

DEED IN LIEU OF CONDEMNATION

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

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THAT SIENNA/JOHNSON NORTH, L.P., a Texas limited partnership ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged, and for which no lien is retained, either express or implied, has GRANTED, SOLD and CONVEYED, and does hereby GRANT, SELL, and CONVEY in lieu of condemnation unto **FORT BEND COUNTY TOLL ROAD AUTHORITY**, a local government corporation ("Grantee"), all of that certain tract or parcel of land in Fort Bend County, Texas, more particularly described and shown in **Exhibit A** attached hereto, save and except that portion of the property that lies west of the center-line of Flat Bank Creek (the center-line as shown in **Exhibit B** attached hereto), incorporated herein and made a part hereof for all purposes (the "Land"), together with, all and singular, all rights and appurtenances of Grantor pertaining thereto, including, without limitation (i) all rights, titles and interests of Grantor in and to any easements, rights-of-way, rights of ingress or egress, agreements or other interests to the extent that they benefit the Land (the "Rights") and (ii) any and all buildings, structures, landscaping, drainage improvements, utility facilities and other improvements placed, constructed or installed on the Land (the "Improvements") (the term "Property," as used herein, shall mean the Rights, the Improvements and the Land).

THIS CONVEYANCE is made by Grantor and accepted by Grantee subject to the terms, conditions, and provisions hereof and further subject to all applicable easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, liens encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, of record validly existing and affecting the Property.

GRANTOR hereby acknowledges and agrees that, except as expressly set out herein, from and after the date hereof, Grantor shall have no access to the main lanes of the toll way that Grantee constructs on the Property from Grantor's adjoining land.

Grantor acknowledges that, except as provided herein, the Property will not have access to the toll road Grantee intends to construct on the Property; provided,

however, Grantee agrees that the Property may have: (i) access to the exit ramp constructed on the Property via one (1) public or private road (the "Access Road"); and (ii) emergency access from the westbound mainlanes to the adjacent property (the "Emergency Access Road"), which shall be limited to a controlled access roadway (i.e., gated, with a lockbox) and shall be limited to use by emergency services providers acting in the scope of their duties. The Access Road and Emergency Access Road shall be constructed at Grantor's sole cost and expense, and meeting the requirements set out herein. The Access Road and Emergency Access Road must meet the following requirements: (i) it must conform to all roadway and intersection design specifications, including, without limitation, acceleration and deceleration and right turn lane requirements, established by Fort Bend County and the City of Missouri City and in effect on the date the Access Road is constructed, (ii) the plans and specifications must be approved by Grantee's engineer, which shall not be unreasonably withheld, delayed, or conditioned; (iii) it must be thirty feet (30') wide; (iv) it must be 360 feet (360') from the westernmost outside pavement edge of the next closest access road or roadway intersection; and (v) any tie in with such toll road must meet the specifications established by Grantee for entrances to such road. The covenants and agreements set forth in this paragraph shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective heirs, legal representatives, successors and assigns.

GRANTOR may cross (perpendicularly) the Property with public or private wet and dry utilities, which will be constructed at Grantor's sole cost and expense and shall meet the design and construction standards then in effect of the City of Missouri City for such utility crossings of roadways of similar width.

GRANTOR hereby acknowledges and agrees that, from and after the date hereof, Grantor shall have no access to the main lanes of the toll way that Grantee constructs on the Property from Grantor's adjoining land.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in any wise belonging, unto Grantee, its successors and assigns, forever, 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, subject y to the matters herein set forth.

[Signature page follows this page.]

EXECUTED effective as of the 20 day of April, 2011.

SIENNA/JOHNSON NORTH, L.P., a Texas
limited partnership

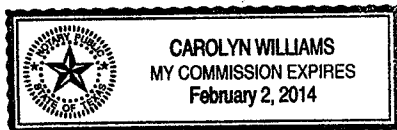
By: SIENNA/JOHNSON NORTH
GP, L.L.C., its sole general
partner

By: Michael J. Smith
Michael J. Smith
Vice President/General
Manager

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 20 day of April, 2011, by Michael J. Smith, Vice President/General Manager of Sienna/Johnson North GP, L.L.C., a Texas limited liability company, the sole general partner of SIENNA/JOHNSON NORTH, L.P., a Texas limited partnership, on behalf of said limited partnership and said limited liability company.

(NOTARY SEAL)



Carolyn Williams
Notary Public in and for the
State of Texas 02-02-2014

AGREED TO AND ACCEPTED this 20th day of April, 2011.

FORT BEND COUNTY TOLL ROAD
AUTHORITY

By: [Signature]

Name: James D. Condrey

Title: Chairman, Board of Directors

ATTEST:

By: [Signature]

Name: Melody Hess

(SEAL)

Title: Asst. Secretary, Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on this 20th day of April, 2011, by James D. Condrey, as Chairman, and Melody Hess, as Asst. Secretary, of the Board of Directors of FORT BEND COUNTY TOLL ROAD AUTHORITY, a local government corporation of the State of Texas, on behalf of said Authority.

