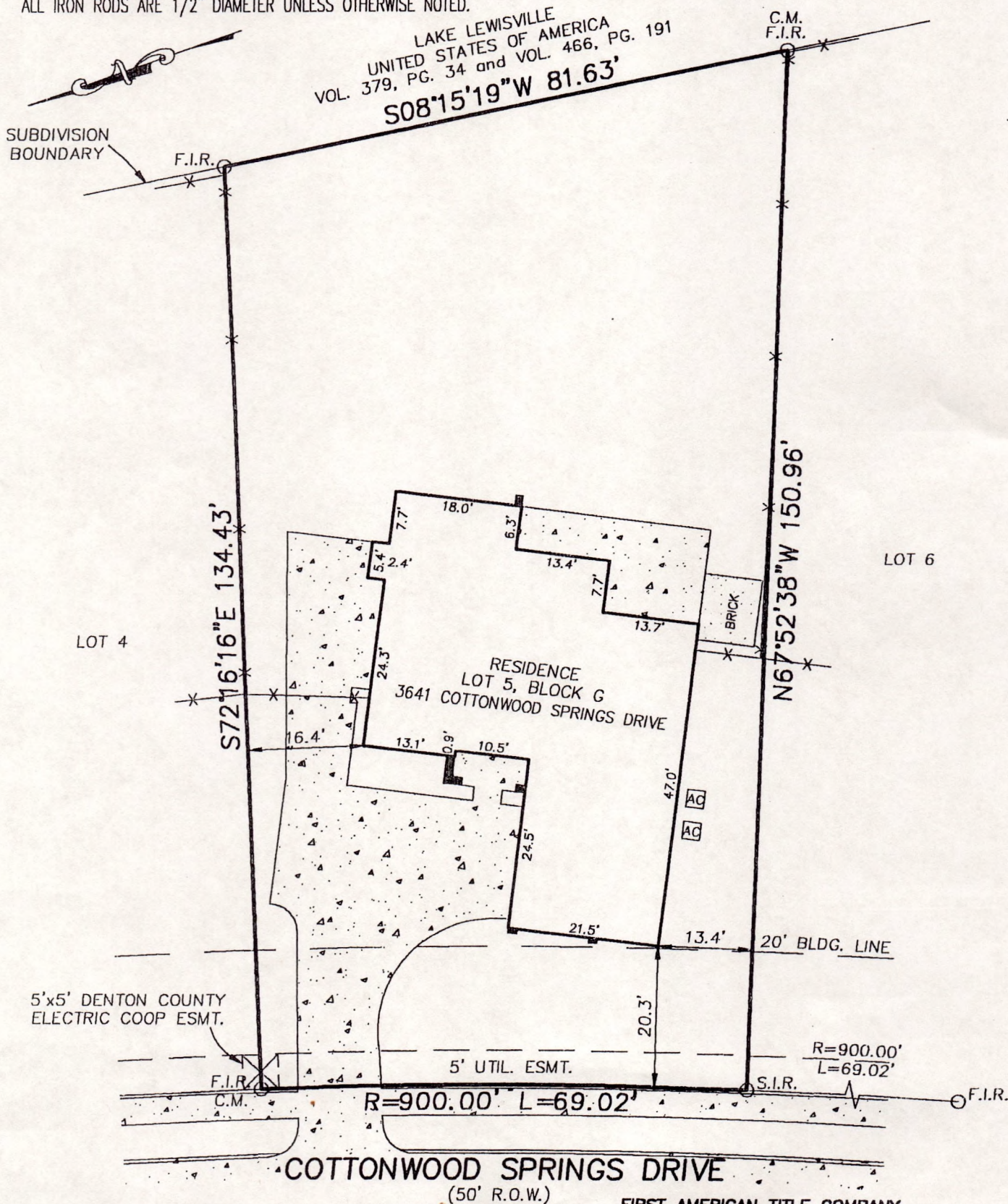


# SURVEY PLAT

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF THE PROPERTY LOCATED AT NO. 3641 COTTONWOOD SPRINGS DRIVE; IN THE CITY OF THE COLONY, TEXAS, DESCRIBED AS FOLLOWS: LOT NO. 5 IN BLOCK NO. G OF STEWART PENINSULA, COTTONWOOD SPRINGS, PHASE 1, AN ADDITION TO THE CITY OF THE COLONY, DENTON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET L, PAGES 276 & 277, PLAT RECORDS, DENTON COUNTY, TEXAS.

