shall run with the Hydraulic Mitigation Area and shall be enforceable against Valwood and all future owners of this property in perpetuity.

d. These restrictive covenants cannot be revoked or modified without written consent from the NTTA.

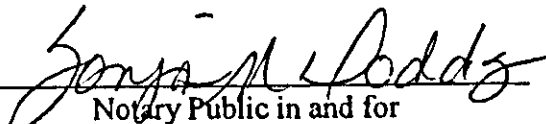
**VALWOOD IMPROVEMENT AUTHORITY
OF DALLAS COUNTY, TEXAS,**
a flood control district of Dallas County, Texas

By: 
Pat Canuteson, Executive Director

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 13 2008, by Pat Canuteson, Executive Director of the **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS**, a flood control district, on behalf of said flood control district.




Notary Public in and for
the State of Texas

ADDRESS OF GRANTEE:

North Texas Tollway Authority
P.O. Box 260729
Plano, Texas 75026

After Recording Return to:
WHEN RECORDED, RETURN TO:
Locke Lord Bissell & Liddell LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Attention: Cynthia M. Buckley

EXHIBIT A

Legal description of Hydraulic Mitigation Area

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills
Road in Dallas County to I.H. 635 West
Near Valley View Lane in Dallas County

Page 1 of 6

November 27, 2002

Revised: December 30, 2002

PARCEL: NTTA HMA 4

**FIELD NOTES FOR A 66.8 ACRE TRACT
HYDRAULIC MITIGATION AREA 4**

Being 66.774 acres of land in the James Armstrong Survey, Abstract Number 30 and the William Masters Survey, Abstract Number 925 (Historically referred to as Abstract Number 899 in the Dallas County Records), City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch - Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 83235, Page 4533 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain called 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain called 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 823.73 feet to a point;

THENCE, NORTH; a distance of 180.99 feet to the **POINT OF BEGINNING**, being the beginning of a non-tangent curve to right whose chord bears South 61 degrees 06 minutes 01 seconds West, a distance of 348.88 feet;

1. **THENCE, SOUTHERLY, SOUTHWESTERLY, WESTERLEY AND NORTH-WESTERLY**, along said non-tangent curve to the right, through a central angle of 121 degrees 25 minutes 50 seconds, a radius of 200.00 feet and an arc length of 423.87 feet to the end of said non-tangent curve;
2. **THENCE, NORTH 54 degrees 52 minutes 00 seconds WEST**, a distance of 497.24 feet to an angle point;
3. **THENCE, NORTH 68 degrees 17 minutes 27 seconds WEST**, a distance of 148.80 feet to an angle point;
4. **THENCE, NORTH 70 degrees 03 minutes 53 seconds WEST**, a distance of 99.67 feet to an angle point;

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills
Road in Dallas County to I.H. 635 West
Near Valley View Lane in Dallas County

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November 27, 2002

Revised: December 30, 2002

PARCEL: NTTA HMA 4

**FIELD NOTES FOR A 66.8 ACRE TRACT
HYDRAULIC MITIGATION AREA 4**

5. **THENCE, NORTH 62 degrees 57 minutes 42 seconds WEST, a distance of 110.50 feet to an angle point;**
6. **THENCE, NORTH 59 degrees 16 minutes 12 seconds WEST, a distance of 293.64 feet to the beginning of a curve to the right;**
7. **THENCE, NORTHWESTERLY, along said curve to the right, through a central angle of 76 degrees 15 minutes 16 seconds, a radius of 285.00 feet and an arc length of 379.30 feet, the chord of said curve bears North 21 degrees 08 minutes 34 seconds West, having a chord distance of 351.92 feet to the end of said curve to the right;**
8. **THENCE, NORTH 16 degrees 57 minutes 52 seconds EAST, a distance of 127.03 feet to the beginning of a curve to the right;**
9. **THENCE, NORTHEASTERLY, along said curve to the right, through a central angle of 65 degrees 52 minutes 19 seconds, a radius of 285.00 feet and an arc length of 327.66 feet, the chord of said curve bears North 49 degrees 54 minutes 01 seconds East, having a chord distance of 309.91 feet to the end of said curve to the right;**
10. **THENCE, NORTH 82 degrees 37 minutes 06 seconds EAST, a distance of 194.39 feet to a point for corner;**
11. **THENCE, NORTH 16 degrees 15 minutes 31 seconds EAST, a distance of 82.17 feet to a point for corner;**
12. **THENCE, NORTH 42 degrees 24 minutes 27 seconds WEST, a distance of 161.95 feet to an angle point;**
13. **THENCE, NORTH 36 degrees 03 minutes 43 seconds WEST, a distance of 76.60 feet to a point for corner on the east high bank of the Elm Fork of the Trinity River;**
14. **THENCE, NORTH 84 degrees 41 minutes 18 seconds EAST, along said high bank, a distance of 257.86 feet to a point for corner;**
15. **THENCE, SOUTH 41 degrees 06 minutes 28 seconds EAST, departing said high bank, a distance of 29.40 feet to the beginning of a curve to the left;**

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

**PROJECT LIMITS: From I.H. 35E Near Trinity Mills
Road in Dallas County to I.H. 635 West
Near Valley View Lane in Dallas County**

Page 3 of 6

November 27, 2002

Revised: December 30, 2002

PARCEL: NTTA HMA 4

**FIELD NOTES FOR A 66.8 ACRE TRACT
HYDRAULIC MITIGATION AREA 4**

- 16.THENCE, SOUTHEASTERLY, EASTERLY, AND NORTHEASTERLY, along said curve to the left, through a central angle of 82 degrees 27 minutes 09 seconds, a radius of 105.00 feet and an arc length of 151.10 feet, the chord of said curve bears South 82 degrees 20 minutes 02 seconds East, having a chord distance of 138.40 feet to the end of said curve to the left;**
- 17.THENCE, NORTH 56 degrees 26 minutes 24 seconds EAST, a distance of 292.12 feet to the beginning of a curve to the left;**
- 18.THENCE, NORTHEASTERLY AND NORTHERLY, along said curve to the left, through a central angle of 57 degrees 16 minutes 56 seconds, a radius of 265.00 feet and an arc length of 264.94 feet, the chord of said curve bears North 27 degrees 47 minutes 56 seconds East, having a chord distance of 254.04 feet to the end of said curve to the left;**
- 19.THENCE, NORTH 00 degrees 50 minutes 32 seconds WEST, a distance of 670.50 feet to the beginning of a curve to the right;**
- 20.THENCE, NORTHERLY AND NORTHEASTERLY, along said curve to the right, through a central angle of 53 degrees 44 minutes 22 seconds, a radius of 465.00 feet and an arc length of 436.14 feet, the chord of said curve bears North 26 degrees 01 minutes 39 seconds East, having a chord distance of 420.33 feet to the end of said curve to right;**
- 21.THENCE, NORTH 52 degrees 52 minutes 15 seconds EAST, a distance of 54.90 feet to the beginning of a curve to left;**
- 22.THENCE, NORTHEASTERLY AND NORTHERLY, along said curve to the left, through a central angle of 46 degrees 18 minutes 53 seconds, a radius of 415.00 feet and an arc length of 335.46 feet, the chord of said curve bears North 29 degrees 42 minutes 49 seconds East, having a chord distance of 326.40 feet to the end of said curve to the left;**
- 23.THENCE, NORTH 06 degrees 33 minutes 22 seconds EAST, a distance of 536.61 feet to the beginning of a curve to the left;**

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

Page 4 of 6

November 27, 2002

PROJECT LIMITS: From I.H. 35E Near Trinity Mills Revised: December 30, 2002

Road in Dallas County to I.H. 635 West

Near Valley View Lane in Dallas County

PARCEL: NTTA HMA 4

**FIELD NOTES FOR A 66.8 ACRE TRACT
HYDRAULIC MITIGATION AREA 4**

- 24. THENCE, NORTHERLY, along said curve to the left, through a central angle of 09 degrees 37 minutes 08 seconds, a radius of 2,415.00 feet and an arc length of 405.44 feet, the chord of said curve bears North 01 degrees 44 minutes 48 seconds East, having a chord distance of 404.96 feet to the end of said curve to the left;**
- 25. THENCE, NORTH 03 degrees 03 minutes 47 seconds WEST, a distance of 532.87 feet to a the beginning of a curve to the right;**
- 26. THENCE, NORTHERLY AND NORTHEASTERLY, along said curve to the right, through a central angle of 53 degrees 36 minutes 23 seconds, a radius of 285.00 feet and an arc length of 266.65 feet, the chord of said curve bears North 23 degrees 44 minutes 25 seconds East, having a chord distance of 257.03 feet to a point for the end of said curve to the right;**
- 27. THENCE, NORTH 50 degrees 32 minutes 36 seconds EAST, a distance of 175.78 feet to the beginning of a curve to the right;**
- 28. THENCE, NORTHEASTERLY, EASTERLY, SOUTHEASTERLY AND SOUTHERLY, along said curve to the right, through a central angle of 130 degrees 29 minutes 17 seconds, a radius of 50.00 feet and an arc length of 113.87 feet, the chord of said curve bears South 64 degrees 12 minutes 47 seconds East, having a chord distance of 90.81 feet to the end of said curve to the right.**
- 29. THENCE, SOUTH 01 degrees 01 minutes 49 seconds WEST, a distance of 423.14 feet to an angle point;**
- 30. THENCE, SOUTH 07 degrees 06 minutes 09 seconds WEST, a distance of 181.36 feet to an angle point;**
- 31. THENCE, SOUTH 00 degrees 12 minutes 53 seconds WEST, a distance of 169.98 feet to the beginning of a reverse curve to the right;**
- 32. THENCE, SOUTHWESTERLY, along said reverse curve to the right, through a central angle of 37 degrees 26 minutes 46 seconds, a radius of 160.00 feet and an arc length of 104.57 feet, the chord of said curve bears South 18 degrees 56 minutes 16 seconds West, having a chord distance of 102.72 feet to the point of reverse curvature to the left;**

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills
Road in Dallas County to I.H. 635 West
Near Valley View Lane in Dallas County

Page 5 of 6
November 27, 2002

Revised: December 30, 2002

PARCEL: NTTA HMA 4

**FIELD NOTES FOR A 66.8 ACRE TRACT
HYDRAULIC MITIGATION AREA 4**

- 33.THENCE, SOUTHWESTERLY, SOUTHERLY, AND SOUTHEASTERLY,** continuing along said reverse curve to the left, through a central angle of 71 degrees 35 minutes 56 seconds, a radius of 290.00 feet and an arc length of 362.40 feet, the chord of said curve bears South 01 degrees 51 minutes 41 seconds West, having a chord distance of 339.27 feet to the end of said reverse curvature to the left;
- 34.THENCE, SOUTH 33 degrees 56 minutes 18 seconds EAST,** a distance of 21.78 feet to the beginning of a curve to the right;
- 35.THENCE, SOUTHEASTERLY AND SOUTHERLY,** along said curve to the right, through a central angle of 36 degrees 19 minutes 05 seconds, a radius of 220.00 feet and an arc length of 139.45 feet, the chord of said curve bears South 15 degrees 46 minutes 46 seconds East, having a chord distance of 137.13 feet to the end of said curve to the right;
- 36.THENCE, SOUTH 02 degrees 22 minutes 47 seconds WEST,** a distance of 659.18 feet to the beginning of a curve to the right;
- 37.THENCE, SOUTHERLY,** along said curve to the right, through a central angle of 13 degrees 59 minutes 52 seconds, a radius of 1,800.00 feet, and an arc length of 439.76 feet, the chord of said curve to the right bears South 09 degrees 22 minutes 43 seconds West, having a chord distance of 438.66 feet to the end of said curve to the right;
- 38.THENCE, SOUTH 16 degrees 22 minutes 39 seconds WEST,** a distance of 1,050.48 feet to the beginning of a curve to the left;
- 39.THENCE, SOUTHERLY,** along said curve to the left, through a central angle of 21 degrees 31 minutes 17 seconds, a radius of 1,400.00 feet, and an arc length of 525.86 feet, the chord of said curve to the left bears South 05 degrees 37 minutes 01 seconds West, having a chord distance of 522.78 feet to the end of said curve to the left;
- 40.THENCE, SOUTH 05 degrees 08 minutes 38 seconds EAST,** a distance of 437.69 feet to an angle point;

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills
Road in Dallas County to I.H. 635 West
Near Valley View Lane in Dallas County

Page 6 of 6

November 27, 2002

Revised: December 30, 2002

PARCEL: NTTA HMA 4

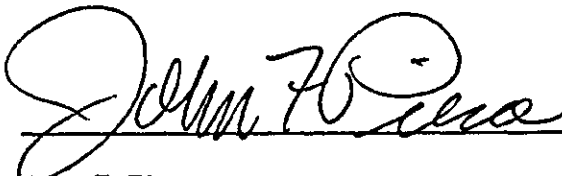
FIELD NOTES FOR A 66.8 ACRE TRACT
HYDRAULIC MITIGATION AREA 4

41. THENCE, SOUTH 00 degrees 23 minutes 07 seconds WEST, a distance of
390.74 feet to the POINT OF BEGINNING, and containing 66.774 acres of land,
more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority
Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.



John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

DEC 30, 2002

Date

Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 66.8 ACRE TRACT, FORESTED RIPARIAN BUFFER MITIGATION AREA 4

EXHIBIT "B"

MATCH LINE SHEET 2

**JAMES ARMSTRONG SURVEY
ABSTRACT NO. 30**

SCALE IN FEET
0 150 300 450
SCALE 1"=400'

FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
VOL. 83235, PG. 4533 D.R.D.C.T.
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)

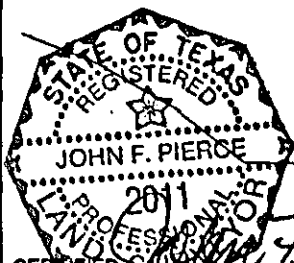
LEGEND

EDGE OF ASPHALT	POWER POLE
PROPERTY LINE	ANCHOR
PROPOSED ROW LINE	SRW
EASEMENT LINE	TRCE
CENTERLINE	LIGHT POLE
FENCE	WATER METER
OVERHEAD WIRE	PIPE MIDWAY
TREE LINE	WATER VALVE
SURVEY LINE	GAS METER
CONTROLLING MONUMENT	CLEARING

Remainder of
WALLACE M. SKINNER
and JAMES E. CARR
VOL. 76237, PG. 1885
D.R.D.C.T.

NORTH TEXAS
TOLLWAY AUTHORITY
VOL. 99023, PG. 02421
D.R.D.C.T.

NORTH TEXAS
TOLLWAY AUTHORITY
VOL. 99023,
PG. 02408
D.R.D.C.T.



CERTIFIED *[Signature]* Date: *12-20-02*
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED *[Signature]* Date: *1-2-03*
Hatt Zallars, Inc.
Section Engineer

APPROVED *[Signature]* Date: *1-6-03*
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

OWNER: VALWOOD IMPROVEMENT AUTHORITY
W. MASTERS SVY, A-925 & J. ARMSTRONG SVY, A-30
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

Sht 1 of 2

DWN BY - JSB APP'D BY - JFP DATE: NOVEMBER 20, 2002 SCALE: 1" = 400' PARCEL NO. HMA-4

BT TRAN 517 H:\hobbs\99023\99023Mitigation Area\VINAT\hmt_2011.dgn

MAP FOR A 66.8 ACRE TRACT,
CONT. OF FORESTED RIPARIAN BUFFER MITIGATION AREA 4

EXHIBIT "B"

**WILLIAM MASTERS
SURVEY
ABSTRACT NO. 925**

SCALE IN FEET
0 150 300 450
SCALE 1"=400'

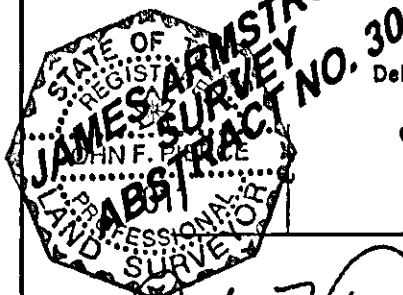
FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)

LEGEND

	EDGE OF ASPHALT		POWER POLE
	PROPERTY LINE		ANCHOR
	PROPOSED ROW LINE		SIM
	EASEMENT LINE		TREE
	CENTERLINE		LIGHT POLE
	FENCE		WATER METER
	OVERHEAD WIRE		FIRE HYDRANT
	TREE LINE		WATER VALVE
	SURVEY LINE		GAS METER
	CONTROLLING MONUMENT		CLEAROUT

WILLIAM MASTERS SURVEY
ABSTRACT NO. 925

JAMES ARMSTRONG SURVEY
ABSTRACT NO. 30



Delta-46° 18' 53" (LT)
R=415.00'
L=335.46'
CB-N 29° 42' 49" E
CD=328.40'

Delta-53° 44' 22" (RT)
R=465.00'
L=438.14'
CB-N 26° 01' 39" E
CD=420.33'

PARCEL
NTTA HMA
66.7740 ac
N52° 52' 15" E
54.90'

FARMERS BRANCH - CARROLLTON FLOOD
CONTROL DISTRICT, VOL. 83235,
PG. 4533 D.R.D.C.T. (NOW KNOWN AS
VALWOOD IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON JUNE 14, 1989)

Delta-13° 59' 52" (RT)
R=1,800.00'
L=439.76'
CB-S 09° 22' 43" W
CD=438.66'

Delta-130° 29' 17" (RT)
R=50.00'
L=113.87'
CB-S 64° 12' 47" E
CD=90.81'

- FINAL JUDGMENT UNDER
CAUSE NO. 00-83-2840-E STYLED
FARMERS BRANCH-CARROLLTON
FLOOD CONTROL DISTRICT
VERSUS
MARY JANE MAYFIELD AND
LUCY FIELD BELKNAP

S00° 12' 53" W
169.98'

Delta-37° 28' 46" (RT)
R=160.00'
L=104.57'
CB-S 18° 58' 16" W
CD=102.72'

Delta-71° 35' 56" (LT)
R=280.00'
L=362.40'
CB-S 01° 51' 41" W
CD=339.27'

S33° 56' 18" E
21.78'

Delta-38° 15' 05" (RT)
R=220.00'
L=139.45'
CB-S 15° 46' 46" E
CD=137.13'

MATCH LINE SHEET 1

CERTIFIED John F. Price Date: 12-30-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED John F. Price Date: 1-2-03
HNTB Corporation, Inc.
Section Engineer

APPROVED John M. Ellis Date: 1-6-03
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 McCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions	By	Date
1. 20-02	General	20-02

• - Denotes 1/2" steel rebar with yellow plastic cap
marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for
North Texas Tollway Authority Segment IV of the
President George Bush Turnpike.

A Legal Description of even date herewith
accompanies this plat.

OWNER:	VALWOOD IMPROVEMENT AUTHORITY
	W. MASTERS SVY, A-925 & J. ARMSTRONG SVY, A-30
	DALLAS COUNTY, TEXAS
	NORTH TEXAS TOLLWAY AUTHORITY
	President George Bush Turnpike
	MITIGATION PLAT

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

A handwritten signature in dark ink, appearing to read "JFW", is written over the official text.

John F. Warren, County Clerk

Dallas County TEXAS

May 14, 2008 02:06:12 PM

FEE: \$60.00

20080151112



**DECLARATION OF RESTRICTIVE COVENANTS
AND EASEMENT AGREEMENT
(Mitigation Reserve Areas)**

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

THIS DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENT AGREEMENT (this "instrument"), is executed the 13th day of May, 2008 (the "Execution Date") to be effective as of the 7th day of October, 2002 (the "Effective Date") by the **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS, F/K/A FARMERS BRANCH-CARROLLTON FLOOD CONTROL DISTRICT OF DALLAS COUNTY, TEXAS**, a flood control district, acting by and through its Board of Directors (hereinafter identified as "Valwood"), for the benefit of the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority and a political subdivision of the State of Texas (hereinafter identified as the "NTTA").

Recitals

WHEREAS, Valwood owns certain property in Dallas County, Texas that Valwood uses for maintaining flood-control facilities, levees and similar structures, drainage facilities, access roads and other facilities (the "Valwood Property"); and

WHEREAS, the NTTA is constructing and operating a controlled access toll turnpike project (the "Project") as defined in, permitted by, and in accordance with the provisions of Chapter 366, Texas Transportation Code (known as the "Regional Tollway Authority Act"), to all terms of which Chapter and Act reference is hereby made, such Project being known as Segment IV of the President George Bush Turnpike; and

WHEREAS, it is necessary and desirable for the NTTA to acquire certain interests in the Valwood Property in order to use the area for future mitigation for the NTTA's projects; and

WHEREAS, on even date herewith, Valwood and the NTTA have entered into (1) a Joint Use Agreement, and (2) an Interlocal Agreement for the Design, Construction and Maintenance of Segment IV of the President George Bush Turnpike ("ILA") setting forth their respective rights, obligations, and agreements concerning the Valwood Property and the Project; and

WHEREAS, the Valwood Property includes approximately 10 acres of land identified in the ILA as the "Mitigation Reserve Areas", which are described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the NTTA and Valwood have agreed in the ILA that Valwood shall restrict its use of the Mitigation Reserve Areas and provide the NTTA with all rights, including, but not limited to, rights of access necessary to permit the NTTA to use the area as future mitigation for other of the NTTA's projects, as more fully described herein below; and

WHEREAS, the NTTA and Valwood desire to execute this Declaration of Restrictive Covenants and Easement Agreement to evidence Valwood's restriction on use of the property and the NTTA's right to use the Mitigation Reserve Areas as needed for future NTTA activities and/or projects;

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the NTTA and Valwood hereby agree as follows:

1. Valwood's Covenants. For and in consideration of these premises and the mutual covenants and agreements of the parties in the ILA, the receipt and sufficiency of which Valwood hereby acknowledges, Valwood hereby covenants and agrees as follows:

a. Restricted Use. Valwood shall not take, nor permit any officer, director, employee, agent, contractor, or other person affiliated with Valwood or under Valwood's authority to take, any action which allows for removing, destroying, cutting or mowing any trees, plants or other vegetation, or changing the natural habitat in any manner. Any other use of or activity by Valwood affecting the Mitigation Reserve Areas that is or may become inconsistent with these restrictions is prohibited.

b. Use by Third Parties. Valwood will not consent to any third party not affiliated with Valwood taking any action on or about the Mitigation Reserve Areas that is inconsistent with the restrictions placed in subsection a. above.

c. Removal of Improvements. Valwood shall not place on or in the Mitigation Reserve Areas any building, pavement, fence, other structure, or improvement which, in the sole judgment of the NTTA, may endanger or in any way interfere with the natural condition of the area. The NTTA shall at all times have the right to remove any such items from the Mitigation Reserve Areas without incurring any liability to Valwood or any person claiming a right to locate such removed items on or in the Mitigation Reserve Areas under the authority granted by Valwood.

2. Grant of Easement. In further consideration of the mutual covenants and agreements of the parties to the ILA, the receipt and sufficiency of which Valwood hereby acknowledges, and subject to the term limitation set forth in Section 3, Valwood hereby grants, sells, and conveys to the NTTA, an unencumbered and permanent easement in and to the Mitigation Reserve Areas and, as described in subsection 2.b., the other portions of the Valwood Property, for the following purposes:

a. Reserved Rights. The NTTA, its employees, agents, representatives, and contractors shall have all rights to conduct activities in the Mitigation Reserve Areas, as they reasonably deem necessary or useful, which include, but are not limited to, mowing, irrigation, soil preparation and tree/shrub planting. In addition, the NTTA may transfer all or part of the Mitigation Reserve Areas to any third-party for use as a mitigation area for future NTTA projects or activities.

b. Ingress and Egress. The NTTA, its employees, agents, representatives, and contractors shall have such rights of ingress and egress of vehicles, equipment, and

personnel over and across the Valwood Property as is necessary or useful to allow the NTTA to conduct activities in the Mitigation Reserve Areas.

The easement rights granted to the NTTA in this instrument are and shall be free and clear of any restrictions, liens, options, and other interests, and Valwood hereby binds itself and its successors and assigns to warrant and defend, subject to the term limitation set forth in Section 3, all right, title, and interest in and to such easement rights hereby granted to the NTTA and its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Valwood, but not otherwise.

3. **Term of Agreement.** The NTTA's rights to the Mitigation Reserve Areas shall expire on the Fifteenth (15th) Anniversary of the Execution Date for any portion of the area not "dedicated for use" by the Authority or a third party. For purposes of this instrument, "dedicated for use" shall mean all or any portion of the Mitigation Reserve Areas offered to, restricted in favor of, or otherwise committed to the U. S. Army Corps of Engineers for mitigation purposes to support the permitting of a NTTA project.

4. **Successor and Assigns.** This instrument shall be binding upon and inure to the benefit of the respective legal representatives, successors, assigns, and devisees of the parties. Without limiting the generality of the foregoing, the NTTA may convey all or any portion of the Mitigation Reserve Areas to one or more third parties and any and all such grantees shall have the same easement rights and rights to enforce the covenants and agreements of Valwood under this instrument as are available to the NTTA.

5. **Interlocal Agreement; Merger.** This instrument is entered into pursuant to, and as part of the agreements and transactions set forth in, the ILA and the other instruments referenced in the ILA, and it shall be interpreted and enforced to be consistent with the ILA and such other instruments referenced in the ILA. Otherwise, this instrument contains the whole agreement between Valwood and the NTTA relating to the matters that are the subject of this instrument and supersedes all previous understandings and agreements between Valwood and the NTTA relating to such matters.

6. **General Provisions**

a. Valwood agrees that any conveyance hereafter made of all or any portion of the Mitigation Reserve Areas will refer to and incorporate this instrument by reference.

b. In the event any provision of this instrument is determined by an appropriate court to be void and unenforceable, the remaining provisions shall remain valid and binding.

c. This instrument shall run with the Mitigation Reserve Areas and shall be enforceable against Valwood and all future owners of the Mitigation Reserve Areas in perpetuity.

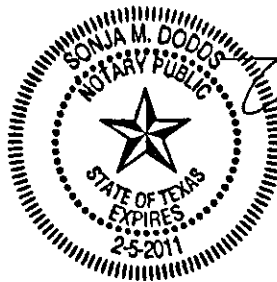
d. This instrument cannot be revoked or modified without written approval from the NTTA.

**VALWOOD IMPROVEMENT AUTHORITY
OF DALLAS COUNTY, TEXAS,**
a flood control district of Dallas County, Texas

By: Pat Canuteson
Pat Canuteson, Executive Director

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 13, 2008, by Pat Canuteson, Executive Director of the **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS**, a flood control district, on behalf of said flood control district.



Sonja M. Dodd
Notary Public in and for
the State of Texas

WHEN RECORDED, RETURN TO:
Locke Lord Bissell & Liddell LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Attention: Cynthia M. Buckley

EXHIBIT A

[Attach Legal Description for Mitigation Reserve Areas]

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road in Dallas County To I.H. 635 West Near Valley View Lane in Dallas County

Page 1 of 3
November 20, 2002
Revised: December 30, 2002
Revised: January 17, 2003

PARCEL: NTTA HMA 4-NORTH-1-EASEMENT

**FIELD NOTES FOR A 4.6 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-NORTH-1-EASEMENT**

Being 4.6407 acres of land in the James Armstrong Survey, Abstract Number 30, and the William Masters Survey, Abstract Number 925 (Historically referred to as Abstract Number 899 in the Dallas County Records), City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 83235, Page 4533 of the Deed Records Dallas County, Texas, and part of that certain called 51.407 acre tract awarded to Farmers Branch - Carrollton Flood Control District (now known as said Valwood Improvement Authority) in Final Judgment under cause no. cc-83-2840-e styled Farmers Branch - Carrollton Flood Control District versus Mary Jane Mayfield and Lucy Field Belknap and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain called 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain called 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 1,467.87 feet to a point;

THENCE, NORTH, a distance of 1,600.14 feet to the **POINT OF BEGINNING**,

1. **THENCE, NORTH 51 degrees 04 minutes 16 seconds EAST**, a distance of 379.08 feet to a point for the beginning of a curve to the left;
2. **THENCE, NORTHEASTERLY AND NORTHERLY**, along said curve to the left, through a central angle of 51 degrees 54 minutes 47 seconds, a radius 150.00 feet, an arc distance of 135.91 feet, whose chord bears North 25 degrees 06 minutes 52 seconds East, having a chord distance of 131.31 feet to the end of said curve to the left;
3. **THENCE, NORTH 00 degrees 50 minutes 32 seconds WEST**, a distance of 690.35 feet to the beginning of a reverse curve to the right;

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road in Dallas County To I.H. 635 West Near Valley View Lane in Dallas County

Page 2 of 3

November 20, 2002

Revised: December 30, 2002

Revised: January 17, 2003

PARCEL: NTTA HMA 4-NORTH-1-EASEMENT

**FIELD NOTES FOR A 4.6 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-NORTH-1-EASEMENT**

- 4. THENCE, NORTHERLY AND NORTHEASTERLY, along said reverse curve to the right, through a central angle of 57 degrees 13 minutes 12 seconds, a radius of 580.00 feet and an arc length of 579.23 feet, the chord of said curve bears North 27 degrees 46 minutes 04 seconds East, having a chord distance of 555.46 feet to the point of reverse curvature to the left;**
- 5. THENCE, NORTHEASTERLY, continuing along said reverse curve to the left, through a central angle of 36 degrees 18 minutes 52 seconds, a radius of 435.00 feet and an arc length of 275.71 feet, the chord of said curve bears North 38 degrees 13 minutes 14 seconds East, having a chord distance of 271.12 feet to the point of compound curvature to the left;**
- 6. THENCE, NORTHERLY, continuing along said compound curve to the left, through a central angle of 13 degrees 20 minutes 11 seconds, a radius of 2,320.00 feet and an arc length of 540.01 feet, the chord of said curve bears North 13 degrees 23 minutes 59 seconds East, having a chord distance of 538.79 feet to the end of said compound curve;**
- 7. THENCE, SOUTH 06 degrees 33 minutes 22 seconds WEST, a distance of 536.61 feet to the beginning of a curve to the right;**
- 8. THENCE, SOUTHWESTERLY, along said curve to the right, through a central angle of 46 degrees 18 minutes 53 seconds, a radius of 400.00 feet and an arc length of 323.34 feet, the chord of said curve bears South 29 degrees 42 minutes 48 seconds West, having a chord distance of 314.61 feet to the end of said curve to the right;**
- 9. THENCE, SOUTH 54 degrees 55 minutes 20 seconds WEST, a distance of 24.21 feet to the beginning of a non-tangent curve to left, whose chord bears South 27 degrees 45 minutes 15 seconds West, having a chord distance of 460.32 feet;**
- 10. THENCE, SOUTHWESTERLY AND SOUTHERLY, along said non-tangent curve to the left, through a central angle of 57 degrees 12 minutes 14 seconds, a radius of 480.78 feet and an arc length of 480.01 feet to the end of said non-tangent curve to the left;**
- 11. THENCE, SOUTH 00 degrees 50 minutes 32 seconds EAST, a distance of 672.24 feet to the beginning of a curve to the right;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road in Dallas County To I.H. 635 West Near Valley View Lane in Dallas County

Page 3 of 3
November 20, 2002

Revised: December 30, 2002
Revised: January 17, 2003

PARCEL: NTTA HMA 4-NORTH-1-EASEMENT

FIELD NOTES FOR A 4.6 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-NORTH-1-EASEMENT

12. THENCE, SOUTHERLY AND SOUTHWESTERLY, along said curve to the right, through a central angle of 57 degrees 16 minutes 56 seconds, a radius of 250.00 feet and an arc length of 249.94 feet, the chord of said curve bears South 27 degrees 47 minutes 56 seconds West, having a chord distance of 239.66 feet to the end of said curve;

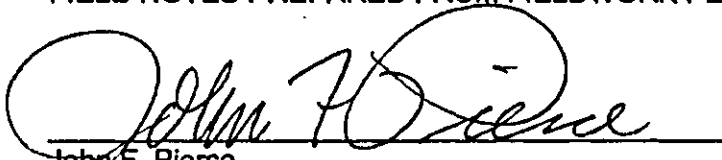
13. THENCE, SOUTH 56 degrees 26 minutes 25 seconds West, a distance of 292.12 feet to the beginning of a non-tangent curve to the right, whose chord bears South 88 degrees 22 minutes 16 seconds West, having a chord distance of 95.20 feet;

14. THENCE, SOUTHWESTERLY AND WESTERLY, along said non-tangent curve to the right through a central angle of 63 degrees 51 minutes 28 seconds, a radius of 90.00 feet, and an arc length of 100.31 feet to the POINT OF BEGINNING containing 4.6407 acres of land, more or less.

This description accompanies parcel map of even date herewith.

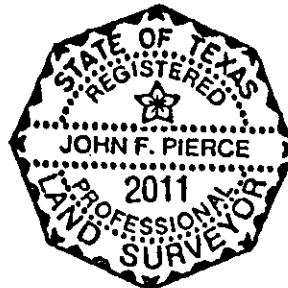
All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

JAN 17, 2003
Date

Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 4.6 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4 - NORTH 1 - EASEMENT

EXHIBIT "B"

**WILLIAM MASTERS SURVEY
ABSTRACT NO. 925**

FINAL JUDGMENT UNDER
CAUSE NO. CO-83-2840-E STYLED
FARMERS BRANCH-CARROLLTON
FLOOD CONTROL DISTRICT
VERSUS
MARY JANE MAYFIELD AND
LUCY FIELD BELKNAP

SCALE IN FEET
0 150 300 450
SCALE 1"=400'

WILLIAM MASTERS SURVEY ABST. 925
JAMES ARMSTRONG SURVEY ABST. 30

Delta-13° 20' 11" (LT)
R=2,320.00'
L=540.01'
CB-N 13° 23' 59" E
CD=538.79'

Delta-46° 18' 53" (RT)
R=400.00'
L=323.34'
CB-S 29° 42' 48" W
CD=314.61'

Delta-57° 13' 12" (RT)
R=580.00'
L=579.23'
CB-N 27° 46' 04" E
CD=555.46'

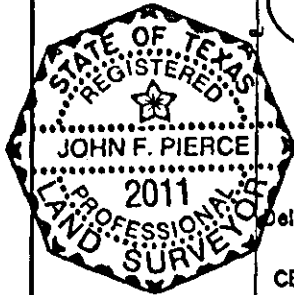
Delta-57° 12' 14" (LT)
R=480.78'
L=480.01'
CB-S 27° 45' 15" W
CD=460.32'

FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
VOL. 85235, PG. 4533 D.R.D.C.T.
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)

**JAMES ARMSTRONG SURVEY
ABSTRACT NO. 30**

LEGEND

EDGE OF ASPHALT	POWER POLE
PROPERTY LINE	ANCHOR
PROPOSED ROW LINE	SHO
EASEMENT LINE	TREE
CENTERLINE	LIGHT POLE
CEM	FENCE
OVERHEAD WIRE	WATER METER
TREE LINE	FIRE HYDRANT
SURVEY LINE	WATER VALVE
CONTROLLING MONUMENT	GAS METER
	CLEAROUT



PARCEL
NTTA HMA4-
NORTH-1-
EASEMENT
4.6407 ac

Delta-51° 54' 47" (LT)
R=150.00'
L=135.81'
CB-N 25° 06' 52" E
CD=131.31'

Delta-57° 16' 56" (RT)
R=250.00'
L=249.94'
CB-S 27° 47' 56" W
CD=239.66'

Delta-63° 51' 28" (RT)
R=90.00'
L=100.31'
CB-S 88° 22' 16" W
CD=95.20'

P.O.B. NORTH
1,600.14'

P.O.C.

WEST 1,467.87'

NORTH TEXAS
TOLLWAY AUTHORITY
VOL. 99023, PG. 0242
D.R.D.C.T.

NORTH TEXAS
TOLLWAY AUTHORITY
VOL. 99023, PG. 02408
D.R.D.C.T.

Remainder Of
WALLACE M. SKINNER and JAMES E. CARR
VOL. 76237, PG. 585 D.R.D.C.T.

CERTIFIED [Signature] Registered Professional Land Surveyor
Texas No. 2011

Date: 01-17-03

- Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

RECOMMENDED [Signature]
Hultt Zellers, Inc.
Section Engineer

Date: 1-27-03

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

APPROVED [Signature]
HNTB Corporation
General Engineering Consultant

Date: 1-30-03

A Legal Description of even date herewith accompanies this plat.

APPROVED _____
North Texas Tollway Authority
Director of Engineering

Date:

OWNER: VALWOOD IMPROVEMENT AUTHORITY
W. MASTERS SVY, A-925 & J. ARMSTRONG SVY, A-30
DALLAS COUNTY, TEXAS

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions		
1-30-03	General Redlines	158
0-7-03	General Redlines	158

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DWN BY - JSB APP'D BY - JFP DATE: NOVEMBER 20, 2002 SCALE: 1" = 400' PARCEL NO. HMA4-NORTH-1-EASEMENT

BY TRANSIT H. JOBS 1996/96068-849/044 NORTH

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills

Road in Dallas County to IH 635

West Near Valley View Lane in Dallas County

Page 1 of 3

November 19, 2002

Revised: December 30, 2002

Revised: January 17, 2003

PARCEL: NTTA HMA 4-NORTH-2-EASEMENT

**FIELD NOTES FOR A 2.1 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-NORTH-2-EASEMENT**

Being 2.1452 acres of land in the James Armstrong Survey, Abstract Number 30, and the William Masters Survey, Abstract Number 925 (Historically referred to as Abstract Number 899 in the Dallas County Records), City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 83235, Page 4533 of the Deed Records Dallas County, Texas, and part of that certain called 51.407 acre tract awarded to Farmers Branch - Carrollton Flood Control District (now known as said Valwood Improvement Authority) in Final Judgment under cause no. cc-83-2840-e styled Farmers Branch - Carrollton Flood Control District versus Mary Jane Mayfield and Lucy Field Belknap and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain called 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain called 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 703.01 feet to a point;

THENCE, NORTH, a distance of 4,276.69 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH 13 degrees 27 minutes 09 seconds WEST**, a distance of 116.01 feet to an angle point;
2. **THENCE, NORTH 24 degrees 20 minutes 52 seconds WEST**, a distance of 209.59 feet to an angle point;
3. **THENCE, NORTH 11 degrees 24 minutes 35 seconds WEST**, a distance of 198.84 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills
Road in Dallas County to IH 635
West Near Valley View Lane in Dallas County

Page 2 of 3
November 19, 2002
Revised: December 30, 2002
Revised: January 17, 2003

PARCEL: NTTA HMA 4-NORTH-2-EASEMENT

**FIELD NOTES FOR A 2.1 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-NORTH-2-EASEMENT**

4. **THENCE, NORTHERLY AND NORTHEASTERLY**, along said curve to the right, through a central angle of 61 degrees 57 minutes 11 seconds, a radius of 120.00 feet and an arc length of 129.75 feet, the chord of said curve bears North 19 degrees 34 minutes 00 seconds East, having a chord distance of 123.53 feet to the end of said curve to the right;
5. **THENCE, NORTH 50 degrees 32 minutes 36 seconds EAST**, a distance of 502.71 feet to a point for corner;
6. **THENCE, SOUTH 00 degrees 01 minutes 36 seconds EAST**, a distance of 129.47 feet to a point for corner;
7. **THENCE, SOUTH 50 degrees 32 minutes 36 seconds WEST**, a distance of 245.31 feet to the beginning of a curve to the left;
8. **THENCE, SOUTHEASTERLY AND SOUTHERLY**, along said curve to the left, through a central angle of 53 degrees 36 minutes 23 seconds, a radius of 300.00 feet and an arc length of 280.68 feet, the chord of said curve bears South 23 degrees 44 minutes 25 seconds West, having a chord distance of 270.56 feet to the end of said curve;

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills

Road in Dallas County to IH 635

West Near Valley View Lane in Dallas County

Page 3 of 3

November 19, 2002

Revised: December 30, 2002

Revised: January 17, 2003

PARCEL: NTTA HMA 4-NORTH-2-EASEMENT

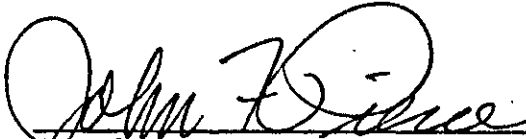
FIELD NOTES FOR A 2.1 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-NORTH-2-EASEMENT

9. THENCE, SOUTH 03 degrees 03 minutes 47 seconds EAST, a distance of 402.10 feet to the POINT OF BEGINNING containing 2.1452 acres of land, more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

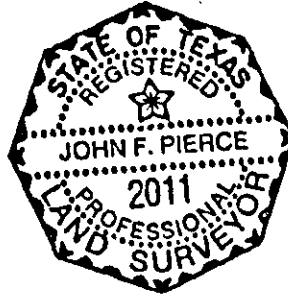


John F. Pierce

Registered Professional Land Surveyor
Texas No. 2011

JAN 17 2003
Date

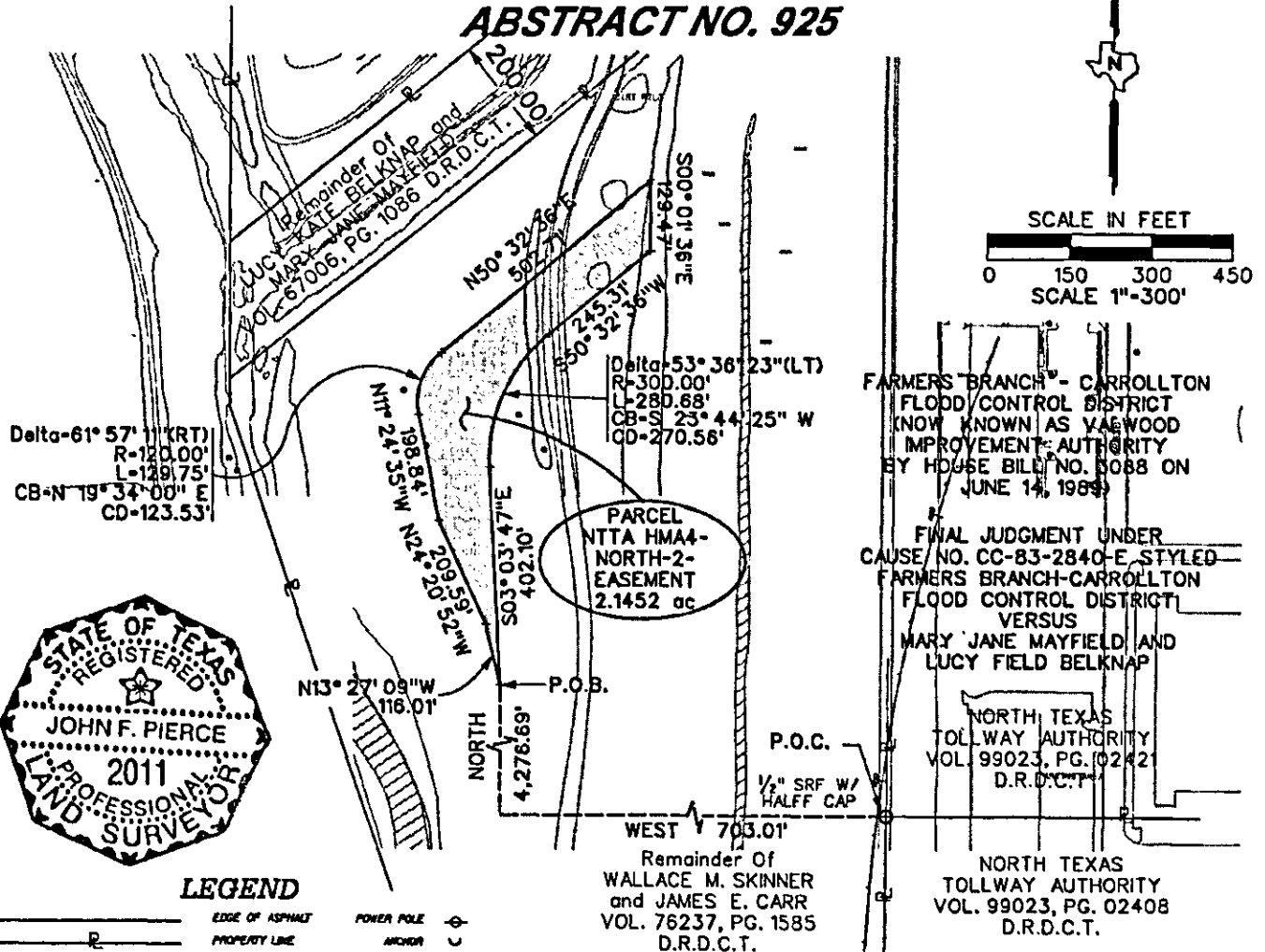
Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 2.1 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4 - NORTH - 2 - EASEMENT

EXHIBIT "B"

**WILLIAM MASTERS SURVEY
ABSTRACT NO. 925**



CERTIFIED *[Signature]* Date: 01-17-03

RECOMMENDED *[Signature]* Date: 1-27-03

APPROVED *[Signature]* Date: 1-30-03

APPROVED *[Signature]* Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9800

• - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Legal Description of even date herewith accompanies this plat.