BEARING BASIS NOTE: THE BEARINGS SHOWN HEREON ARE BASED ON THE ABOVE-REFERENCED, RECORDED MAP OR PLAT. C.M.= CONTROLLING MONUMENT; F.I.R.= FOUND IRON ROD; S.I.R.= SET IRON ROD; F.I.P.= FOUND IRON PIPE; F.C.P.= FENCE CORNER POST. ALL IRON RODS ARE 1/2" DIAMETER UNLESS OTHERWISE NOTED.



TO THE LIEN HOLDERS AND/OR THE OWNERS OF THE PREMISES SURVEYED AND TO THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND TO THE BEST OF MY KNOWLEDGE, THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHT OF WAY THAT I HAVE BEEN ADVISED OF EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY. FLOOD NOTE: IT IS MY OPINION THAT THE PROPERTY DESCRIBED HEREIN IS NOT WITHIN THE 100-YEAR FLOOD ZONE AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 481581 0558 E, PRESENT EFFECTIVE DATE OF MAP APRIL 2, 1997, HEREIN PROPERTY SITUATED WITHIN ZONE X (UNSHADED)

DATE: NOVEMBER 15, 2002 SCALE: 1" = 20' A.S.C. NO.: 2211198 DRAWN BY: J.V. CHECKED BY: [Signature]

**ARTHUR SURVEYING COMPANY, INC.**  
 Registered Professional Land Surveyors  
 P.O. Box 54 - Lewisville, Texas 75067  
 Office: (972) 221-9439 Fax: (972) 221-4675

**CRYSTAL ROBERTSON**  
 5447  
 REGISTERED PROFESSIONAL LAND SURVEYOR

**T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT  
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)**

Date: 4-30-24

GF No. \_\_\_\_\_

Name of Affiant(s): The Jack Tidwell Revocable Trust, Leah R Mann as Trustee

Address of Affiant: 3641 Cottonwood Springs Dr, The Colony, TX 75056

Description of Property: Lot 5, Block G, Stewart Peninsula Cottonwood Springs Ph 1

County Denton, Texas

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of \_\_\_\_\_, personally appeared Affiant(s) who after by me being sworn, stated:

1. We are the owners of the Property. (Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners."): Affiant is the trustee for the trust

2. We are familiar with the property and the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. We understand that the owner of the property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner's Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since April 29, 2024 there have been no:

- a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
- b. changes in the location of boundary fences or boundary walls;
- c. construction projects on immediately adjoining property(ies) which encroach on the Property;
- d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

EXCEPT for the following (If None, Insert "None" Below): Unsure as this was my parents' home and I am the trustee of the trust

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

6. We understand that we have no liability to Title Company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

Leah R Mann  
Leah R Mann



SWORN AND SUBSCRIBED this 30<sup>th</sup> day of April, 2024

Lauren Crabtree  
Notary Public

Filed for Record in:  
 DENTON COUNTY, TX  
 Doc/Num: 95-R0059245  
 PL: 46.00  
 Recording: 6.00  
 Doc/Mgmt: 6.00  
 Receipt #: 26595  
 Party: - CASSY  
 At 4:14pm  
 On Sep 21 1995

HARLEN D. JOHNSON  
 VOLUME 837, PAGE 198

SAMUEL CHOWNING SURVEY  
 ABSTRACT NO. 244

LAKE LEWISVILLE  
 UNITED STATES OF AMERICA  
 PL. 379, PG. 34 AND VOL. 466, PG. 191

SAMUEL CHOWNING SURVEY  
 ABSTRACT NO. 244

20' ESMT TO DENTON COUNTY ELECTRIC CO-OP  
 VOL. 1133, PAGE 306  
 LINE "B" TO BE ABANDONED BY  
 SEPARATE INSTRUMENT

CURVE DATA

-A  
 = 91°28'45"  
 = 40.00'  
 = 63.86'  
 = S 63°29'17" W  
 = 57.29'

-B  
 = 94°02'40"  
 = 40.00'  
 = 65.66'  
 = N 00°19'29" E  
 = 58.53'

-C  
 = 42°20'14"  
 = 110.00'  
 = 81.28'  
 = N 68°43'35" E  
 = 79.44'

N 17°44'55" E  
 170.00  
 S 17°44'55" W  
 1.02  
 N 17°44'55" E  
 99.18  
 N 72°15'05" W  
 15.00

D = 24°04'30"  
 R = 592.50'  
 L = 248.96'  
 CB = N 58°44'06" W  
 Ch = 247.13'

N 42°39'11" W  
 15.00

S 47°20'49" W  
 37.38

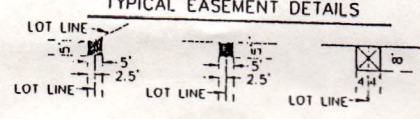
S 47°20'49" W  
 8.62

STEWART PENINSULA DEVELOPMENT PARTNERS  
 CC# 93-R0081890  
 9.660 ACRES  
 FUTURE PHASE 2

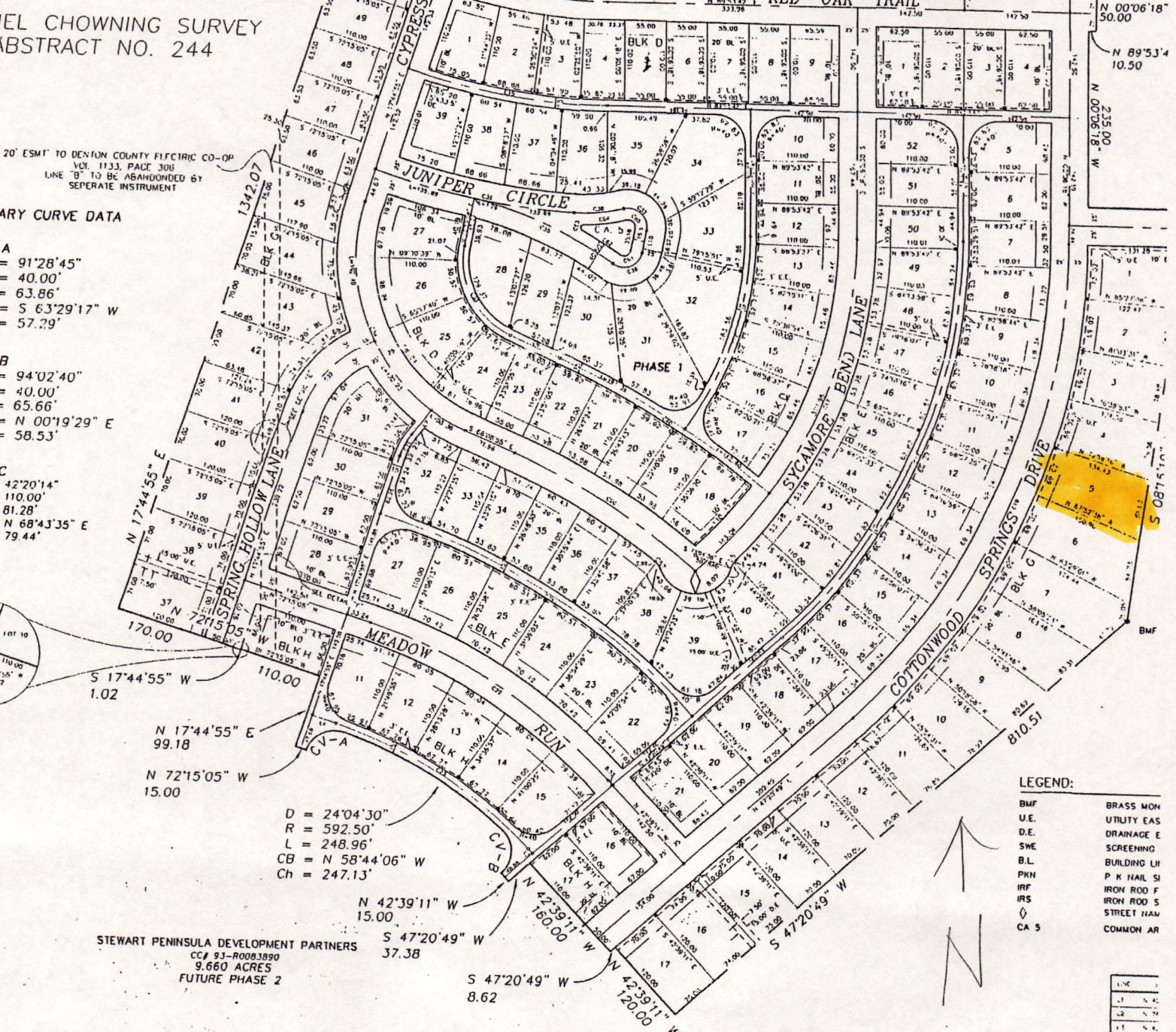
LEGEND:

- BMF BRASS MON
- U.E. UTILITY EAS
- D.E. DRAINAGE E
- SWE SCREENING
- B.L. BUILDING LI
- PKN P K NAIL SI
- IRF IRON ROD F
- IRS IRON ROD S
- ◊ STREET NAM
- CA 5 COMMON AR

DENTON COUNTY ELECTRIC COOP  
 TYPICAL EASEMENT DETAILS



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PART PENINSULA  
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RT PENINSULA  
NO. 93-  
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IN THE NORTH LINE  
LEWISVILLE AS  
DENTON COUNTY,  
CRIBED 81.836 ACRE

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A DISTANCE OF  
ROD CAPPED "CARTER &

FOR CORNER:

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IRON ROD CAPPED

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0.50 FEET, A DELTA  
A DISTANCE OF  
ROD CAPPED "CARTER

0.00 FEET, A DELTA  
A DISTANCE OF  
ROD CAPPED "CARTER &

IRON ROD CAPPED

IRON ROD CAPPED

1.50 FEET, A DELTA  
A DISTANCE OF  
OF BEGINNING, AND

L-277

APPROVED BY THE CITY OF THE COLONY TEXAS THIS 6TH day of MARCH, 1995.

*Bill H. Manning*  
MAYOR

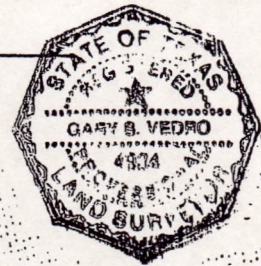
ATTEST:  
*Patricia A. Hicks*  
CITY SECRETARY



I, GARY S. VEDRO, a Registered Professional Land Surveyor for the State of Texas, do hereby certify the plat shown hereon accurately represents the described property, as determined by a survey made on the ground, under my direction and supervision, and 5/8 inch iron rods with caps stamped "Carter & Burgess" have been set at all corners and points of curves along dedicated rights-of-way, unless noted otherwise. The monuments or marks set, or found, are sufficient to enable retracement.

Dated 9-15-95

*Gary S. Vedro*  
GARY S. VEDRO  
Registered Professional Land Surveyor  
Number 4934



STATE OF TEXAS

Before me, the undersigned authority, a notary public in and for the State of Texas, on this day personally appeared GARY S. VEDRO, known to me to be the person whose name is subscribed for the purpose and consideration therein expressed.

Given under my hand and seal of office this 15th day of Sept, 1995

*Donna Bowen*

Notary Public in and for the State of Texas



DONNA BOWEN  
Notary Public, State of Texas  
My Comm. Expires 10/11/97

My commission expires: 10-11-97

... does hereby adopt this plat  
... Cottonwood Springs, Phase 1,  
... dedicates to the public use  
... the easement strips shown  
... utilities desiring to use, or using  
... shall be constructed or  
... Any public utility shall have  
... buildings, fences, trees, shrubs, or  
... easement strips, and any  
... agrees to end from and upon any  
... inspecting, patrolling,  
... spective system without the

... 1995.

... PARTNERSHIP

FINAL PLAT

OF

# STEWART PENINSULA COTTONWOOD SPRINGS

PHASE 1

OUT OF THE

PATRIC O'LEARY SURVEY, ABSTRACT NO. 978

BBB & CRR SURVEY, ABSTRACT NO. 181

SAMUEL CHOWNING SURVEY, ABSTRACT NO. 244

IN THE

CITY OF THE COLONY, DENTON COUNTY, TEXAS

OWNER: STEWART PENINSULA DEVELOPMENT PARTNERS  
9201 WESTWOOD COURT  
DALLAS, TEXAS 75231  
(214) 341-2040

ENGINEER/SURVEYOR:

**Carter & Burgess**

Consultants in Engineering, Surveying,  
Planning and the Environment  
CARTER & BURGESS, INC.  
7950 ELMBROOK DRIVE, SUITE 250  
DALLAS, TX 75247-4961  
(214) 638-0145  
CONTACT: TRUMAN EDMINSTER, P.E.