OWNER: VALWOOD IMPROVEMENT AUTHORITY
WILLIAM MASTERS SURVEY, ABSTRACT NUMBER 795
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DWN BY - JSB APP'D BY - JFP DATE: NOVEMBER 18, 2002 SCALE: 1" = 300' PARCEL NO. NTTA HMA4-NORTH-2-EASEMENT

EXHIBIT "A"

COUNTY: DALLAS Page 1 of 2
HIGHWAY: SH190 November 20, 2002
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Revised: December 30, 2002
Road in Dallas County to I.H. 635 Revised: January 17, 2003
West Near Valley View Lane in Dallas County

PARCEL: NTTA HMA 4-Middle Easement

**FIELD NOTES 40,772 SQUARE FOOT TRACT
HYDRAULIC MITIGATION AREA 4-MIDDLE EASEMENT**

Being 40,772 square feet of land in the James Armstrong Survey, Abstract Number 30, City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch - Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 88166, Page 0359 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain called 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain called 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 1,790.28 feet to a point;

THENCE, NORTH, a distance of 1275.79 feet to the **POINT OF BEGINNING**;

1. **THENCE, SOUTH** 82 degrees 37 minutes 06 seconds **WEST**, a distance of 184.56 feet to the beginning of a non-tangent curve to the left, whose chord bears South 49 degrees 53 minutes 50 seconds **West**, having a chord distance of 326.19 feet;
2. **THENCE, SOUTHWESTERLY**, along said non-tangent curve to the left, through a central angle of 65 degrees 51 minutes 56 seconds, a radius of 300.00 feet and an arc length of 344.87 feet, to a point for the end of said non-tangent curve to the left;
3. **THENCE, NORTH** 16 degrees 57 minutes 52 seconds **EAST**, a distance of 225.16 feet to the beginning of a non-tangent curve to the right whose chord bears North 68 degrees 50 minutes 02 seconds **East**, having a chord distance of 293.98 feet;

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills
Road in Dallas County to I.H. 635
West Near Valley View Lane in Dallas County

Page 2 of 2
November 20, 2002
Revised: December 30, 2002
Revised: January 17, 2003

PARCEL: NTTA HMA 4-Middle Easement

FIELD NOTES 40,722 SQUARE FOOT TRACT
HYDRAULIC MITIGATION AREA 4-MIDDLE EASEMENT

4. **THENCE, NORTHEASTERLY AND EASTERLY**, along said non-tangent curve to the right through a central angle of 58 degrees 40 minutes 38 seconds, a radius of 300.00 feet and an arc length of 307.23 feet to the end of said non-tangent curve to the right;
5. **THENCE, SOUTH 81 degrees 49 minutes 38 seconds EAST**, a distance of 65.40 feet to an angle point;
6. **THENCE, NORTH 88 degrees 55 minutes 31 seconds EAST**, a distance of 29.82 feet to a point for corner;
7. **THENCE, SOUTH 42 degrees 23 minutes 20 seconds EAST**, a distance of 23.78 feet to a point for corner;
8. **THENCE, SOUTH 16 degrees 15 minutes 31 seconds WEST**, a distance of 63.93 feet to the **POINT OF BEGINNING** containing 40,772 square feet of land, more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.



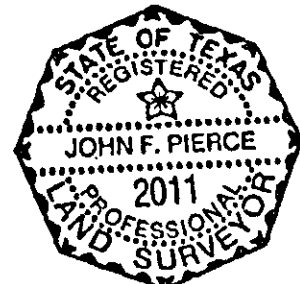
John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

JAN 17, 2003

Date

Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238

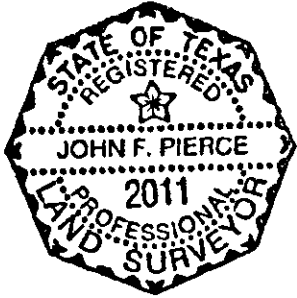
(214) 341-9900
Fax (214) 341-9925



MAP FOR A 0.9 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4 - MIDDLE EASEMENT

EXHIBIT "B"

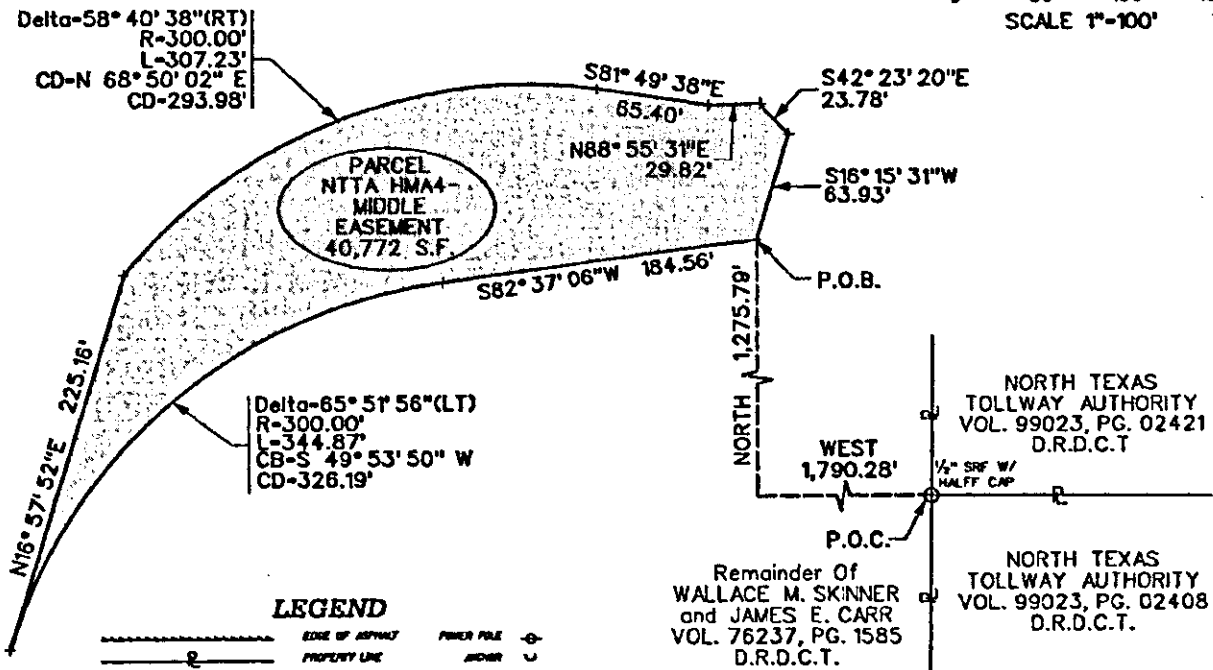
**JAMES ARMSTRONG SURVEY
ABSTRACT NO. 30**



FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
VOL. 88166, PG. 0359 D.R.D.C.T.
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)



SCALE IN FEET
0 50 100 150
SCALE 1"=100'



NOTE: NO AVAILABLE PLANIMETRICS IN THIS AREA.

CERTIFIED [Signature] Date: 01-17-03

Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED [Signature] Date: 1-27-03

Hunt Zellers, Inc.
Section Engineer

APPROVED [Signature] Date: 1-30-03

HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____

North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.

11355 MCCREE ROAD

DALLAS, TEXAS 75238 (214) 341-9900

Partitions	General Partitions	AS
25-3-03	General Partitions	AS
01-17-03	General Partitions	AS

OWNER: VALWOOD IMPROVEMENT AUTHORITY
JAMES ARMSTRONG SURVEY, ABSTRACT NUMBER 30
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY

President George Bush Turnpike

MITIGATION PLAT

DWN BY - JSB APPVD BY - JFP DATE: NOVEMBER 20, 2002 SCALE: 1" = 100' PARCEL NO. HMA4-MIDDLE EASEMENT

61 TRANSIT HJ005 8906068-840HMA4-M EASEMENT

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road in Dallas County To I.H. 635 West Near Valley View Lane in Dallas County

Page 1 of 3
November 20, 2002

Revised: December 30, 2002
Revised: January 17, 2003

PARCEL: NTTA HMA 4-SOUTH EASEMENT

**FIELD NOTES FOR A 2.4 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-SOUTH EASEMENT**

Being 2.3807 acres of land in the James Armstrong Survey, Abstract Number 30, City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch - Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 81178, Page 0495 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain called 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain called 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 1414.35 feet to a point;

THENCE, NORTH, a distance of 194.88 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH 83 degrees 05 minutes 06 seconds WEST**, a distance of 134.93 feet to the beginning of a curve to the right;
2. **THENCE, NORTHWESTERLY**, along said curve to the right through a central angle of 23 degrees 48 minutes 54 seconds, a radius of 970.00 feet and an arc length of 403.18 feet, the chord of said curve bears North 71 degrees 10 minutes 39 seconds West, having a chord distance of 400.28 feet to a point for the end of said curve to the right;
3. **THENCE, NORTH 59 degrees 16 minutes 12 seconds WEST**, a distance of 501.93 feet to a point;
4. **THENCE, NORTH 16 degrees 57 minutes 52 seconds EAST**, a distance of 312.17 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road in Dallas County To I.H. 635 West Near Valley View Lane in Dallas County

Page 2 of 3

November 20, 2002

Revised: December 30, 2002

Revised: January 17, 2003

PARCEL: NTTA HMA 4-SOUTH EASEMENT

**FIELD NOTES FOR A 2.4 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-SOUTH EASEMENT**

5. **THENCE, SOUTH 16 degrees 30 minutes 53 seconds EAST, a distance of 2.23 feet to a point for corner;**
6. **THENCE, SOUTH 08 degrees 32 minutes 08 seconds WEST, a distance of 34.00 feet to the beginning of a non-tangent curve to the left, whose chord of said non-tangent curve bears South 27 degrees 06 minutes 23 seconds East, having a chord distance of 319.75 feet;**
7. **THENCE, SOUTHEASTERLY, along said non-tangent curve to the left, through a central angle of 64 degrees 24 minutes 22 seconds, a radius of 300.00 feet and an arc length of 337.23 feet to a point for the end of said non-tangent curve to the left;**
8. **THENCE, SOUTH 59 degrees 16 minutes 12 seconds EAST, a distance of 294.12 feet to an angle point;**
9. **THENCE, SOUTH 62 degrees 57 minutes 42 seconds EAST, a distance of 111.92 feet to an angle point;**
10. **THENCE, SOUTH 70 degrees 03 minutes 53 seconds EAST, a distance of 100.37 feet to an angle point;**
11. **THENCE, SOUTH 68 degrees 17 minutes 27 seconds EAST, a distance of 146.80 feet to an angle point;**

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road in Dallas County To I.H. 635 West Near Valley View Lane in Dallas County

Page 3 of 3

November 20, 2002

Revised: December 30, 2002

Revised: January 17, 2003

PARCEL: NTTA HMA 4-SOUTH EASEMENT

FIELD NOTES FOR A 2.4 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4-SOUTH EASEMENT

12. THENCE, SOUTH 54 degrees 54 minutes 45 seconds EAST, a distance of 157.23 feet to the POINT OF BEGINNING containing 2.3807 acres of land, more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

John F. Pierce

John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

JAN 17, 2003
Date

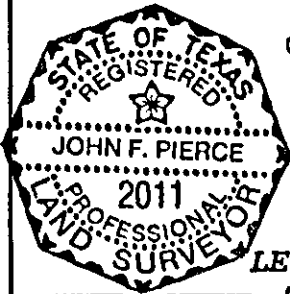
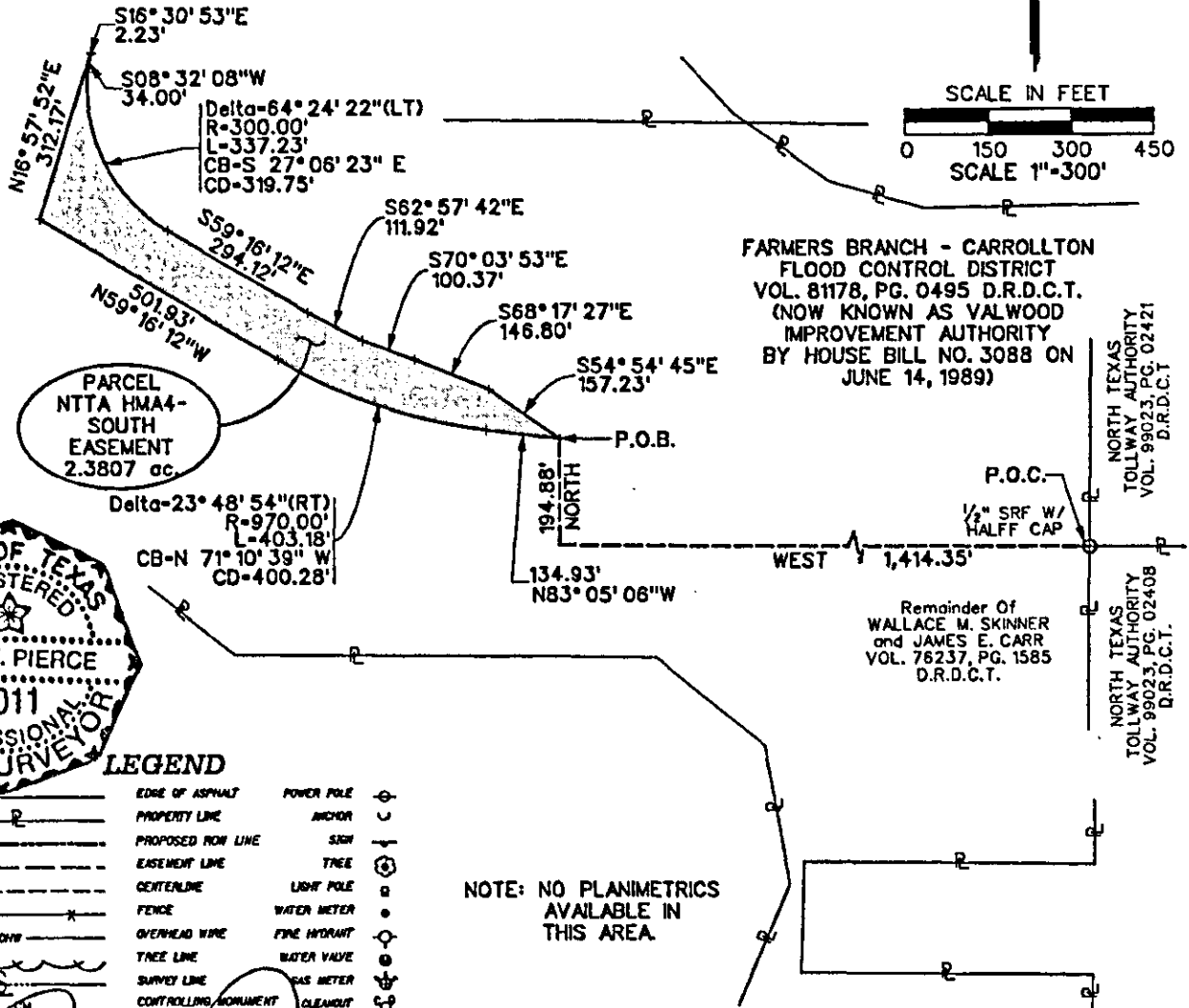
Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 2.4 ACRE TRACT,
HYDRAULIC MITIGATION AREA 4 - SOUTH EASEMENT

EXHIBIT "B"

**JAMES ARMSTRONG SURVEY
ABSTRACT NO. 30**



LEGEND

EDGE OF ASPHALT	POWER POLE
PROPERTY LINE	ANCHOR
PROPOSED ROW LINE	SIGN
EASEMENT LINE	TREE
CENTERLINE	LIGHT POLE
FENCE	WATER METER
OVERHEAD WIRE	FIRE HYDRANT
TREE LINE	WATER VALVE
SURVEY LINE	GAS METER
CONTROLLING MONUMENT	CLEANOUT

NOTE: NO PLANIMETRICS
AVAILABLE IN
THIS AREA.

CERTIFIED John F. Pierce Date 01-17-03
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED David A. Hunt Date: 1-27-03
Huitt Zollars, Inc.
Section Engineer

APPROVED David M. Ellis Date: 1-30-03
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions	By	Date
1. Original	JFB	1/17/03
2. General Revisions	JFB	1/27/03
3. General Revisions	JFB	1/30/03

• - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Legal Description of even date herewith accompanies this plat.

OWNER: VALWOOD IMPROVEMENT AUTHORITY
JAMES ARMSTRONG SURVEY, ABSTRACT NUMBER 30
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

A handwritten signature in dark ink, appearing to read "JFW", is written over the printed name.

John F. Warren, County Clerk
Dallas County TEXAS

May 14, 2008 02:06:12 PM

FEE: \$92.00

20080161111



**DECLARATION OF RESTRICTIVE COVENANTS
AND EASEMENT AGREEMENT**

(Forested Buffer Riparian Mitigation Areas and Open Water Habitat Mitigation Area)

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

THIS DECLARATION OF RESTRICTIVE COVENANTS AND EASEMENT AGREEMENT (this "instrument"), is executed the 13th day of May, 2008 (the "Execution Date") to be effective as of the 7th day of October, 2002 (the "Effective Date") by the **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS, F/K/A FARMERS BRANCH-CARROLLTON FLOOD CONTROL DISTRICT OF DALLAS COUNTY, TEXAS**, a flood control district, acting by and through its Board of Directors (hereinafter identified as "Valwood"), for the benefit of the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority and a political subdivision of the State of Texas (hereinafter identified as the "NTTA").

Recitals

WHEREAS, Valwood owns certain property in Dallas County, Texas that Valwood uses for maintaining flood-control facilities, levees and similar structures, drainage facilities, access roads and other facilities (the "Valwood Property"); and

WHEREAS, the NTTA is constructing and operating a controlled access toll turnpike project (the "Project") as defined in, permitted by, and in accordance with the provisions of Chapter 366, Texas Transportation Code (known as the "Regional Tollway Authority Act"), to all terms of which Chapter and Act reference is hereby made, such Project being known as Segment IV of the President George Bush Turnpike; and

WHEREAS, it is necessary and desirable for the NTTA to acquire certain interests in the Valwood Property in order to meet the requirements of Permit No. 199700020 issued by the U. S. Army Corps of Engineers ("USACE") which authorizes the NTTA to discharge dredged or fill material into waters of the United States (as set forth in 33 U.S.C. §1344); and

WHEREAS, on even date herewith, Valwood and the NTTA have entered into (1) a Joint Use Agreement, and (2) an Interlocal Agreement for the Design, Construction and Maintenance of Segment IV of the President George Bush Turnpike ("ILA") setting forth their respective rights, obligations, and agreements concerning the Valwood Property and the Project; and

WHEREAS, part of the Valwood Property includes (i) approximately 26.7 acres of land identified in the ILA as the "Forested Riparian Buffer Mitigation Areas", which are described in Exhibit A attached hereto and made a part hereof, and (ii) approximately 12.1 acres of land identified in the ILA as the "Open Water Habitat Mitigation Area", which is also described in Exhibit A attached hereto and made a part hereof; and

WHEREAS, the NTTA and Valwood have agreed in the ILA that Valwood shall restrict its use of the Forested Riparian Buffer Mitigation Areas and the Open Water Habitat Mitigation Area and provide the NTTA with all rights, including, but not limited to, rights of access necessary to permit the NTTA to meet the terms and conditions of Permit No. 199700020 or as required by the USACE, as more fully described herein below; and

WHEREAS, the NTTA and Valwood desire to execute this Declaration of Restrictive Covenants and Easement Agreement to evidence Valwood's restriction on use of and the NTTA's right to use the Forested Riparian Buffer Mitigation Areas and the Open Water Habitat Mitigation Area in support of the NTTA's commitments under Permit No. 199700020;

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the NTTA and Valwood hereby agree as follows:

1. **Valwood's Covenants.** For and in consideration of these premises and the mutual covenants and agreements of the parties in the ILA, the receipt and sufficiency of which Valwood hereby acknowledges, Valwood hereby covenants and agrees as follows:

a. **Restricted Use of Forested Riparian Buffer Mitigation Areas.** Valwood shall not take, nor permit any officer, director, employee, agent, contractor, or other person affiliated with Valwood or under Valwood's authority to take, any action which allows for removing, destroying, cutting or mowing any trees, plants or other vegetation, or changing the natural habitat in any manner. Any other use of or activity by Valwood affecting the Forested Riparian Buffer Mitigation Areas that is or may become inconsistent with these restrictions is prohibited.

b. **Restricted Use of Open Water Habitat Mitigation Area.** The Open Water Habitat Mitigation Area is reserved for use as a flood water retention and recharge area for the surrounding Elm Fork of the Trinity River floodplain. Valwood shall not take, nor permit any officer, director, employee, agent, contractor, or other person affiliated with Valwood or under Valwood's authority to take, any action which allows for a use or activity that is inconsistent with this restriction; provided, however, that Valwood reserves the right to enter the Open Water Habitat Mitigation Area to enlarge, deepen, or maintain the property, as necessary, subject to the terms and conditions of Permit No. 199700020 or as required by the USACE.

c. **Use by Third Parties.** Valwood will not consent to any third party not affiliated with Valwood taking any action on or about the Forested Riparian Buffer Mitigation Areas and the Open Water Habitat Mitigation Area that is inconsistent with the restrictions placed in subsection a. and b. above.

d. **Removal of Improvements.** Valwood shall not place on or in the Forested Riparian Buffer Mitigation Areas or the Open Water Habitat Mitigation Area any building, fence, structure, or other improvement which, in the sole judgment of the NTTA, is inconsistent with the intended function of these mitigation areas.

2. **Grant of Easement.** In further consideration of the mutual covenants and agreements of the parties to the ILA, the receipt and sufficiency of which Valwood hereby acknowledges, Valwood hereby grants, sells, and conveys to the NTTA, in perpetuity, an

unencumbered and permanent easement in and to the Forested Riparian Buffer Mitigation Areas and, as described in subsection 2.b., the other portions of the Valwood Property, for the following purposes:

a. Reserved Rights. The NTTA, its employees, agents, representatives, and contractors shall have all rights to conduct activities in the Forested Riparian Buffer Mitigation Areas, as they reasonably deem necessary or useful, which include, but are not limited to, monitoring, soil preparation, planting of trees/shrubs, or other similar activities necessary to meet the terms and conditions of Permit No. 199700020 or as required by the USACE.

b. Ingress and Egress. The NTTA, its employees, agents, representatives, and contractors shall have such rights of ingress and egress of vehicles, equipment, and personnel over and across the Valwood Property as is necessary or useful to allow the NTTA to conduct activities in the Forested Riparian Buffer Mitigation Areas; the NTTA shall restore the Valwood Property to its previous condition promptly following the NTTA's use thereof.

The easement rights granted to the NTTA in this instrument are and shall be free and clear of any restrictions, liens, options, and other interests, and Valwood hereby binds itself and its successors and assigns to warrant and forever defend all right, title, and interest in and to such easement rights hereby granted to the NTTA and its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Valwood, but not otherwise.

3. Successor and Assigns. This instrument shall be binding upon and inure to the benefit of the respective legal representatives, successors, assigns, heirs, and devisees of the parties. Without limiting the generality of the foregoing, the NTTA may convey all or any portion of the Forested Riparian Buffer Mitigation Areas to one or more third parties and any and all such grantees shall have the same easement rights and rights to enforce the covenants and agreements of Valwood under this instrument as are available to the NTTA.

4. Interlocal Agreement; Merger. This instrument is entered into pursuant to, and as part of, the agreements and transactions set forth in, the ILA and the other instruments referenced in the ILA, and it shall be interpreted and enforced to be consistent with the ILA and such other instruments referenced in the ILA. Otherwise, this instrument contains the whole agreement between Valwood and the NTTA relating to the matters that are the subject of this instrument and supersedes all previous understandings and agreements between Valwood and the NTTA relating to such matters.

5. General Provisions


a. Valwood agrees that any conveyance hereafter made by Valwood or any future owner of all or any portion of the Forested Riparian Buffer Mitigation Areas and the Open Water Habitat Mitigation Area will refer to and incorporate this instrument by reference.

b. In the event any provision of this instrument is determined by an appropriate court to be void and unenforceable, the remaining provisions shall remain valid and binding.

c. This instrument shall run with the Forested Riparian Buffer Mitigation Areas and the Open Water Habitat Mitigation Area and shall be enforceable against Valwood and all future owners of these properties in perpetuity.

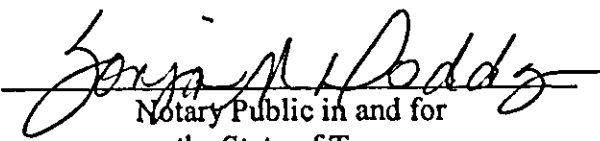
d. These restrictive covenants cannot be revoked or modified without written approval from the USACE and the NTTA.

**VALWOOD IMPROVEMENT AUTHORITY
OF DALLAS COUNTY, TEXAS,**
a flood control district of Dallas County, Texas

By: 
Pat Canuteson, Executive Director

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 13, 2008, by Pat Canuteson, Executive Director of the **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS**, a flood control district, on behalf of said flood control district.


Notary Public in and for
the State of Texas

ADDRESS OF GRANTEE:

North Texas Tollway Authority
P. O. Box 260729
Plano, Texas 75026



WHEN RECORDED, RETURN TO:
Locke Lord Bissell & Liddell LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Attention: Cynthia M. Buckley

EXHIBIT A

[Attach Legal Description for Forested Riparian Mitigation Areas
and Open Water Habitat Mitigation Area]

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-NORTH

Page 1 of 5
October 7, 2002

**FIELD NOTES FOR A 18.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-NORTH**

Being 18.7577 acres of land in the James Armstrong Survey, Abstract Number 30, and the William Masters Survey, Abstract Number 925 (Historically referred to as Abstract Number 899 in the Dallas County Records), City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 83235, Page 4533 of the Deed Records Dallas County, Texas, and part of that certain called 51.407 acre tract awarded to Farmers Branch - Carrollton Flood Control District (now known as said Valwood Improvement Authority) in Final Judgment under cause no. cc-83-2840-e styled Farmers Branch - Carrollton Flood Control District versus Mary Jane Mayfield and Lucy Field Belknap and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 872.88 feet to a point;

THENCE, NORTH, a distance of 1467.87 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH** 46 degrees 05 minutes 22 seconds **WEST**, a distance of 54.28 feet to a point;
2. **THENCE, NORTH** 50 degrees 43 minutes 18 seconds **EAST**, a distance of 226.91 feet to a point;
3. **THENCE, NORTH** 00 degrees 43 minutes 23 seconds **WEST**, a distance of 873.27 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-NORTH

Page 2 of 5
October 7, 2002

**FIELD NOTES FOR A 18.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-NORTH**

4. **THENCE, NORTHEAST**, along said curve to the right having a central angle of 53 degrees 39 minutes 48 seconds, a radius of 780.00 feet and an arc length of 730.55 feet, the chord of said curve bears North 26 degrees 06 minutes 32 seconds East, having a chord distance of 704.14 feet to a point for the end of said curve;
5. **THENCE, NORTH 52 degrees 56 minutes 26 seconds EAST**, a distance of 26.09 feet to the beginning of a curve to the left;
6. **THENCE, NORTHEAST**, along said curve to the left having a central angle of 45 degrees 07 minutes 12 seconds, a radius of 235.00 feet and an arc length of 185.06 feet, the chord of said curve bears North 30 degrees 22 minutes 50 seconds East, having a chord distance of 180.32 feet to a point for the end of said curve;
7. **THENCE, NORTH 07 degrees 49 minutes 14 seconds EAST**, a distance of 30.15 feet to the beginning of a curve to the right;
8. **THENCE, NORTHEAST**, along said curve to the right having a central angle of 24 degrees 58 minutes 47 seconds, a radius of 250.00 feet and an arc length of 108.99 feet, the chord of said curve bears North 20 degrees 18 minutes 38 seconds East, having a chord distance of 108.13 feet to a point for the end of said curve;
9. **THENCE, NORTH 32 degrees 48 minutes 01 seconds EAST**, a distance of 362.99 feet to a point;
10. **THENCE, NORTH 14 degrees 28 minutes 33 seconds EAST**, a distance of 174.13 feet to a point;
11. **THENCE, NORTH 10 degrees 21 minutes 01 seconds WEST**, a distance of 278.42 feet to a point;
12. **THENCE, NORTH 31 degrees 38 minutes 51 seconds WEST**, a distance of 318.93 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-NORTH

Page 3 of 5
October 7, 2002

**FIELD NOTES FOR A 18.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-NORTH**

- 13.THENCE, NORTHWEST, along said curve to the right having a central angle of 32 degrees 39 minutes 18 seconds, a radius of 520.00 feet and an arc length of 296.37 feet, the chord of said curve bears North 15 degrees 19 minutes 12 seconds West, having a chord distance of 292.37 feet to a point for the end of said curve;**
- 14.THENCE, NORTH 01 degrees 00 minutes 27 seconds EAST, a distance of 96.03 feet to the beginning of a curve to the right;**
- 15.THENCE, NORTHWEST, along said curve to the right having a central angle of 49 degrees 31 minutes 18 seconds, a radius of 200.00 feet and an arc length of 172.86 feet, the chord of said curve bears North 25 degrees 46 minutes 06 seconds East, having a chord distance of 167.53 feet to a point for the end of said curve;**
- 16.THENCE, NORTH 50 degrees 31 minutes 45 seconds EAST, a distance of 649.03 feet to a point on the common southwest line of the remainder of Tract 2 as described in a deed to Lucy Kate Belknap and Mary Jane Mayfield recorded in Volume 67006 Page 1086 of said Deed Records and northwest line of said Valwood Improvement Authority 51.407 acre tract;**
- 17.THENCE, NORTH 65 degrees 07 minutes 12 seconds EAST, departing said common line, a distance of 69.73 feet to a point;**
- 18.THENCE, SOUTH 00 degrees 07 minutes 31 seconds EAST, a distance of 235.88 feet to a point**
- 19.THENCE, SOUTH 50 degrees 32 minutes 36 seconds WEST, a distance of 502.71 feet to the beginning of a curve to the left;**
- 20.THENCE, SOUTHWEST, along said curve to the left having a central angle of 61 degrees 57 minutes 11 seconds, a radius of 120.00 feet and an arc length of 129.75 feet, the chord of said curve bears South 19 degrees 34 minutes 01 seconds West, having a chord distance of 123.53 feet to a point for the end of said curve;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-NORTH

Page 4 of 5
October 7, 2002

**FIELD NOTES FOR A 18.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-NORTH**

- 21.THENCE, SOUTH 11 degrees 24 minutes 35 seconds EAST, a distance of 198.84 feet to a point;**
- 22.THENCE, SOUTH 24 degrees 20 minutes 52 seconds EAST, a distance of 209.59 feet to a point;**
- 23.THENCE, SOUTH 13 degrees 27 minutes 09 seconds EAST, a distance of 116.01 feet to a point;**
- 24.THENCE, SOUTH 03 degrees 03 minutes 47 seconds EAST, a distance of 137.30 feet to the beginning of a curve to the right;**
- 25.THENCE, SOUTHWEST, along said curve to the left having a central angle of 23 degrees 07 minutes 34 seconds, a radius of 2,320.00 feet and an arc length of 936.41 feet, the chord of said curve bears South 08 degrees 30 minutes 00 seconds West, having a chord distance of 930.07 feet to the point of compound curvature to the right;**
- 26.THENCE SOUTHWEST, along said compound curve to the right having a central angle of 36 degrees 18 minutes 55 seconds, a radius of 435.00 feet and an arc length of 275.71 feet, the chord of said curve bears South 38 degrees 13 minutes 14 seconds West, having a chord distance of 271.12 feet to the point of reverse curvature to the left;**
- 27.THENCE SOUTHWEST, along said reverse curve to the left having a central angle of 57 degrees 13 minutes 14 seconds, a radius 580.00 feet and an arc length of 579.24 feet, the chord of said curve bears South 27 degrees 46 minutes 04 seconds West, having a chord distance of 555.46 feet to the point;**
- 28.THENCE, SOUTH 00 degrees 50 minutes 32 seconds EAST, a distance of 690.35 feet to the beginning of a curve to the right;**
- 29.THENCE SOUTHWEST, along said curve to the right having a central angle of 51 degrees 54 minutes 48 seconds, a radius of 150.00 feet and an arc length of 135.91 feet, the chord of said curve bears South 25 degrees 06 minutes 52 seconds West, having a chord distance of 131.31 feet to the end of said curve;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-NORTH

Page 5 of 5
October 7, 2002

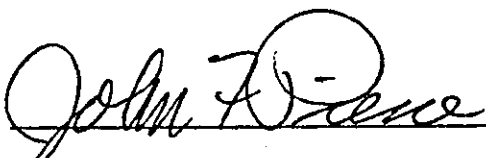
FIELD NOTES FOR A 18.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-NORTH

30.THENCE, SOUTH 51 degrees 04 minutes 16 seconds West, a distance of
379.08 feet to the POINT OF BEGINNING containing 18.7577 acres of land,
more or less.


This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority
Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

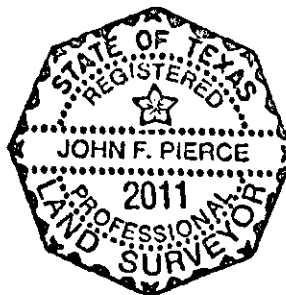


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011



Date

Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 18.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-NORTH

EXHIBIT "B"

**WILLIAM MASTERS SURVEY
ABSTRACT NO. 925**

Delta-49° 31' 18" (RT)
R-200.00'
L-172.86'
CB-N 25° 46' 06" E
CD-167.53'

Delta-32° 39' 18" (RT)
R-520.00'
L-296.37'
CD-N 15° 19' 12" W
CD-292.37'

PARCEL
NTTA FRBMA 4-NORTH
18.7577 ac

Delta-23° 07' 34" (RT)
R-2,320.00'
L-936.41'
CB-S 08° 30' 00" W
CD-930.07'

Delta-24° 58' 47" (RT)
R-250.00'
L-108.99'
CB-N 20° 18' 38" E
CD-108.13'

Delta-45° 07' 12" (LT)
R-235.00'
L-185.06'
CB-N 30° 22' 50" E
CD-180.32'

Delta-61° 57' 11" (LT)
R-120.00'
L-129.75'
CB-N 19° 34' 01" W
CD-123.53'

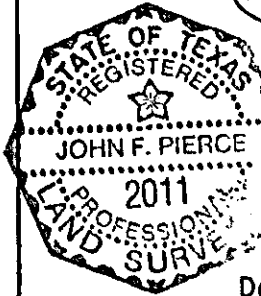
FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)

FINAL JUDGMENT UNDER
CAUSE NO. CC-83-2840-E STYLED
FARMERS BRANCH-CARROLLTON
FLOOD CONTROL DISTRICT
VERSUS
MARY JANE MAYFIELD AND
LUCY FIELD BELKNAP

LEGEND

EDGE OF ASPHALT	POWER POLE
PROPERTY LINE	ANCHOR
PROPOSED ROW LINE	STW
EASEMENT LINE	TREE
CENTERLINE	LIGHT POLE
FENCE	WATER METER
OVERHEAD WIRE	FIRE HYDRANT
TREE LINE	WATER VALVE
SURVEY LINE	GAS METER
CONTROLLING MONUMENT	CLEARCUT

SCALE IN FEET
0 150 300 450
SCALE 1"=300'



CERTIFIED *John F. Pierce* Date: 10-07-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED *Dan Abbott* Date: 10-15-02
Hunt Zollars, Inc.
Section Engineer

APPROVED *Seth M. Ellis* Date: 10-31-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

OWNER: VALWOOD IMPROVEMENT AUTHORITY
W. MASTERS SVY, A-795 & J. ARMSTRONG SVY, A-30
DALLAS COUNTY, TEXAS

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

MAP FOR A 18.8 ACRE TRACT, FORESTED RIPARIAN BUFFER MITIGATION AREA 4-NORTH

EXHIBIT "B"

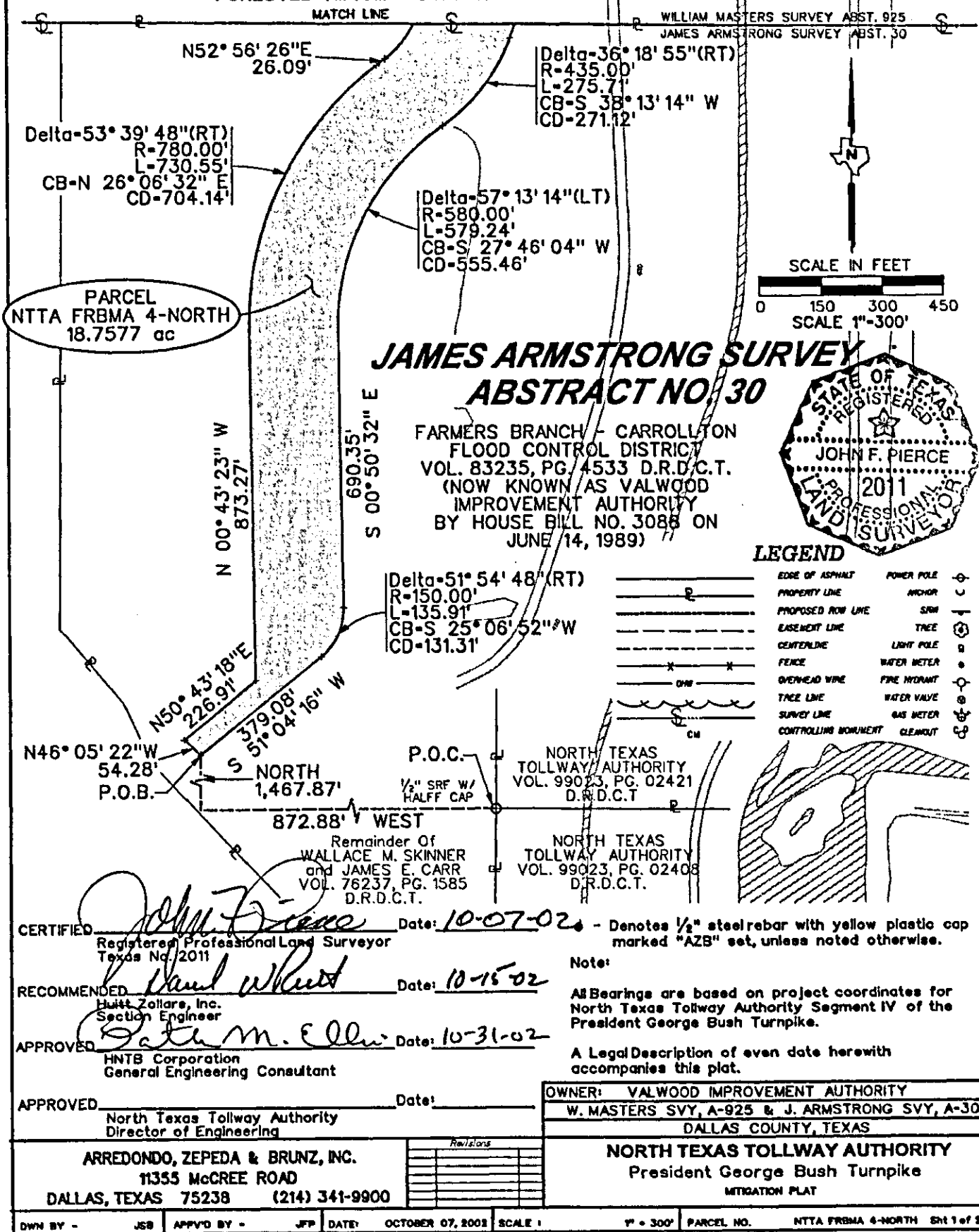


EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-Middle

Page 1 of 2
October 7, 2002

**FIELD NOTES 1.1 ACRE TRACT
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-MIDDLE**

Being 1.0975 acres of land in the James Armstrong Survey, Abstract Number 30, City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch - Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 88166, Page 0359 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 2157.12 feet to a point;

THENCE, NORTH, a distance of 1257.32 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH** 16 degrees 57 minutes 52 seconds **EAST**, a distance of 284.45 feet to the beginning of a curve to the right;
2. **THENCE, NORTHEAST**, along said curve to the right having a central angle of 95 degrees 35 minutes 01 seconds, a radius of 50.00 feet and an arc length of 83.41 feet, the chord of said curve bears North 64 degrees 45 minutes 22 seconds **East**, having a chord distance of 74.07 feet to a point;
3. **THENCE, SOUTH** 67 degrees 27 minutes 07 seconds **EAST**, a distance of 78.62 feet to a point;
4. **THENCE, SOUTH** 39 degrees 40 minutes 48 seconds **EAST**, a distance of 228.81 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-Middle

Page 2 of 2
October 7, 2002

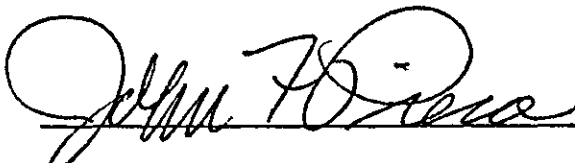
FIELD NOTES 1.1 ACRE TRACT
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-MIDDLE

5. **THENCE**, SOUTH 88 degrees 55 minutes 31 seconds WEST, a distance of 29.82 feet to a point;
6. **THENCE**, NORTH 81 degrees 49 minutes 38 seconds WEST, a distance of 65.40 feet to the beginning of a curve to the left;
7. **THENCE**, SOUTHWEST, along said curve to the left having a central angle of 58 degrees 40 minutes 36 seconds, a radius of 300.00 feet and an arc length of 307.23 feet, the chord of said curve bears South 68 degrees 50 minutes 04 seconds West, having a chord distance of 293.98 feet to the **POINT OF BEGINNING** containing 1.0975 acres of land, more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

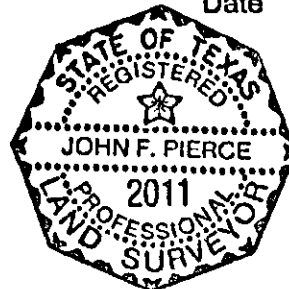


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

October 07, 2002

Date



MAP FOR A 1.1 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-MIDDLE

EXHIBIT "B"

Delta-95° 35' 01"(RT)
R-50.00'
L-83.41'
CB-N 64° 45' 22" E
CD-74.07'



FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
VOL. 88166, PG. 0359 D.R.D.C.T.
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)

PARCEL
NTTA FRMA 4-MIDDLE
1.0975 ac



SCALE IN FEET
0 30 60 90
SCALE 1"=60'

P.O.B. NORTH
1,257.32'

2,157.12' WEST

1/2" SRF W/
HALFF CAP

NORTH TEXAS
TOLLWAY AUTHORITY
VOL. 99023, PG. 02421
D.R.D.C.T.

NORTH TEXAS
TOLLWAY AUTHORITY
VOL. 99023, PG. 02408
D.R.D.C.T.

Remainder Of
WALLACE M. SKINNER
and JAMES E. CARR
VOL. 76237, PG. 1585
D.R.D.C.T.

LEGEND

BOUNDARY LINE	POWER POLE	1/2" SRF W/ HALFF CAP
PROPERTY LINE	WATER	
PROPOSED ROW LINE	SEW	
EASEMENT LINE	TREE	
CONVEYANCE	LIGHT POLE	
POLE	WATER METER	
OVERHEAD WIRE	TREE TRIMMING	
TREE LINE	WATER PUMP	
CONVEYANCE	WATER METER	
CONVEYANCE	CONVEYANCE	

CERTIFIED *[Signature]* Date: 10-07-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED *[Signature]* Date: 10-15-02
Hultt Zollars, Inc.
Section Engineer

APPROVED *[Signature]* Date: 10-31-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

- Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Legal Description of even date herewith accompanies this plat.

OWNER: VALWOOD IMPROVEMENT AUTHORITY
JAMES ARMSTRONG SURVEY, ABSTRACT NUMBER 30
DALLAS COUNTY, TEXAS

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-SOUTH

Page 1 of 3
October 7, 2002

**FIELD NOTES FOR A 6.8 ACRE TRACT
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-SOUTH**

Being 6.7891 acres of land in the James Armstrong Survey, Abstract Number 30, City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch - Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) as recorded in Volume 81178, Page 0495 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of that certain 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of said Deed Records and the southwest corner of that certain 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, WEST, departing said east line of Skinner/Carr remainder tract, a distance of 872.88 feet to a point;

THENCE, NORTH, a distance of 29.14 feet to the **POINT OF BEGINNING**;

1. **THENCE, SOUTH 03 degrees 21 minutes 41 seconds WEST**, a distance of 187.64 feet to a point;
2. **THENCE, SOUTH 11 degrees 25 minutes 28 seconds WEST**, a distance of 148.05 feet to the beginning of a non-tangent curve to the left;
3. **THENCE, NORTHWEST**, along said non-tangent curve to the left having a central angle of 36 degrees 16 minutes 52 seconds, a radius of 800.00 feet and an arc length of 506.58 feet, the chord of said curve bears North 56 degrees 20 minutes 03 seconds West, having a chord distance of 498.16 feet to a point for the end of said curve;
4. **THENCE, NORTH 74 degrees 28 minutes 29 seconds WEST**, a distance of 171.00 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-SOUTH

Page 2 of 3
October 7, 2002

**FIELD NOTES FOR A 6.8 ACRE TRACT
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-SOUTH**

5. **THENCE, NORTH 79 degrees 34 minutes 22 seconds WEST, a distance of 257.11 feet to the beginning of a curve to the right;**
6. **THENCE, NORTHWEST, along said curve to the right having a central angle of 33 degrees 46 minutes 31 seconds, a radius of 950.00 feet and an arc length of 560.01 feet, the chord of said curve bears North 62 degrees 41 minutes 07 seconds West, having a chord distance of 551.94 feet to the point of reverse curvature to the left;**
7. **THENCE, NORTHWEST, along said reverse curve to the left having a central angle of 48 degrees 44 minutes 57 seconds, a radius of 50.00 feet and an arc length of 42.54 feet, the chord of said curve bears North 70 degrees 10 minutes 19 seconds West, having a chord distance of 41.27 feet to a point for the end of said curve;**
8. **THENCE, SOUTH 85 degrees 27 minutes 14 seconds WEST, a distance of 169.25 feet to a point;**
9. **THENCE, NORTH 16 degrees 58 minutes 09 seconds EAST, a distance of 290.38 feet to a point;**
10. **THENCE, SOUTH 59 degrees 16 minutes 12 seconds EAST, a distance of 501.93 feet to the beginning of a curve to the left;**
11. **THENCE, SOUTHEAST, along said curve to the left having a central angle of 23 degrees 48 minutes 54 seconds, a radius of 970.00 feet and an arc length of 403.18 feet, the chord of said curve bears South 71 degrees 10 minutes 39 seconds East, having a chord distance of 400.28 feet to a point for the end of said curve;**
12. **THENCE, SOUTH 83 degrees 05 minutes 06 seconds EAST, a distance of 134.93 feet to a point;**
13. **THENCE, SOUTH 54 degrees 52 minutes 28 seconds EAST, a distance of 326.79 feet to the beginning of a curve to the left;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA FRBMA 4-SOUTH

Page 3 of 3
October 7, 2002

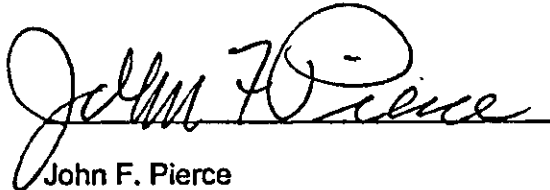
FIELD NOTES FOR A 6.8 ACRE TRACT
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-SOUTH

14. THENCE, NORTHEAST, along said curve to the left having a central angle of 79 degrees 32 minutes 44 seconds, a radius of 215.00 feet and an arc length of 298.49 feet, the chord of said curve bears North 85 degrees 21 minutes 10 seconds East, having a chord distance of 275.09 feet to the POINT OF BEGINNING containing 6.7891 acres of land, more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

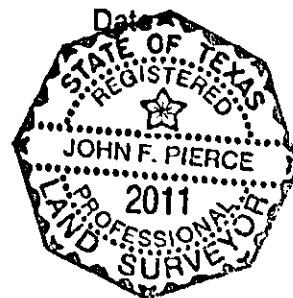
FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.



John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

October 07, 2002

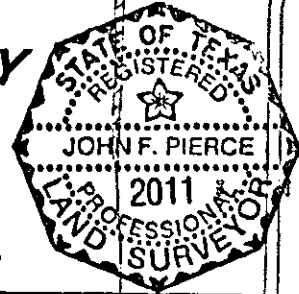
Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



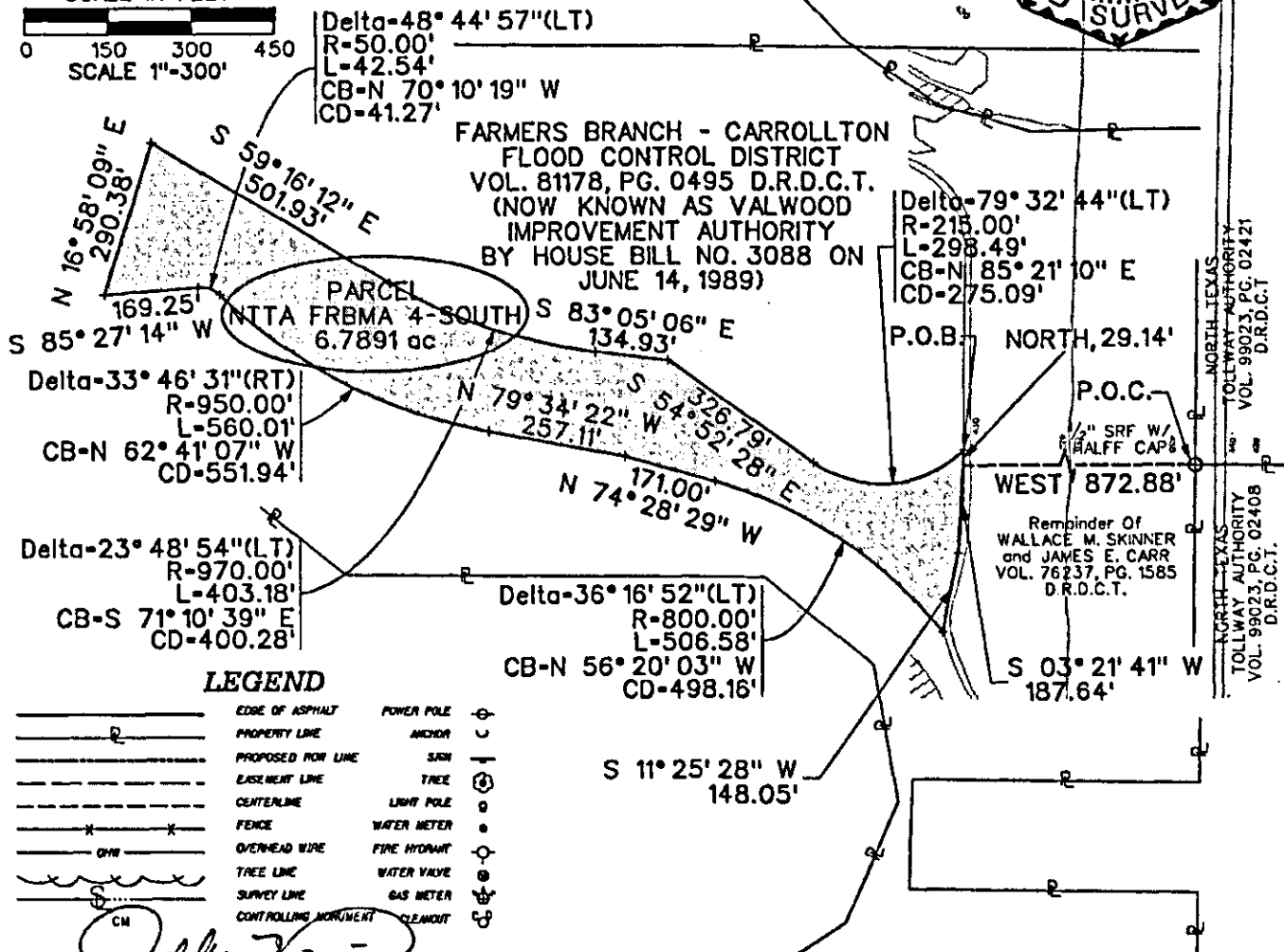
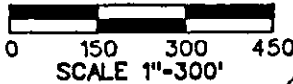
MAP FOR A 6.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 4-SOUTH

EXHIBIT "B"

**JAMES ARMSTRONG SURVEY
ABSTRACT NO. 30**



SCALE IN FEET



CERTIFIED John F. Pierce Date: 10-07-02 - Denotes 1/2" steelrebar with yellow plastic cap marked "AZB" set, unless noted otherwise.
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED David W. White Date: 10-15-02
HNTB Corporation
Section Engineer

APPROVED John M. Ellis Date: 10-31-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

OWNER: VALWOOD IMPROVEMENT AUTHORITY
JAMES ARMSTRONG SURVEY, ABSTRACT NUMBER 30
DALLAS COUNTY, TEXAS

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DWN BY - JSS APPVD BY - JFP DATE: OCTOBER 07, 2003 SCALE: 1" = 300' PARCEL NO. NNTA FRBMA 4-SOUTH

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA CELL B POND

Page 1 of 4
October 7, 2002

**FIELD NOTES FOR A 12.1 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA
VALWOOD IMPROVEMENT AUTHORITY CELL B POND**

Being 12.1046 acres of land in the James Armstrong Survey, Abstract Number 30 and the William H. Pulliam Survey, Abstract Number 1171, City of Carrollton, Dallas County, Texas, and being part of that certain called 2.188 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-2 tract), as recorded in Volume 99023, Page 02408 of the Deed Records of Dallas County, Texas, and that certain called 15.831 acre tract of land as described in a deed to North Texas Tollway Authority (NTTA 25-4 tract), as recorded in Volume 99023, Page 02421 of said Deed Records and part of that certain called 31.048 acre tract of land as described in a deed to Farmers Branch – Carrollton Flood Control District (now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989) (VIA tract) and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar with plastic cap marked "Half", found for the northwest corner of said NTTA 25-2 tract, and the southwest corner of said NTTA 25-4 tract, same being in the east line of the remainder of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr (Skinner/Carr remainder tract) as recorded in Volume 76237, Page 1585 of said Deed Records;

THENCE, SOUTH 89 degrees 36 minutes 11 seconds EAST, departing said east line of Skinner/Carr remainder tract and along the common south line of said NTTA 25-4 tract and north line of said NTTA 25-2 tract, a distance of 25.27 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH 07 degrees 21 minutes 16 seconds EAST**, a distance of 393.77 feet to a point;
2. **THENCE, NORTH 09 degrees 22 minutes 09 seconds EAST**, a distance of 652.92 feet to a point;
3. **THENCE, NORTH 08 degrees 02 minutes 57 seconds EAST**, a distance of 159.62 feet to a point;
4. **THENCE, NORTH 05 degrees 27 minutes 26 seconds EAST**, a distance of 117.25 feet to a point on the common north line of said NTTA 25-4 tract and the most northerly south line of the remainder of that certain tract of land as described in a deed to Baptist Foundation of Texas as recorded in Volume 799, Page 72 of said Deed Records;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA CELL B POND

Page 2 of 4
October 7, 2002

**FIELD NOTES FOR A 12.1 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA
VALWOOD IMPROVEMENT AUTHORITY CELL B POND**

5. **THENCE, SOUTH 89 degrees 02 minutes 10 seconds EAST, along said common line, a distance of 226.77 feet to a one-half inch steel rebar with plastic cap marked "Half", found for the east corner of said remainder of Baptist Foundation of Texas tract and the south corner of that certain tract of land as described in a deed to Luna Road 1994, Ltd., as recorded in Volume 94144, Page 3229 of said Deed Records;**
6. **THENCE, NORTH 78 degrees 47 minutes 58 seconds EAST, along the common north line of said NTTA 25-4 tract and south line of said Luna Road 1994 tract, a distance of 44.58 feet to a reentrant point;**
7. **THENCE, SOUTH 43 degrees 20 minutes 30 seconds EAST, departing said common line, a distance of 68.53 feet to a point;**
8. **THENCE, SOUTH 00 degrees 27 minutes 27 seconds WEST, a distance of 1043.42 feet to the beginning of a curve to the right;**
9. **THENCE, SOUTHWEST, along said curve to the right having a central angle of 90 degrees 01 minutes 41 seconds, a radius of 10.00 feet and an arc length of 15.71 feet, the chord of said curve bears South 45 degrees 28 minutes 18 seconds West, having a chord distance of 14.15 feet to a point for the end of said curve;**
10. **THENCE, NORTH 89 degrees 30 minutes 52 seconds WEST, a distance of 304.09 feet to a point;**
11. **THENCE, SOUTH 68 degrees 01 minutes 03 seconds WEST, a distance of 50.83 feet to a point;**
12. **THENCE, SOUTH 23 degrees 04 minutes 52 seconds WEST, a distance of 50.83 feet to a point;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA CELL B POND

Page 3 of 4
October 7, 2002

**FIELD NOTES FOR A 12.1 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA
VALWOOD IMPROVEMENT AUTHORITY CELL B POND**

- 13.THENCE, SOUTH 00 degrees 36 minutes 46 seconds WEST, passing at 148.82 feet the south line of said NTTA 25-4 and the north line of said NTTA 25-2, passing at 357.46 feet the most southerly ell corner of said Armstrong Survey and the most westerly northwest corner of said Pulliam Survey continuing along the common survey line, in all a distance of 593.50 feet to a point on the common south line of said NTTA 25-2 tract and the north line of said VIA tract and the beginning of a non-tangent curve to the left whose chord bears South 47 degrees 15 minutes 19 seconds East, a distance of 82.10 feet;**
- 14.THENCE, SOUTHEAST, departing said common survey line and common property line, along said non-tangent curve to the left through a central angle of 83 degrees 44 minutes 44 seconds, whose radius is 61.50 feet and whose length is 89.89 feet to the point of tangency;**
- 15.THENCE, SOUTH 88 degrees 48 minutes 42 seconds EAST, a distance of 11.81 feet to a point;**
- 16.THENCE, SOUTH 00 degrees 42 minutes 49 seconds WEST, a distance of 37.91 feet to a point;**
- 17.THENCE, WEST, passing at 72.63 feet the common survey line, continuing in all a total distance of 211.66 to a point;**
- 18.THENCE, NORTH 02 degrees 01 minutes 27 seconds EAST, passing at 95.71 feet the common property line, continuing in all a total distance of 441.98 feet to a point;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA CELL B POND

Page 4 of 4
October 7, 2002

FIELD NOTES FOR A 12.1 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA
VALWOOD IMPROVEMENT AUTHORITY CELL B POND

19.THENCE, NORTH 07 degrees 21 minutes 16 seconds EAST, a distance of
98.45 feet to the POINT OF BEGINNING containing 12.1046 acres of land,
more or less;

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority
Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

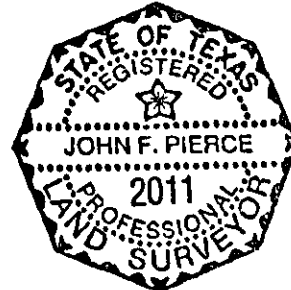


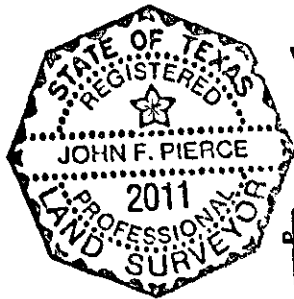
October 07, 2002

John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

Date

Arredondo, Zepeda & Brunz Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax





MAP FOR A 12.1 ACRE TRACT,
OPEN WATER HABITAT MITIGATION AREA
VALWOOD IMPROVEMENT AUTHORITY CELL B POND

EXHIBIT "B"

LUNA ROAD 1994, LTD.
VOL. 94144, PG. 3229
D.R.D.C.T.

Remainder Of
BAPTIST FOUNDATION
OF TEXAS
VOL. 799, PG. 72
D.R.D.C.T.

Remainder Of
WALLACE M. SKINNER
and JAMES E. CARR
VOL. 76237, PG. 1585
D.R.D.C.T.

Remainder Of
L.E.W. SKINNER
VOL. 4529, PG. 123
D.R.D.C.T.

FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
VOL. 76237, PG. 1584 D.R.D.C.T.

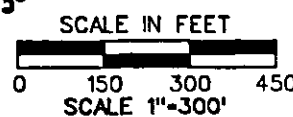
NORTH TEXAS
TOLLWAY AUTHORITY
VOL. 99023, PG. 02421
D.R.D.C.T.
(NTTA 25-4)

PARCEL
NTTA CELL-B
EXTENSION
12.1046 ac
J. ARMSTRONG SVY
-12.0223 ac-
W. H. PULLIAM SVY
-3.585 S.F.

JAMES ARMSTRONG SURVEY
ABSTRACT NO. 30

LEGEND

EDGE OF ASPHALT	POWER POLE
PROPERTY LINE	ANCHOR
PROPOSED ROW LINE	SKIN
EASEMENT LINE	TREE
CENTERLINE	LIGHT POLE
FENCE	WATER METER
OVERHEAD WIRE	FIRE HYDRANT
TREE LINE	WATER VALVE
SURVEY LINE	GAS METER
CONTROLLING MONUMENT	CLEANOUT



Delta-90° 01' 41"(RT)
R=10.00'
L=15.71'
CB-S 45° 28' 18" W
CD=14.15'

NORTH TEXAS TOLLWAY AUTHORITY
VOL. 99023, PG. 02408 D.R.D.C.T.
(NTTA 25-2)

JAMES ARMSTRONG SURVEY ABST. 30
WILLIAM H. PULLIAM SURVEY ABST. 1171
**WILLIAM H. PULLIAM SURVEY
ABSTRACT NO. 1171**

LUNA INVESTORS, INC.
VOL. 86250, PG. 2859 D.R.D.C.T.
(NOW KNOWN AS VALWOOD IMPROVEMENT
AUTHORITY BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)

CERTIFIED
Registered Professional Land Surveyor
Texas No. 2011

Date: 10-07-02 - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

RECOMMENDED
Hultt Zellers, Inc.
Section Engineer

Date: 10-15-02

APPROVED
HNTB Corporation
General Engineering Consultant

Date: 10-31-02

APPROVED
North Texas Tollway Authority
Director of Engineering

Date:

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions

OWNER: NORTH TEXAS TOLLWAY AUTHORITY & VALWOOD IMPROVEMENT AUTHORITY
JAMES ARMSTRONG SURVEY, ABST. 30 & WILLIAM H. PULLIAM SURVEY, ABST. 1171

DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

A handwritten signature in dark ink, appearing to read "JFW", is written over the official text.

John F. Warren, County Clerk
Dallas County TEXAS

May 14, 2008 02:06:12 PM

FEE: \$108.00

20080161110



DECLARATION OF RESTRICTIVE COVENANTS
(Forested Riparian Buffer Mitigation Areas, Open Water Habitat Mitigation Areas, and
Emergent Wetland Habitat Areas)

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

THIS DECLARATION OF RESTRICTIVE COVENANTS (this "instrument"), is executed the 9th day of May, 2008 (the "Execution Date") to be effective as of the 7th day of October, 2002 (the "Effective Date") by the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority and a political subdivision of the State of Texas (hereinafter identified as the "NTTA").

Recitals

WHEREAS, the NTTA owns approximately 68.3 acres of land in Dallas County, Texas, more fully described in Exhibit A attached hereto and made a part hereof, for use in the construction of the turnpike project described below (the "Mitigation Properties"); and

WHEREAS, the NTTA is constructing and operating a controlled access toll turnpike project as defined in, permitted by, and in accordance with the provisions of Chapter 366, Texas Transportation Code (known as the "Regional Tollway Authority Act"), to all terms of which Chapter and Act reference is hereby made, such project being known as Segment IV of the President George Bush Turnpike; and

WHEREAS, it is necessary and desirable for the NTTA to impose certain restrictions on the Mitigation Properties in order to meet the requirements of Permit No. 199700020 issued by the U. S. Army Corps of Engineers ("USACE") which authorizes the NTTA to discharge dredged or fill material into waters of the United States (as set forth in 33 U.S.C. §1344).

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the NTTA agrees as follows:

1. **NTTA's Covenants.** For and in consideration of these premises and the mutual covenants and agreements of the parties in the ILA, the receipt and sufficiency of which the NTTA hereby acknowledges, the NTTA hereby covenants and agrees as follows:

a. **Mitigation Properties.** The Mitigation Properties are composed of the following generally described parcels, each more fully described in Exhibit A:

(1) The following generally described parcels, totaling approximately 39.5 acres, shall constitute the "Forested Riparian Buffer Mitigation Areas":

FRBMA 1A containing approximately 9.7 acres;
FRBMA 1B containing approximately 14.8 acres;
FRMBA 2A containing approximately 3.9 acres;
FRMBA 2B containing approximately 7.7 acres;
FRMBA 3 West containing approximately 1.7 acres; and
FRMBA 3 East containing approximately 1.7 acres.

- (2) The following generally described parcels, totaling approximately 6.4 acres, shall constitute the "Open Water Habitat Mitigation Areas":

OWHMA 1A containing approximately 2.1 acres;
OWHMA 2A containing approximately 1.6 acres;
OWHMA 2C containing approximately 1.2 acres; and
OWHMA 3 containing approximately 1.5 acres.

- (3) The following generally described parcels, totaling approximately 22.4 acres, shall constitute the "Emergent Wetland Mitigation Areas":

EWMA 1A containing approximately 8.0 acres;
EWMA 2A containing approximately 10.4 acres; and
EWMA 3 containing approximately 4.0 acres.

b. Restricted Use of Forested Riparian Buffer Mitigation Areas. The NTTA shall not take, nor permit any officer, director, employee, agent, contractor, or other person affiliated with the NTTA or under the NTTA's authority to take, any action which allows for removing, destroying, cutting or mowing any trees, plants or other vegetation, or changing the natural habitat in any manner; provided, however, that consistent with the terms of Permit No. 199700020, the NTTA shall conduct necessary monitoring, soil preparation, planting of trees/shrubs, and similar activities. Any other use of or activity by the NTTA affecting the Forested Riparian Buffer Mitigation Areas that is or may become inconsistent with Permit No. 199700020 is prohibited.

c. Restricted Use of Open Water Habitat Mitigation Areas. The Open Water Habitat Mitigation Areas are reserved for use as a flood water retention and recharge area for the surrounding Elm Fork of the Trinity River floodplain. The NTTA shall not take, nor permit any officer, director, employee, agent, contractor, or other person affiliated with the NTTA or under the NTTA's authority to take, any action which allows for a use or activity that is inconsistent with Permit No. 199700020.

d. Restricted Use of Emergent Wetland Mitigation Areas. The Emergent Wetland Mitigation Areas shall serve the functions of improving water quality, recharging surface water, and improving wildlife habitat. NTTA shall take those actions consistent with Permit No. 199700020 in constructing and vegetating these areas. The NTTA shall not take, nor

permit any officer, director, employee, agent, contractor, or other person affiliated with the NTTA or under the NTTA's authority to take, any action which allows for a use or activity that is inconsistent with Permit No. 199700020.

e. Use by Third Parties. The NTTA will not consent to any third party not affiliated with the NTTA taking any action on or about the Mitigation Properties that is inconsistent with the restrictions placed in subsections a., b., and c. above.

d. Removal of Improvements. The NTTA shall not place on or in the Mitigation Properties any building, fence, structure, or other improvement which is inconsistent with the intended function of these mitigation areas.

2. Successor and Assigns. This instrument shall be binding upon and inure to the benefit of the respective legal representatives, successors, assigns, and devisees of the NTTA.

3. General Provisions

a. The NTTA agrees that any conveyance hereafter made by the NTTA of all or any portion of the Mitigation Properties will refer to and incorporate this instrument by reference.

b. In the event any provision of this instrument is determined by an appropriate court to be void and unenforceable, the remaining provisions shall remain valid and binding.

c. This instrument shall run with the Mitigation Properties and shall be enforceable against the NTTA and all future owners of these properties in perpetuity.

d. These restrictive covenants cannot be revoked or modified without written approval from the USACE.

NORTH TEXAS TOLLWAY AUTHORITY,
a regional toll way authority

By: _____

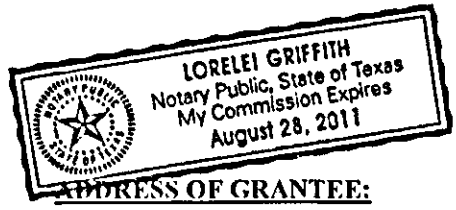
[Signature]
for Jorge Figueredo, Executive Director

Rick Herrington, Deputy Executive Director

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

Rick Herrington
for

This instrument was acknowledged before me on May 9, 2008, by Jorge Figueredo, Executive Director of the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority.



Lorelei Griffith
Notary Public in and for
the State of Texas

North Texas Tollway Authority
P. O. Box 260729
Plano, Texas 75026

WHEN RECORDED, RETURN TO:
Locke Lord Bissell & Liddell LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Attention: Cynthia M. Buckley

EXHIBIT A

[Attach Legal Description for Forested Riparian Buffer Mitigation Areas, Open Water
Habitat Mitigation Areas, and Emergent Wetland Habitat Areas]

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA1A

Page 1 of 4
October 25, 2002

**FIELD NOTES FOR A 9.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1A**

Being 9.7463 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract I in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and the west line of said NTTA tract, a total distance of 427.75 feet to a point;

THENCE, East, departing said common line, a distance of 134.07 feet to the **POINT OF BEGINNING**;

1. **THENCE**, NORTH 38 degrees 07 minutes 03 seconds EAST, a distance of 50.83 feet to the beginning of a non-tangent curve to the left, whose chord bears North 88 degrees 39 minutes 40 seconds East, a chord distance of 927.28 feet;
2. **THENCE**, SOUTHEASTERLY AND NORTHEASTERLY, along said non-tangent curve to the left through a central angle of 57 degrees 37 minutes 34 seconds, a radius of 962.00 feet and an arc length of 967.55 feet to the point of reverse curvature to the right;
3. **THENCE**, NORTHEASTERLY AND SOUTHEASTERLY, along said reverse curve to the right through a central angle of 109 degrees 07 minutes 59 seconds, a radius of 213.00 feet and an arc length of 405.71 feet, the chord of said reverse curve bears South 65 degrees 35 minutes 12 seconds East, having a chord distance of 347.10 feet to the point of curvature to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA FRBMA1A

Page 2 of 4
October 25, 2002

**FIELD NOTES FOR A 9.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1A**

4. **THENCE, SOUTHWESTERLY**, continuing along said curve to the right through a central angle of 109 degrees 00 minutes 45 seconds, a radius of 213.00 feet and an arc length of 405.26 feet, the chord of said curve bears South 43 degrees 29 minutes 05 seconds West, having a chord distance of 346.84 feet to the point of reverse curvature to the left;
5. **THENCE, SOUTHWESTERLY**, along said reverse curve to the left through a central angle of 48 degrees 46 minutes 29 seconds, a radius of 198.00 feet and an arc length of 168.55 feet, the chord of said reverse curve bears South 73 degrees 51 minutes 05 seconds West, having a chord distance of 163.51 feet to the end of said reverse curve;
6. **THENCE, SOUTH 49 degrees 26 minutes 44 seconds WEST**, a distance of 58.68 feet to the beginning of a reverse curve to the right;
7. **THENCE, SOUTHWESTERLY**, along said reverse curve to the right through a central angle of 20 degrees 49 minutes 18 seconds, a radius of 1000.00 feet and an arc length of 363.41 feet, the chord of said reverse curve bears South 59 degrees 51 minutes 41 seconds West, having a chord distance of 361.41 feet to the point of reverse curvature to the left;
8. **THENCE, SOUTHWESTERLY**, along said reverse curve to the left through a central angle of 56 degrees 41 minutes 31 seconds, a radius of 586.00 feet and an arc length of 579.83 feet, the chord of said reverse curve bears South 41 degrees 55 minutes 33 seconds West, having a chord distance of 556.46 feet to the point of compound curvature to the left;
9. **THENCE, SOUTHEASTERLY**, along said compound curve to the left through a central angle of 86 degrees 11 minutes 18 seconds, a radius 347.00 feet and an arc length of 521.98 feet, the chord of said compound curve bears South 29 degrees 30 minutes 53 seconds East, having a chord distance of 474.14 feet to a point for the end of said curve;
10. **THENCE, SOUTH 72 degrees 36 minutes 34 seconds EAST**, a distance of 175.29 feet to the beginning of a reverse curve to the right;
11. **THENCE, SOUTHEASTERLY**, along said curve to the right through a central angle of 37 degrees 31 minutes 32 seconds, a radius of 100.00 feet and an arc length of 65.49 feet, the chord of said curve bears South 53 degrees 50 minutes 51 seconds East, having a chord distance of 64.33 feet to the point of reverse curvature to the left;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA FRBMA1A

Page 3 of 4
October 25, 2002

**FIELD NOTES FOR A 9.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1A**

- 12. THENCE, SOUTHEASTERLY, along said reverse curve to the left through a central angle of 101 degrees 23 minutes 01 seconds, a radius of 60.00 feet and an arc length of 106.17 feet, the chord of said reverse curve bears South 85 degrees 46 minutes 44 seconds East, having a chord distance of 92.85 feet to the point of reverse curvature to the right;**
- 13. THENCE, NORTHEASTERLY, along said reverse curve to the right through a central angle of 50 degrees 53 minutes 27 seconds, a radius of 100.00 feet and an arc length of 88.82 feet, the chord of said reverse curve bears North 68 degrees 58 minutes 25 seconds East, having a chord distance of 85.93 feet to the point of compound curvature to the right;**
- 14. THENCE, SOUTHEASTERLY, along said compound curve to the right through a central angle of 31 degrees 04 minutes 35 seconds, a radius of 500.00 feet and an arc length of 271.19 feet, the chord of said compound curve bears South 70 degrees 02 minutes 34 seconds East, having a chord distance of 267.88 feet to a point for the end of said curve on the common south line of said NTTA tract and north line of that certain tract of land as described in a deed to Dallas Power and Light Company as recorded in Volume 4682, Page 421 of said Deed Records;**
- 15. THENCE, SOUTH 89 degrees 10 minutes 42 seconds WEST, along said common line, a distance of 624.04 feet to the beginning of a non-tangent curve to the left;**
- 16. THENCE, NORTHWESTERLY, along said non-tangent curve to the left through a central angle of 119 degrees 49 minutes 11 seconds, a radius of 63.00 feet and an arc length of 131.75 feet, the chord of said non-tangent curve bears North 07 degrees 15 minutes 44 seconds West, having a chord distance of 109.02 feet to a point for the end of said curve;**
- 17. THENCE, NORTH 67 degrees 08 minutes 39 seconds WEST, a distance of 61.38 feet to the beginning of a compound curve to the right;**
- 18. THENCE NORTHWESTERLY, along said compound curve to the right through a central angle of 80 degrees 43 minutes 15 seconds, a radius of 397.00 feet and an arc length of 559.31 feet, the chord of said compound curve bears North 26 degrees 47 minutes 00 seconds West, having a chord distance of 514.19 feet to the point of compound curvature to the right;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA FRBMA1A

Page 4 of 4
October 25, 2002

FIELD NOTES FOR A 9.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1A

19. THENCE, NORTHEASTERLY, along said compound curve to the right through a central angle of 43 degrees 46 minutes 08 seconds, a radius of 636.00 feet and an arc length of 485.85 feet, the chord of said compound curve bears North 35 degrees 27 minutes 43 seconds East, having a chord distance of 474.12 feet to a point for the end of said curve;
20. THENCE, NORTH 57 degrees 20 minutes 48 seconds EAST, a distance of 185.04 feet to the beginning of a reverse curve to the left;
21. THENCE, NORTHEASTERLY AND NORTHWESTERLY, along said reverse curve to the left through a central angle of 144 degrees 33 minutes 24 seconds, a radius of 216.00 feet and an arc length of 544.97 feet, the chord of said reverse curve bears North 14 degrees 55 minutes 49 seconds West, having a chord distance of 411.50 feet to the point of reverse curvature to the right;
22. THENCE, NORTHWESTERLY, along said reverse curve to the right through a central angle of 25 degrees 11 minutes 37 seconds, a radius of 1013.00 feet and an arc length of 445.43 feet, the chord of said reverse curve bears North 74 degrees 36 minutes 37 seconds West, having a chord distance of 441.85 feet to the POINT OF BEGINNING containing 9.7463 acres of land, more or less.

This Field Note description accompanies parcel map of even date herewith.

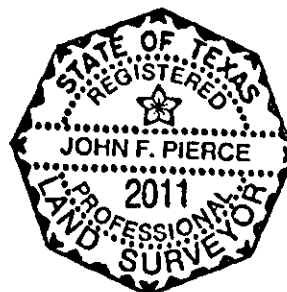
All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

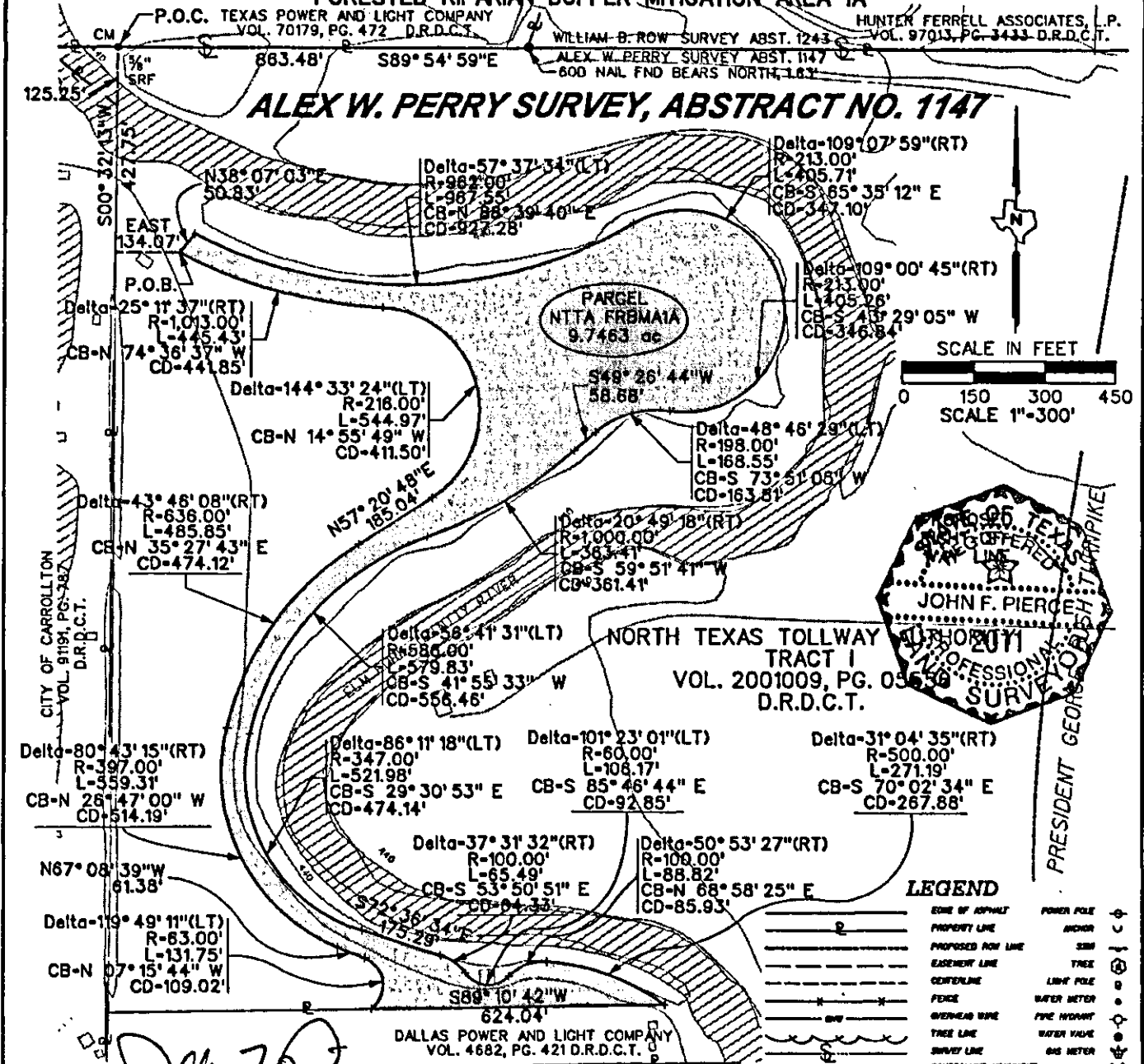
October 25, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 9.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1A

EXHIBIT "B"



CERTIFIED John F. Pierce Date: 10-25-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Deborah F. Nuland Date: 11/4/02
Carter & Burgess, Inc.
Section Engineer

APPROVED Deborah M. Eln Date: 11-27-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Note: - Denotes 1/2" steelrebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Field Note description of even date herewith accompanies this plat.