45.993 ACRES 180 LOTS

AUGUST, 1995

Filed for Record in:  
DENTON COUNTY, TX  
HONORABLE TIM HODGES/COUNTY  
CLERK

On Sep 21 1995  
At 4:14pm

Doc/Num : 95-R0059245  
Doc/Type : PLA  
Recording : 46.00  
Doc/Mgmt : 6.00  
Receipt #: 26595  
Deputy - CASSY

Date:  
This plat is recorded in Cabinet

Slide No.

SHEET 2 OF

... on ... 1995, by  
... dent of Stewart Peninsula, Inc., a  
... PENINSULA DEVELOPMENT PARTNERS,

... August, 1995.



SAVE AND EXCEPT A 5.843 ACRE TRACT OF LAND, WHEREAS, STEWART PENINSULA DEVELOPMENT PARTNERS, ACTING BY AND THROUGH THE UNDERSIGNED, THE DULY AUTHORIZED AGENT, IS THE SOLE OWNER OF SAID 5.843 ACRE TRACT OF LAND SITUATED IN THE BBB AND CRR SURVEY, ABSTRACT NO. 181, THE SAMUEL CHOWNING SURVEY ABSTRACT NO. 244, AND THE PATRIC O'LEARY SURVEY, ABSTRACT NO. 970, IN THE CITY OF THE COLONY, DENTON COUNTY, TEXAS AND BEING A PORTION OF TRACT II, AS DESCRIBED IN DEED TO STEWART PENINSULA DEVELOPMENT PARTNERS, AS RECORDED IN COUNTY CLERKS FILE NO. 93-0003899, OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, SAID 5.843 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

*L-277*

APPROV  
 HAYOR  
 ATTEST  
 CITY S

COMMENCING AT FOUND CONCRETE MONUMENT WITH BRASS DISC, IN THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LAKE LEWISVILLE AS RECORDED IN VOLUME 379, PAGE 34, OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, SAID POINT BEING IN THE EAST LINE OF THE ABOVE DESCRIBED 61.836 ACRE TRACT;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 800.00 FEET, A DELTA ANGLE OF 0°59'09", A LONG CHORD THAT BEARS N 0°30'27" E A DISTANCE OF 47.84 FEET, AN ARC DISTANCE OF 47.86 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE S 89°03'42" W, A DISTANCE OF 17.02 FEET TO A POINT FOR CORNER;

THENCE S 89°03'42" W, A DISTANCE OF 10.07 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR THE POINT OF BEGINNING;

THENCE S 89°03'42" W, A DISTANCE OF 384.33 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE N 00°00'10" W, A DISTANCE OF 235.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE N 89°03'42" E, A DISTANCE OF 10.50 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE N 00°00'10" W, A DISTANCE OF 50.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE S 89°03'42" W, A DISTANCE OF 10.50 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE N 00°00'10" W, A DISTANCE OF 45.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 266.50 FEET, A DELTA ANGLE OF 37°16'01", A LONG CHORD THAT BEARS N 18°43'40" W A DISTANCE OF 170.23 FEET, AN ARC DISTANCE OF 173.26 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 110.00 FEET, A DELTA ANGLE OF 42°20'14", A LONG CHORD THAT BEARS N 00°43'30" E A DISTANCE OF 79.44 FEET, AN ARC DISTANCE OF 81.20 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE N 89°03'42" E, A DISTANCE OF 541.44 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE S 00°00'10" E, A DISTANCE OF 105.56 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 609.50 FEET, A DELTA ANGLE OF 38°18'37", A LONG CHORD THAT BEARS S 20°24'30" W A DISTANCE OF 326.98 FEET, AN ARC DISTANCE OF 403.24 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5.843 ACRES OF LAND, MORE OR LESS.

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NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:  
 THAT STEWART PENINSULA DEVELOPMENT PARTNERS

Acting herein and through its duly authorized officer, does hereby adopt this plat designating the hereinabove described property as Stewart Peninsula, Cottonwood Springs, Phase I, an addition to the City of The Colony, Texas, and does hereby dedicate to the public use forever the streets and alleys thereon; and does hereby dedicate the easement strips shown on the plat for mutual use an accommodation of all public utilities desiring to use, or using same. No buildings, fences, trees, shrubs, or other improvements shall be constructed or placed upon over, or across the easement strips on said plat. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or of its respective system on any of these easement strips, and any public utility shall at all times have the right of ingress or egress to and from and upon any said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective system without the necessity at any time of procuring the permission of anyone.