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

OWN BY - JSB APP'D BY - JFP DATE: OCTOBER 25, 2002 SCALE: 1" = 300' PARCEL NO. NITA FRBMAIA

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA1B

Page 1 of 4
October 25, 2002

**FIELD NOTES FOR A 14.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1B**

Being 14.8285 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 241.6902 acre tract of land described as Tract 2 in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, said deed also describes that certain called 150.8583 acres of land as Tract 1, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, departing said common lines, and along the east line of said City of Carrollton tract, passing at 125.25 feet an interior of said NTTA Tract 1 in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton and west line of said NTTA Tract 1 a total distance of 2,027.63 feet to an aluminum disk in concrete found for the southwest corner of said NTTA tract and the northwest corner of that certain tract of land as described in a deed to Dallas Power and Light Company;

THENCE, SOUTH 00 degrees 09 minutes 37 seconds WEST, along the common east line of said City of Carrollton tract and west line of said Dallas Power and Light Company tract, a distance of 125.09 feet to an aluminum disk in concrete found for the southwest corner of said Dallas Power and Light Company tract and the northwest corner of said NTTA Tract 2;

THENCE, SOUTH 00 degrees 35 minutes 31 seconds WEST, along the common east line of said City of Carrollton tract and west line of said NTTA Tract 2, a distance of 105.54 feet to a point;

THENCE, EAST, departing said common line, a distance of 1,027.42 feet to the **POINT OF BEGINNING**;

1. **THENCE**, NORTH 89 degrees 04 minutes 07 seconds EAST, a distance of 200.51 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA1B

Page 2 of 4
October 25, 2002

FIELD NOTES FOR A 14.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1B

2. THENCE, SOUTH 03 degrees 08 minutes 16 seconds WEST, a distance of 734.88 feet to the beginning of a reverse curve to the right;
3. THENCE, SOUTHWESTERLY, along said reverse curve to the right through a central angle of 49 degrees 17 minutes 55 seconds, a radius of 378.00 feet and an arc length of 325.24 feet, the chord of said reverse curve bears South 27 degrees 47 minutes 14 seconds West, having a chord distance of 315.30 feet to the point of reverse curvature to the left;
4. THENCE, SOUTHWESTERLY AND SOUTHEASTERLY, along said reverse curve to the left, through a central angle of 96 degrees 03 minutes 31 seconds, a radius of 400.00 feet and an arc distance of 670.62 feet, the chord of said reverse curve bears South 04 degrees 24 minutes 27 seconds West, having a chord distance of 594.79 feet to the point of reverse curvature to the right;
5. THENCE, SOUTHEASTERLY AND SOUTHWESTERLY, along said reverse curve to the right, through a central angle of 65 degrees 59 minutes 15 seconds, a radius of 320.00 feet and an arc length of 368.54 feet, the chord of said reverse curve bears South 10 degrees 37 minutes 40 seconds East, having a chord distance of 348.51 feet to the point of beginning for a compound curve to the right;
6. THENCE, SOUTHWESTERLY, along said compound curve to the right, through a central angle of 32 degrees 11 minutes 29 seconds, a radius of 1,012.00 feet and an arc length of 568.59 feet, the chord of said compound curve bears South 38 degrees 27 minutes 42 seconds West, having a chord distance of 561.14 feet to the point of compound curvature to the right;
7. THENCE, SOUTHWESTERLY, continuing along said compound curve to the right, through a central angle of 25 degrees 59 minutes 25 seconds, a radius of 115.00 feet and an arc length of 52.17 feet, the chord of said compound curve bears South 67 degrees 33 minutes 06 seconds West, having a chord distance of 51.72 feet to the point of compound curvature to the right;
8. THENCE, SOUTHWESTERLY, continuing along said compound curve to the right, through a central angle of 06 degrees 29 minutes 08 seconds, a radius of 4,144.00 feet and an arc length of 469.08 feet, the chord of said compound curve bears South 83 degrees 47 minutes 20 seconds West, having a chord distance of 468.83 feet to the point of compound curvature to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA1B

Page 3 of 4
October 25, 2002

**FIELD NOTES FOR A 14.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1B**

9. **THENCE, NORTHWESTERLY**, continuing along said compound curve to the right, through a central angle of 35 degrees 27 minutes 12 seconds, a radius of 286.00 feet and an arc length of 176.97 feet, the chord of said compound curve bears North 75 degrees 14 minutes 31 seconds West, having a chord distance of 174.16 feet to a point for the end of said compound curve to the right;
10. **THENCE, NORTH 00 degrees 52 minutes 37 seconds EAST**, a distance of 164.81 feet to a point for corner;
11. **THENCE, NORTH 86 degrees 14 minutes 57 seconds EAST**, a distance of 584.04 feet to the beginning of a non-tangent compound curve to the left whose chord bears North 37 degrees 42 minutes 05 seconds East, having a chord distance of 425.62 feet;
12. **THENCE, NORTHEASTERLY**, along said compound curve to the left, through a central angle of 30 degrees 32 minutes 29 seconds, a radius of 808.00 feet and an arc length of 430.70 feet to the point of compound curvature to the left;
13. **THENCE, NORTHEASTERLY AND NORTHWESTERLY**, along said compound curve to the left, through a central angle of 65 degrees 51 minutes 38 seconds, a radius of 123.00 feet and an arc length of 141.39 feet, the chord of said compound curve bears North 10 degrees 32 minutes 14 seconds West, having a chord distance of 133.73 feet to the point of reverse curvature to the right;
14. **THENCE, NORTHWESTERLY AND NORTHEASTERLY**, along said reverse curve to the right, through a central angle of 95 degrees 54 minutes 09 seconds, a radius of 600.00 feet and an arc length of 1,004.29 feet, the chord of said reverse curve bears North 04 degrees 29 minutes 05 seconds East, having a chord distance of 891.09 feet to the point of reverse curvature to the left;
15. **THENCE, NORTHEASTERLY**, along said reverse curve to the left, through a central angle of 49 degrees 17 minutes 49 seconds, a radius of 178.00 feet and an arc length of 153.15 feet, the chord of said reverse curve bears North 27 degrees 47 minutes 13 seconds East, having a chord distance of 148.47 feet to the end of said reverse curve;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA1B

Page 4 of 4
October 25, 2002

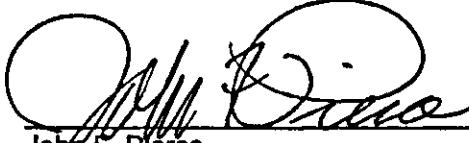
FIELD NOTES FOR A 14.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 1B

16. THENCE, NORTH 03 degrees 08 minutes 16 seconds EAST, a distance of
720.66 feet to the to the POINT OF BEGINNING containing 14.8285 acres of
land, more or less.

This Field Note description accompanies parcel map of even date herewith.

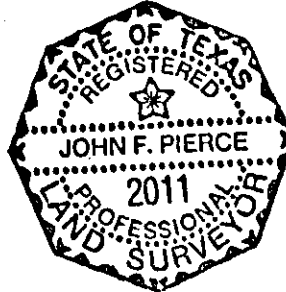
All bearings are based on project coordinates for North Texas Tollway Authority
Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

October 25, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 14.8 ACRE TRACT, FORESTED RIPARIAN BUFFER MITIGATION AREA 1B

EXHIBIT "B"

P.O.C. 1/4" TEXAS POWER AND LIGHT COMPANY
SRF VOL. 70179, PG. 472 D.R.D.C.T.
HUNTER FERRELL ASSOCIATES, L.P.
VOL. 97013, PG. 3433 D.R.D.C.T.

125.25' S00°32'13"W 2,027.63'
S00°09'37"W 125.09'
S00°35'31"W 105.54'
WILLIAM B. ROW SURVEY ABST. 1243
ALEX W. PERRY SURVEY ABST. 1147
600' NAL FND BEARS NORTH, 1.63'

ALUM DISC IN CONC. FD
DALLAS POWER AND LIGHT COMPANY
VOL. 4682, PG. 421 D.R.D.C.T.

ALUM DISC IN CONC. FD
N89°04'07"E 200.51'

EAST 1,027.42'
P.O.B. 720.66'

N03°08'16"E 734.88'
NORTH TEXAS TOLLWAY AUTHORITY
(TRACT I)
VOL. 2001009, PG. 05556
D.R.D.C.T.

**ALEX W. PERRY SURVEY
ABSTRACT NO. 1147**

Delta-49°17'49"(LT)
R-178.00'
L-153.15'
CB-N 27°47'13" E
CD-148.47'

Delta-49°17'55"(RT)
R-378.00'
L-325.24'
CB-S 27°47'14" W
CD-315.30'

Delta-98°03'31"(LT)
R-400.00'
L-670.62'
CB-S 04°24'27" W
CD-594.79'

Delta-65°59'15"(RT)
R-320.00'
L-368.54'
CB-S 10°37'40" E
CD-348.51'

Delta-32°11'29"(RT)
R-1,012.00'
L-568.59'
CB-S 38°27'42" W
CD-561.14'

Delta-25°59'25"(RT)
R-115.00'
L-52.17'
CB-S 82°33'06" W
CD-51.72'

Delta-06°29'08"(RT)
R-4,144.00'
L-468.08'
CB-S 83°47'20" W
CD-468.83'

Delta-35°27'12"(RT)
R-286.00'
L-176.97'
CB-N 75°14'31" W
CD-174.16'

Delta-65°51'38"(LT)
R-123.00'
L-141.39'
CB-N 10°32'14" W
CD-133.73'

Delta-95°54'09"(RT)
R-800.00'
L-1,004.29'
CB-N 04°29'05" E
CD-891.09'

Delta-14°57'E 584.04'
N03°52'37"E 164.81'

PARCEL NTTA FRBMA1B
14.8285 ac

CITY OF DALLAS
VOL. 3336, PG. 0243
D.R.D.C.T.

Delta-49°17'49"(LT)
R-178.00'
L-153.15'
CB-N 27°47'13" E
CD-148.47'

Delta-49°17'55"(RT)
R-378.00'
L-325.24'
CB-S 27°47'14" W
CD-315.30'

Delta-98°03'31"(LT)
R-400.00'
L-670.62'
CB-S 04°24'27" W
CD-594.79'

Delta-65°59'15"(RT)
R-320.00'
L-368.54'
CB-S 10°37'40" E
CD-348.51'

Delta-32°11'29"(RT)
R-1,012.00'
L-568.59'
CB-S 38°27'42" W
CD-561.14'

Delta-25°59'25"(RT)
R-115.00'
L-52.17'
CB-S 82°33'06" W
CD-51.72'

Delta-06°29'08"(RT)
R-4,144.00'
L-468.08'
CB-S 83°47'20" W
CD-468.83'

Delta-35°27'12"(RT)
R-286.00'
L-176.97'
CB-N 75°14'31" W
CD-174.16'

Delta-65°51'38"(LT)
R-123.00'
L-141.39'
CB-N 10°32'14" W
CD-133.73'

Delta-95°54'09"(RT)
R-800.00'
L-1,004.29'
CB-N 04°29'05" E
CD-891.09'

Delta-14°57'E 584.04'
N03°52'37"E 164.81'

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

DWN BY - JSB APP'D BY - JFP DATE: OCTOBER 25, 2002 SCALE: 1" = 400' PARCEL NO. NTTA FRBMA1B

Revisions

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

LEGEND
EDGE OF ASPHALT POWER POLE
PROPERTY LINE ANCHOR
PROPOSED ROW LINE SRH
EASEMENT LINE TREE
CENTERLINE LIGHT POLE
FENCE WATER METER
OVERHEAD WIRE FIRE HYDRANT
TREE LINE WATER VALVE
SURVEY LINE GAS METER
CONTROLLING MONUMENT CLENOT

Notes:
All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.
A Field Note description of even date herewith accompanies this plat.

CERTIFIED *John F. Dancer* Date: 10-25-02 - Denotes 1/2" steelrebar with yellow plastic cap marked "AZB" set, unless noted otherwise.
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED *Deborah A. Huelst* Date: 11/4/02
Carter & Burgess, Inc.
Section Engineer

APPROVED *John M. Cole* Date: 11-27-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA2A

Page 1 of 4
October 25, 2002

**FIELD NOTES FOR A 3.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 2A**

Being 3.8500 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract 1 in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and the west line of said NTTA tract, a total distance of 2,027.63 feet to the southwest corner of said NTTA tract and the northwest corner of that certain tract of land as described in a deed to Dallas Power and Light Company as recorded in Volume 4682 Page 421 of said Deed Records;

THENCE, NORTH 89 degrees 10 minutes 42 seconds EAST, along said common line, a distance of 1027.42 feet to the beginning of a non-tangent curve to the left for the **POINT OF BEGINNING**;

1. **THENCE**, NORTHWESTERLY, along said non-tangent curve to the left through a central angle of 30 degrees 49 minutes 25 seconds, a radius of 736.00 feet and an arc length of 395.95 feet, the chord of said non-tangent bears North 31 degrees 59 minutes 07 seconds West, having a chord distance of 391.19 feet to the point of reverse curvature to the right
2. **THENCE**, NORTHWESTERTLY, along said reverse curve to the right through a central angle of 29 degrees 44 minutes 34 seconds, a radius of 300.00 feet and an arc length of 155.73 feet, the chord of said non-tangent bears North 32 degrees 31 minutes 34 seconds West, having a chord distance of 153.99 feet to the point for the end of said curve;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA2A

Page 2 of 4
October 25, 2002

**FIELD NOTES FOR A 3.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 2A**

3. **THENCE, NORTH 17 degrees 39 minutes 18 seconds WEST, a distance of 254.23 feet to the beginning of a curve to the right;**
4. **THENCE, NORTHEASTERLY, along said curve to the right through a central angle of 105 degrees 38 minutes 49 seconds, a radius of 90.00 feet and an arc length of 165.95 feet, the chord of said non-tangent bears North 35 degrees 10 minutes 10 seconds East, having a chord distance of 143.42 feet to the point of reverse curvature to the left;**
5. **THENCE, NORTHEASTERLY, along said reverse curve to the left through a central angle of 60 degrees 26 minutes 01 seconds, a radius of 576.00 feet and an arc length of 607.54 feet, the chord of said non-tangent bears North 57 degrees 46 minutes 38 seconds East, having a chord distance of 579.77 feet to the point of compound curvature to the left;**
6. **THENCE, NORTHEASTERLY, along said compound curve to the left through a central angle of 15 degrees 21 minutes 47 seconds, a radius of 495.00 feet and an arc length of 132.73 feet, the chord of said curve bears North 19 degrees 52 minutes 44 seconds East, having a chord distance of 132.23 feet to the point of reverse curvature to the right;**
7. **THENCE, NORTHEASTERLY AND SOUTHEASTERLY, along said reverse curve to the right through a central angle of 133 degrees 27 minutes 06 seconds, a radius of 40.00 feet and an arc length of 93.17 feet, the chord of said curve bears North 78 degrees 55 minutes 07 seconds East, having a chord distance of 73.49 feet to the point of reverse curvature to the left;**
8. **THENCE, SOUTHEASTERLY, along said reverse curve to the left through a central angle of 21 degrees 22 minutes 27 seconds, a radius of 450.00 feet and an arc length of 167.87 feet, the chord of said curve bears South 45 degrees 02 minutes 48 seconds East, having a chord distance of 166.90 feet to the point of compound curvature to the left;**
9. **THENCE, SOUTHEASTERLY, continuing along said compound curve to the left through a central angle of 60 degrees 22 minutes 47 seconds, a radius of 232.00 feet and an arc length of 244.49 feet, the chord of said curve bears South 85 degrees 55 minutes 26 seconds East, having a chord distance of 233.33 feet to a point for the end of said curve;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA2A

Page 3 of 4
October 25, 2002

FIELD NOTES FOR A 3.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 2A

10. THENCE, SOUTH 15 degrees 58 minutes 29 seconds WEST, a distance of 33.45 feet to the beginning of a non-tangent curve to the right;
11. THENCE, SOUTHWESTERLY, along said non-tangent curve to the right through a central angle of 07 degrees 31 minutes 19 seconds, a radius of 370.00 feet and an arc length of 48.58 feet, the chord of said curve bears South 76 degrees 30 minutes 12 seconds West, having a chord distance of 48.54 feet to the point of reverse curvature to the left;
12. THENCE, SOUTHWESTERLY, along said reverse curve to the left through a central angle of 34 degrees 00 minutes 21 seconds, a radius 1590.00 feet and an arc length of 943.69 feet, the chord of said curve bears South 63 degrees 15 minutes 41 seconds West, having a chord distance of 929.90 feet to the point of compound curvature to the left;
13. THENCE, SOUTHWESTERLY AND SOUTHEASTERLY, along said compound curve to the left through a central angle of 63 degrees 26 minutes 24 seconds, a radius of 156.00 feet and an arc length of 172.73 feet, the chord of said non-tangent bears South 14 degrees 32 minutes 18 seconds West, having a chord distance of 164.04 feet to the point of compound curvature to the left;
14. THENCE, SOUTHEASTERLY, continuing along said compound curvature to the left through a central angle of 22 degrees 02 minutes 26 seconds, a radius of 450.00 feet and an arc length of 173.11 feet, the chord of said curve bears South 28 degrees 12 minutes 06 seconds East, having a chord distance of 172.04 feet to a point for the end of said curve;
15. THENCE, SOUTH 39 degrees 13 minutes 18 seconds EAST, a distance of 324.10 feet to the beginning of a curve to the right;
16. THENCE, SOUTHEASTERLY, along said curve to the right through a central angle of 13 degrees 51 minutes 30 seconds, a radius of 537.00 feet and an arc length of 129.89 feet, the chord of said curve bears South 32 degrees 17 minutes 34 seconds East, having a chord distance of 129.57 feet to a point for the end of said curve on said common line;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA2A

Page 4 of 4
October 25, 2002

FIELD NOTES FOR A 3.8 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 2A

17. THENCE, SOUTH 89 degrees 10 minutes 42 seconds WEST, along said common line, a distance of 101.37 feet to the POINT OF BEGINNING containing 3.8500 acres of land more or less.

This Field Note description accompanies parcel map of even date herewith.

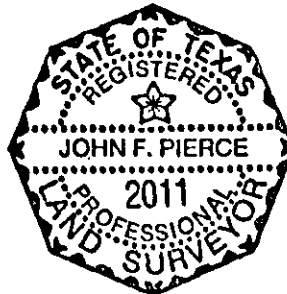
All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

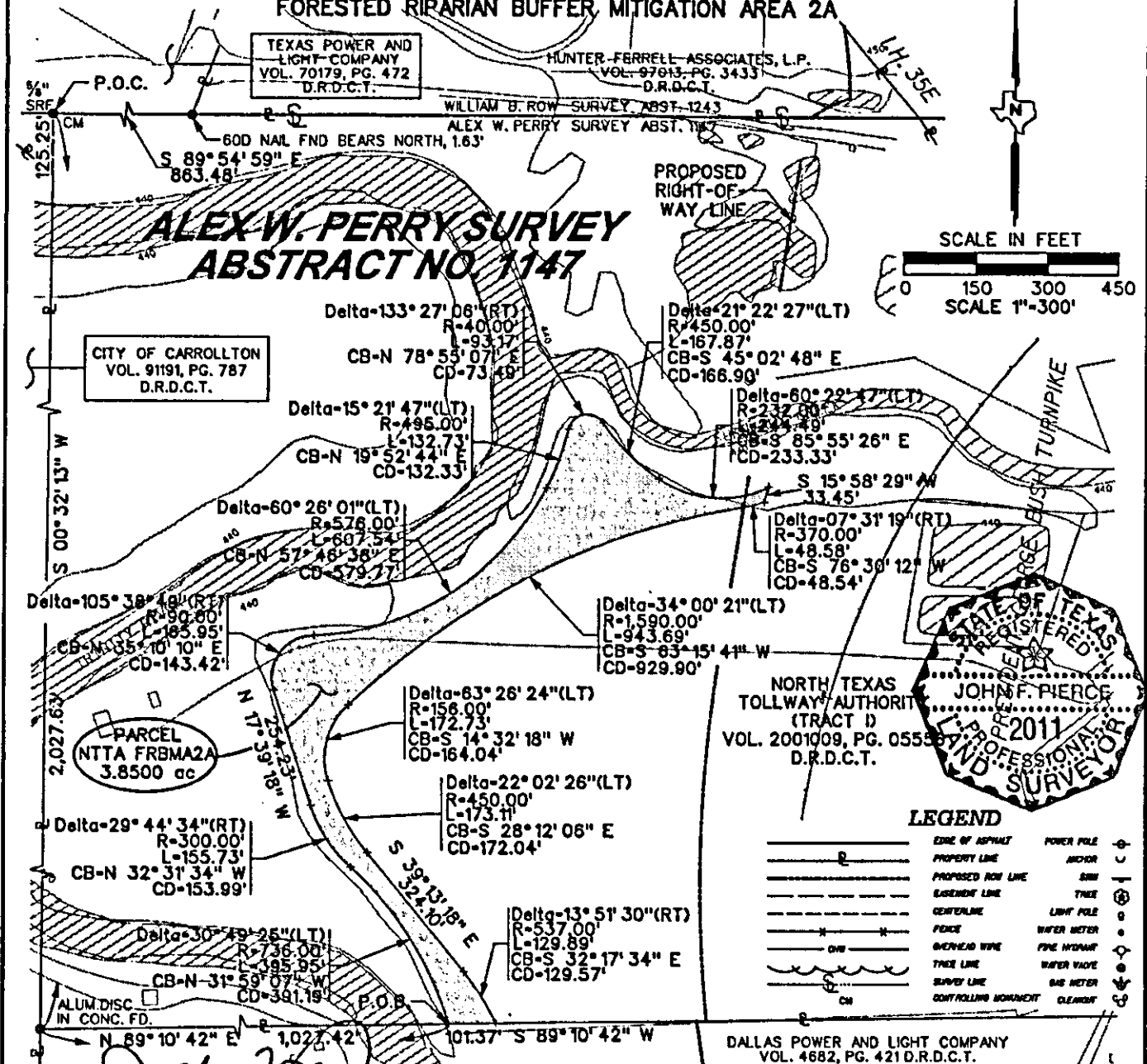
October 25, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 3.9 ACRE TRACT, FORESTED RIPARIAN BUFFER, MITIGATION AREA 2A

EXHIBIT "B"



CERTIFIED John F. Pierce Date: 10-25-02 - Denotes 1/2" steelrebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

RECOMMENDED Deborah J. Nuhed Date: 12-10-02
Carter & Burgess, Inc.
Section Engineer

APPROVED John M. Nuhed Date: 12-11-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

Note:
All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Field Note description of even date herewith accompanies this plat.

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

OWN BY - JSB APP'D BY - JFP DATE: OCTOBER 25, 2002 SCALE: 1" = 300' PARCEL NO. NTTA FRBMA2A

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA2B

Page 1 of 3
October 21, 2002

**FIELD NOTES FOR A 7.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 2B**

Being 7.7343 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 241.6902 acre tract of land described as Tract 2 in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, said deed also describes that certain called 150.8583 acres of land as Tract 1, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, departing said common lines, and along the east line of said City of Carrollton tract, passing at 125.25 feet an interior of said NTTA Tract 1 in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton and west line of said NTTA Tract 1 a total distance of 2,027.63 feet to an aluminum disk in concrete found for the southwest corner of said NTTA tract and the northwest corner of that certain tract of land as described in a deed to Dallas Power and Light Company;

THENCE, SOUTH 00 degrees 09 minutes 37 seconds WEST, along the common east line of said City of Carrollton tract and west line of said Dallas Power and Light Company tract, a distance of 125.09 feet to an aluminum disk in concrete found for the southwest corner of said Dallas Power and Light Company tract and the northwest corner of said NTTA Tract 2;

THENCE, SOUTH 00 degrees 35 minutes 31 seconds WEST, along the common east line of said City of Carrollton tract and west line of said NTTA Tract 2, 100.31 feet to a point;

THENCE, EAST, departing said common line, a distance of 1,502.53 feet to the **POINT OF BEGINNING**;

1. **THENCE**, NORTH 89 degrees 10 minutes 59 seconds EAST, a distance of 226.44 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA FRBMA2B

Page 2 of 3
October 21, 2002

**FIELD NOTES FOR A 7.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 2B**

2. **THENCE, SOUTH 03 degrees 46 minutes 07 seconds WEST, a distance of 78.10 feet to a point;**
3. **THENCE, SOUTH 06 degrees 58 minutes 01 seconds WEST, a distance of 634.70 feet to the beginning of a curve to the right;**
4. **THENCE, SOUTHWESTERLY, along said curve to the right through a central angle of 18 degrees 27 minutes 22 seconds, a radius of 700.00 feet and an arc length of 225.48 feet, the chord of said non-tangent bears South 16 degrees 11 minutes 43 seconds West, having a chord distance of 224.51 feet to a point for the end of said curve;**
5. **THENCE, SOUTH 25 degrees 25 minutes 25 seconds WEST, a distance of 261.89 feet to the beginning of a curve to the left;**
6. **THENCE, SOUTHWESTERLY, along said curve to the left through a central angle of 43 degrees 50 minutes 48 seconds, a radius of 300.00 feet and an arc length of 229.58 feet, the chord of said curve bears South 03 degrees 30 minutes 01 seconds West, having a chord distance of 224.02 feet to the end of said curve;**
7. **THENCE, SOUTH 18 degrees 25 minutes 22 seconds EAST, a distance of 182.69 feet to a point;**
8. **THENCE, NORTH 89 degrees 33 minutes 45 seconds WEST, a distance of 211.35 feet to a point;**
9. **THENCE, NORTH 19 degrees 59 minutes 41 seconds WEST, a distance of 281.83 feet to the beginning of a curve to the right;**
10. **THENCE, NORTHWESTTERLY AND NORTHEASTERLY, along said curve to the right through a central angle of 51 degrees 45 minutes 36 seconds, a radius of 84.00 feet and an arc length of 75.88 feet, the chord of said curve bears North 05 degrees 53 minutes 08 seconds East, having a chord distance of 73.33feet to the point of reverse curvature to the left;**
11. **THENCE, NORTHEASTERLY, along said reverse curve to the left through a central angle of 08 degrees 14 minutes 02 seconds, a radius of 2,000.00 feet and an arc length of 287.42 feet, the chord of said reverse curve bears North 27 degrees 38 minutes 57 seconds East, having a chord distance of 287.17 feet to the end of said reverse curve to the left;;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA2B

Page 3 of 3
October 21, 2002

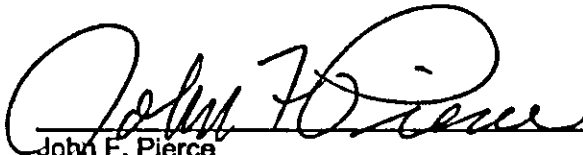
FIELD NOTES FOR A 7.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 2B

12. THENCE, NORTH 23 degrees 31 minutes 55 seconds EAST, a distance of 154.22 feet to the beginning of a curve to the left;
13. THENCE, NORTHEASTERLY, along said curve to the left through a central angle of 19 degrees 00 minutes 51 seconds, a radius of 500.00 feet and an arc length of 165.93 feet, the chord of said curve bears North 14 degrees 01 minutes 31 seconds East, having a chord distance of 165.17 feet to a point for the end of said curve;
14. THENCE, NORTH 04 degrees 31 minutes 06 seconds EAST, a distance of 660.41 feet to the POINT OF BEGINNING containing 7.7343 acres of land, more or less.

This Field Note description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

 October 21, 2002
John F. Pierce Date
Registered Professional Land Surveyor
Texas No. 2011

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

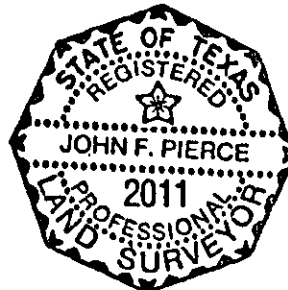


EXHIBIT "B"

MAP FOR A 7.7 ACRE TRACT, FORESTED RIPARIAN BUFFER MITIGATION AREA 2B

HUNTER FERRELL ASSOCIATES, L.P.
VOL. 97013, PG. 3433 D.R.D.C.T.

TEXAS POWER AND LIGHT COMPANY
VOL. 70179, PG. 472 D.R.D.C.T.
WILLIAM B. ROW SURVEY ABST. 1243
ALEX W. PERRY SURVEY ABST. 1147
600 NAIL FND BEARS NORTH, 1.63'

863.48' S 89° 54' 59" E
S 00° 32' 13" W 2,027.63'
ALUM. DISC IN CONC. FD.
S 00° 09' 37" W 125.09'
DALLAS POWER AND LIGHT COMPANY
VOL. 4682, PG. 421 D.R.D.C.T.

ALUM. DISC IN CONC. FD.
S 00° 35' 31" W 100.31'
EAST 1,502.53'

ALEX W. PERRY SURVEY ABSTRACT NO. 1147

NORTH TEXAS TOLLWAY AUTHORITY
TRACT II
VOL. 2001009, PG. 05556
D.R.D.C.T.

Delta-19° 00' 51" (LT)
R-500.00'
L-165.93'
CB-N 14° 01' 31" E
CD-165.17'

PARCEL
NTTA FRBMA2B
7.7343 ac

Delta-08° 14' 02" (LT)
R-2,000.00'
L-287.42'
CB-N 27° 38' 57" E
CD-287.17'

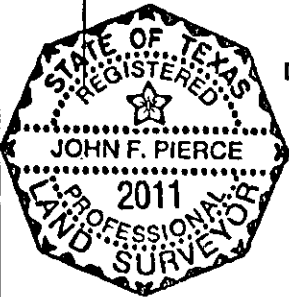
Delta-51° 45' 36" (RT)
R-84.00'
L-75.88'
CB-N 05° 53' 08" E
CD-73.33'

Delta-18° 27' 22" (RT)
R-700.00'
L-225.48'
CB-S 16° 11' 43" W
CD-224.51'

Delta-43° 50' 48" (LT)
R-300.00'
L-229.58'
CB-S 03° 30' 01" W
CD-224.02'

LEGEND

EDGE OF RIPARIAN	POWER POLE	CM
PROPERTY LINE	ANCHOR	CM
PROPOSED ROW LINE	SEW	CM
EASEMENT LINE	TREE	CM
GENERATOR LINE	LIGHT POLE	CM
PERKINS	WATER METER	CM
OVERHEAD WIRE	PINE INTERIOR	CM
TRACE LINE	WATER VADE	CM
SURVEY LINE	WAS METER	CM
CONTROLLING MONUMENT	CLEARING	CM



CERTIFIED *John F. Pierce* Date: 10-21-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED *Deborah J. Nuked* Date: 12-10-02
Carter & Burgess, Inc.
Section Engineer

APPROVED *James M. Doyle* Date: 12-11-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DWN BY - JSB APP'D BY - JFP DATE: OCTOBER 21, 2002 SCALE: 1" = 300' PARCEL NO. NTTA FRBMA2B

BT/POD #FILE#

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA3WEST

Page 1 of 2
October 25, 2002

**FIELD NOTES FOR A 1.7 ACRE TRACT,
FORESTED RIPAPIAN BUFFER MITIGATION AREA 3 WEST**

Being 1.6709 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract 1 in a deed to North Texas Tollway Authority (NTTA Tract 1) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, a distance of 110.69 feet to a point;

THENCE, EAST, departing said east line of City of Carrollton tract, a distance of 1650.89 feet to the **POINT OF BEGINNING**;

1. **THENCE**, SOUTH 30 degrees 20 minutes 02 seconds EAST, a distance of 624.96 feet to a point;
2. **THENCE**, SOUTH 73 degrees 48 minutes 47 seconds WEST, a distance of 60.92 feet to the beginning of a non-tangent reverse curve to the left, whose chord bears North 38 degrees 43 minutes 09 seconds West, having a chord distance of 116.48 feet;
3. **THENCE**, NORTHWESTERLY, along said non-tangent curve to the left through a central angle of 24 degrees 21 minutes 48 seconds, a radius of 276.00 feet and an arc length of 117.36 feet to the point of reverse curvature to the right;
4. **THENCE**, NORTHWESTERLY, along said reverse curve to the right through a central angle of 24 degrees 05 minutes 29 seconds, a radius of 266.00 feet and an arc length of 111.85 feet, the chord of said reverse curve bears North 38 degrees 51 minutes 19 seconds West, having a chord distance of 111.02 feet to the point of reverse curvature to the left;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA3WEST


Page 2 of 2
October 25, 2002

FIELD NOTES FOR A 1.7 ACRE TRACT,
FORESTED RIPAPIAN BUFFER MITIGATION AREA 3 WEST

5. THENCE, NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY, along said reverse curve to the left through a central angle of 114 degrees 00 minutes 30 seconds, a radius of 50.00 feet and an arc length of 99.49 feet, the chord of said reverse curve bears North 83 degrees 48 minutes 49 seconds West, having a chord distance of 83.87 feet to the point of reverse curvature to the right;
6. THENCE, SOUTHWESTERLY AND NORTHERLY, along said reverse curve to the right through a central angle of 177 degrees 06 minutes 47 seconds, a radius of 13.00 feet and an arc length of 40.19 feet, the chord of said reverse curve bears North 52 degrees 15 minutes 39 seconds West, having a chord distance of 25.99 feet to the point of reverse curvature to the left;
7. THENCE, NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY, along said reverse curve to the left through a central angle of 94 degrees 59 minutes 37 seconds, a radius of 50.00 feet and an arc length of 82.90 feet, the chord of said reverse curve bears North 11 degrees 12 minutes 03 seconds West, having a chord distance of 73.72 feet to the point of reverse curvature to the right;
8. THENCE, NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY, along said reverse curve to the right through a central angle of 115 degrees 17 minutes 51 seconds, a radius of 176.00 feet and an arc length of 354.17 feet, the chord of said reverse curve bears North 01 degrees 02 minutes 57 seconds West, having a chord distance of 297.36 feet to the POINT OF BEGINNING containing 1.6709 acres of land, more or less.

This Field Note description accompanies parcel map of even date herewith.
All bearings are based on project coordinates for North Texas Tollway Authority
Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

October 25, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

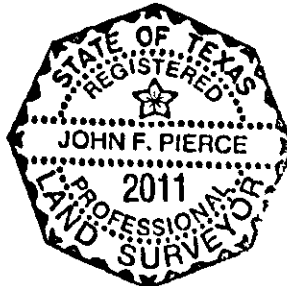
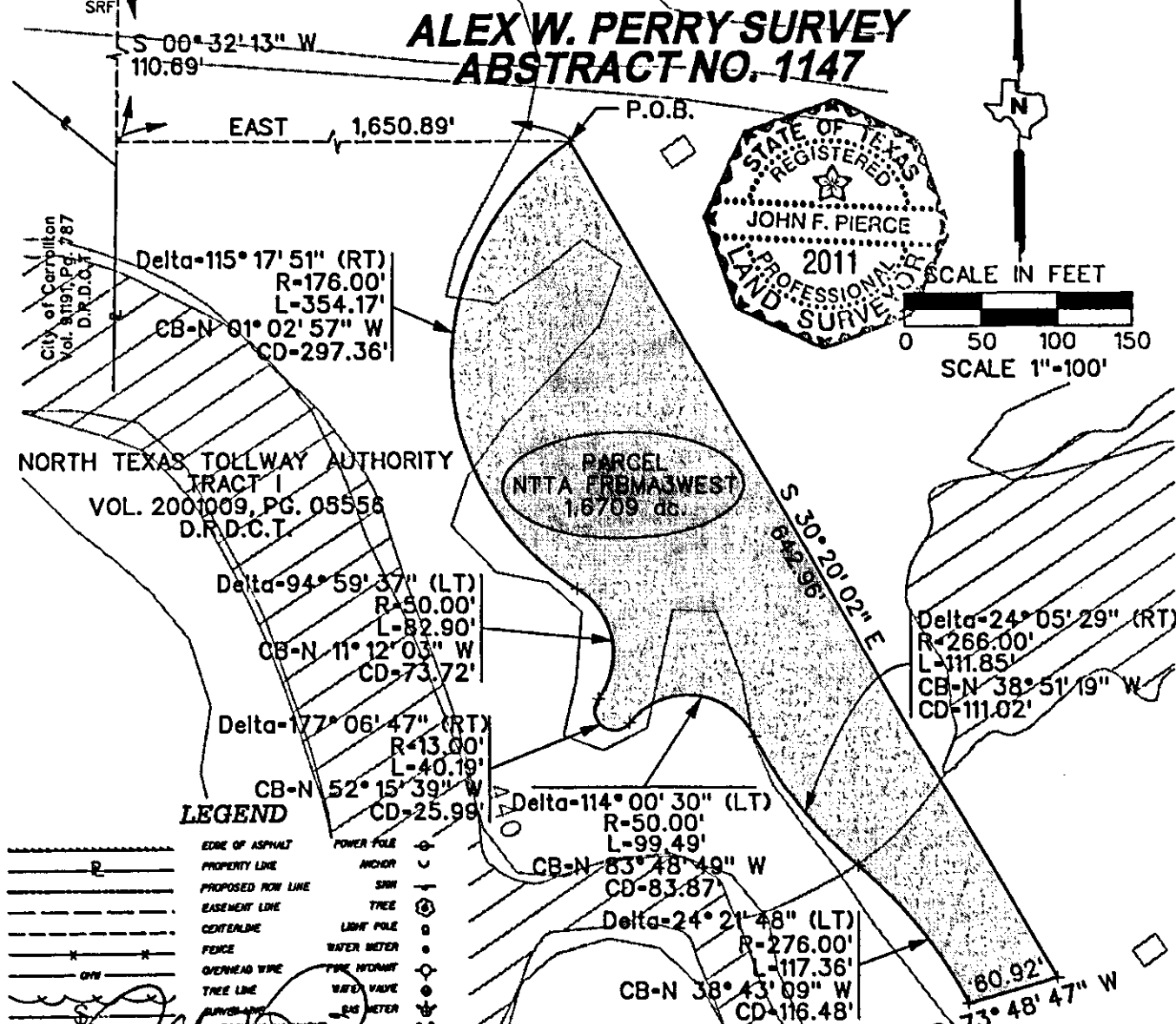


EXHIBIT "B"

MAP FOR A 1.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA 3 WEST

P.O.C. TEXAS POWER AND LIGHT COMPANY - HUNTER-FERRELL ASSOCIATES, L.P.
VOL. 70179, PG. 472 D.R.D.C.T. VOL. 97013, PG. 3433 D.R.D.C.T.

**ALEX W. PERRY SURVEY
ABSTRACT NO. 1147**



- LEGEND**
- EDGE OF ASPHALT
 - PROPERTY LINE
 - PROPOSED ROW LINE
 - EASEMENT LINE
 - CENTERLINE
 - FENCE
 - OVERHEAD WIRE
 - TREE LINE
 - CONTROL MONUMENT
 - POWER POLE
 - ANCHOR
 - SRH
 - TREE
 - LIGHT POLE
 - WATER METER
 - PIPE MONUMENT
 - WATER VALVE
 - WATER METER
 - BLANKET

CERTIFIED *[Signature]*
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED *[Signature]* Date: 12-10-02
Carter & Burgess, Inc.
Section Engineer

APPROVED *[Signature]* Date: 12-11-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Date: 10-25-02 - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:
All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.
A Field Note description of even date herewith accompanies this plat.

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA3EAST

Page 1 of 3
October 21, 2002

**FIELD NOTES FOR A 1.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA FRBMA 3 EAST**

Being 1.6569 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract 1 in a deed to North Texas Tollway Authority (NTTA Tract 1) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA Tract 1 in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA Tract 1, a total distance of 297.98 feet to a point;

THENCE, East, departing said common line, a distance of 1650.89 feet to the **POINT OF BEGINNING**;

1. **THENCE**, NORTH 30 degrees 20 minutes 02 seconds EAST, a distance of 254.25 feet to the beginning of a curve to the right;
2. **THENCE**, NORTHWESTERLY AND NORTHEASTERLY, along said curve to the right through a central angle of 120 degrees 30 minutes 43 seconds, a radius of 20.00 feet and an arc length of 42.07 feet, the chord of said curve bears North 29 degrees 55 minutes 36 seconds East, having a chord distance of 34.73 feet to a point for the end of said curve;
3. **THENCE**, SOUTH 89 degrees 48 minutes 45 seconds EAST, a distance of 279.26 feet to the beginning of a curve to the right
4. **THENCE**, SOUTHEASTERLY, along said curve to the right through a central angle of 26 degrees 23 minutes 38 seconds, a radius of 50.00 feet and an arc length of 23.03 feet, the chord of said curve bears South 76 degrees 36 minutes 57 seconds East, having a chord distance of 22.83 feet to a point for the end of said curve;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA3EAST

Page 2 of 3
October 21, 2002

**FIELD NOTES FOR A 1.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA FRBMA 3 EAST**

5. **THENCE, SOUTH 63 degrees 25 minutes 07 seconds EAST, a distance of 69.63 feet to the beginning of a reverse curve to the right;**
6. **THENCE, SOUTHEASTERLY, along said reverse curve to the right through a central angle of 88 degrees 39 minutes 13 seconds, a radius of 20.00 feet and an arc length of 30.95 feet, the chord of said reverse curve bears South 19 degrees 05 minutes 54 seconds East, having a chord distance of 27.95 feet to the point of reverse curvature to the left on the proposed west right-of-way line of the President George Bush Turnpike**
7. **THENCE, SOUTHWESTERLY, along said proposed west right-of-way line of the President George Bush Turnpike and said reverse curve to the left through a central angle of 12 degrees 35 minutes 46 seconds, a radius of 284.23 feet and an arc length of 62.49 feet, the chord of said reverse curve bears South 18 degrees 55 minutes 26 seconds West, having a chord distance of 62.36 feet to a point for the end of said curve;**
8. **THENCE, SOUTH 71 degrees 57 minutes 53 seconds East, a distance of 64.38 feet to the beginning of a non-tangent curve to the left;**
9. **THENCE, SOUTHERLY, along said non-tangent curve to the left through a central angle of 15 degrees 18 minutes 44 seconds, a radius of 220.00 feet and an arc length of 58.80 feet, the chord of said non-tangent curve bears South 03 degrees 21 minutes 41 seconds West, having a chord distance of 58.62 feet to a point for the end of said non-tangent curve and the beginning of a non-tangent curve to the left;**
10. **THENCE, WESTERLY along said non-tangent curve to the left through a central angle of 40 degrees 28 minutes 20 seconds, a radius of 225.00 feet and an arc length of 158.93 feet, the chord of said non-tangent curve bears North 89 degrees 10 minutes 47 seconds West, having a chord distance of 155.65 feet to a point for the end of said non-tangent curve;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA FRBMA3EAST

Page 3 of 3
October 21, 2002

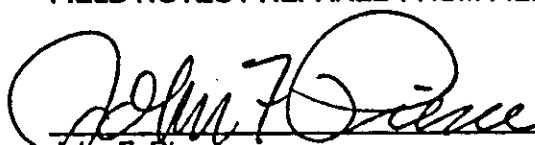
FIELD NOTES FOR A 1.7 ACRE TRACT,
FORESTED RIPARIAN BUFFER MITIGATION AREA FRBMA 3 EAST

11. THENCE, SOUTH 70 degrees 36 minutes 57 seconds WEST, a distance of
152.36 feet to the POINT OF BEGINNING containing 1.6569 acres of land, more
or less.

This Field Note description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority
Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011


Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

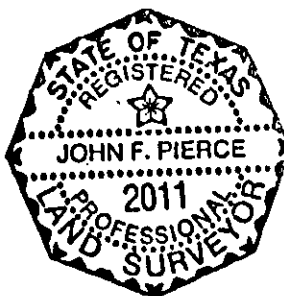
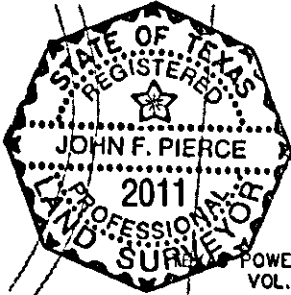


EXHIBIT "B"

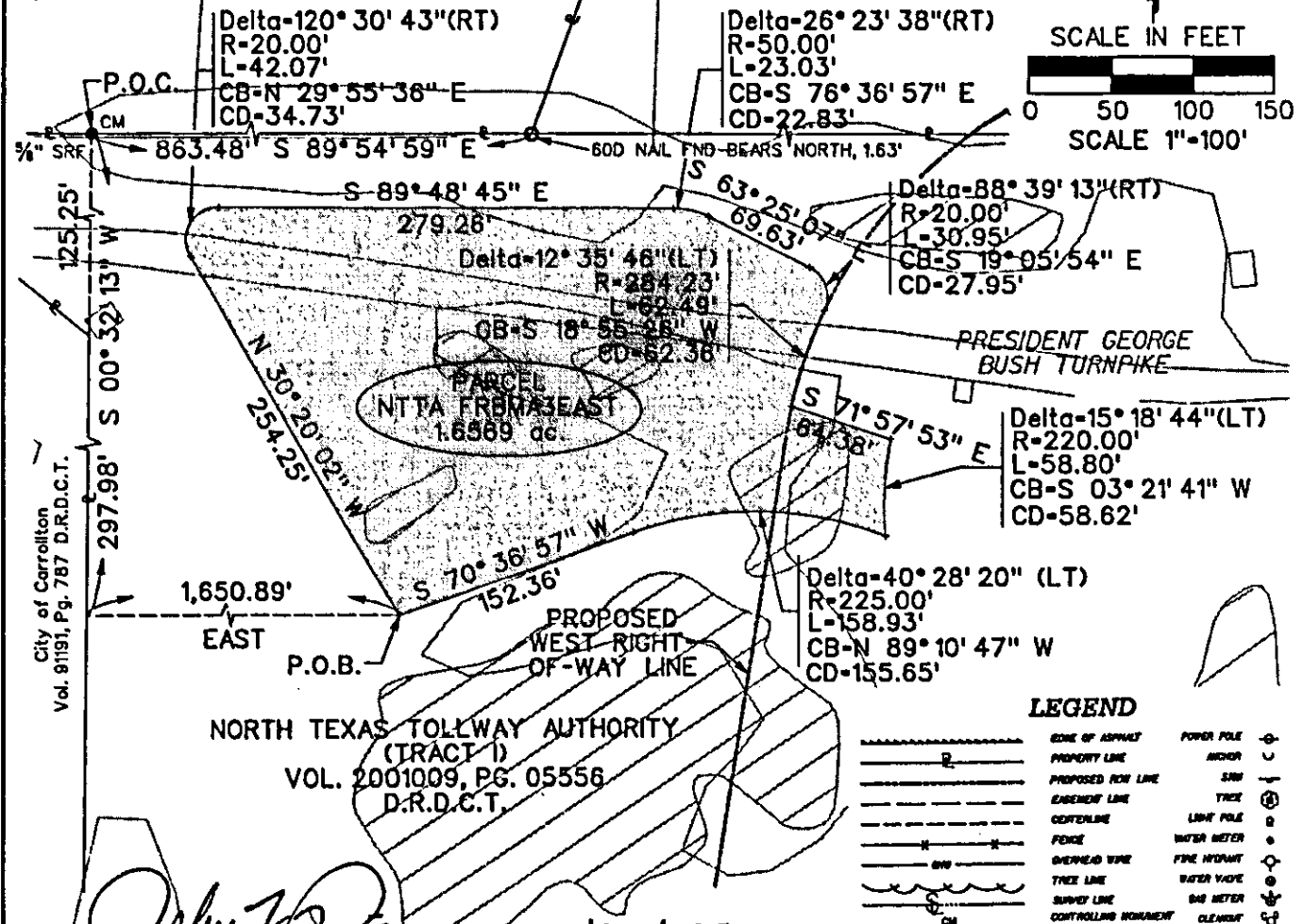


POWER AND LIGHT COMPANY
VOL. 70179, PG. 472
D.R.D.C.T.

HUNTER FERRELL ASSOCIATES, L.P.
VOL. 97013, PG. 3433
D.R.D.C.T.



0 50 100 150
SCALE 1"=100'



LEGEND

CERTIFIED: [Signature]
Registered Professional Land Surveyor
Texas No. 2011

Date: 10-21-02

● - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note!

RECOMMENDED W. J. Sullivan
Carter & Burgess, Inc.
Section Engineer

Date: 11/21/02

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

APPROVED
HNTB Corporation
General Engineering Consultant

A Field Note description of even date herewith
accompanies this plat.

APPROVED _____
North Texas Tollway Authority
Director of Engineering

Date:

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 McCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAN

DWN BY -	JSS	APPRD BY -	JFP	DATE:	OCTOBER 21, 2002	SCALE :	1" = 100'	PARCEL NO.	NTTA FRMASEAST
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1992/1993

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA OWHMA1A

Page 1 of 3
October 25, 2002

**FIELD NOTES FOR A 2.1 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA 1A**

Being 2.0785 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract I in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and the west line of said NTTA tract, a total distance of 427.75 feet to a point;

THENCE, EAST, departing said common line, a distance of 136.55 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH** 77 degrees 06 minutes 45 seconds EAST, a distance of 11.79 feet to a point;
2. **THENCE, SOUTH** 65 degrees 22 minutes 08 seconds EAST, a distance of 46.60 feet to a point;
3. **THENCE, SOUTH** 11 degrees 25 minutes 22 seconds EAST, a distance of 13.79 feet to a point;
4. **THENCE, SOUTH** 40 degrees 15 minutes 16 seconds WEST, a distance of 31.75 feet to the beginning of a curve to the left;
5. **THENCE, SOUTHWEST**, along said curve to the left having a central angle of 39 degrees 24 minutes 46 seconds, a radius of 50.00 feet and an arc length of 34.39 feet, the chord of said curve bears South 20 degrees 32 minutes 50 seconds West, having a chord distance of 33.72 feet to the end of said curve;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA1A

Page 2 of 3
October 25, 2002

**FIELD NOTES FOR A 2.1 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA 1A**

6. **THENCE, SOUTH 00 degrees 50 minutes 23 seconds WEST, a distance of 456.01 feet to a point;**
7. **THENCE, SOUTH 00 degrees 04 minutes 35 seconds WEST, a distance of 386.88 feet to a point;**
8. **THENCE, SOUTH 01 degrees 52 minutes 06 seconds WEST, a distance of 287.07 feet to a point;**
9. **THENCE, SOUTH 00 degrees 50 minutes 23 seconds WEST, a distance of 227.48 feet to a point;**
10. **THENCE, SOUTH 44 degrees 55 minutes 07 seconds WEST, a distance of 8.56 feet to a point;**
11. **THENCE, SOUTH 89 degrees 26 minutes 37 seconds WEST, a distance of 51.99 feet to a point;**
12. **THENCE, NORTH 50 degrees 51 minutes 34 seconds WEST, a distance of 6.56 feet to a point;**
13. **THENCE, NORTH 01 degrees 13 minutes 02 seconds EAST, a distance of 367.09 feet to a point;**
14. **THENCE, NORTH 01 degrees 37 minutes 27 seconds EAST, a distance of 234.39 feet to a point;**
15. **THENCE, NORTH 00 degrees 03 minutes 38 seconds EAST, a distance of 300.76 feet to a point;**
16. **THENCE, NORTH 00 degrees 44 minutes 40 seconds EAST, a distance of 493.53 feet to the beginning of a curve to the right;**
17. **THENCE, NORTHEAST, along said curve to the right having a central angle of 40 degrees 27 minutes 19 seconds, a radius of 20.00 feet and an arc length of 14.12 feet, the chord of said curve bears North 20 degrees 58 minutes 29 seconds East, having a chord distance of 13.83 feet to the end of said curve;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA OWHMA1A

Page 3 of 3
October 25, 2002

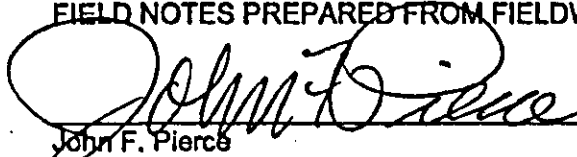
FIELD NOTES FOR A 2.1 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA 1A

18. THENCE, NORTH 41 degrees 12 minutes 18 seconds EAST, a distance of 49.57 feet to the POINT OF BEGINNING containing 2.0785 acres of land more or less.

This Field Note description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.



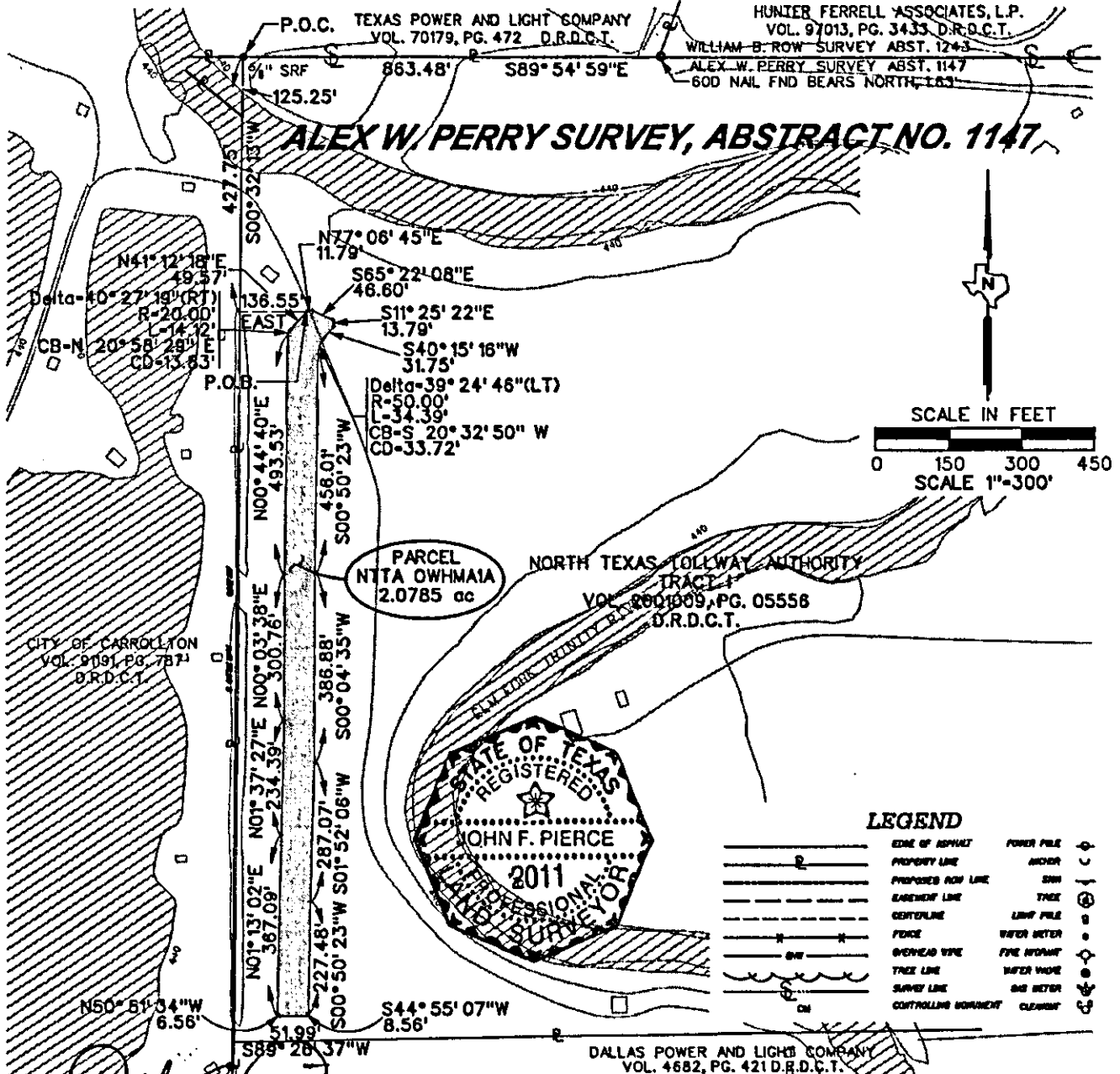
John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

October 25, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

MAP FOR A 2.0785 ACRE TRACT,
OPEN WATER HABITAT MITIGATION AREA 1A

EXHIBIT "B"



CERTIFIED John F. Pierce Date: 10-25-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Duorah J. Nuhett Date: 11-4-02
Bart & Burgess, Inc.
Section Engineer

APPROVED Pat M. E. O. Date: 11-27-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

• - Denotes 1/2" steel bar with yellow plastic cap
marked "AZB" set, unless noted otherwise.

Note:
All Bearings are based on project coordinates for
North Texas Tollway Authority Segment IV of the
President George Bush Turnpike.

A Field Note description of even date herewith
accompanies this plat.

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA2A

Page 1 of 4
October 21, 2002

**FIELD NOTES FOR A 1.6 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA 2A**

Being 1.5622 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract I in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds **WEST**, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA tract, a total distance of 1934.36 feet to a point;

THENCE, EAST, departing said common line, a distance of 1804.27 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH** 03 degrees 07 minutes 33 seconds **WEST**, a distance of 152.69 feet to the beginning of a curve to the right;
2. **THENCE, NORTHERLY**, along said curve to the right through a central angle of 06 degrees 27 minutes 11 seconds, a radius of 2,485.00 feet and an arc length of 279.88 feet, the chord of said curve bears North 00 degrees 06 minutes 02 seconds East, having a chord distance of 279.73 feet to a point for the end of said curve
3. **THENCE, NORTH** 03 degrees 19 minutes 38 seconds **EAST**, a distance of 125.65 feet to the beginning of a curve to the right;
4. **THENCE, NORTHEASTERLY**, along said curve to the right through a central angle of 45 degrees 40 minutes 46 seconds, a radius of 185.00 feet and an arc length of 147.49 feet, the chord of said curve bears North 26 degrees 10 minutes 01 seconds East, having a chord distance of 143.62 feet to a point for the end of said curve;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA2A

Page 2 of 4
October 21, 2002

**FIELD NOTES FOR A 1.6 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA 2A**

5. **THENCE, NORTH 49 degrees 00 minutes 24 seconds EAST, a distance of 40.22 feet to the beginning of a curve to the right;**
6. **THENCE, NORTHEASTERLY, along said curve to the right through a central angle of 30 degrees 52 minutes 14 seconds, a radius of 560.00 feet and an arc length of 301.72 feet, the chord of said curve bears North 64 degrees 26 minutes 31 seconds East, having a chord distance of 298.09 feet to a point for the end of said curve;**
7. **THENCE, NORTH 79 degrees 52 minutes 38 seconds EAST, a distance of 17.65 feet to the beginning of a curve to the right;**
8. **THENCE, SOUTHEASTERLY, along said curve to the right through a central angle of 70 degrees 44 minutes 44 seconds, a radius of 30.00 feet and an arc length of 37.04 feet, the chord of said curve bears South 64 degrees 45 minutes 00 seconds East, having a chord distance of 34.73 feet to a point for the end of said curve;**
9. **THENCE, SOUTH 29 degrees 22 minutes 38 seconds EAST, a distance of 12.64 feet to the beginning of a curve to the right;**
10. **THENCE, SOUTHEASTERLY AND SOUTHWESTERLY, along said curve to the right through a central angle of 110 degrees 00 minutes 16 seconds, a radius of 25.00 feet and an arc length of 48.00 feet, the chord of said curve bears South 25 degrees 37 minutes 30 seconds West, having a chord distance of 40.96 feet to a point for the end of said curve;**
11. **THENCE, SOUTH 80 degrees 37 minutes 38 seconds WEST, a distance of 20.28 feet to the beginning of a curve to the left;**
12. **THENCE, SOUTHWESTERLY, along said curve to the left through a central angle of 32 degrees 11 minutes 18 seconds, a radius of 500.00 feet and an arc length of 280.90 feet, the chord of said curve bears South 64 degrees 31 minutes 59 seconds West, having a chord distance of 277.22 feet to a point for the end of said curve;**
13. **THENCE, SOUTH 48 degrees 26 minutes 20 seconds WEST, a distance of 36.74 feet to the beginning of a curve to the left;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA2A

Page 3 of 4
October 21, 2002

**FIELD NOTES FOR A 1.6 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA 2A**

14. **THENCE, SOUTHWESTERLY**, along said curve to the left through a central angle of 45 degrees 00 minutes 20 seconds, a radius of 115.00 feet and an arc length of 90.33 feet, the chord of said curve bears South 25 degrees 56 minutes 10 seconds West, having a chord distance of 88.03 feet to a point for the end of said curve;
15. **THENCE, SOUTH 03 degrees 26 minutes 00 seconds WEST**, a distance of 91.89 feet to the beginning of a curve to the left;
16. **THENCE, SOUTHERLY**, along said curve to the left through a central angle of 07 degrees 33 minutes 36 seconds, a radius of 3,050.00 feet and an arc length of 402.43 feet, the chord of said curve bears South 00 degrees 20 minutes 48 seconds East, having a chord distance of 402.14 feet to a point for the end of said curve;
17. **THENCE, SOUTH 04 degrees 07 minutes 36 seconds EAST**, a distance of 58.93 feet to the beginning of a curve to the right;
18. **THENCE, SOUTHWESTERLY**, along said curve to the right through a central angle of 92 degrees 32 minutes 46 seconds, a radius of 20.00 feet and an arc length of 32.31 feet, the chord of said curve bears South 42 degrees 08 minutes 47 seconds West, having a chord distance of 28.91 feet to a point for the end of said curve;
19. **THENCE, SOUTH 88 degrees 27 minutes 55 seconds WEST**, a distance of 24.34 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA2A

Page 4 of 4
October 21, 2002

FIELD NOTES FOR A 1.6 ACRE TRACT
OPEN WATER HABITAT MITIGATION AREA 2A

20. THENCE, NORTHWESTERLY, along said curve to the right through a central angle of 88 degrees 24 minutes 32 seconds, a radius of 20.00 feet and an arc length of 30.86 feet, the chord of said curve bears North 47 degrees 19 minutes 49 seconds West, having a chord distance of 27.89 feet to the POINT OF BEGINNING containing 1.5622 acres of land, more or less.

This Field Note description accompanies parcel map of even date herewith.

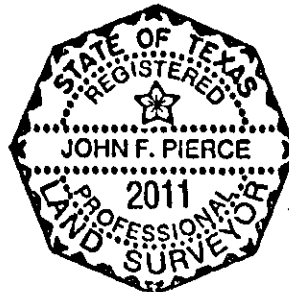
All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

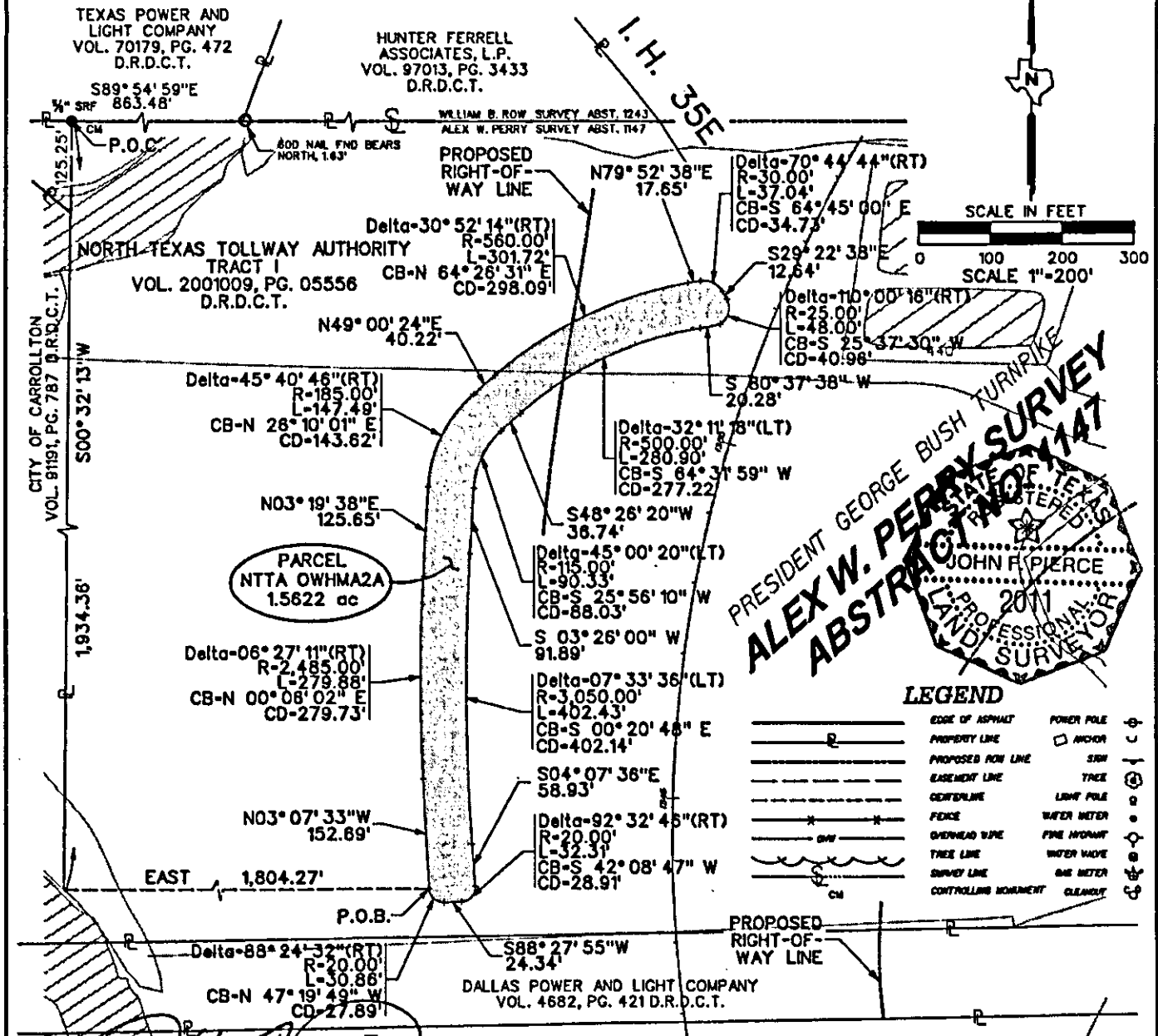
October 21, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 1.8 ACRE TRACT, OPEN WATER HABITAT MITIGATION AREA 2A

EXHIBIT "B"



CERTIFIED John F. Pierce Date: 10-21-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Diana F. Nulley Date: 11/4/02
Carter & Burgess, Inc.
Section Engineer

APPROVED John M. Ehl Date: 11-21-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DWN BY - JSB APP'D BY - JFP DATE: OCTOBER 21, 2002 SCALE: 1" = 200' PARCEL NO. NTTA 0WHMA2A

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA2C

Page 1 of 2
October 21, 2002

**FIELD NOTES FOR A 1.5 ACRE TRACT,
OPEN WATER HABITAT MITIGATION AREA 2C**

Being 1.2161 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract I in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds **WEST**, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA Tract 1 in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA Tract 1, a total distance of 979.74 feet to a point;

THENCE, EAST, departing said common line, a distance of 2344.39 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH** 29 degrees 50 minutes 18 seconds **EAST**, a distance of 16.46 feet to a point;
2. **THENCE, SOUTH** 88 degrees 27 minutes 06 seconds **EAST**, as distance of 151.54 to the beginning of a curve to the right;
3. **THENCE, SOUTHEASTERLY**, along said curve to the right having a central angle of 16 degrees 33 minutes 10 seconds, a radius of 750.00 feet and an arc length of 216.67 feet, the chord of said curve bears South 80 degrees 10 minutes 31 seconds East, having a chord distance of 215.92 feet to a point for the end of said curve
4. **THENCE, SOUTH** 71 degrees 53 minutes 56 seconds **EAST**, a distance of 49.25 feet to a point;
5. **THENCE, SOUTH** 08 degrees 37 minutes 52 seconds **EAST**, a distance of 19.93 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA2C

Page 2 of 2
October 21, 2002

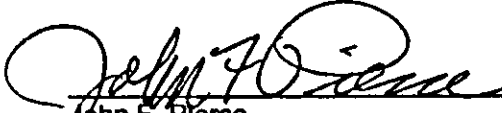
FIELD NOTES FOR A 1.5 ACRE TRACT,
OPEN WATER HABITAT MITIGATION AREA 2C

6. **THENCE**, SOUTH 55 degrees 31 minutes 22 seconds WEST, a distance of 20.05 feet to the beginning of a curve to the right;
7. **THENCE**, SOUTHWESTERLY, along said curve to the right having a central angle of 25 degrees 14 minutes 58 seconds, a radius of 610.00 feet and an arc length of 268.82 feet, the chord of said curve bears South 68 degrees 08 minutes 51 seconds West, having a chord distance of 266.65 feet to a point for the end of said curve
8. **THENCE**, SOUTH 80 degrees 46 minutes 53 seconds WEST, a distance of 36.96 feet the beginning of a curve to the right;
9. **THENCE**, NORTHWESTERLY, along said curve to the right having a central angle of 64 degrees 36 minutes 23 seconds, a radius of 25.00 feet and an arc length of 28.19 feet, the chord of said curve bears North 66 degrees 54 minutes 54 seconds West, having a chord distance of 26.72 feet to beginning of a compound curve to the right;
10. **THENCE**, NORTHWESTERLY, along said compound curve to the right having a central angle of 09 degrees 03 minutes 23 seconds, a radius of 1227.50 feet and an arc length of 194.02 feet, the chord of said curve bears North 30 degrees 05 minutes 03 seconds West, having a chord distance of 193.82 feet to the **POINT OF BEGINNING** containing 1.2161 acres of land, more or less.

This Field Note description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

October 21, 2002
Date

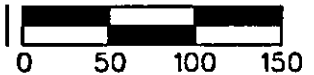
Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

EXHIBIT "B"

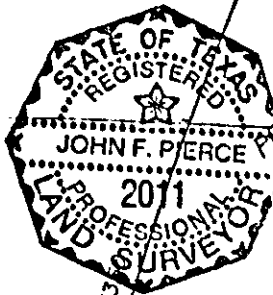
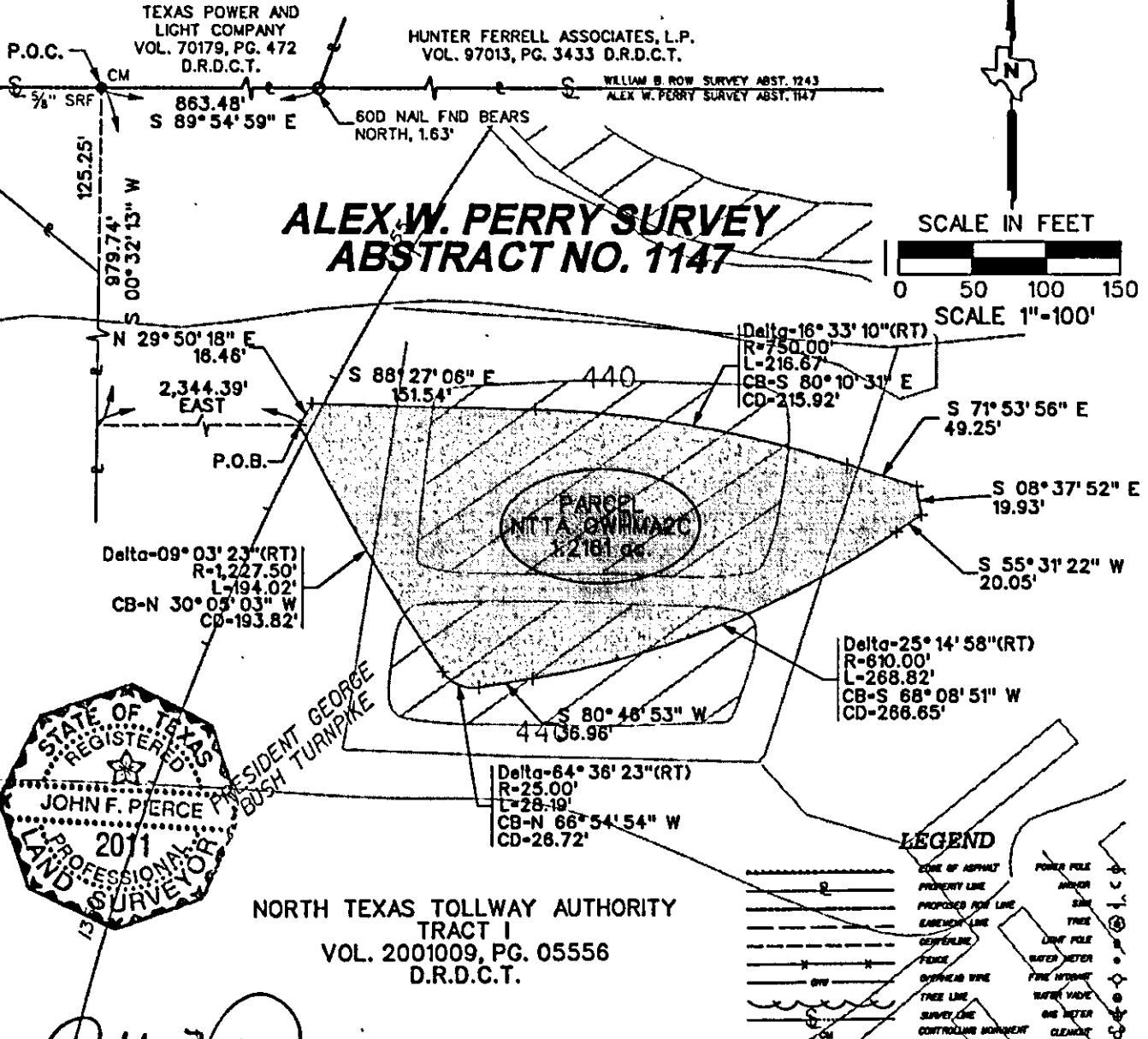
MAP FOR A 1.5 ACRE TRACT, OPEN WATER HABITAT MITIGATION AREA 2C



SCALE IN FEET



SCALE 1"=100'



NORTH TEXAS TOLLWAY AUTHORITY
TRACT I
VOL. 2001009, PG. 05556
D.R.D.C.T.

CERTIFIED John F. Pierce Date: 10-21-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Dorothy A. Auer Date: 11-21-02
Carter & Burgess, Inc.
Section Engineer

APPROVED Seth M. Cole Date: 11-27-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

Note: - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Field Note description of even date herewith accompanies this plat.

ARREDONDO, ZEPEDA & BRUNZ, INC. 11355 MCCREE ROAD DALLAS, TEXAS 75238 (214) 341-9900				<div>Revisions</div> <table><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr><tr><td> </td><td> </td></tr></table>												NORTH TEXAS TOLLWAY AUTHORITY President George Bush Turnpike MITIGATION PLAT			
OWN BY - JSS		APPVD BY - JFP		DATE: OCTOBER 21, 2002		SCALE: 1" = 100'		PARCEL NO.		NTTA 01W8A2C									

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA3

Page 1 of 3
October 21, 2002

**FIELD NOTES FOR A 1.5 ACRE TRACT,
OPEN WATER HABITAT MITIGATION AREA 3**

Being 1.5455 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract 1 in a deed to North Texas Tollway Authority (NTTA Tract 1) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds **WEST**, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA Tract 1 in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA Tract 1, a total distance of 545.42 feet to a point;

THENCE, EAST, departing said common line, a distance of 2427.03 feet to the **POINT OF BEGINNING**;

1. **THENCE, NORTH** 08 degrees 23 minutes 31 seconds **WEST**, a distance of 19.27 feet to the beginning of a non-tangent curve to the right;
2. **THENCE, NORTHEASTERLY**, along non-tangent said curve to the right through a central angle of 15 degrees 54 minutes 22 seconds, a radius of 870.00 feet and an arc length of 241.53 feet, the chord of said non-tangent curve bears North 60 degrees 34 minutes 44 seconds East, having a chord distance of 240.75 feet to a point for the end of said curve
3. **THENCE, NORTH** 68 degrees 31 minutes 53 seconds **EAST**, a distance of 22.06 feet to a point;
4. **THENCE, SOUTH** 73 degrees 21 minutes 04 seconds **EAST**, a distance of 11.14 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA3

Page 2 of 3
October 21, 2002

**FIELD NOTES FOR A 1.5 ACRE TRACT,
OPEN WATER HABITAT MITIGATION AREA 3**

5. **THENCE, SOUTH 36 degrees 16 minutes 48 seconds EAST, a distance of 137.62 feet to the beginning of a curve to the right;**
6. **THENCE, SOUTHEASTERLY, along said curve to the right through a central angle of 14 degrees 15 minutes 20 seconds, a radius of 550.00 feet and an arc length of 136.84 feet, the chord of said curve bears South 29 degrees 09 minutes 08 seconds East, having a chord distance of 136.49 feet to a point for the end of said curve**
7. **THENCE, SOUTH 22 degrees 01 minutes 28 seconds EAST, a distance of 56.96 feet to a point;**
8. **THENCE, SOUTH 25 degrees 06 minutes 34 seconds WEST, a distance of 6.78 feet to a point;**
9. **THENCE, SOUTH 78 degrees 15 minutes 00 seconds WEST, a distance of 22.11 feet to the beginning of a reverse curve to the right;**
10. **THENCE, SOUTHWESTERLY AND NORTHWESTERLY, along said reverse curve to the right through a central angle of 52 degrees 43 minutes 05 seconds, a radius of 265.00 feet and an arc length of 243.83 feet, the chord of said reverse curve bears North 75 degrees 23 minutes 28 seconds West, having a chord distance of 235.32 feet to the point of reverse curvature to the left;**
11. **THENCE, NORTHWESTERLY, continuing along said reverse curve to the left through a central angle of 15 degrees 29 minutes 25 seconds, a radius of 450.00 feet and an arc length of 121.66 feet, the chord of said curve bears North 56 degrees 46 minutes 38 seconds West, having a chord distance of 121.29 feet to a point for the end of said curve;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA OWHMA3

Page 3 of 3
October 21, 2002

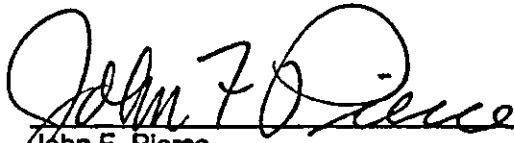
FIELD NOTES FOR A 1.5 ACRE TRACT,
OPEN WATER HABITAT MITIGATION AREA 3

12. THENCE, NORTH 64 degrees 31 minutes 20 seconds WEST, a distance of
59.46 to the POINT OF BEGINNING containing 1.5455 acres of land, more or
less.

This Field Note description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority
Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

 October 21, 2002
John F. Pierce Date
Registered Professional Land Surveyor
Texas No. 2011

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

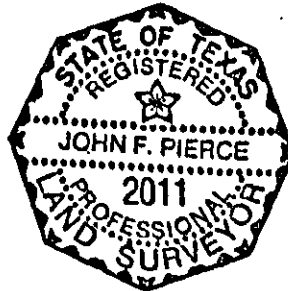
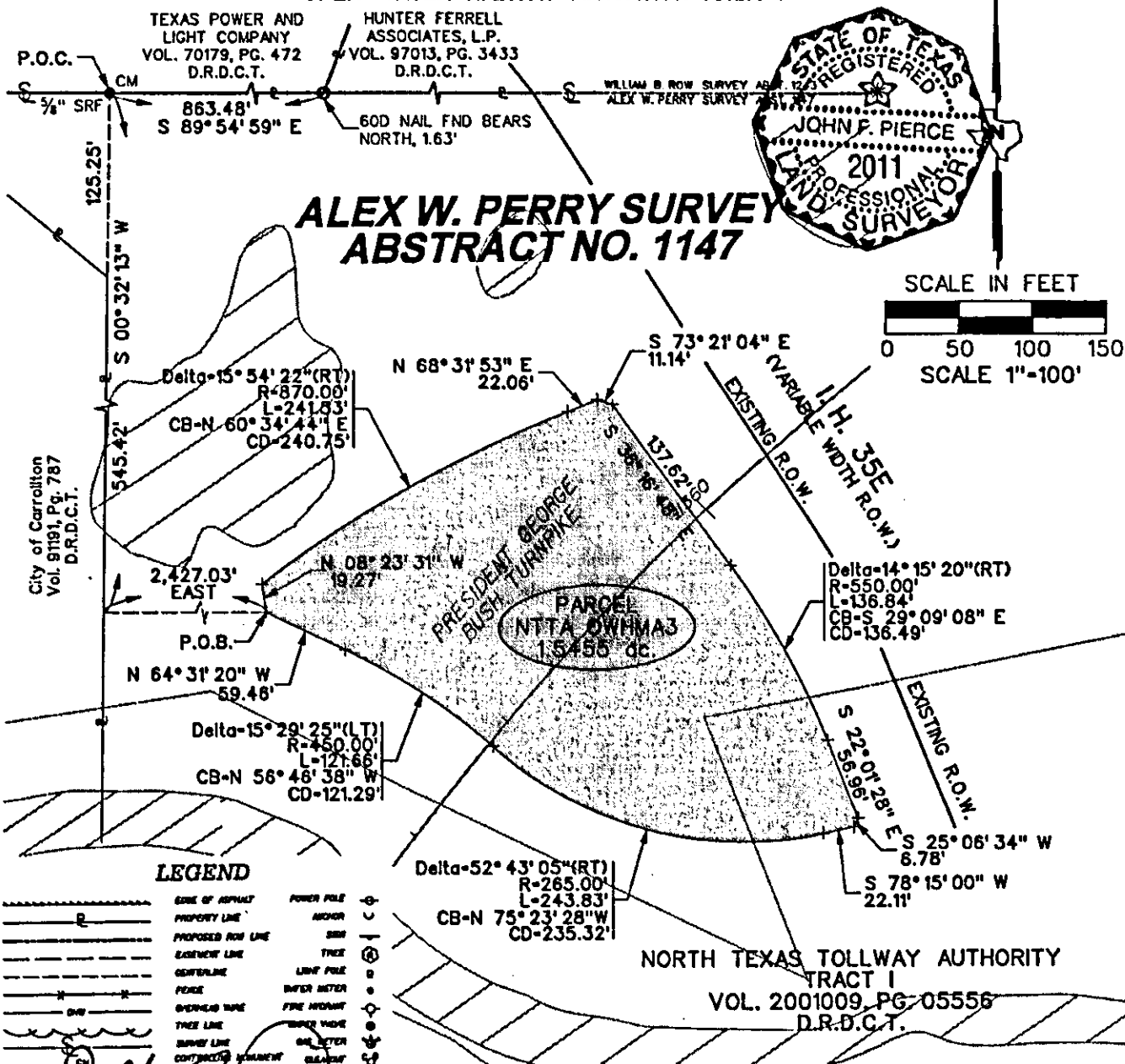


EXHIBIT "B"

MAP FOR A 1.5 ACRE TRACT, OPEN WATER HABITAT MITIGATION AREA 3



CERTIFIED *John F. Pierce* Date: 10-21-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED *Duncan A. Nuland* Date: 11/21/02
Darter & Burgess, Inc.
Section Engineer

APPROVED *Pat M. Egan* Date: 11-27-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Note: - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Field Note description of even date herewith accompanies this plat.