Witness my hand this 24th day of AUGUST, 1995.

STEWART PENINSULA DEVELOPMENT PARTNERS, A TEXAS GENERAL PARTNERSHIP  
 BY: STEWART PENINSULA INC, A TEXAS CORPORATION

*William R. Nichols*  
 WILLIAM R. NICHOLS, ATTORNEY-IN-FACT FOR  
 RUDOLF SIEBER, PRESIDENT

STATE OF TEXAS

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 1995, by WILLIAM R. NICHOLS, Attorney-in-Fact for Rudolf Sieber, President of Stewart Peninsula, Inc., a Texas corporation and Managing General Partner of STEWART PENINSULA DEVELOPMENT PARTNERS, a Texas general partnership.

Given under my hand and seal of office this 24th day of August, 1995.

*Donna Bowen*  
 Notary Public in and for the State of Texas  
 My commission expires: 10-11-97



Filed for Record in  
 DENTON COUNTY, TX  
 HONORABLE TIM HODGE!  
 CLERK

On Sep 21 1995  
 At 4:14pm  
 Doc/Num : 95-00059  
 Doc/Type :  
 Recording : 46  
 Doc/Mgmt :  
 Receipt #: 26  
 Deputy - CASSY D.  
 T

LEGAL DESCRIPTION

WHEREAS, STEWART PENINSULA DEVELOPMENT PARTNERS, ACTING BY AND THROUGH THE UNDERSIGNED, THE DULY AUTHORIZED AGENT, IS THE SOLE OWNER OF THE FOLLOWING TRACT OF LAND SITUATED IN THE BBB AND CRR SURVEY, ABSTRACT NO. 181, THE SAMUEL CHOWNING SURVEY, ABSTRACT NO. 244, AND THE PATRIC O'LEARY SURVEY, ABSTRACT NO. 978, IN THE CITY OF THE COLONY, DENTON COUNTY, TEXAS AND BEING A PORTION OF TRACT II, AS DESCRIBED IN DEED TO STEWART PENINSULA DEVELOPMENT PARTNERS, AS RECORDED IN COUNTY CLERKS FILE NO. 93-0068890, OF THE DEED RECORDS OF DENTON COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET IN THE APPROXIMATE CENTERLINE OF NORTH COLONY BOULEVARD (A VARIABLE WIDTH R.O.W.); SAID POINT BEING S 01°24'15" E A DISTANCE OF 31.10 FEET FROM THE SOUTHWEST CORNER OF THE REMAINDER OF LOT 1, BLOCK A, OF ETHERIDGE/NORTH COLONY ADDITION, AN ADDITION TO THE CITY OF THE COLONY, DENTON COUNTY, TEXAS, AS RECORDED IN CABINET H, PAGE 361, PLAT RECORDS, DENTON COUNTY, TEXAS;

THENCE OVER AND ACROSS SAID RIGHT-OF-WAY THE FOLLOWING THREE COURSES AND DISTANCES;

ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 600.00 FEET, A DELTA ANGLE OF 21°38'30", A LONG CHORD THAT BEARS S 62°17'39" W A DISTANCE OF 299.27 FEET, AN ARC DISTANCE OF 301.08 FEET TO A P.K. NAIL FOUND IN ASPHALT;

ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 180.00 FEET, A DELTA ANGLE OF 3°02'31", A LONG CHORD THAT BEARS S 36°29'34" W A DISTANCE OF 77.76 FEET, AN ARC DISTANCE OF 78.66 FEET TO A P.K. NAIL FOUND IN ASPHALT;

ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 560.00 FEET, A DELTA ANGLE OF 37°33'06", A LONG CHORD THAT BEARS S 24°58'26" W A DISTANCE OF 364.06 FEET, AN ARC DISTANCE OF 360.47 FEET TO A P.K. NAIL FOUND IN ASPHALT, SAID POINT ALSO BEING ON THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LAKE LEWISVILLE AS RECORDED IN VOLUME 370, PAGE 34, OF THE DEED RECORDS OF DENTON COUNTY, TEXAS;

THENCE ALONG THE NORTHWESTERLY LINES OF SAID LAKE LEWISVILLE TRACT, THE FOLLOWING THREE COURSES AND DISTANCES;

S 85°56'20" W, A DISTANCE OF 276.77 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET;