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DWN BY - JSS APP'D BY - JFP DATE: OCTOBER 21, 2002 SCALE: 1" = 100' PARCEL NO. NTTA OWHMA3

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA1A

Page 1 of 5
October 25, 2002

**FIELD NOTES FOR A 8.0 ACRE TRACT
WETLAND MITIGATION AREA 1A**

Being 7.9822 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract I in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA tract, a total distance of 561.41 feet to a point;

THENCE, East, departing said common line, a distance of 83.26 feet to the **POINT OF BEGINNING**;

1. **THENCE**, NORTH 41 degrees 01 minutes 19 seconds EAST, a distance of 81.11 feet to a point;
2. **THENCE**, SOUTH 65 degrees 15 minutes 23 seconds EAST, a distance of 38.95 feet to the beginning of a curve to the left;
3. **THENCE**, SOUTHEAST, along said curve to the left having a central angle of 22 degrees 41 minutes 56 seconds, a radius of 973.00 feet and an arc length of 385.48 feet, the chord of said curve bears South 76 degrees 36 minutes 21 seconds East, having a chord distance of 382.96 feet to a point for the end of said curve;
4. **THENCE**, SOUTH 87 degrees 57 minutes 19 seconds EAST, a distance of 29.77 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA1A

Page 2 of 5
October 25, 2002

**FIELD NOTES FOR A 8.0 ACRE TRACT
WETLAND MITIGATION AREA 1A**

5. **THENCE, SOUTHEAST**, along said curve to the right having a central angle of 143 degrees 27 minutes 06 seconds, a radius of 153.00 feet and an arc length of 383.07 feet, the chord of said curve bears South 16 degrees 13 minutes 46 seconds East, having a chord distance of 290.57 feet to a point for the end of said curve;
6. **THENCE, SOUTH 55 degrees 29 minutes 47 seconds WEST**, a distance of 228.29 feet to the beginning of a curve to the left;
7. **THENCE, SOUTHWEST**, along said curve to the left having a central angle of 22 degrees 36 minutes 18 seconds, a radius of 677.00 feet and an arc length of 267.10 feet, the chord of said curve bears South 44 degrees 11 minutes 38 seconds West, having a chord distance of 265.37 feet to a point for the end of said curve;
8. **THENCE, SOUTH 32 degrees 53 minutes 29 seconds WEST**, a distance of 80.81 feet to the beginning of a curve to the left;
9. **THENCE, SOUTHEAST**, along said curve to the left having a central angle of 100 degrees 05 minutes 25 seconds, a radius of 458.00 feet and an arc length of 800.08 feet, the chord of said curve bears South 17 degrees 09 minutes 14 seconds East, having a chord distance of 702.16 feet to a point for the end of said curve;
10. **THENCE, SOUTH 67 degrees 11 minutes 56 seconds EAST**, a distance of 61.46 feet to a point;
11. **THENCE, SOUTH 10 degrees 34 minutes 46 seconds WEST**, a distance of 7.26 feet to a point;
12. **THENCE, SOUTH 88 degrees 21 minutes 36 seconds WEST**, a distance of 438.11 feet to a point;
13. **THENCE, NORTH 00 degrees 49 minutes 12 seconds EAST**, a distance of 249.35 feet to a point;
14. **THENCE, NORTH 01 degrees 53 minutes 01 seconds EAST**, a distance of 286.54 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA1A

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October 25, 2002

**FIELD NOTES FOR A 8.0 ACRE TRACT
WETLAND MITIGATION AREA 1A**

15. THENCE, NORTH 00 degrees 01 minutes 57 seconds EAST, a distance of 387.17 feet to a point

16. THENCE, NORTH 00 degrees 49 minutes 12 seconds EAST, a distance of 502.90 feet to the POINT OF BEGINNING, containing 10.0607 acres of land, save and except the following described 2.0785 acre Open Water Habitat Mitigation Area 1A;

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and the west line of said NTTA tract, a total distance of 427.75 feet to a point;

THENCE, EAST, departing said common line, a distance of 136.55 feet to the POINT OF BEGINNING;

17. THENCE, NORTH 77 degrees 06 minutes 45 seconds EAST, a distance of 11.79 feet to a point;

18. THENCE, SOUTH 65 degrees 22 minutes 08 seconds EAST, a distance of 46.60 feet to a point;

19. THENCE, SOUTH 11 degrees 25 minutes 22 seconds EAST, a distance of 13.79 feet to a point;

20. THENCE, SOUTH 40 degrees 15 minutes 16 seconds WEST, a distance of 31.75 feet to the beginning of a curve to the left;

21. THENCE, SOUTHWEST, along said curve to the left having a central angle of 39 degrees 24 minutes 46 seconds, a radius of 50.00 feet and an arc length of 34.39

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA WMA1A

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October 25, 2002

**FIELD NOTES FOR A 8.0 ACRE TRACT
WETLAND MITIGATION AREA 1A**

- feet, the chord of said curve bears South 20 degrees 32 minutes 50 seconds West, having a chord distance of 33.72 feet to the end of said curve;
22. **THENCE, SOUTH 00 degrees 50 minutes 23 seconds WEST, a distance of 456.01 feet to a point;**
23. **THENCE, SOUTH 00 degrees 04 minutes 35 seconds WEST, a distance of 386.88 feet to a point;**
24. **THENCE, SOUTH 01 degrees 52 minutes 06 seconds WEST, a distance of 287.07 feet to a point;**
25. **THENCE, SOUTH 00 degrees 50 minutes 23 seconds WEST, a distance of 227.48 feet to a point;**
26. **THENCE, SOUTH 44 degrees 55 minutes 07 seconds WEST, a distance of 8.56 feet to a point;**
27. **THENCE, SOUTH 89 degrees 26 minutes 37 seconds WEST, a distance of 51.99 feet to a point;**
28. **THENCE, NORTH 50 degrees 51 minutes 34 seconds WEST, a distance of 6.56 feet to a point;**
29. **THENCE, NORTH 01 degrees 13 minutes 02 seconds EAST, a distance of 367.09 feet to a point;**
30. **THENCE, NORTH 01 degrees 37 minutes 27 seconds EAST, a distance of 234.39 feet to a point;**
31. **THENCE, NORTH 00 degrees 03 minutes 38 seconds EAST, a distance of 300.76 feet to a point;**
32. **THENCE, NORTH 00 degrees 44 minutes 40 seconds EAST, a distance of 493.53 feet to the beginning of a curve to the right;**
33. **THENCE, NORTHEAST, along said curve to the right having a central angle of 40 degrees 27 minutes 19 seconds, a radius of 20.00 feet and an arc length of 14.12 feet, the chord of said curve bears North 20 degrees 58 minutes 29 seconds East, having a chord distance of 13.83 feet to the end of said curve;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA1A

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October 25, 2002

FIELD NOTES FOR A 8.0 ACRE TRACT
WETLAND MITIGATION AREA 1A

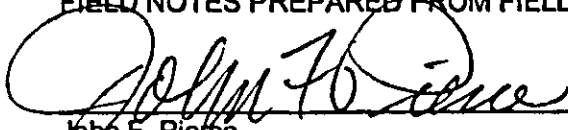
34. THENCE, NORTH 41 degrees 12 minutes 18 seconds EAST, a distance of 49.57 feet to the POINT OF BEGINNING containing 2.0785 acres of land more or less.

The Wetland Mitigation Area 1A contains a net area of 7.9822 acres of land more or less.

This Field Note description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

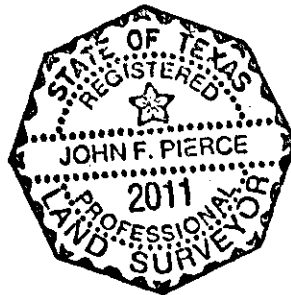
FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.



John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

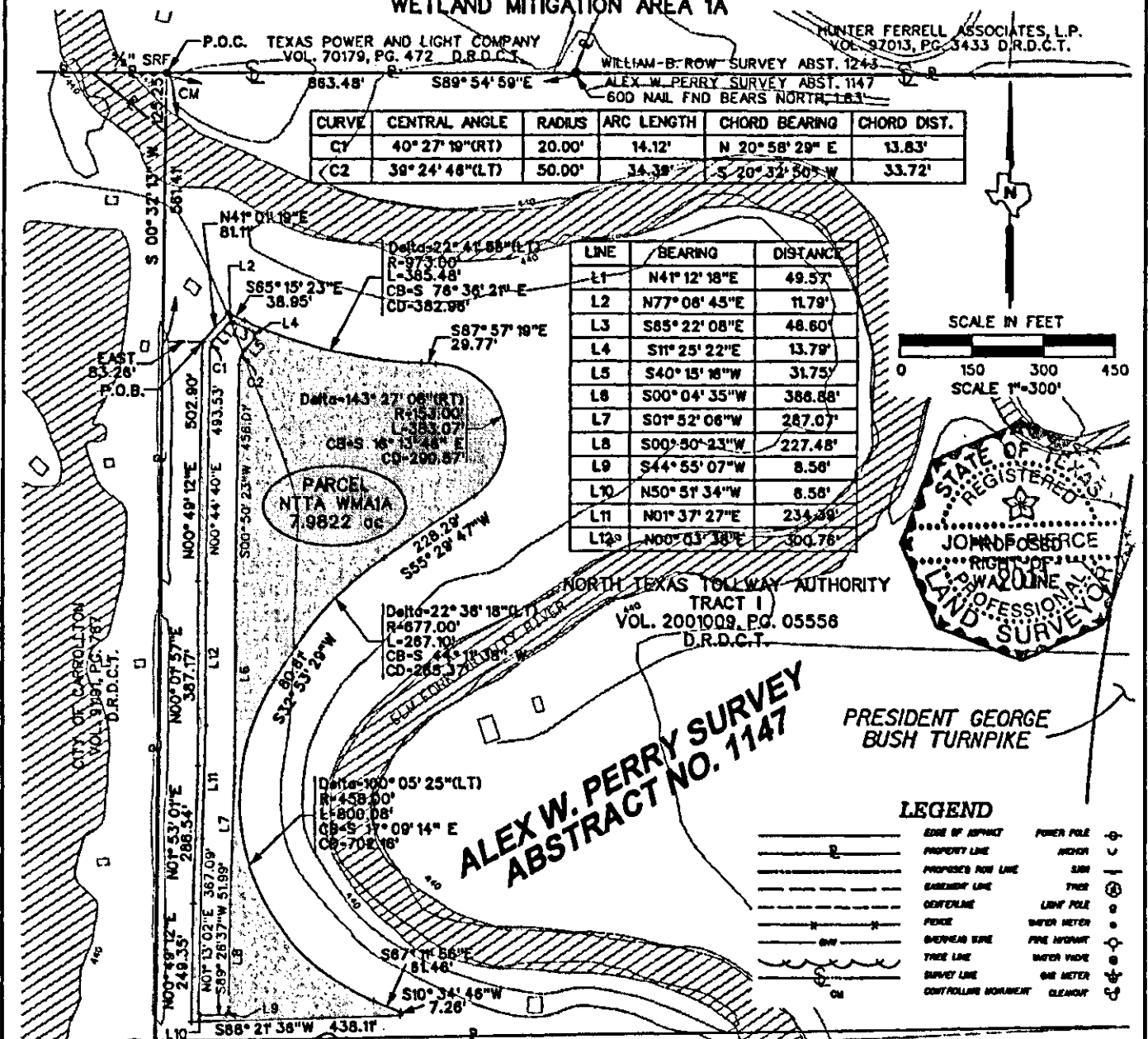
October 25, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



MAP FOR A 8.0 ACRE TRACT, WETLAND MITIGATION AREA 1A

EXHIBIT "B"



CERTIFIED John F. Deane Date: 10-25-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Deane & Newell Date: 12-10-02
Carter & Burgess, Inc.
Section Engineer

APPROVED John F. Deane Date: 12-11-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DOWN BY - JSB **APPROVED BY -** JFP **DATE:** OCTOBER 25, 2002 **SCALE:** 1" = 300' **PARCEL NO.** NNTA WMA1A

WETLAND MITIGATION AREA 1A (WMA 1A) 10.0607 ACRES

LESS OPEN WATER HABITAT MITIGATION AREA 1A 2.0785 ACRES

NET WETLAND MITIGATION AREA 1A 7.9822 ACRES

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA2A

Page 1 of 6
October 18, 2002

**FIELD NOTES FOR A 10.4 ACRE TRACT
WETLAND MITIGATION AREA 2A**

Being 10.3779 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract 1 in a deed to North Texas Tollway Authority (NTTA tract) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA tract, a total distance of 1961.83 feet to a point;

THENCE, East, departing said common line, a distance of 1565.85 feet to the **POINT OF BEGINNING**;

1. **THENCE**, NORTH 29 degrees 16 minutes 26 seconds WEST, a distance of 72.60 feet to a point;
2. **THENCE**, NORTH 38 degrees 28 minutes 01 seconds WEST, a distance of 264.88 feet to a point;
3. **THENCE**, NORTH 41 degrees 58 minutes 49 seconds WEST, a distance of 62.48 feet the beginning of a curve to the right;
4. **THENCE**, NORTHWESTERLY, along said curve to the right having a central angle of 17 degrees 47 minutes 50 seconds, a radius of 503.00 feet and an arc length of 156.24 feet, the chord of said curve bears NORTH 33 degrees 04 minutes 54 seconds WEST, having a chord distance of 155.61 feet to a point for the end of said curve;
5. **THENCE**, NORTH 24 degrees 10 minutes 59 seconds WEST, a distance of 28.20 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA2A

Page 2 of 6
October 18, 2002

**FIELD NOTES FOR A 10.4 ACRE TRACT
WETLAND MITIGATION AREA 2A**

6. **THENCE, NORTHWESTERLY AND NORTHEASTERLY**, along said curve to the right having a central angle of 73 degrees 41 minutes 33 seconds, a radius of 100.00 feet and an arc length of 128.62 feet, the chord of said curve bears North 12 degrees 39 minutes 47 seconds East, having a chord distance of 119.93 feet to a point for the end of said curve;
7. **THENCE, NORTH 49 degrees 30 minutes 34 seconds EAST**, a distance of 113.14 feet to the beginning of a non-tangent curve to the right;
8. **THENCE, NORTHEASTERLY**, along said non-tangent curve to the right having a central angle of 34 degrees 29 minutes 47 seconds, a radius of 1,385.00 feet and an arc length of 833.88 feet, the chord of said curve bears North 66 degrees 45 minutes 27 seconds East, having a chord distance of 821.34 feet to a point for the end of said curve;
9. **THENCE, NORTH 84 degrees 00 minutes 46 seconds EAST**, a distance of 53.31 feet to a point;
10. **THENCE, SOUTH 32 degrees 18 minutes 53 seconds EAST**, a distance of 217.79 feet to a point;
11. **THENCE, SOUTH 46 degrees 35 minutes 37 seconds WEST**, a distance of 17.42 feet to the beginning of a non-tangent curve to the left;
12. **THENCE, SOUTHWESTERLY**, along said non-tangent curve to the left having a central angle of 39 degrees 21 minutes 53 seconds, a radius of 460.00 feet and an arc length of 316.04 feet, the chord of said curve bears South 69 degrees 46 minutes 39 seconds West, having a chord distance of 309.86 feet to a point for the end of said curve;
13. **THENCE, SOUTH 50 degrees 05 minutes 43 seconds WEST**, a distance of 52.41 feet to the beginning of a curve to the left;
14. **THENCE, SOUTHWESTERLY**, along said curve to the left having a central angle of 46 degrees 13 minutes 22 seconds, a radius of 109.00 feet and an arc length of 87.94 feet, the chord of said curve bears South 26 degrees 59 minutes 02 seconds West, having a chord distance of 85.57 feet to a point for the end of said curve;
15. **THENCE, SOUTH 03 degrees 52 minutes 21 seconds WEST**, a distance of 74.40 feet to the beginning of a curve to the left;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA2A

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October 18, 2002

**FIELD NOTES FOR A 10.4 ACRE TRACT
WETLAND MITIGATION AREA 2A**

16. **THENCE, SOUTH**, along said curve to the left having a central angle of 07 degrees 44 minutes 47 seconds, a radius of 2,798.00 feet and an arc length of 378.30 feet, the chord of said curve bears South 00 degrees 00 minutes 02 seconds East, having a chord distance of 378.01 feet to a point for the end of said curve;
17. **THENCE, SOUTH 03 degrees 52 minutes 26 seconds EAST**, a distance of 127.50 feet to a point;
18. **THENCE, SOUTH 47 degrees 01 minutes 03 seconds WEST**, a distance of 11.56 feet to a point;
19. **THENCE, NORTH 88 degrees 43 minutes 29 seconds WEST**, a distance of 310.67 feet to the **POINT OF BEGINNING** containing 11.9401 acres of land, save and except the following described 1.5622 acre Open Water Habitat Mitigation Area2A;

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA tract and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA tract in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA tract, a total distance of 1934.36 feet to a point;

THENCE, EAST, departing said common line, a distance of 1804.27 feet to the **POINT OF BEGINNING**;

20. **THENCE, NORTH 03 degrees 07 minutes 33 seconds WEST**, a distance of 152.69 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane In Dallas County
PARCEL: NTTA WMA2A

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October 18, 2002

**FIELD NOTES FOR A 10.4 ACRE TRACT
WETLAND MITIGATION AREA 2A**

21. **THENCE, NORTHERLY**, along said curve to the right through a central angle of 06 degrees 27 minutes 11 seconds, a radius of 2,485.00 feet and an arc length of 279.88 feet, the chord of said curve bears North 00 degrees 06 minutes 02 seconds East, having a chord distance of 279.73 feet to a point for the end of said curve
22. **THENCE, NORTH 03 degrees 19 minutes 38 seconds EAST**, a distance of 125.65 feet to the beginning of a curve to the right;
23. **THENCE, NORTHEASTERLY**, along said curve to the right through a central angle of 45 degrees 40 minutes 46 seconds, a radius of 185.00 feet and an arc length of 147.49 feet, the chord of said curve bears North 26 degrees 10 minutes 01 seconds East, having a chord distance of 143.62 feet to a point for the end of said curve;
24. **THENCE, NORTH 49 degrees 00 minutes 24 seconds EAST**, a distance of 40.22 feet to the beginning of a curve to the right;
25. **THENCE, NORTHEASTERLY**, along said curve to the right through a central angle of 30 degrees 52 minutes 14 seconds, a radius of 560.00 feet and an arc length of 301.72 feet, the chord of said curve bears North 64 degrees 26 minutes 31 seconds East, having a chord distance of 298.09 feet to a point for the end of said curve;
26. **THENCE, NORTH 79 degrees 52 minutes 38 seconds EAST**, a distance of 17.65 feet to the beginning of a curve to the right;
27. **THENCE, SOUTHEASTERLY**, along said curve to the right through a central angle of 70 degrees 44 minutes 44 seconds, a radius of 30.00 feet and an arc length of 37.04 feet, the chord of said curve bears South 64 degrees 45 minutes 00 seconds East, having a chord distance of 34.73 feet to a point for the end of said curve;
28. **THENCE, SOUTH 29 degrees 22 minutes 38 seconds EAST**, a distance of 12.64 feet to the beginning of a curve to the right;
29. **THENCE, SOUTHEASTERLY AND SOUTHWESTERLY**, along said curve to the right through a central angle of 110 degrees 00 minutes 16 seconds, a radius of 25.00 feet and an arc length of 48.00 feet, the chord of said curve bears South 25 degrees 37 minutes 30 seconds West, having a chord distance of 40.96 feet to a point for the end of said curve;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
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October 18, 2002

**FIELD NOTES FOR A 10.4 ACRE TRACT
WETLAND MITIGATION AREA 2A**

30. **THENCE, SOUTH 80 degrees 37 minutes 38 seconds WEST, a distance of 20.28 feet to the beginning of a curve to the left;**
31. **THENCE, SOUTHWESTERLY, along said curve to the left through a central angle of 32 degrees 11 minutes 18 seconds, a radius of 500.00 feet and an arc length of 280.90 feet, the chord of said curve bears South 64 degrees 31 minutes 59 seconds West, having a chord distance of 277.22 feet to a point for the end of said curve;**
32. **THENCE, SOUTH 48 degrees 26 minutes 20 seconds WEST, a distance of 36.74 feet to the beginning of a curve to the left;**
33. **THENCE, SOUTHWESTERLY, along said curve to the left through a central angle of 45 degrees 00 minutes 20 seconds, a radius of 115.00 feet and an arc length of 90.33 feet, the chord of said curve bears South 25 degrees 56 minutes 10 seconds West, having a chord distance of 88.03 feet to a point for the end of said curve;**
34. **THENCE, SOUTH 03 degrees 26 minutes 00 seconds WEST, a distance of 91.89 feet to the beginning of a curve to the left;**
35. **THENCE, SOUTHERLY, along said curve to the left through a central angle of 07 degrees 33 minutes 36 seconds, a radius of 3,050.00 feet and an arc length of 402.43 feet, the chord of said curve bears South 00 degrees 20 minutes 48 seconds East, having a chord distance of 402.14 feet to a point for the end of said curve;**
36. **THENCE, SOUTH 04 degrees 07 minutes 36 seconds EAST, a distance of 58.93 feet to the beginning of a curve to the right;**
37. **THENCE, SOUTHWESTERLY, along said curve to the right through a central angle of 92 degrees 32 minutes 46 seconds, a radius of 20.00 feet and an arc length of 32.31 feet, the chord of said curve bears South 42 degrees 08 minutes 47 seconds West, having a chord distance of 28.91 feet to a point for the end of said curve;**
38. **THENCE, SOUTH 88 degrees 27 minutes 55 seconds WEST, a distance of 24.34 feet to the beginning of a curve to the right;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H. 635 West
Near Valley View Lane in Dallas County
PARCEL: NTTA WMA2A

Page 6 of 6
October 18, 2002

FIELD NOTES FOR A 10.4 ACRE TRACT
WETLAND MITIGATION AREA 2A

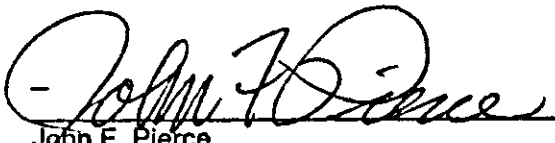
39. THENCE, NORTHWESTERLY, along said curve to the right through a central angle of 88 degrees 24 minutes 32 seconds, a radius of 20.00 feet and an arc length of 30.86 feet, the chord of said curve bears North 47 degrees 19 minutes 49 seconds West, having a chord distance of 27.89 feet to the POINT OF BEGINNING containing 1.5622 acres of land, more or less.

The Wetland Mitigation Area2A contains a net area of 10.3779 acres of land, more or less.

This Field Note description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.

 October 18, 2002
John F. Pierce Date
Registered Professional Land Surveyor
Texas No. 2011

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

MAP FOR A 10.4 ACRE TRACT, WETLAND MITIGATION AREA 2A

EXHIBIT "B"

TEXAS POWER AND LIGHT COMPANY
VOL. 70179, PG. 472
P.O.C. D.R.D.C.T.

HUNTER FERRELL ASSOCIATES, L.P.
VOL. 97013, PG. 3433 D.R.D.C.T.
WILLIAM B. ROW SURVEY ABST. 1243
ALEX W. PERRY SURVEY ABST. 1147

CURVE	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DIST.
C1	39° 21' 53" (LT)	480.00'	318.04'	S 88° 48' 39" W	308.86'
C2	48° 13' 22" (LT)	109.00'	87.94'	S 26° 58' 02" W	85.57'
C3	07° 44' 47" (LT)	2,798.00'	378.30'	S 00° 00' 02" E	378.07'
C4	88° 24' 32" (RT)	20.00'	30.88'	N 47° 19' 49" W	27.89'
C5	92° 32' 46" (RT)	20.00'	32.37'	S 42° 08' 47" W	26.91'
C6	07° 33' 38" (LT)	3,050.00'	402.43'	S 00° 20' 45" E	402.14'
C7	45° 00' 20" (LT)	115.00'	80.33'	S 25° 58' 10" W	88.03'
C8	32° 11' 18" (LT)	500.00'	280.90'	S 84° 31' 59" W	277.22'

SCALE IN FEET

0 150 300 450
SCALE 1"=300'

CITY OF CARROLLTON
VOL. 9191, PG. 787 D.R.D.C.T.



NORTH TEXAS TOLLWAY AUTHORITY
TRACT
VOL. 2001009, PG. 05566
D.R.D.C.T.

PRESIDENT GEORGE BUSH TURNPIKE

ALEX W. PERRY SURVEY
ABSTRACT NO. 1147

LEGEND

EDGE OF ASPHALT	POWER POLE
PROPERTY LINE	ANCHOR
PROPOSED NEW LINE	SWH
EXISTENT LINE	TRAIL
CENTERLINE	LIGHT POLE
PERCE	WATER METER
OVERHEAD WIRE	PIPE METER
TRAIL LINE	WATER METER
SURVEY LINE	ONE METER
CONTROLLING HORIZONTAL	CLEARING

CERTIFIED John F. Pierce Date: 10-18-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Duane T. Nuhel Date: 12-10-02
Carter & Burgess, Inc.
Section Engineer

APPROVED Shirley N. Dyer Date: 12-11-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Note: • - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Field Note Description of even date herewith accompanies this plat.

DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

DWN BY - JSB APP'D BY - JFP DATE: OCTOBER 18, 2002 SCALE: 1" = 300' PARCEL NO. NTTA WMA2A

WETLAND MITIGATION AREA 2A (WMA 2A) 11.9401 ACRES

LESS OPEN WATER HABITAT MITIGATION AREA 2A 1.5622 ACRES

NET WETLAND MITIGATION AREA 2A 10.3779 ACRES

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H.635 West
West Near Valley View Lane in Dallas County
PARCEL: NTTA WMA3

Page 1 of 5
October 21, 2002

**FIELD NOTES FOR A 4.0 ACRE TRACT,
WETLAND MITIGATION AREA 3**

Being 4.0310 acres of land in the Alex W. Perry Survey, Abstract Number 1147, City of Carrollton, Dallas County, Texas, and being part of that certain called 150.8583 acre tract of land described as Tract 1 I in a deed to North Texas Tollway Authority (NTTA Tract 1) as recorded in Volume 2001009, Page 05556 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA Tract 1 in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA Tract 1, a total distance of 332.65 feet to a point;

THENCE, East, departing said common line, a distance of 1957.64 feet to the **POINT OF BEGINNING**;

1. **THENCE**, NORTH 69 degrees 37 minutes 15 seconds EAST, a distance of 118.58 feet to the beginning of a curve to the right;
2. **THENCE**, NORTHEASTERLY AND SOUTHEASTERLY, along said curve to the right through a central angle of 29 degrees 28 minutes 14 seconds, a radius of 166.00 feet and an arc length of 85.38 feet, the chord of said curve bears North 84 degrees 21 minutes 22 seconds East, having a chord distance of 84.45 feet to a point for the end of said curve
3. **THENCE**, SOUTH 80 degrees 54 minutes 31 seconds EAST, a distance of 63.38 feet to a the beginning of a curve to the left;
4. **THENCE**, SOUTHEASTERLY AND NORTHEASTERLY, along said curve to the left through a central angle of 61 degrees 43 minutes 44 seconds, a radius of 138.00 feet and an arc length of 148.68 feet, the chord of said curve bears North 68 degrees 13 minutes 37 seconds East, having a chord distance of 141.59 feet to a point for the end of said curve

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H.635 West
West Near Valley View Lane in Dallas County
PARCEL: NTTA WMA3

Page 2 of 5
October 21, 2002

**FIELD NOTES FOR A 4.0 ACRE TRACT,
WETLAND MITIGATION AREA 3**

5. **THENCE, NORTH 37 degrees 21 minutes 45 seconds EAST, a distance of 31.13 feet the beginning of a curve to the right;**
6. **THENCE, NORTHEASTERLY AND SOUTHEASTERLY, along said curve to the right through a central angle of 104 degrees 57 minutes 42 seconds, a radius of 107.00 feet and an arc length of 196.02 feet, the chord of said curve bears North 89 degrees 50 minutes 36 seconds East, having a chord distance of 169.73 feet to a point for the end of said curve;**
7. **THENCE, SOUTH 37 degrees 40 minutes 33 seconds EAST, a distance of 335.36 feet to the beginning of a curve to the right;**
8. **THENCE, SOUTHEASTERLY, along said curve to the right through a central angle of 15 degrees 17 minutes 51 seconds, a radius of 658.00 feet and an arc length of 175.68 feet, the chord of said curve bears SOUTH 30 degrees 01 minutes 37 seconds EAST, having a chord distance of 175.16 feet to a point for the end of said curve;**
9. **THENCE, SOUTH 22 degrees 22 minutes 42 seconds EAST, a distance of 74.02 feet to a point;**
10. **THENCE, SOUTH 77 degrees 30 minutes 32 seconds WEST, a distance of 41.11 feet to the beginning of a curve to the right;**
11. **THENCE, NORTHWESTERLY, along said curve to the right through a central angle of 47 degrees 58 minutes 36 seconds, a radius of 284.00 feet and an arc length of 237.81 feet, the chord of said curve bears North 78 degrees 30 minutes 10 seconds West, having a chord distance of 230.92 feet to a point for the end of said curve;**
12. **THENCE, NORTH 54 degrees 30 minutes 52 seconds WEST, a distance of 93.92 feet to the beginning of a curve to the left;**
13. **THENCE, NORTHWESTERLY AND SOUTHWESTERLY, along said curve to the left through a central angle of 47 degrees 50 minutes 41 seconds, a radius of 368.00 feet and an arc length of 307.30 feet, the chord of said curve bears North 78 degrees 26 minutes 12 seconds West, having a chord distance of 298.45 feet to a point for the end of said curve;**
14. **THENCE, SOUTH 77 degrees 38 minutes 27 seconds WEST, a distance of 113.24 feet to a point;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
In Dallas County To I.H.635 West
West Near Valley View Lane in Dallas County
PARCEL: NTTA WMA3

Page 3 of 5
October 21, 2002

**FIELD NOTES FOR A 4.0 ACRE TRACT,
WETLAND MITIGATION AREA 3**

15. THENCE, NORTH 32 degrees 22 minutes 45 seconds WEST, a distance of 285.34 feet to the POINT OF BEGINNING containing 5.5765 acres of land, save and except the following described 1.5455 acre Open Water Habitat Mitigation Area 3;

COMMENCING at a five-eighths inch steel rebar, a controlling monument, found on the common south line of the William B. Row Survey, Abstract Number 1243 and the north line of said Alex W. Perry Survey, Abstract Number 1147, and being on the common north line of said NTTA Tract 1 and the south line of that certain tract of land conveyed to Texas Power and Light Company (TP&L tract) by L.L. Etier by deed recorded in Volume 70179, Page 472 of said Deed Records, and being the northeast corner of that certain tract of land as described in a deed to City of Carrollton as recorded in Volume 91191, Page 787 of said Deed Records;

THENCE, SOUTH 00 degrees 32 minutes 13 seconds WEST, along the east line of said City of Carrollton tract, passing at 125.25 feet an interior corner of said NTTA Tract 1 in the center of the Elm Fork of the Trinity River, and continuing along the common east line of said City of Carrollton tract and west line of said NTTA Tract 1, a total distance of 545.42 feet to a point;

THENCE, EAST, departing said common line, a distance of 2427.03 feet to the POINT OF BEGINNING;

16. THENCE, NORTH 08 degrees 23 minutes 31 seconds WEST, a distance of 19.27 feet to the beginning of a non-tangent curve to the right;

17. THENCE, NORTHEASTERLY, along non-tangent said curve to the right through a central angle of 15 degrees 54 minutes 22 seconds, a radius of 870.00 feet and an arc length of 241.53 feet, the chord of said non-tangent curve bears North 60 degrees 34 minutes 44 seconds East, having a chord distance of 240.75 feet to a point for the end of said curve

18. THENCE, NORTH 68 degrees 31 minutes 53 seconds EAST, a distance of 22.06 feet to a point;

19. THENCE, SOUTH 73 degrees 21 minutes 04 seconds EAST, a distance of 11.14 feet to a point;

20. THENCE, SOUTH 36 degrees 16 minutes 48 seconds EAST, a distance of 137.62 feet to the beginning of a curve to the right;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H.635 West
West Near Valley View Lane in Dallas County
PARCEL: NTTA WMA3

Page 4 of 5
October 21, 2002

**FIELD NOTES FOR A 4.0 ACRE TRACT,
WETLAND MITIGATION AREA 3**

21. **THENCE, SOUTHEASTERLY**, along said curve to the right through a central angle of 14 degrees 15 minutes 20 seconds, a radius of 550.00 feet and an arc length of 136.84 feet, the chord of said curve bears South 29 degrees 09 minutes 08 seconds East, having a chord distance of 136.49 feet to a point for the end of said curve
22. **THENCE, SOUTH 22 degrees 01 minutes 28 seconds EAST**, a distance of 56.96 feet to a point;
23. **THENCE, SOUTH 25 degrees 06 minutes 34 seconds WEST**, a distance of 6.78 feet to a point;
24. **THENCE, SOUTH 78 degrees 15 minutes 00 seconds WEST**, a distance of 22.11 feet to the beginning of a reverse curve to the right;
25. **THENCE, SOUTHWESTERLY AND NORTHWESTERLY**, along said reverse curve to the right through a central angle of 52 degrees 43 minutes 05 seconds, a radius of 265.00 feet and an arc length of 243.83 feet, the chord of said reverse curve bears North 75 degrees 23 minutes 28 seconds West, having a chord distance of 235.32 feet to the point of reverse curvature to the left;
26. **THENCE, NORTHWESTERLY**, continuing along said reverse curve to the left through a central angle of 15 degrees 29 minutes 25 seconds, a radius of 450.00 feet and an arc length of 121.66 feet, the chord of said curve bears North 56 degrees 46 minutes 38 seconds West, having a chord distance of 121.29 feet to a point for the end of said curve;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road
in Dallas County To I.H.635 West
West Near Valley View Lane in Dallas County
PARCEL: NTTA WMA3

Page 5 of 5
October 21, 2002

FIELD NOTES FOR A 4.0 ACRE TRACT,
WETLAND MITIGATION AREA 3

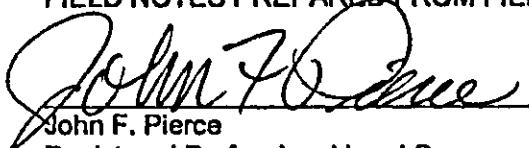
27. THENCE, NORTH 64 degrees 31 minutes 20 seconds WEST, a distance of 59.46 to the POINT OF BEGINNING containing 1.5455 acres of land, more or less.

The Wetland Mitigation Area 3 contains a net area of 4.0310 acres of land, more or less.

This Field Note description accompanies parcel map of even date herewith.

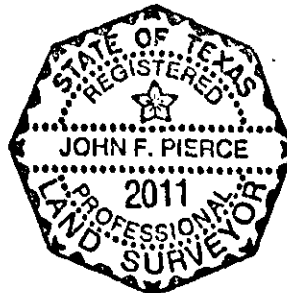
All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

October 21, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax



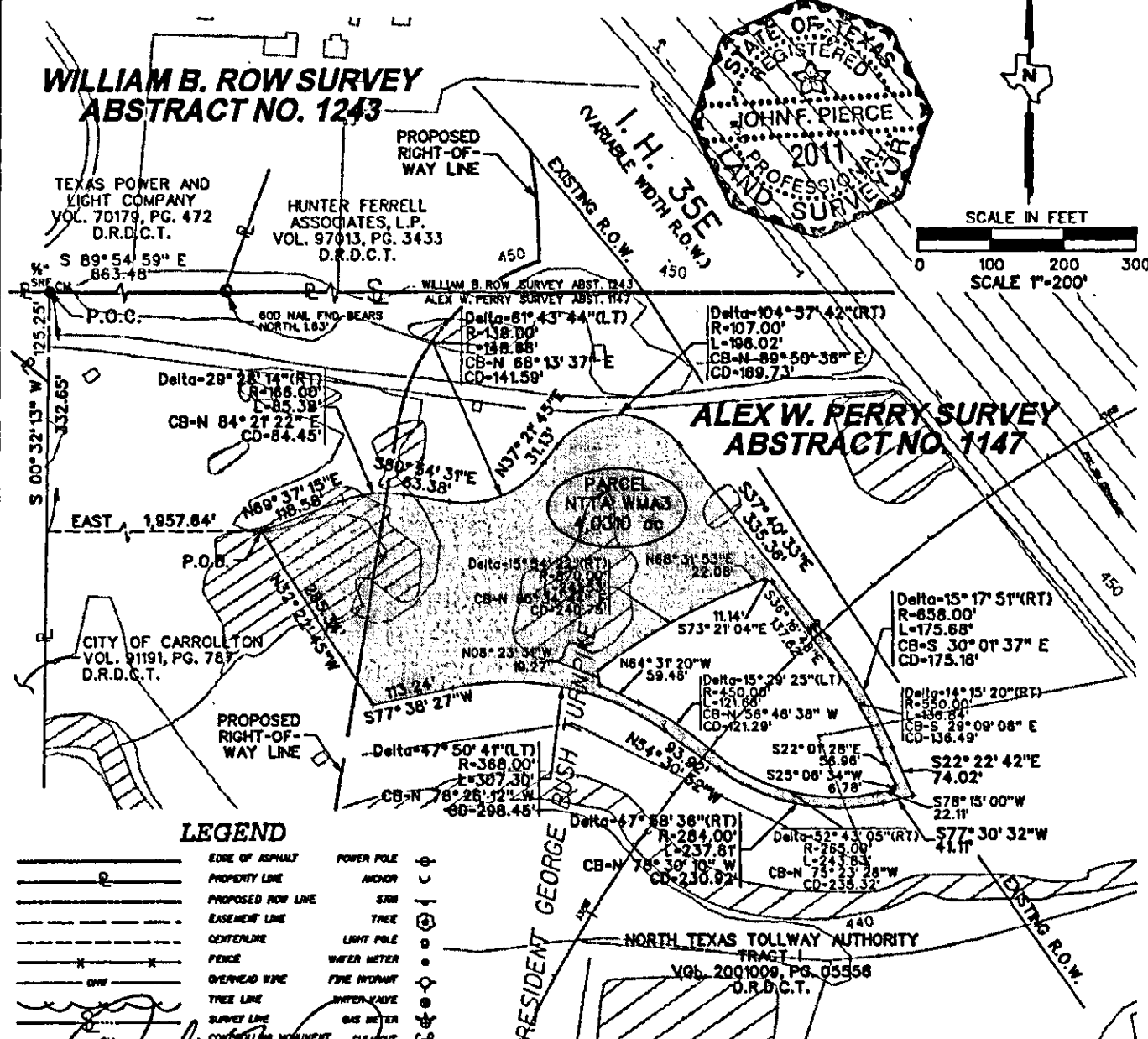
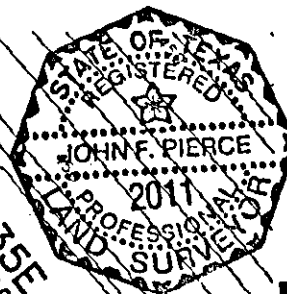
MAP FOR A 4.0 ACRE TRACT,
WETLAND MITIGATION AREA 3

EXHIBIT "B"

**WILLIAM B. ROW SURVEY
ABSTRACT NO. 1243**

TEXAS POWER AND
LIGHT COMPANY
VOL. 70179, PG. 472
D.R.D.C.T.

HUNTER FERRELL
ASSOCIATES, L.P.
VOL. 97013, PG. 3433
D.R.D.C.T.



LEGEND

	EDGE OF ASPHALT		POWER POLE
	PROPERTY LINE		ANCHOR
	PROPOSED ROW LINE		SRM
	EASEMENT LINE		TREE
	CERTIFICATE		LIGHT POLE
	FENCE		WATER METER
	OVERHEAD WIRE		FIRE HYDRANT
	TREE LINE		WATER VALVE
	SURVEY LINE		GAS METER
	CONTROLLING MONUMENT		CLEAR CUT

CERTIFIED John F. Pierce Date: 10-21-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Dale A. Nubert Date: 12-10-02
Carter & Burgess, Inc.
Section Engineer

APPROVED Gary W. Dwyer Date: 12-11-02
HNTB Corporation
General Engineering Consultant

APPROVED _____ Date: _____
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Note: • Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Field Note description of even date herewith accompanies this plat.

OWNER: NORTH TEXAS TOLLWAY AUTHORITY
ALEX W. PERRY SURVEY, ABSTRACT NUMBER 1147
DALLAS COUNTY, TEXAS


NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
MITIGATION PLAT

WETLAND MITIGATION AREA 3 (WMA 3)	5.5765 ACRES
LESS OPEN WATER HABITAT MITIGATION AREA 3	1.5455 ACRES
NET WETLAND MITIGATION AREA 3	<u>4.0310 ACRES</u>

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS


John F. Warren, County Clerk
Dallas County TEXAS

May 14, 2008 02:06:12 PM

FEE: \$288.00

20080161108

When recorded, return to:

WHEN RECORDED, RETURN TO:
Locke Lord Bissell & Liddell LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Attention: Cynthia M. Buckley



DEED ✓ 20080151107
20 PGS

**DALLAS NORTH TOLLWAY SYSTEM
PRESIDENT GEORGE BUSH TURNPIKE
SPECIAL WARRANTY DEED
(SEGMENT IV)**

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

That **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority and a political subdivision of the State of Texas (hereinafter called "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS F/K/A FARMERS BRANCH-CARROLLTON FLOOD CONTROL DISTRICT OF DALLAS COUNTY, TEXAS**, a flood control district (hereinafter called "Grantee"), the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien is retained, either express or implied, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee, subject to the exception and reservation by Grantor of all of the oil, gas and other minerals and to the other terms and provisions hereinafter contained, all of the surface estate of those certain parcels of land situated in Dallas County, Texas, together with all improvements situated thereon and all rights, privileges and appurtenances thereto belonging (the "Property"), said parcels of land being more particularly described in Exhibit A attached hereto and made a part hereof for all purposes, said Property being all of the Grantor's Parcels No. 25-2 and 25-4; SAVE AND EXCEPT, however, and there is expressly reserved to Grantor herein, its successors and assigns forever, all oil, gas, coal, sulphur and other minerals of every kind or character (whether similar or dissimilar) in, on, under or that may be produced from said land hereinabove described and every part thereof, together with a reasonable right of ingress and egress over, upon and across said land.