S 06°15'10" W, A DISTANCE OF 496.06 FEET TO A FOUND CONCRETE MONUMENT WITH BRASS DISC;

S 47°20'49" W, A DISTANCE OF 810.51 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET;

THENCE DEPARTING SAID NORTHWESTERLY LINE, OVER AND ACROSS SAID TRACT II THE FOLLOWING 13 COURSES AND DISTANCES;

N 42°39'11" W, A DISTANCE OF 120.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

S 47°20'49" W, A DISTANCE OF 6.62 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

N 42°39'11" W, A DISTANCE OF 160.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

S 47°20'49" W, A DISTANCE OF 37.38 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

N 42°39'11" W, A DISTANCE OF 16.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, A DELTA ANGLE OF 94°02'40", A LONG CHORD THAT BEARS N 00°19'29" E A DISTANCE OF 58.53 FEET, AN ARC DISTANCE OF 65.99 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 592.50 FEET, A DELTA ANGLE OF 2°04'30", A LONG CHORD THAT BEARS N 65°44'06" W A DISTANCE OF 247.13 FEET, AN ARC DISTANCE OF 246.99 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, A DELTA ANGLE OF 91°28'46", A LONG CHORD THAT BEARS S 63°29'17" W A DISTANCE OF 67.29 FEET, AN ARC DISTANCE OF 63.66 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

N 72°18'06" W, A DISTANCE OF 15.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

N 17°44'06" E, A DISTANCE OF 99.18 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

N 72°18'06" W, A DISTANCE OF 110.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

S 17°44'06" W, A DISTANCE OF 1.02 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

N 72°18'06" W, A DISTANCE OF 170.00 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET FOR CORNER;

THENCE N 17°44'06" E, ALONG SAID COMMON LINE OF SAID LAKE LEWISVILLE TRACT, AND SAID TRACT II, A DISTANCE OF 1342.07 FEET TO A FOUND CONCRETE MONUMENT WITH BRASS DISC;

THENCE N 89°59'42" E, ALONG THE COMMON LINE OF SAID TRACT II AND THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO HARLEN D. JOHNSON AS RECORDED IN VOLUME 637, PAGE 198, OF SAID DEED RECORDS, A DISTANCE OF 1396.61, PASSING A 1/2" IRON ROD FOUND, THENCE CONTINUING FOR A TOTAL DISTANCE OF 1402.36 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET, SAME BEING THE SOUTHEAST CORNER OF SAID HARLEN D. JOHNSON TRACT, AND THE MOST SOUTHERLY SOUTHWEST CORNER SAID TRACT II;

THENCE N 01°16'17" W, ALONG THE COMMON LINE OF SAID JOHNSON TRACT, AND SAID TRACT II, A DISTANCE OF 96.04 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET;

THENCE OVER AND ACROSS SAID TRACT II, N 89°59'42" E, A DISTANCE OF 333.06 FEET TO A 5/8" IRON ROD CAPPED "CARTER & BURGESS" SET, SAID POINT BEING ON THE MOST WESTERLY LINE OF AFOREMENTIONED REMAINDER LOT 1, BLOCK A;

THENCE S 01°24'15" E, ALONG SAID REMAINDER LOT 1, BLOCK A, A DISTANCE OF 294.33, PASSING A 5/8" IRON ROD CAPPED "CARTER & BURGESS" FOUND, SAME BEING THE AFOREMENTIONED SOUTHWEST CORNER OF SAID REMAINDER LOT 1, BLOCK A, AND CONTINUING ON FOR A TOTAL DISTANCE OF 326.43 FEET TO THE POINT OF BEGINNING, AND CONTAINING IN ALL, 61.896 ACRES OF LAND, SAVE AND EXCEPT 6.843 ACRES OF LAND AS DESCRIBED AS FOLLOWS, LEAVING 46.993 ACRES OF LAND (PLATTED AS PHASE 1), MORE OR LESS.