The consideration exchanged between the parties hereto for the property interests acquired hereunder by Grantee shall be considered full compensation for such interests and for any severance damages, or any damages to, or diminution in the value of, other lands belonging to Grantor, that may be claimed or asserted by virtue of such acquisition and use of the Property by Grantee.

This conveyance is made and accepted subject to the Declaration of Restrictive Covenants attached hereto as Exhibit B and made a part hereof for all purposes and all matters of title, to the extent the same are valid and subsisting.

TO HAVE AND TO HOLD the Property, together with all and singular the rights, privileges, and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns, forever, but subject to the exceptions and reservations specified, and the other provisions
VALWOOD IMPROVEMENT AUTHORITY SEGMENT IV ILA
DALLAS: 0567318.48275: 1403305v6

of this instrument; and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property 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.

EXECUTED this 9th day of May, 2008.

ATTEST:

NORTH TEXAS TOLLWAY AUTHORITY,
a regional tollway authority

By: *[Signature]*
for Jorge Figueredo, Ph.D.
Executive Director
Rick Herrington, Deputy Executive Director

Date: 5/9/08

APPROVED AS TO FORM:

Locke Lord Bissell & Liddell LLP
General Counsel

By: *[Signature]*
Frank E. Stevenson, II

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 9, 2008, by Jorge Figueredo, Executive Director of the NORTH TEXAS TOLLWAY AUTHORITY, a regional tollway authority, on behalf of said authority.

Rick Herrington
for



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

Address of Grantee:

Executive Director
Valwood Improvement Authority
1430 Valwood Parkway
Suite 160
Carrollton, Texas 75006

EXHIBIT A
to
Special Warranty Deed
Property Description

(See following pages)

Parcel NTTA25-2

BEING 214,932 square feet, or 4.934 acres of land, more or less for a replacement lake easement, situated in the James Armstrong Survey, Abstract Number 30 and the William Pulliam Survey, Abstract Number 1171, in the City of Carrollton, Dallas County, Texas, also being a part of that certain called 14.502 acre tract of land conveyed to Luna Investors, Inc., by deed recorded in Volume 86250, Page 2859, of the Deed Records of Dallas County, Texas. Said 4.934 acres of land being more particularly described by metes and bounds as follows:


BEGINNING at a 1/2 inch iron rod with plastic cap marked Half found in place at the northwest corner of said Luna Investors tract and the southwest corner of Lot 3, Block 1 of the Luna Road Distribution Center Phase II;

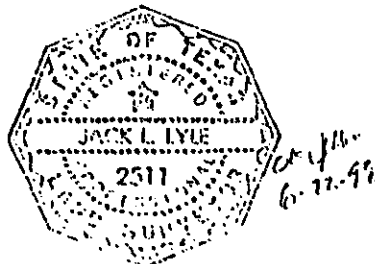
- (1) THENCE, along the north line of the Luna Investors tract and the south line of said Lot 3, South 89 degrees 34 minutes 26 seconds East, a distance of 482.74 feet to a 1/2 inch iron rod with plastic cap marked AB&A set for the northeast corner of the herein described replacement lake easement;
- (2) THENCE South 00 degrees 35 minutes 25 seconds West, a distance of 446.49 feet to a 1/2 inch iron rod with plastic cap marked AB&A set in the south line of the Luna Investors tract;
- (3) THENCE, along the south line of said tract, North 89 degrees 15 minutes 29 seconds West, a distance of 482.91 feet to 1/2 inch iron rod with plastic cap marked AB&A set at the southwest corner of Luna Investors tract;
- (4) THENCE, along the west line of said tract, North 00 degrees 36 minutes 46 seconds East, a distance of 443.83 feet to the POINT OF BEGINNING and containing 214,932 square feet or 4.934 acres of land, more or less.

The foregoing field notes correctly set out the boundaries of the tract of land herein described.

This description accompanies easement parcel map of even date herewith.

All bearings are based on the Texas State Plane Coordinate System, North Central Zone, (NAD27)


Jack L. Lyle
Registered Professional Land Surveyor



ARREDONDO, BRUNZ & ASSOCIATES, INC.

May 22, 1998

North Texas Tollway Authority Parcel NTTA25-IRLE Replacement Lake Easement

Luna Investors, Inc., Owners of Record

Volume 86250, Page 2859

Deed Records of Dallas County, Texas

BASES OF BEARINGS: THE TEXAS
STATE PLANNED COORDINATE SYSTEM,
NORTH CENTRAL ZONE, (NAD 27).

JAMES ARMSTRONG SURVEY - ABSTRACT 30

PROPOSED PRESIDENT GEORGE BUSH TURNPIKE

LUNA ROAD

LUNA ROAD DISTRIBUTION CENTER PHASE II
Volume 98102, Page 0088
(D.R.D.C.T.)

BLOCK I

POINT OF
BEGINNING

LOT 3

LOT 1

1/4" IN
W/1000
CAP SET

1/4" IN
W/1000
CAP SET

S89°34'26"E - 482.74'

446.49'

LUNA INVESTORS, INC.
VOL. 86250 PG. 2859
(D.R.D.C.T.)

JAS. ARMSTRONG SURVEY - A-30

WM. PULLIAM SURVEY - A-1171

N00°36'46"E - 443.83'

NTTA25-2
214,932 s.f.
4.934 Ac.

N89°15'29"W - 482.91'

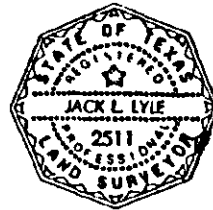
1/4" IN
W/1000
CAP SET

1/4" IN
W/1000
CAP SET

VALWOOD IMPROVEMENT
AUTHORITY
RESOLUTION #88-201
D.R.D.C.T.

BATHURST PROPERTIES VENTURE
VOL. 85003 PG. 4013
(D.R.D.C.T.)

WM. PULLIAM SURVEY - ABSTRACT 1171



Hereby that this plat correctly delineates the boundaries and corners
of this tract as determined by a preliminary accurate survey on the ground.

Surveyor: *Jack L. Lyle* Date: *6/17/98*
Registered Professional
Land Surveyor No. 2511

Witness: *Norman Tucker* Date: *6/18/98*
Public Corporation
Record Bookends

Witness: *James W. Luffin* Date: *June 24, 1998*
Public Texas Gateway Authority
Engineering A's No.



ARREDONDO, BRUNZ & ASSOC., INC.
11555 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

OWNER: LUNA INVESTORS, INC.
JAMES ARMSTRONG SURVEY, A-30
& WM. PULLIAM SURVEY, A-1171
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
RIGHT OF WAY PLAT

DATE: 6/17/98 BY: JLL (JLL) DATE: 6/18/98 BY: NBT (NBT) DATE: 6/24/98 BY: JWL (JWL)

Parcel NTTA25-4

BEING 590,969 square feet, or 13.567 acres of land, more or less for a replacement lake easement, situated in the James Armstrong Survey, Abstract Number 30, in the City of Carrollton, Dallas County, Texas, out of and part of Lot 3, Block 1 of the Luna Road Distribution Center, Phase II, an Addition to the City of Carrollton, Dallas County, Texas by plat recorded in Volume 98102, Page 0088, Deed Records of Dallas County, Texas (D.R.D.C.T.), said Lot 3 being owned jointly by Henry Billingsley, (Volume 98003, Page 3280 D.R.D.C.T.), Crow-Billingsley Hutton Branch #1, LTD. (Volume 82120, Page 1471 and Volume 91028, Page 1415 D.R.D.C.T.) and Crow-Billingsley #15, LTD. (Volume 80075, Page 2663 D.R.D.C.T.). Said 13.567 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap marked Half found in place at the southwest corner of Lot 3, Block 1 of the Luna Road Distribution Center Phase II;

- (1) THENCE, along the west line of said Lot 3, North 00 degrees 34 minutes 37 seconds East, a distance of 750.91 feet to a 1/2 inch iron rod with plastic cap marked Half found in place marking the southern most northwest corner of Lot 3;
- (2) THENCE South 89 degrees 34 minutes 26 seconds East, a distance of 73.74 feet to a 1/2 inch iron rod with plastic cap marked Half found in place marking an inside corner of Lot 3;
- (3) THENCE, along the west line of said Lot 3, North 00 degrees 53 minutes 33 seconds East, a distance of 561.16 feet to a 1/2 inch iron rod found in place at the northern most northwest corner of Lot 3;
- (4) THENCE, along the north line of Lot 3, South 89 degrees 06 minutes 22 seconds East, a distance of 352.56 feet to a 1/2 inch iron rod with plastic cap marked Half found in place at an angle point in the north line of Lot 3;
- (5) THENCE North 78 degrees 48 minutes 40 seconds East, a distance of 54.81 feet to a 1/2 inch iron rod with plastic cap marked AB&A set for the northeast corner of the herein described Replacement Lake Easement;
- (6) THENCE, South 00 degrees 35 minutes 25 seconds West, a distance of 1,320.22 feet to a 1/2 inch iron rod with plastic cap marked AB&A set in the south line of said Lot 3;


Parcel NTTA25-4

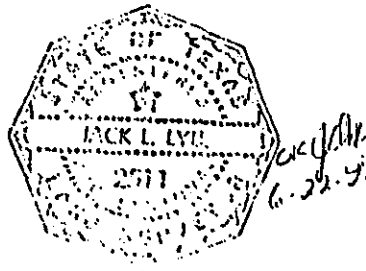
- (7) THENCE, along the south line of Lot 3, North 89 degrees 34 minutes 26 seconds West, a distance of 482.74 feet to the POINT OF BEGINNING and containing 590,969 square feet or 13.567 acres of land, more or less.

The foregoing field notes correctly set out the boundaries of the tract of land herein described.

This description accompanies easement parcel map of even date herewith.

All bearings are based on the Texas State Plane Coordinate System, North Central Zone, (NAD27)


Jack L. Lyle
Registered Professional Land Surveyor



ARREDONDO, BRUNZ & ASSOCIATES, INC.

May 22, 1998

North Texas Tollway Authority Parcel NTTA25-2RLE Replacement Lake Easement

Owners of Record:

Henry Billingsley Volume 98003, Page 3280

Crow-Billingsley Hutton Branch #1, LTD., Volume 82120, Page 1471
and Volume 91028, Page 1415

Crow-Billingsley #15, LTD., Volume 80075, Page 2663

Deed Records of Dallas County, Texas

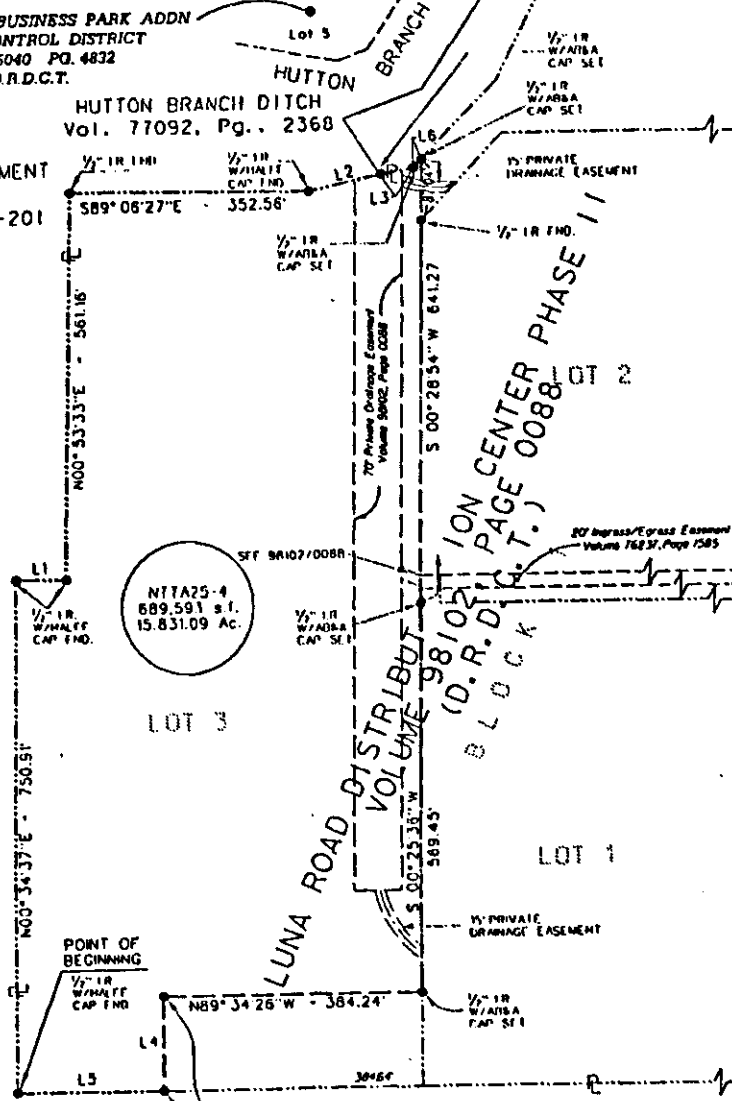
JAS. ARMSTRONG SURVEY ABSTRACT NO. 30

BRIER CROFT BUSINESS PARK ADDN
FLOOD CONTROL DISTRICT
VOL. 85040 PG. 4832
D.R.D.C.T.

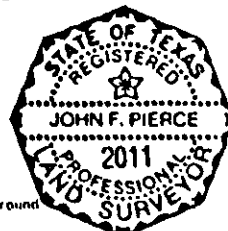
HUTTON BRANCH DITCH
Vol. 77092, Pg. 2368

VALWOOD IMPROVEMENT
AUTHORITY
RESOLUTION #88-201
D. R. D. C. T.

PROPOSED PRESIDENT
GEORGE BUSH TURNPIKE



LINE NO	BEARING	DISTANCE
L1	S89°34'26"E	73.74'
L2	N78°48'22"E	108.49'
L3	N80°52'54"E	49.93'
L4	S00°35'25"W	140.56'
L5	N89°34'26"W	214.50'
L6	N44°03'23"E	16.55'



JAS. ARMSTRONG
SURVEY - A-30
WM. PULLIAM
SURVEY - A-1171

I certify that this plat correctly delineates the boundaries and corners
of the tract as determined by a careful and accurate survey on the ground.

CERTIFIED - *John F. Pierce* Date: 12-07-1998
Registered Professional
Land Surveyor No. 2011
APPROVED - *David L. Bisher* Date: 12-08-98
Infill Corporation
General Consultants
APPROVED - *James W. Huffer* Date: 12-11-98
By Texas Land Survey Authority
Inspector

BASIS OF BEARINGS: THE TEXAS
STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE, (NAD 27)



ARREDONDO, BRUNZ & ASSOC., INC.
11355 MCGRUE ROAD
AS, TEXAS 75238 (214) 341-9900

OWNER: CROW-BILLINGSLEY, BT 01.
JAS. ARMSTRONG SURVEY, ABSTRACT NO. 30
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
RIGHT OF WAY PLAT

REVISIONS: 1. 12-11-98 2. 12-11-98 3. 12-11-98 4. 12-11-98 5. 12-11-98 6. 12-11-98 7. 12-11-98 8. 12-11-98 9. 12-11-98 10. 12-11-98 11. 12-11-98 12. 12-11-98 13. 12-11-98 14. 12-11-98 15. 12-11-98 16. 12-11-98 17. 12-11-98 18. 12-11-98 19. 12-11-98 20. 12-11-98 21. 12-11-98 22. 12-11-98 23. 12-11-98 24. 12-11-98 25. 12-11-98 26. 12-11-98 27. 12-11-98 28. 12-11-98 29. 12-11-98 30. 12-11-98 31. 12-11-98 32. 12-11-98 33. 12-11-98 34. 12-11-98 35. 12-11-98 36. 12-11-98 37. 12-11-98 38. 12-11-98 39. 12-11-98 40. 12-11-98 41. 12-11-98 42. 12-11-98 43. 12-11-98 44. 12-11-98 45. 12-11-98 46. 12-11-98 47. 12-11-98 48. 12-11-98 49. 12-11-98 50. 12-11-98 51. 12-11-98 52. 12-11-98 53. 12-11-98 54. 12-11-98 55. 12-11-98 56. 12-11-98 57. 12-11-98 58. 12-11-98 59. 12-11-98 60. 12-11-98 61. 12-11-98 62. 12-11-98 63. 12-11-98 64. 12-11-98 65. 12-11-98 66. 12-11-98 67. 12-11-98 68. 12-11-98 69. 12-11-98 70. 12-11-98 71. 12-11-98 72. 12-11-98 73. 12-11-98 74. 12-11-98 75. 12-11-98 76. 12-11-98 77. 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EXHIBIT B

to
Special Warranty Deed

Declaration of Restrictive Covenants

(See following pages)

DECLARATION OF RESTRICTIVE COVENANTS
(Authority-Conveyed Property)

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

THIS DECLARATION OF RESTRICTIVE COVENANTS (this "instrument"), is executed the 5th day of May, 2008 (the "Execution Date") to be effective as of the 7th day of October, 2002 (the "Effective Date") by the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority and a political subdivision of the State of Texas (hereinafter identified as the "NTTA").

Recitals

WHEREAS, the NTTA owns approximately 18.5 acres of land in Dallas County, Texas, more fully described in Exhibit A attached hereto and made a part hereof, for use in the construction of the turnpike project described below (the "Authority-Conveyed Property");

WHEREAS, the NTTA is constructing and operating a controlled access toll turnpike project (the "Project") as defined in, permitted by, and in accordance with the provisions of Chapter 366, Texas Transportation Code (known as the "Regional Tollway Authority Act"), to all terms of which Chapter and Act reference is hereby made, such Project being known as Segment IV of the President George Bush Turnpike; and

WHEREAS, on even date herewith, the NTTA and Valwood Improvement Authority of Dallas County, Texas, f/k/a Farmers Branch-Carrollton Flood Control District of Dallas County, Texas ("Valwood") have entered into (1) a Joint Use Agreement, and (2) an Interlocal Agreement for the Design, Construction and Maintenance of Segment IV of the President George Bush Turnpike ("ILA") setting forth their respective rights, obligations, and agreements concerning the Authority-Conveyed Property and the Project; and

WHEREAS, it is necessary and desirable for the NTTA to impose certain restrictions on the Authority-Conveyed Property in order to meet the requirements of Permit No. 199700020 issued by the U. S. Army Corps of Engineers ("USACE") which authorizes the NTTA to discharge dredged or fill material into waters of the United States (as set forth in 33 U.S.C. §1344); and

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the NTTA agrees as follows:

1. **NTTA's Covenants.** For and in consideration of these premises and the mutual covenants and agreements contained in the ILA, the receipt and sufficiency of which the NTTA hereby acknowledges, the NTTA hereby covenants and agrees as follows:

 a. **Restricted Use.** The Authority-Conveyed Property is reserved for use as a flood water retention and recharge area for the surrounding Elm Fork of the Trinity River floodplain. The NTTA shall not take, nor permit any officer, director, employee, agent, contractor, or other person affiliated with the NTTA or under the NTTA's authority to take, any

action which allows for a use or activity that is inconsistent with this restriction; provided, however, that the NTTA, and any future owner of the property, reserve the right to enter the Authority-Conveyed Property to enlarge, deepen, or maintain the property, as necessary, to meet the terms and conditions of Permit No. 199700020 or as required by the USACE.

b. Use by Third Parties. The NTTA will not consent to any third party not affiliated with the NTTA taking any action on or about the Authority-Conveyed Property that is inconsistent with the restrictions placed in subsection a. above.

c. Removal of Improvements. The NTTA shall not place on or in the Authority-Conveyed Property any building, fence, structure, or other improvement which is inconsistent with the intended function of this mitigation area.

2. Successor and Assigns. This instrument shall be binding upon and inure to the benefit of the respective legal representatives, successors, assigns, and devisees of the NTTA.

3. Interlocal Agreement; Merger. This instrument is entered into pursuant to, and as part of, the agreements and transactions set forth in the ILA and the other instruments referenced in the ILA, and it shall be interpreted and enforced to be consistent with the ILA and such other instruments referenced in the ILA. Otherwise, this instrument contains the whole agreement between Valwood and the NTTA relating to the matters that are the subject of this instrument and supersedes all previous understandings and agreements between Valwood and the NTTA relating to such matters.

4. General Provisions

a. The NTTA agrees that any conveyance hereafter made by the NTTA of all or any portion of the Authority-Conveyed Property will refer to and incorporate this instrument by reference.

b. In the event any provision of this instrument is determined by an appropriate court to be void and unenforceable, the remaining provisions shall remain valid and binding.

c. This instrument shall run with the Authority-Conveyed Property and shall be enforceable against the NTTA and all future owners of the Authority-Conveyed Property in perpetuity.

d. This instrument cannot be revoked or modified without written approval from the USACE.

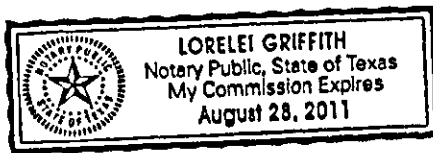
NORTH TEXAS TOLLWAY AUTHORITY,
a regional tollway authority

By: *[Signature]*
for Jorge Figueredo, Executive Director
Rick Herrington, Deputy Executive Director

STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on May 9, 2008, by Jorge Figueredo, Executive Director of the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority. *Rick Herrington for*



Lorelei Griffith
Notary Public in and for
the State of Texas

ADDRESS OF GRANTEE:

North Texas Tollway Authority
P. O. Box 260729
Plano, Texas 75026

After Recording, Return To:
Mr. Frank E. Stevenson
Locke Lord Bissell & Liddell LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201

EXHIBIT A

[Attach Legal Description of Authority-Conveyed Property]

Parcel NTTA25-2

BEING 214,932 square feet, or 4.934 acres of land, more or less for a replacement lake easement, situated in the James Armstrong Survey, Abstract Number 30 and the William Pulliam Survey, Abstract Number 1171, in the City of Carrollton, Dallas County, Texas, also being a part of that certain called 14.502 acre tract of land conveyed to Luna Investors, Inc., by deed recorded in Volume 86250, Page 2859, of the Deed Records of Dallas County, Texas. Said 4.934 acres of land being more particularly described by metes and bounds as follows:


BEGINNING at a 1/2 inch iron rod with plastic cap marked Half found in place at the northwest corner of said Luna Investors tract and the southwest corner of Lot 3, Block 1 of the Luna Road Distribution Center Phase II;

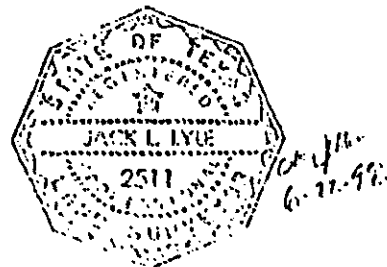
- (1) THENCE, along the north line of the Luna Investors tract and the south line of said Lot 3, South 89 degrees 34 minutes 26 seconds East, a distance of 482.74 feet to a 1/2 inch iron rod with plastic cap marked AB&A set for the northeast corner of the herein described replacement lake easement;
- (2) THENCE South 00 degrees 35 minutes 25 seconds West, a distance of 446.49 feet to a 1/2 inch iron rod with plastic cap marked AB&A set in the south line of the Luna Investors tract;
- (3) THENCE, along the south line of said tract, North 89 degrees 15 minutes 29 seconds West, a distance of 482.91 feet to 1/2 inch iron rod with plastic cap marked AB&A set at the southwest corner of Luna Investors tract;
- (4) THENCE, along the west line of said tract, North 00 degrees 36 minutes 46 seconds East, a distance of 443.83 feet to the POINT OF BEGINNING and containing 214,932 square feet or 4.934 acres of land, more or less.

The foregoing field notes correctly set out the boundaries of the tract of land herein described.

This description accompanies easement parcel map of even date herewith.

All bearings are based on the Texas State Plane Coordinate System, North Central Zone, (NAD27)


Jack L. Lyle
Registered Professional Land Surveyor



ARREDONDO, BRUNZ & ASSOCIATES, INC.

May 22, 1998

North Texas Tollway Authority Parcel NTTA25-IRLE Replacement Lake Easement

Luna Investors, Inc., Owners of Record

Volume 86250, Page 2859

Deed Records of Dallas County, Texas

BASES OF BEARINGS: THE TEXAS
STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE, TNAD 27).

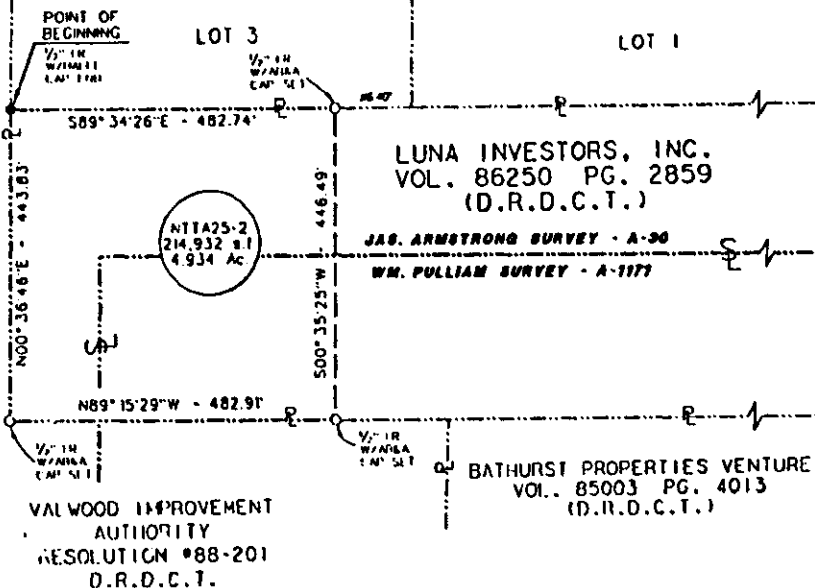
JAMES ARMSTRONG SURVEY - ABSTRACT 30

PROPOSED PRESIDENT GEORGE BUSH TURNPIKE

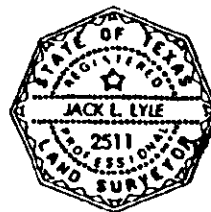
LUNA ROADS

LUNA ROAD DISTRIBUTION CENTER PHASE II
Volume 98102, Page 0088
(D.R.D.C.T.)

BLOCK I



WM. PULLIAM SURVEY - ABSTRACT 1171



Verify that this plat correctly delineates the boundaries and corners of the tract as returned by a preliminary accurate survey on the ground.

Jack L. Lyle Date *6/17/88*
Professional Land Surveyor

Harriet R. Buckner Date *6/18/88*
Professional Land Surveyor

James W. Luff Date *June 24, 1994*
Professional Land Surveyor



ARREDONDO, BRUNZ & ASSOC., INC.
11355 MCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

REVISIONS

OWNER: LUNA INVESTORS, INC.
JAMES ARMSTRONG SURVEY, A-30
& WM. PULLIAM SURVEY, A-1171
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
RIGHT OF WAY PLAT

Parcel NTTA25-4

BEING 590,969 square feet, or 13.567 acres of land, more or less for a replacement lake easement, situated in the James Armstrong Survey, Abstract Number 30, in the City of Carrollton, Dallas County, Texas, out of and part of Lot 3, Block 1 of the Luna Road Distribution Center, Phase II, an Addition to the City of Carrollton, Dallas County, Texas by plat recorded in Volume 98102, Page 0088, Deed Records of Dallas County, Texas (D.R.D.C.T.), said Lot 3 being owned jointly by Henry Billingsley, (Volume 98003, Page 3280 D.R.D.C.T.), Crow-Billingsley Hutton Branch #1, LTD. (Volume 82120, Page 1471 and Volume 91028, Page 1415 D.R.D.C.T.) and Crow-Billingsley #15, LTD. (Volume 80075, Page 2663 D.R.D.C.T.). Said 13.567 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap marked Half found in place at the southwest corner of Lot 3, Block 1 of the Luna Road Distribution Center Phase II;

- (1) THENCE, along the west line of said Lot 3, North 00 degrees 34 minutes 37 seconds East, a distance of 750.91 feet to a 1/2 inch iron rod with plastic cap marked Half found in place marking the southern most northwest corner of Lot 3;
- (2) THENCE South 89 degrees 34 minutes 26 seconds East, a distance of 73.74 feet to a 1/2 inch iron rod with plastic cap marked Half found in place marking an inside corner of Lot 3;
- (3) THENCE, along the west line of said Lot 3, North 00 degrees 53 minutes 33 seconds East, a distance of 561.16 feet to a 1/2 inch iron rod found in place at the northern most northwest corner of Lot 3;
- (4) THENCE, along the north line of Lot 3, South 89 degrees 06 minutes 22 seconds East, a distance of 352.56 feet to a 1/2 inch iron rod with plastic cap marked Half found in place at an angle point in the north line of Lot 3;
- (5) THENCE North 78 degrees 48 minutes 40 seconds East, a distance of 54.81 feet to a 1/2 inch iron rod with plastic cap marked AB&A set for the northeast corner of the herein described Replacement Lake Easement;
- (6) THENCE, South 00 degrees 35 minutes 25 seconds West, a distance of 1,320.22 feet to a 1/2 inch iron rod with plastic cap marked AB&A set in the south line of said Lot 3;


Parcel NTTA25-4

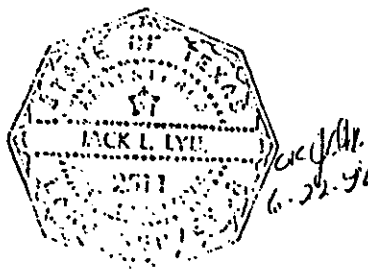
- (7) THENCE, along the south line of Lot 3, North 89 degrees 34 minutes 26 seconds West, a distance of 482.74 feet to the POINT OF BEGINNING and containing 590,969 square feet or 13.567 acres of land, more or less.

The foregoing field notes correctly set out the boundaries of the tract of land herein described.

This description accompanies easement parcel map of even date herewith.

All bearings are based on the Texas State Plane Coordinate System, North Central Zone, (NAD27)


Jack L. Lyle
Registered Professional Land Surveyor



ARREDONDO, BRUNZ & ASSOCIATES, INC.

May 22, 1998

North Texas Tollway Authority Parcel NTTA25-2RLE Replacement Lake Easement

Owners of Record:

Henry Billingsley Volume 98003, Page 3280

Crow-Billingsley Hutton Branch #1, LTD., Volume 82120, Page 1471

and Volume 91028, Page 1415

Crow-Billingsley #15, LTD., Volume 80075, Page 2663

Deed Records of Dallas County, Texas

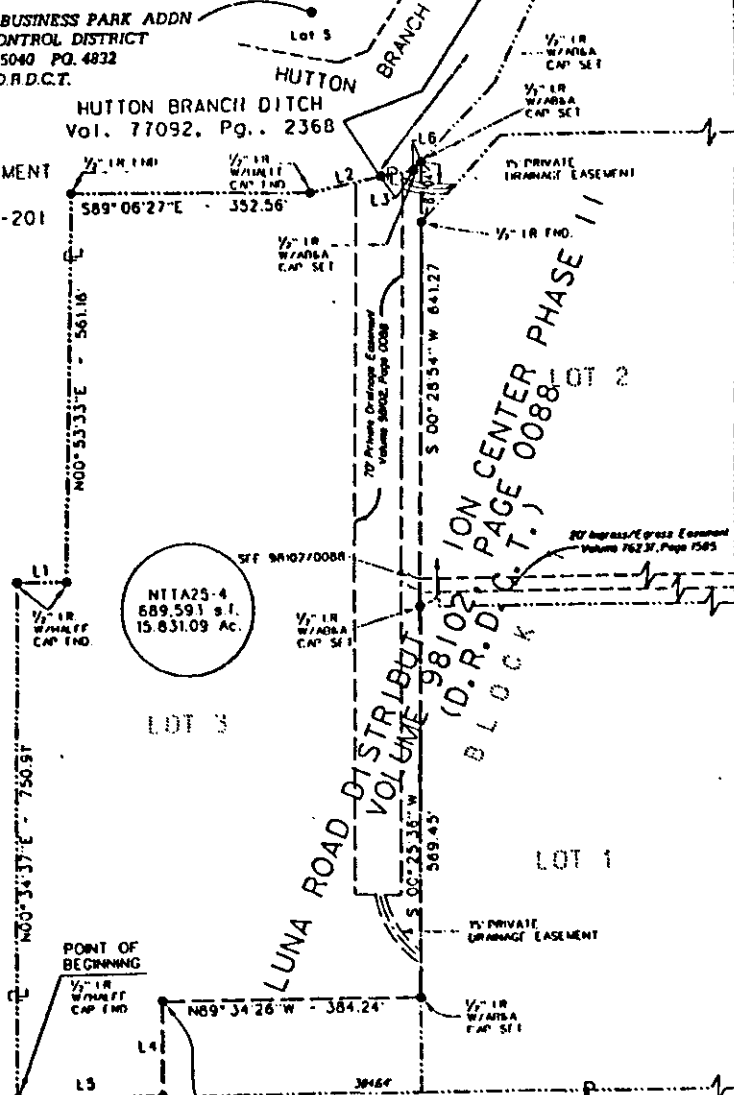
JAS. ARMSTRONG SURVEY - AB. T. 10. 30

BRIER CROFT BUSINESS PARK ADDN
FLOOD CONTROL DISTRICT
VOL. 85040 P.O. 4832
D.R.D.C.T.

HUTTON BRANCH DITCH
Vol. 77092, Pg. 2368

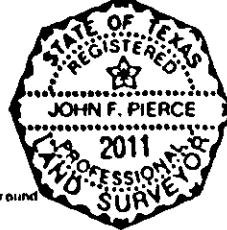
VALWOOD IMPROVEMENT
AUTHORITY
RESOLUTION #88-201
D.R.D.C.T.

PROPOSED PRESIDENT
GEORGE BUSH TURNPIKE



LINE TABLE		
LINE NO	BEARING	DISTANCE
L1	S89°34'26"E	73.74'
L2	N78°48'22"E	108.49'
L3	N80°52'54"E	49.93'
L4	S00°35'25"W	140.56'
L5	N89°34'26"W	214.50'
L6	N44°03'23"E	16.55'

I hereby certify that this plat correctly delineates the boundaries and corners of the tract as determined by a careful and accurate survey on the ground.



JAS. ARMSTRONG
SURVEY - A-30
WM. PULLIAM
SURVEY - A-1171

CERTIFIED - *John F. Pierce* Date: 12-07-1998
Registered Professional Land Surveyor No. 2011
APPROVED - *David L. Baker* Date: 12-08-98
Surveyor
APPROVED - *James W. Kuffner* Date: 12-11-98
Surveyor

BASIS OF BEARINGS: THE TEXAS
STATE PLANE COORDINATE SYSTEM,
NORTH CENTRAL ZONE. (NAD 27)



ARREDONDO, BRUNZ & ASSOC., INC.
11355 MCCREE ROAD
AS, TEXAS 75238 (214) 341-9900

OWNER: CROW-BILLINGSLEY, 81 OT.
JAS. ARMSTRONG SURVEY, ABSTRACT NO. 30
DALLAS COUNTY, TEXAS
NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
RIGHT OF WAY PLAT

REVISIONS: 1. 12-11-98 2. 12-11-98 3. 12-11-98 4. 12-11-98 5. 12-11-98 6. 12-11-98 7. 12-11-98 8. 12-11-98 9. 12-11-98 10. 12-11-98





AGREE

21 PGS

20080161109

When recorded, return to:

WHEN RECORDED, RETURN TO:
Locke Lord Bissell & Liddell LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Attention: Cynthia M. Buckley

**DALLAS NORTH TOLLWAY SYSTEM
PRESIDENT GEORGE BUSH TURNPIKE
JOINT USE AGREEMENT
(SEGMENT IV)**

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

WHEREAS, the **NORTH TEXAS TOLLWAY AUTHORITY**, a regional tollway authority and a political subdivision of the State of Texas (the "NTTA"), is constructing and operating a controlled access toll turnpike project (the "Project") as defined in, permitted by, and in accordance with the provisions of Chapter 366, Texas Transportation Code (known as the "Regional Tollway Authority Act"), to all terms of which Chapter and Act reference is hereby made, such Project being known as Segment IV of the President George Bush Turnpike; and

WHEREAS, **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS F/K/A FARMERS BRANCH-CARROLLTON FLOOD CONTROL DISTRICT OF DALLAS COUNTY, TEXAS**, a flood control district ("Owner") owns certain property (the "Property") in Dallas County, Texas, which is described on Exhibit A attached hereto and made a part hereof for all purposes, said Property being all of the NTTA's Parcels No. 25-34, 25-40 and 25-41; and

WHEREAS, Owner currently uses the Property for the purposes of maintaining flood-control facilities, levees and similar structures, drainage facilities, access roads and other facilities; and

WHEREAS, it is necessary and desirable for the NTTA to acquire certain interests in the Property in order to construct and operate the Project; and

WHEREAS, the parties agree that the Owner's use of the Property as it is currently being conducted is not incompatible with the NTTA's construction, operation, and maintenance of the Project; and

WHEREAS, Owner has agreed to grant to the NTTA the right to construct, operate, and maintain the Project on, in, under and above the surface of the Property;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which Owner hereby acknowledges, Owner has granted, sold and conveyed, and by these presents does grant, sell and convey unto the NTTA, its successors, and assigns, an

unencumbered permanent and perpetual right-of-way and easement in and to the Property for the purposes of laying out, constructing, reconstructing, enlarging, modifying, maintaining, inspecting, operating, and/or removing the Project or any improvements relating to the Project, as such improvements may hereafter be located under, on, in, or above the surface of, the Property, together with rights of access over and across the Property in furtherance of said purposes.

Owner agrees that it shall not conduct its use of the Property in a manner, nor permit any other activity on the Property, that could impair the structural integrity of the Project or its safe and efficient construction, operation, and maintenance. Upon notification from the NTTA, Owner shall immediately cause the suspension of any activities on the Property that conflict with the agreement provided in the preceding sentence. Owner further agrees to notify the NTTA in writing of any proposed modification of its current use of the Property and to obtain the NTTA's consent to such modification, which shall not be unreasonably denied, provided such use, in the NTTA's sole judgment, does not interfere with or impair the structural integrity or safe and efficient construction, operation, and maintenance of the Project. Notwithstanding anything to the contrary contained herein, (1) nothing in this Joint Use Agreement or otherwise related to the conveyance to the NTTA of the rights and interests herein described nor (2) the NTTA's construction, operation and maintenance of the Project on the Property, shall either (a) relieve Owner of the sole obligation and duty to maintain its facilities and other property situated on the Property or (b) be deemed to transfer or otherwise impose any such obligation or duty to or on the NTTA. Without limiting the foregoing, Owner shall remain fully responsible for the maintenance, structural integrity and proper operation of all flood-control facilities and structures, including all levees, slopes, embankments, and retention or shoring structures, together with all drainage facilities and landscaping, situated on the Property as of the date of this Joint Use Agreement or hereafter placed on the Property by or at the direction of Owner, and the NTTA shall not prevent or interfere with Owner's completion of activities related to the duties, responsibilities or obligations relative to the control of flood water within Valwood's boundary.

The plans, specifications, and grade of the Project shall be determined by the NTTA in its sole discretion. The consideration exchanged between the parties hereto for the rights and interests acquired hereunder by the NTTA shall be considered full compensation for such interests and for any severance damages, or any damages to, or diminution in the value of the Property or any other lands belonging to Owner, that may be claimed or asserted by virtue of such acquisition and use of the Property by the NTTA.

Owner shall have no direct access to the Project and its ramps from the Property. Owner shall have access to adjacent service roads, streets, or other rights-of-way (if any) only as determined by the Texas Department of Transportation and/or the appropriate municipality or other entity exercising jurisdiction or control over said rights-of-way. Owner shall have no greater right to use, or right of access to, the Project than that of the general public, and all other abutter's rights, including rights of ingress and egress and the right of direct access to and from Owner's remaining land to the Project, which have accrued or might otherwise accrue to Owner, its successors or assigns, are hereby waived, released and relinquished.

All rights provided the NTTA hereunder shall be in addition to, and not in lieu of, those provided under the Regional Tollway Authority Act. This Joint Use Agreement is solely for the benefit of the parties hereto and their successors and assigns. Nothing contained herein is intended to, nor shall be deemed or construed to, create or confer any rights, remedies, or causes of action in any person or entities that are not parties hereto or their successors or assigns, including the public in general.

TO HAVE AND TO HOLD the above-described permanent and perpetual easement and right-of-way, together with all and singular the rights, privileges, and appurtenances thereto in anywise belonging, unto the NTTA, its successors and assigns forever; and Owner does hereby bind itself, its successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto the NTTA, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Owner, but not otherwise.

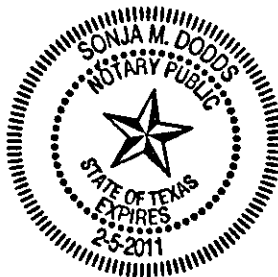
EXECUTED this 13th day of May, 2008, to be effective as of the 7th day of October, 2002.

**VALWOOD IMPROVEMENT AUTHORITY
OF DALLAS COUNTY, TEXAS,**
a flood control district of Dallas County, Texas

By: Pat Canuteson
Pat Canuteson, Executive Director

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on May 13th 2008, by Pat Canuteson, Executive Director of the **VALWOOD IMPROVEMENT AUTHORITY OF DALLAS COUNTY, TEXAS**, a flood control district, on behalf of said flood control district.



Sonja M. Dadds
Notary Public in and for
the State of Texas

ADDRESS OF GRANTEE:

North Texas Tollway Authority
P. O. Box 260729
Plano, Texas 75026

EXHIBIT A
to
Joint Use Agreement

Property Description

(to be provided)

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA 25-34

Page 1 of 5
August 22, 2001
Revised November 2, 2001
Revised April 16, 2002
Revised June 10, 2002

Being 24.0013 acres of land in the William Masters Survey, Abstract Number 925 (Historically referred to as Abstract Number 899 in the Dallas County Records), and the James Armstrong Survey, Abstract Number 30, City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch Carrollton Flood Control District, now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989, as recorded in Volume 83235, Page 4533 of the Deed Records of Dallas County, Texas, and part of that certain called 51.47 acre tract awarded to Farmers Branch Carrollton Flood Control District, now known as said Valwood Improvement Authority, in Final Judgment under Cause No. cc-83-2840-e, styled Farmers Branch Carrollton Flood Control District versus Mary Jane Mayfield and Lucy Field Belknap and being more particularly described by metes and bounds as follows;

COMMENCING at the southeast corner of Lot 1, Block 1 of Cellstar Addition as recorded in Volume 94174, Page 1589 of said Deed Records, common with the southwest corner of Lot 2 of the Replat of Briercroft Business Park Addition as recorded in Volume 85040, Page 4832 of said Deed Records, from which a one-half inch steel rebar with yellow plastic cap marked "Half", bears South 25 degrees 40 minutes 06 seconds West 1.71 feet, and same also being in the north right of way line of Briercroft Court (a 60 foot wide right of way);

THENCE, NORTH 89 degrees 52 minutes 38 seconds WEST, along the common line of said Lot 1 and said Briercroft Court a distance of 164.23 feet to the beginning of a curve to the right;

THENCE, NORTHWEST, continuing along said common line and said curve to the right having a central angle of 21 degrees 02 minutes 14 seconds, a radius of 90.00 feet, and an arc length of 33.05 feet, the chord of said curve bears North 79 degrees 21 minutes 26 seconds West having a chord distance of 32.86 feet to the beginning of a reverse curve to the left;

THENCE, WEST, continuing along said common line and said curve to the left having a central angle of 54 degrees 36 minutes 11 seconds, a radius of 60.00 feet, and an arc length of 57.18 feet, the chord of said curve bears South 83 degrees 51 minutes 22 seconds West having a chord distance of 55.04 feet to the northeast corner of that certain tract of land as described in a deed to Cellstar, Ltd., as recorded in Volume 95050, Page 5100 of said Deed Records, same being Lot 4A of the Replat of Briercroft Business Park Addition as recorded in Volume 93014, Page 661 of said Deed Records;

EXHIBIT "A"

COUNTY:	DALLAS	Page 2 of 5
HIGHWAY:	SH190	August 22, 2001
PROJECT LIMITS:	From I.H. 35E Near Trinity Mills Road in Dallas County	Revised November 2, 2001
	To I.H. 635 West Near Valley View Lane in Dallas County	Revised April 16, 2002
		Revised June 10, 2002
PARCEL:	NTTA 25-34	

THENCE, NORTH 89 degrees 52 minutes 38 seconds WEST, departing the said north right of way line of Briercroft Court and along the common line of said Lot 4A and said Lot 1, a distance of 211.87 feet to the POINT OF BEGINNING, same being the southwest corner of said Lot 1 and the northwest corner of said Lot 4A and also being on the east line of said Valwood Improvement Authority tract as recorded in Volume 83235 Page 4533 of said Deed Records and on the proposed east right-of-way line of the President George Bush Turnpike;

- 1. THENCE, SOUTH 00 degrees 16 minutes 56 seconds WEST, along the common west line of said Cellstar tract, said east line of Valwood Improvement Authority tract, and said proposed east right-of-way line of the President George Bush Turnpike a distance of 725.92 feet to the northwest corner of that certain tract of land as described in a deed to Luna Road-1994 Ltd, as recorded in Volume 94144, Page 3229 common with the southwest corner of said Cellstar tract;**
- 2. THENCE, SOUTH 00 degrees 16 minutes 57 seconds WEST, continuing along said proposed east right-of-way line of the President George Bush Turnpike and along the common west line of said Luna Road tract and said east line of Valwood Improvement Authority tract, a distance of 176.99 feet to a point for the beginning of a curve to the right;**
- 3. THENCE, SOUTHWEST, departing said proposed east right-of-way line of the President George Bush Turnpike, continuing along said common line and along said curve to the right having a central angle of 36 degrees 00 minutes 00 seconds, a radius of 630.00, and an arc length of 395.84 feet, the chord of said curve bears South 18 degrees 16 minutes 55 seconds West having a chord distance of 389.36 feet to a point for the end of said curve;**
- 4. THENCE, SOUTH 36 degrees 16 minutes 59 seconds WEST, continuing along said common line, a distance of 92.57 feet to a point;**
- 5. THENCE, SOUTH 10 degrees 48 minutes 37 seconds EAST, continuing along said common line a distance of 27.88 feet to a point in the common north line of that certain tract of land as described in a deed to Briercroft Business Park Joint Venture, as recorded in Volume 84109, Page 2696 of said Deed Records and said east line of Valwood Improvement Authority tract;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA 25-34

Page 3 of 5
August 22, 2001
Revised November 2, 2001
Revised April 16, 2002
Revised June 10, 2002

6. **THENCE, SOUTH 72 degrees 47 minutes 06 seconds WEST, continuing along said common line, a distance of 22.94 feet to a point;**
7. **THENCE, SOUTH 66 degrees 22 minutes 35 seconds WEST, continuing along said common line a distance of 160.01 feet a point;**
8. **THENCE, SOUTH 50 degrees 02 minutes 30 seconds WEST, continuing along said common line, a distance of 145.00 feet to a point;**
9. **THENCE, SOUTH 20 degrees 07 minutes 40 seconds WEST, continuing along said common line a distance of 133.14 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner on the proposed west right-of-way line of the President George Bush Turnpike;**
10. **THENCE, NORTH 04 degrees 11 minutes 31 seconds EAST, along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 425.25 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;**
11. **THENCE, NORTH 07 degrees 30 minutes 00 seconds EAST, continuing along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 598.87 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;**
12. **THENCE, NORTH 01 degrees 26 minutes 21 seconds EAST, continuing along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 613.15 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;**
13. **THENCE, NORTH 09 degrees 35 minutes 20 seconds WEST, continuing along said proposed west right-of-way line of the President George Bush Turnpike, passing at a distance of 295.39 feet, the north survey line of the James Armstrong Survey Abstract Number 30 common with the south survey line of the William Masters Survey Abstract Number 925, continuing in all a total distance of 742.02 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for the beginning of a non-tangent curve to the right;**

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA 25-34

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August 22, 2001

Revised November 2, 2001
Revised April 16, 2002
Revised June 10, 2002

14. **THENCE, NORTHEAST**, continuing along said proposed west right-of-way line of the President George Bush Turnpike, and along said non-tangent curve to the right having a central angle of 12 degrees 44 minutes 33 seconds, a radius of 6,051.82 feet and an arc length of 1,345.90 feet, the chord of said curve bears North 14 degrees 48 minutes 29 seconds East having a chord distance of 1,343.13 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for the end of said non-tangent curve, said rebar also being on the common west line of that certain remainder tract of land as described in a deed to Lucy Kate Belknap and Mary Jane Mayfield (Belknap/Mayfield tract) as recorded in Volume 67006, Page 1087 of said Deed Records and the east line of said Valwood Improvement Authority tract as described in Final Judgment No. cc-83-2840-e;
15. **THENCE, SOUTH**, 00 degrees 15 minutes 59 seconds WEST, departing said proposed west right-of-way line of the President George Bush Turnpike, continuing along said common line a distance of 99.28 feet to point;
16. **THENCE, NORTH** 89 degrees 44 minutes 15 seconds WEST, continuing along said common line a distance of 15.00 feet to point;
17. **THENCE, SOUTH** 00 degrees 15 minutes 41 seconds WEST, continuing along said common line, a distance of 200.00 feet to a point;
18. **THENCE, SOUTH** 89 degrees 46 minutes 33 seconds EAST, continuing along said common line, a distance of 15.00 feet to a point;
19. **THENCE, SOUTH** 00 degrees 15 minutes 57 seconds WEST, continuing along said common line, a distance of 1,441.90 feet to a point for the southwest corner of said Belknap/Mayfield tract common with the southeast corner of said Valwood Improvement Authority tract, same being on the south survey line of said William Masters Survey common with the north line of said James Armstrong Survey;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA 25-34

Page 5 of 5
August 22, 2001
Revised November 2, 2001
Revised April 16, 2002
Revised June 10, 2002

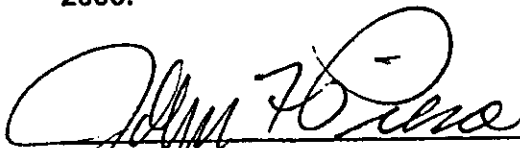
20. THENCE, SOUTH 89 degrees 30 minutes 23 seconds EAST, along said common survey line and common south line of said Belknap/Mayfield tract and north line of said Valwood Authority tract as recorded in Volume 83235, Page 4533 of said Deed Records, a distance of 166.26 feet to a point in the west line of said Lot 1 of Cellstar Addition, same also being the northeast corner of said Valwood Improvement Authority tract and being on said proposed east right-of-way line of the President George Bush Turnpike;

21. THENCE, SOUTH 00 degrees 12 minutes 22 seconds WEST, along the common said west line of Lot 1, said east line of Valwood Improvement Authority tract, and said proposed east right-of-way line of the President George Bush Turnpike a distance of 254.75 feet to the POINT OF BEGINNING containing 24.0013 acres of land, more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.



John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

June 19, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

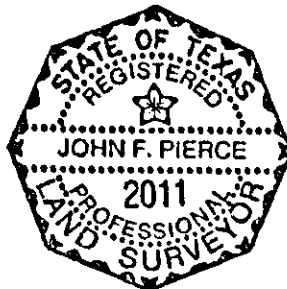
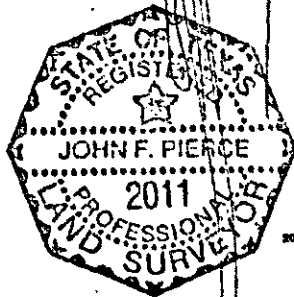


EXHIBIT "B"

SHT 1 OF 2

WILLIAM MASTERS SURVEY
ABSTRACT NO. 925



Delta-12° 44' 33" (RT)
R=8,051.82'
L=1,345.90'
CB-N 14° 48' 29" E
LC=1,343.13'

PROPOSED
RIGHT-OF-
WAY LINE

FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)
DEED!
FINAL JUDGEMENT UNDER
CAUSE NO. CO-83-2840-4 STYLED
FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT VERSUS
MARY JANE MAYFIELD AND
LUCY FIELD BELCHAP

PARCEL
NTTA 25-34
24.0013 ac.

MATCH LINE SH 2

CERTIFIED John F. Pierce Date: 06-10-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Paul White Date: 9-9-02
Section Engineer

APPROVED John M. Ellis Date: 9-10-02
HNTB Corporation
General Engineering Consultant

APPROVED Maria Bruma P.E. Date: 9-11-02
North Texas Tollway Authority
Director of Engineering

ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions		
01-01-02	GENERAL REVISION	ASB
01-02-02	GENERAL REVISION	ASB
01-03-02	GENERAL REVISION	ASB

• - Denotes 1/2" steelbar with yellow plastic cap
marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for
North Texas Tollway Authority Segment IV of the
President George Bush Turnpike.

A Legal Description of even date herewith
accompanies this plat.

OWNER: VALWOOD IMPROVEMENT AUTHORITY
WILLIAM MASTERS SURVEY ABST. NO. 925 & JAMES ARMSTRONG SURVEY ABST. NO. 30
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
RIGHT OF WAY PLAT

DWN BY - KSH APP'D BY - JFP DATE: AUGUST 22, 2001 SCALE: 1"=300' PARCEL NO. NTTA 25-34

EXHIBIT "B"

MATCH LINE

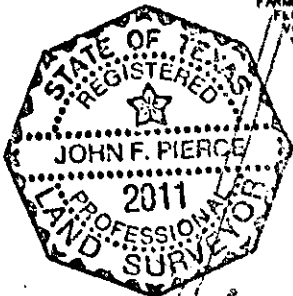
SHT 2 OF 2

WILLIAM MASTERS
SURVEY ABSTRACT
NO. 925

JAMES ARMSTRONG
SURVEY ABSTRACT
NO. 30

FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
VOL. 83235, PG. 4533
D.R.D.C.T.

20.00' MAINTENANCE ACCESS
AND SLOPE EASEMENT
FARMERS BRANCH-CARROLLTON
FLOOD CONTROL DISTRICT
VOL. 76240, PG. 2708 &
VOL. 85040, PG. 4832
D.R.D.C.T.



BRIERCROFT BUSINESS PARK
JOINT VENTURE
VOL. 84109, PG. 2696
D.R.D.C.T.

ACCESS EASEMENT
TO "CELL B TOWER"
Vol. 92035 PG. 02201
D.R.D.C.T.

FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
PERMANENT EASEMENT AND
20.00' MAINTENANCE EASEMENT
VOL. 76240, PG. 2708
D.R.D.C.T.

CERTIFIED

Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED

Hutt-Zollars, Inc.
Section Engineer

APPROVED

HNTB Corporation
General Engineering Consultant

APPROVED

North Texas Tollway Authority
Director of Engineering

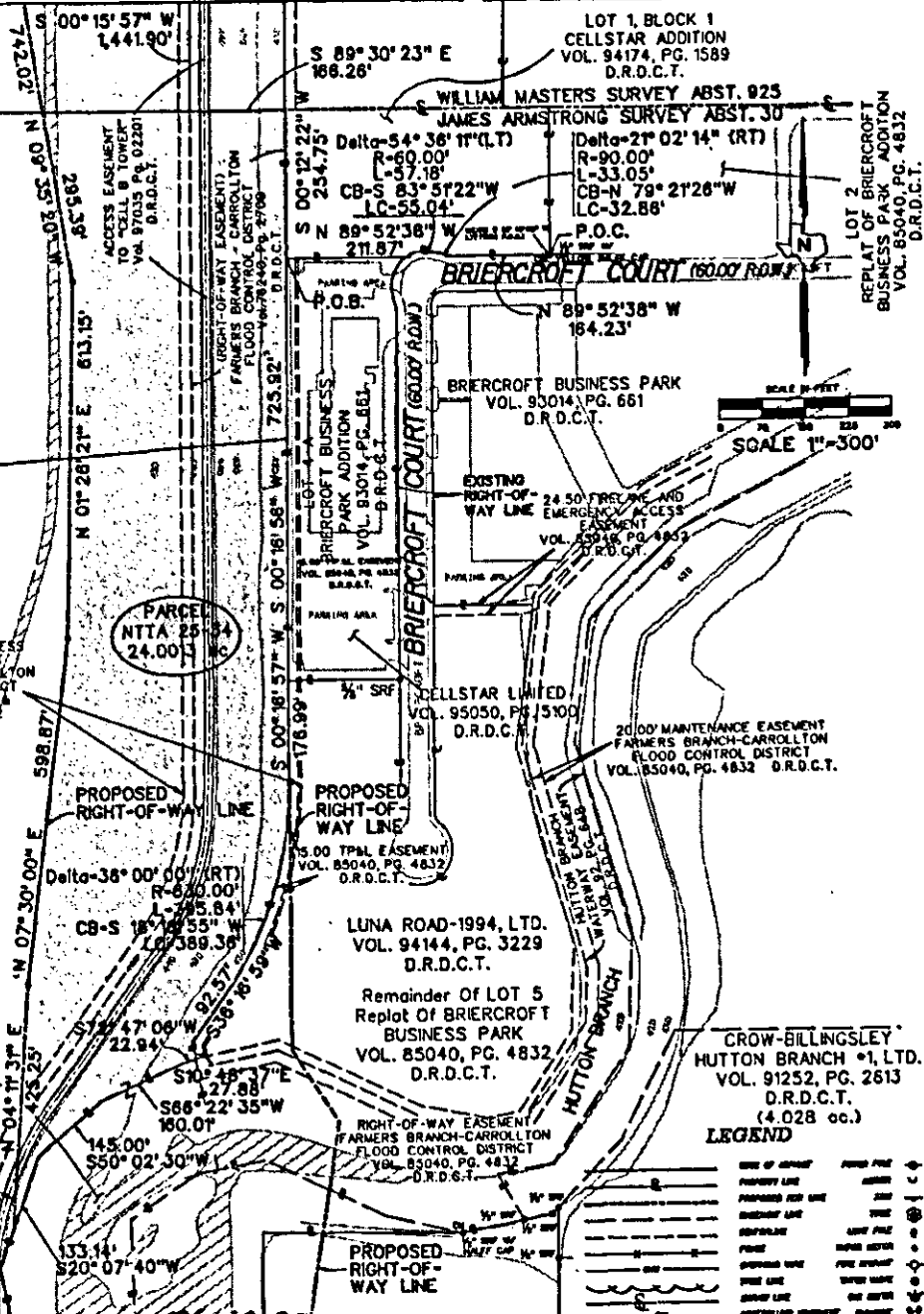
ARREDONDO, ZEPEDA & BRUNZ, INC.
11355 MCCREE ROAD
DALLAS, TEXAS 75238 (214) 341-9900

Revisions	
3-08-01	General Revisions
06-08-01	General Revisions
08-08-01	General Revisions

OWNER: VALWOOD IMPROVEMENT AUTHORITY
WILLIAM MASTERS SURVEY ABST. NO. 925 & JAMES ARMSTRONG SURVEY ABST. NO. 30
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
RIGHT OF WAY PLAT

DWN BY - KSH APP'D BY - JFP DATE: AUGUST 22, 2001 SCALE: 1"=300' PARCEL NO. NTTA 25-34



LEGEND

TYPE OF EASEMENT	SYMBOL
PROPOSED RIGHT OF WAY	---
EXISTING RIGHT OF WAY	---
PROPOSED EASEMENT	---
EXISTING EASEMENT	---
PROPOSED RIGHT OF WAY	---
EXISTING RIGHT OF WAY	---
PROPOSED EASEMENT	---
EXISTING EASEMENT	---

• - Denotes 1/2" steelbar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Legal Description of even date herewith accompanies this plat.

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA 25-40

Page 1 of 2
April 16, 2002
Revised: May 23, 2002
Revised: July 19, 2002

Being 33,449 square feet of land in the James Armstrong Survey, Abstract Number 30, City of Carrollton, Dallas County, Texas, and being part of that certain tract of land as described in a deed to Farmers Branch Carrollton Flood Control District, now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989, as recorded in Volume 83235, Page 4533 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at the most easterly southwest corner of said Valwood Improvement Authority tract, same being in the north line of that certain tract of land as described in a deed to Henry Rose as recorded in Volume 855, Page 1378 of said Deed Records;

THENCE, SOUTH 89 degrees 12 minutes 14 seconds EAST, along the common north line of said Henry Rose tract and the south line of said Valwood Improvement Authority tract, a distance of 707.37 feet to the **POINT OF BEGINNING**, same being on the proposed west right-of-way line of the President George Bush Turnpike;

1. **THENCE, NORTH 00 degrees 03 minutes 43 seconds EAST**, departing said common line and along said west right-of-way line of the President George Bush Turnpike, a distance of 367.96 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;
2. **THENCE, NORTH 04 degrees 11 minutes 31 seconds EAST**, continuing along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 63.82 feet to a point on the common west line of that certain tract of land as described in a deed to Briercroft Business Park Joint Venture as recorded in Volume 84109, Page 2696 of said Deed Records and the east line of said Valwood Improvement Authority tract;
3. **THENCE, SOUTH 11 degrees 57 minutes 26 seconds EAST**, departing said proposed west right-of-way line of the President George Bush Turnpike along said common line, a distance of 52.80 feet to a point;
4. **THENCE, SOUTH 20 degrees 57 minutes 36 seconds EAST**, continuing along said common line, a distance of 320.00 feet to a point;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County
PARCEL: NTTA 25-40

Page 2 of 2
April 16, 2002
Revised: May 23, 2002
Revised: July 19, 2002

5. **THENCE, SOUTH 09 degrees 16 minutes 13 seconds EAST**, continuing along said common line, a distance of 84.24 feet to a point on said north line of Rose tract, same being the southwest corner of said Briercroft Business Park Joint Venture tract and the southeast corner of said Valwood Improvement Authority tract;
6. **THENCE, NORTH 89 degrees 12 minutes 14 seconds WEST**, along said common line of Henry Rose tract and Valwood Improvement Authority tract, a distance 144.06 feet to the **POINT OF BEGINNING** containing 33,449 square feet of land, more or less.

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000

John F. Pierce
John F. Pierce

Registered Professional Land Surveyor
Texas No. 2011

July 19, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

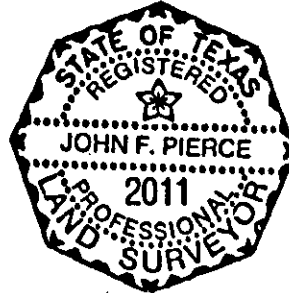


EXHIBIT "B"

JAMES ARMSTRONG SURVEY ABSTRACT NO. 30

Farmers Branch - Carrollton
Flood Control District
20.00' Maintenance, Access
& Slope Easement
Vol. 76240, Pg. 2709
D.R.D.C.T.

ACCESS EASEMENT
TO "CELL B TOWER"
Vol. 97035 Pg. 02201
D.R.D.C.T.

N 04° 11' 31" E
63.82'

S 1° 57' 26" E
52.80'

Farmers Branch - Carrollton
Flood Control District
Right-of-Way Easement
Vol. 76240, Pg. 2709
D.R.D.C.T.

FARMERS BRANCH - CARROLLTON
FLOOD CONTROL DISTRICT
(NOW KNOWN AS VALWOOD
IMPROVEMENT AUTHORITY
BY HOUSE BILL NO. 3088 ON
JUNE 14, 1989)
VOL. 83235, PG. 4533
D.R.D.C.T.

430

440

PROPOSED
RIGHT-OF-
WAY LINE

P.O.C.

S 89° 12' 14" E
707.37'

P.O.B.

200.00' Hutton Branch
Waterway Easement
Vol. 92, Pg. 0671
D.R.D.C.T.

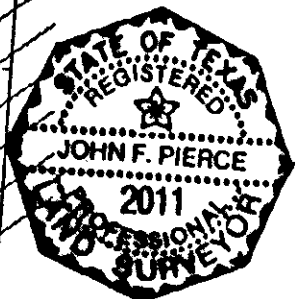
Remainder of
Henry R. Rose
Vol. 855 Pg. 1378
D.R.D.C.T.

Farmers Branch - Carrollton
Flood Control District Right-
of-Way Easement
Vol. 77045, Pg. 2522
D.R.D.C.T.

S 20° 57' 36" E
1180'

S 09° 16' 13" E
1180'

PRESIDENT GEORGE BUSH TURNPIKE



LEGEND

EDGE OF APPRAISAL	POWER POLE
PROPERTY LINE	ANCHOR
PROPOSED ROW LINE	SDM
EASEMENT LINE	TREE
CEMENTLINE	LOW POLE
FOUR	WATER METER
SHADELINE	FIRE HYDRANT
TRUCK LINE	WATER VALVE
SURVEY LINE	ONE METER
CONTROLLING MOUNTAIN	CLEARING

CERTIFIED John F. Pierce Date: 07-19-02
Registered Professional Land Surveyor
Texas No. 2011

RECOMMENDED Paul W. Rust Date: 8-14-02

APPROVED John M. Ell Date: 8-14-02
HNTB Corporation
General Engineering Consultant

APPROVED Mark Bonnell, P.E. Date: 8-14-02
North Texas Tollway Authority
Director of Engineering

ARNEDONDO, ZEPEDA & BRUNZ, INC.

11355 MCCREE ROAD

DALLAS, TEXAS 75238 (214) 341-8800

Note: - Denotes 1/2" steel rebar with yellow plastic cap marked "AES" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

A Legal Description of even date herewith accompanies this plat.

OWNER: VALWOOD IMPROVEMENT AUTHORITY
JAMES ARMSTRONG S.Y. A-30
DALLAS COUNTY, TEXAS

NORTH TEXAS TOLLWAY AUTHORITY
President George Bush Turnpike
RIGHT OF WAY PLAT

EXHIBIT "A"

COUNTY:	DALLAS	Page 1 of 4
HIGHWAY:	SH190	August 22, 2001
PROJECT LIMITS:	From I.H. 35E Near Trinity Mills Road in Dallas County	Revised: November 02, 2001
	To I.H. 635 West Near Valley View Lane in Dallas County	Revised: April 12, 2002
		Revised: July 19, 2002
PARCEL:	NTTA 25-41	

Being 20.5302 acres of land in the James F. Chenoeth Survey, Abstract Number 267, and the James Armstrong Survey, Abstract Number 30, City of Carrollton, Dallas County, Texas, and being part of the following tracts of land, all being described in deeds to Farmers Branch Carrollton Flood Control District, now known as Valwood Improvement Authority by House Bill No. 3088 on June 14, 1989, as recorded in Volume 84252, Page 1595, Volume 76210, Page 1516, Volume 76165, Page 1614, Volume 76237, Page 1544 and Volume 79225, Page 675 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows;

COMMENCING at a one-half inch steel rebar found for the southeast corner of Lot 1, Block 1 of Valley View West Business Park Addition as recorded in Volume 87150, Page 3351 of said Deed Records, same being that certain tract of land as described in a deed to Landlock Holdings, Inc. as recorded in Volume 2001217, Page 05813 of said Deed Records, said steel rebar also being on the north line of that certain tract of land as described in a deed to City of Farmers Branch as recorded in Volume 76108, Page 372, of said Deed Records;

THENCE, SOUTH 89 degrees 52 minutes 44 seconds WEST, along the common north line of said City of Farmers Branch tract and south line of said Lot 1, passing at 281.08 feet a one-half inch steel rebar found on the proposed east right-of-way line of the President George Bush Turnpike, same being the southwest corner of said Lot 1, Block 1 of Valley View West Business Park Addition and said Landlock Holdings, Inc. tract and the southeast corner of the remainder of that certain tract of land described as Tract 6 in a deed to L. E. W. Skinner as recorded in Volume 4529 Page 123 of said Deed Records, in a deed to James E. Carr as recorded in Volume 4373 Page 212 of said Deed Records and in a deed to F. William Carr as recorded in Volume 77237, Page 2622 of said Deed Records and continuing along the common said North line of said City of Farmers Branch tract and the south line of said remainder of Tract 6, a total distance of 323.07 feet to the **POINT OF BEGINNING**, same being the southwest corner of said remainder of Tract 6 and the southeast corner of said Valwood Improvement Authority tract as recorded in Volume 76165 Page 1614 of said Deed Records

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County

PARCEL: NTTA 25-41

Page 2 of 4

August 22, 2001

Revised: November 02, 2001

Revised: April 12, 2002

Revised: July 19, 2002

1. **THENCE, SOUTH 89 degrees 52 minutes 44 seconds WEST**, along the common said north line of City of Farmers Branch tract and south line of said Valwood Improvement Authority tract, passing at 188.19 feet the southwest corner of said Valwood Improvement Authority tract and the southeast corner of said Valwood Improvement Authority tract as recorded in Volume 84252, Page 1595 of said Deed Records and continuing along the common said North line of said City of Farmers Branch tract and south line of said Valwood Improvement Authority tract, a total distance of 314.98 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner on the proposed west right-of-way line of the President George Bush Turnpike;
2. **THENCE, NORTH 07 degrees 26 minutes 39 seconds EAST**, along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 312.16 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;
3. **THENCE, NORTH 19 degrees 00 minutes 51 seconds EAST**, continuing along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 1,508.53 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;
4. **THENCE, NORTH 07 degrees 01 minutes 15 seconds EAST**, continuing along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 687.55 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;
5. **THENCE, NORTH 01 degrees 25 minutes 16 seconds EAST**, continuing along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 204.66 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner;
6. **THENCE, NORTH 00 degrees 38 minutes 53 seconds EAST**, continuing along said proposed west right-of-way line of the President George Bush Turnpike, a distance of 420.74 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner on the common south line of that certain tract of land as described in a deed to Wallace M. Skinner and James E. Carr as recorded in Volume 76237, Page 1585 of said Deed Record and north line of said Valwood Improvement Authority tract as recorded in Volume 76210, Page 1516 of said Deed Records

EXHIBIT "A"

COUNTY: DALLAS

HIGHWAY: SH190

PROJECT LIMITS: From I.H. 35E Near Trinity
Mills Road in Dallas County
To I.H. 635 West Near Valley
View Lane in Dallas County

PARCEL: NTTA 25-41

Page 3 of 4

August 22, 2001

Revised: November 02, 2001

Revised: April 12, 2002

Revised: July 19, 2002

7. **THENCE, SOUTH 89 degrees 28 minutes 53 seconds EAST**, along said common line, a distance of 180.08 feet to a point for the most northerly northeast corner of said Valwood Improvement Authority tract and the northwest corner of the remainder of that certain tract of land described as Second Tract in a deed to James E. Carr as recorded in Volume 4373 Page 212 of said Deed Records, in a deed to F. William Carr as recorded in Volume 77237 Page 2622 of said Deed Records and in a deed to L. E. W. Skinner as recorded in Volume 4529, Page 123 of said Deed Records;
8. **THENCE, SOUTH 01 degrees 35 minutes 59 seconds WEST**, along the common east line of said Valwood Improvement Authority tract and the west line of said remainder of Second Tract, a distance of 230.71 feet to the southwest corner of said remainder of Second Tract and the northwest corner of said Valwood Improvement Authority tract as recorded in Volume 76237, Page 1544 of said Deed Records;
9. **THENCE, SOUTH 89 degrees 15 minutes 29 seconds EAST**, along the common north line of said Valwood Improvement Authority tract and the south line of said remainder of Second Tract, a distance of 180.90 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set on the proposed east right-of-way line of the President George Bush Turnpike;
10. **THENCE, SOUTH 01 degrees 54 minutes 15 seconds EAST**, along the said proposed east right-of-way of the president George Bush Turnpike, a distance of 212.27 feet to a point;
11. **THENCE, SOUTH 14 degrees 27 minutes 10 seconds WEST**, continuing along said proposed east right-of-way line of the President George Bush Turnpike, a distance of 1,959.39 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB", set for corner on the north line of that certain tract of land as described in a deed to North Dallas Moving and Storage Company, as recorded in Volume 84186, Page 5014 of said Deed Records, same being Lot 4B Block 1 Valley View West Business Park Addition as recorded in Volume 97037, Page 5579 of said Deed Records;
12. **THENCE, NORTH 89 degrees 54 minutes 45 seconds WEST**, along the north line of said Lot 4B, a distance of 4.95 feet to a one-half inch steel rebar found for northwest corner of said Lot 4B common with the northeast corner of said Valwood Improvement Authority tract as recorded in Volume 79225, Page 675 of said Deed Records;

EXHIBIT "A"

COUNTY: DALLAS
HIGHWAY: SH190
PROJECT LIMITS: From I.H. 35E Near Trinity Mills Road In Dallas County
To I.H. 635 West Near Valley View Lane In Dallas County
PARCEL: NTTA 25-41

Page 4 of 4
August 22, 2001
Revised: November 02, 2001
Revised: April 12, 2002
Revised: July 19, 2002

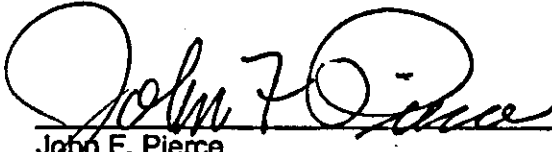
13. THENCE, SOUTH 14 degrees 15 minutes 24 seconds WEST, along the common west line of the said Lot 4B, Block 1 of Valley View West Business Park and east line of said Valwood Improvement Authority tract, a distance of 341.24 feet to a one-half inch steel rebar found for the southwest corner of said Lot 4B and the northwest corner of said Lot 1, Block 1 of Valley View West Business Park Addition, same being that certain tract of land as described in said deed to Landlock Holdings, Inc.;

14. THENCE, SOUTH 14 degrees 23 minutes 20 seconds WEST, along the common west line of said Lot 1, Block 1 and said east line of Valwood Improvement Authority tract, passing at 232.05 feet a one-half inch steel rebar found for an angle corner of said Lot 1 and the north corner of said remainder of Tract 6, continuing along said east line of said Valwood Improvement Authority tract as recorded in Volume 76165, Page 1614 of said Deed Records and west line of said Tract 6 a distance of 147.79 feet, for a total distance of 379.84 feet to the **POINT OF BEGINNING** containing 20.5302 acres of land, more or less

This description accompanies parcel map of even date herewith.

All bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

FIELD NOTES PREPARED FROM FIELDWORK PERFORMED IN 1999 and 2000.


John F. Pierce
Registered Professional Land Surveyor
Texas No. 2011

July 19, 2002
Date

Arredondo, Zepeda & Brunz, Inc.
11355 McCree Road
Dallas, Texas 75238
(214) 341-9900
(214) 341-9925 - Fax

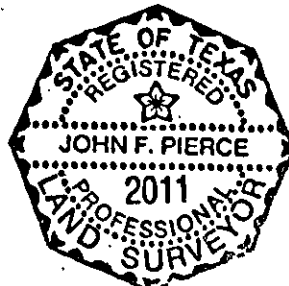
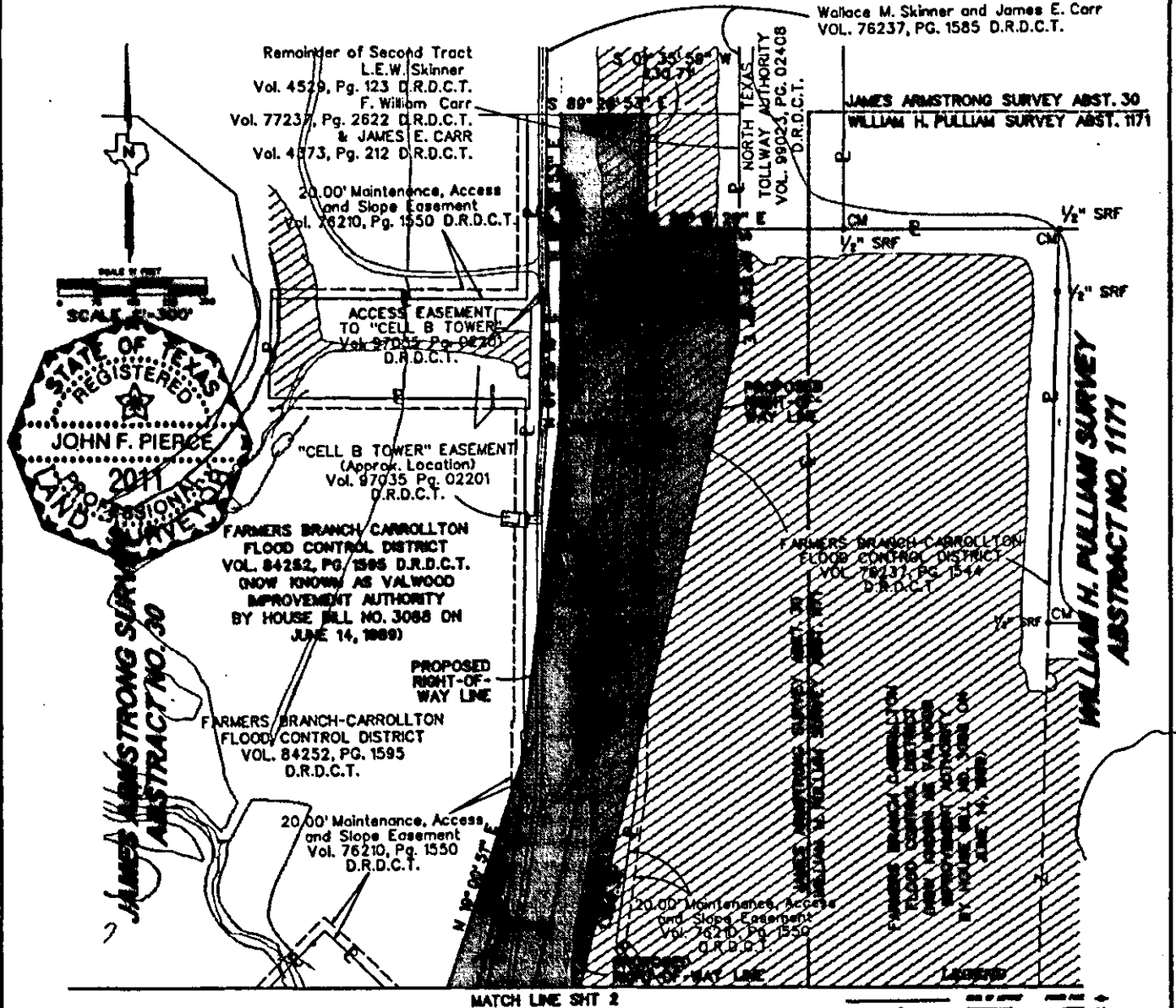


EXHIBIT "B"



CERTIFIED John F. Pierce Date 07-19-02
 Registered Professional Land Surveyor
 Texas No. 2011

RECOMMENDED David W. Hunt Date: 7/22/02
 Matt-Zellers, Inc.
 Section Engineer

APPROVED Pat M. E. Olin Date: 8-16-02
 HNTB Corporation
 General Engineering Consultant

APPROVED Maria B. P. G. Date: 8-16-02
 North Texas Tollway Authority
 Director of Engineering

• - Denotes 1/2" steel rebar with yellow plastic cap marked "AZB" set, unless noted otherwise.

Note:

All Bearings are based on project coordinates for North Texas Tollway Authority Segment IV of the President George Bush Turnpike.

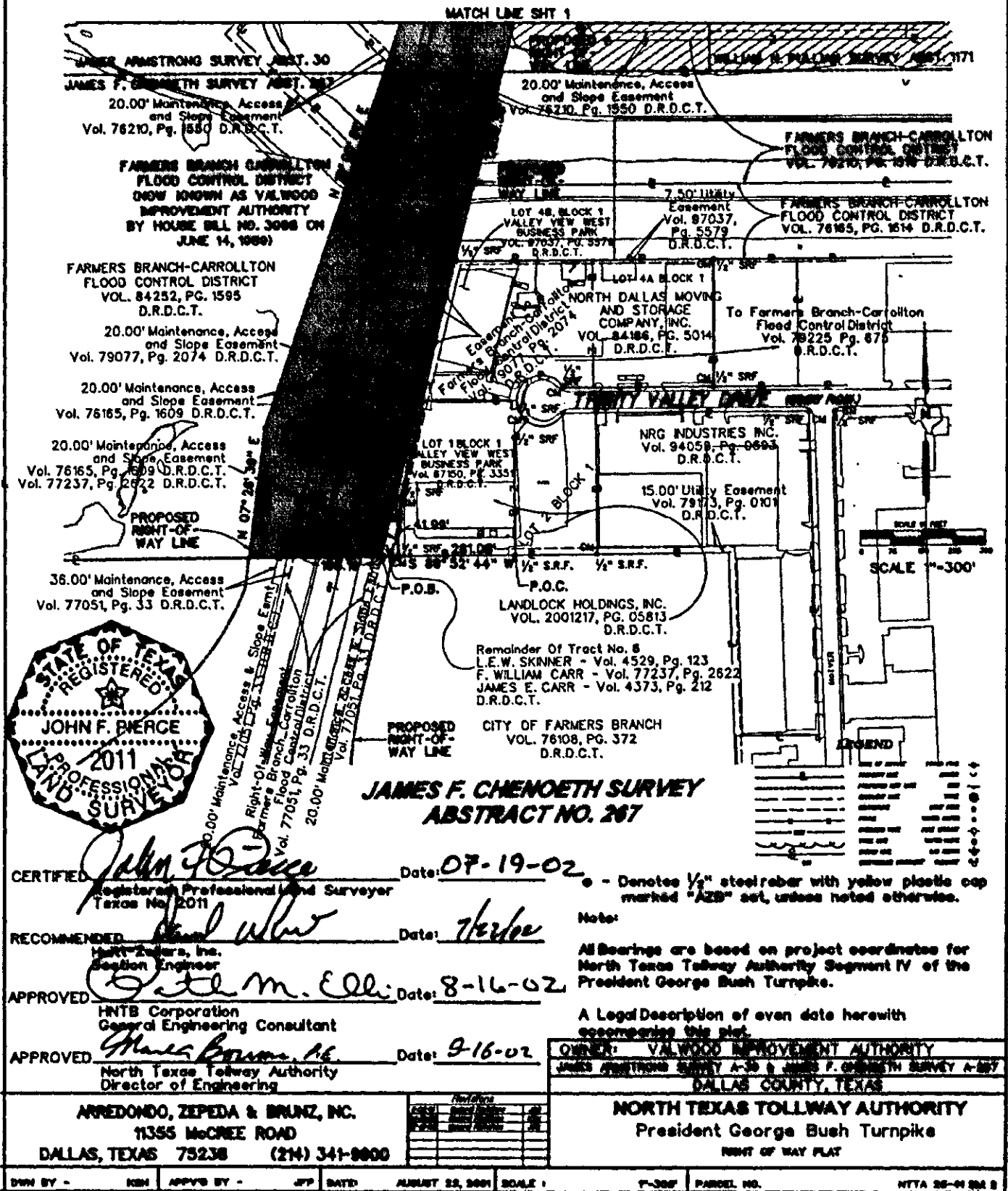
A Legal Description of even date herewith accompanies this plat.

OWNER: VALWOOD IMPROVEMENT AUTHORITY
 JAMES ARMSTRONG SURVEY A-30 & JAMES F. GOSWORTHY SURVEY A-587
 DALLAS COUNTY, TEXAS

ARREDONDO, ZEPEDA & BRUNZ, INC.
 11355 MCCREE ROAD
 DALLAS, TEXAS 75238 (214) 341-8800

NORTH TEXAS TOLLWAY AUTHORITY
 President George Bush Turnpike
 RIGHT OF WAY PLAT

EXHIBIT "B"



FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

A handwritten signature in black ink, appearing to read "John F. Warren", is written over the official text.

John F. Warren, County Clerk
Dallas County TEXAS

May 14, 2008 02:06:12 PM

FEE: \$92.00

20080161109