SAVE AND EXCEPT A 6.843 ACRES TRACT OF LAND, WITH DEVELOPMENT PARTNERS, ACTING BY AND THROUGH DULY AUTHORIZED AGENT, IS THE SOLE OWNER OF A LAND SITUATED IN THE BBB AND CRR SURVEY, ADST CHOWNING SURVEY ABSTRACT NO. 244, AND THE PAT ABSTRACT NO. 978, IN THE CITY OF THE COLONY, DE BEING A PORTION OF TRACT II, AS DESCRIBED IN DE DEVELOPMENT PARTNERS, AS RECORDED IN COUNTY 0068890, OF THE DEED RECORDS OF DENTON COUNTY TRACT BEING MORE PARTICULARLY DESCRIBED BY ME FOLLOWS:

COMMENCING AT FOUND CONCRETE MONUMENT WITH OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEI RECORDED IN VOLUME 370, PAGE 34, OF THE DEED I TEXAS, SAID POINT BEING IN THE EAST LINE OF THE TRACT;

THENCE ALONG A CURVE TO THE RIGHT HAVING A R ANGLE OF 04°59'09", A LONG CHORD THAT BEARS N 47.64 FEET, AN ARC DISTANCE OF 47.80 FEET TO A BURGESS" SET FOR CORNER;

THENCE S 66°53'42" W, A DISTANCE OF 17.02 FEET 1

THENCE S 89°59'42" W, A DISTANCE OF 10.07 FEET 1 "CARTER & BURGESS" SET FOR THE POINT OF BEGIN

THENCE S 89°59'42" W, A DISTANCE OF 304.39 FEET "CARTER & BURGESS" SET FOR CORNER;

THENCE N 00°09'10" W, A DISTANCE OF 235.00 FEET "CARTER & BURGESS" SET FOR CORNER;

THENCE N 89°59'42" E, A DISTANCE OF 10.50 FEET "CARTER & BURGESS" SET FOR CORNER;

THENCE N 00°09'10" W, A DISTANCE OF 59.00 FEET "CARTER & BURGESS" SET FOR CORNER;

THENCE S 89°59'42" W, A DISTANCE OF 10.50 FEET "CARTER & BURGESS" SET FOR CORNER;

THENCE N 00°09'10" W, A DISTANCE OF 45.00 FEET "CARTER & BURGESS" SET FOR CORNER;

THENCE ALONG A CURVE TO THE LEFT HAVING A RA ANGLE OF 37°18'01", A LONG CHORD THAT BEARS N 170.23 FEET, AN ARC DISTANCE OF 173.26 FEET TO A BURGESS" SET FOR CORNER;

THENCE ALONG A CURVE TO THE RIGHT HAVING A R ANGLE OF 42°20'14", A LONG CHORD THAT BEARS N 79.44 FEET, AN ARC DISTANCE OF 81.29 FEET TO A BURGESS" SET FOR CORNER;

THENCE N 89°59'42" E, A DISTANCE OF 541.44 FEET "CARTER & BURGESS" SET FOR CORNER;

THENCE S 00°09'10" E, A DISTANCE OF 166.56 FEET "CARTER & BURGESS" SET FOR CORNER;

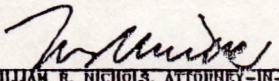
THENCE ALONG A CURVE TO THE LEFT HAVING A RA ANGLE OF 37°18'37", A LONG CHORD THAT BEARS S 398.08 FEET, AN ARC DISTANCE OF 403.84 FEET TO CONTAINING 6.843 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESE THAT STEWART PENINSULA DEVELOPMENT PARTNERS

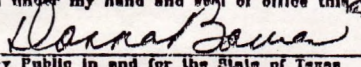
Acting herein and through its duly auth the designating the hereinabove described property as an addition to the City of The Colony, Texas, an forever the streets and alleys thereon; and does on the plat for mutual use an accommodation e same. No buildings, fences, trees, shrubs, or oil placed upon over, or across the easement strips the right to remove and keep removed all or pa other improvements or of its respective system t public utility shall at all times have the right o said easements for the purpose of constructing, maintaining, and adding to or removing all or p necessary at any time of procuring the permit

Witness my hand this 24<sup>th</sup> day of A

STEWART PENINSULA DEVELOPMENT PARTNERS, A TI BY: STEWART PENINSULA INC, A TEXAS CORPORATIO

  
WILLIAM R. NICHOLS, ATTORNEY-IN-FACT FOR RUDOLF SIEBER, PRESIDENT

STATE OF TEXAS  
The foregoing instrument was acknowledged WILLIAM R. NICHOLS, Attorney-in-Fact for Rudolf Texas corporation and Managing General Partner a Texas general partnership.

Given under my hand and seal of office this 24<sup>th</sup> day of April, 1997.  
  
Notary Public in and for the State of Texas  
My commission expires: 10-11-97