(NOTARY SEAL)



[Signature]
Notary Public, State of Texas

Attachment:

Exhibit A - Legal Description of Parcel No. 51

Exhibit B - Map showing center-line of Flat Bank Creek

AFTER RECORDING, please return to Allen Boone Humphries Robinson LLP,
Attention: Yvonne A. Onak, 3200 Southwest Freeway, Suite 2600, Houston, Texas
77027.

EXHIBIT A

September 8, 2010
LJA Job No. 1728-0005

PARCEL NO. 51
FORT BEND PARKWAY SEGMENT "B"
FORT BEND COUNTY, TEXAS

All that certain tract or parcel containing 35.391 acres of land in the Moses Shipman League, A-86, Fort Bend County, Texas, being part of that certain tract called 715.9086 acres, conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2000029469 of the Official Public Records of said Fort Bend County (F.B.C.O.P.R.), part of that certain tract called 7.17 acres, conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2002005689 of the F.B.C.O.P.R., part of that certain tract called 101.094 acres, conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2005007353 of the F.B.C.O.P.R., part of that certain tract called 115.791 acres, conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2008006494 of the F.B.C.O.P.R., and part of that certain tract called 116.113 acres, conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2007007830 of the F.B.C.O.P.R. and being more particularly described by metes and bounds as follows, all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, (NAD 83), all coordinates and distances are surface and may be converted to grid by multiplying by the combined adjustment factor of 0.9998657;

COMMENCING for reference at a 5/8 inch iron rod found marking the easterly northeast corner of said 715.9086 acre tract, same being the southeast corner of Oyster Creek Farms, an unrecorded subdivision, the southeast corner of that certain tract called 1.500 acres conveyed to James R. Seymour, et ux, by an instrument of record in Volume 2143, Page 1587 of the Official Records of said Fort Bend County (F.B.C.O.R.) and on the west right-of-way line of McKeever Road, 60.0 feet wide;

Thence, South 25° 00' 24" East, 2,466.31 feet, departing said Oyster Creek Farms and said 1.500 acre tract, partly with the east line of said 715.9086 acre tract, partly with the west right-of-way line of McKeever Road and partly with the west line of that certain called 3.3533 acre tract, conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2000029469 of the F.B.C.O.P.R., to a point;

35.391 Acres

September 8, 2010
Job No. 1728-0005

Thence, South $64^{\circ} 59' 36''$ West, 0.59 feet departing said east and west lines to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner and the POINT OF BEGINNING of the herein described tract and having surface coordinates of $X = 3,070,594.28$ and $Y = 13,757,827.49$, the beginning of a curve;

Thence, 186.01 feet with the proposed west right-of-way line of Sienna Parkway along the arc of a curve to the left, having a central angle of $09^{\circ} 42' 02''$, a radius of 1,098.68 feet and chord which bears South $16^{\circ} 25' 24''$ East, 185.79 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner on the south line of the aforesaid 715.9086 acre tract, same being on the north line of that certain tract called 215.031 acres conveyed to Dewalt Land Limited by an instrument of record in File No. 9781306 of the F.B.C.O.P.R.;

Thence, South $87^{\circ} 02' 17''$ West, 1,757.27 feet departing the proposed west right-of-way line of said Sienna Parkway but with said north and south lines to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner, the most east corner of the aforesaid 7.17 acre tract, the beginning of a curve;

Thence, 871.19 feet along the arc of a non-tangent curve to the left along the southerly line of said 7.17 acre tract, having a central angle of $09^{\circ} 58' 59''$, a radius of 5,000.00 feet and chord which bears South $69^{\circ} 46' 22''$ West, 870.09 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence, South $64^{\circ} 46' 52''$ West, at 335.34 feet passing a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for reference and continuing in all 375.34 feet to the south corner of said 7.17 acre tract and the approximate centerline of Flat Bank Creek;

Thence, South $37^{\circ} 49' 46''$ East, 189.20 feet departing said 7.17 acre tract and with the centerline of said Flat Bank Creek to a point for corner;

35.391 Acres

September 8, 2010
Job No. 1728-0005

Thence, South $07^{\circ} 28' 26''$ East, 16.08 feet with the centerline of said Flat Bank Creek to a point for corner on the proposed south right-of-way line of Fort Bend Parkway;

Thence, South $64^{\circ} 46' 52''$ West, departing the centerline of said Flat Bank Creek but with the proposed south right-of-way line of Fort Bend Parkway passing at 80.00 feet a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for reference and continuing in all 3,193.87 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner; the beginning of a curve;

Thence, 635.83 feet with the proposed south right-of-way line of Fort Bend Parkway along the arc of a curve to the left, having a central angle of $04^{\circ} 51' 26''$, a radius of 7,500.00 feet and a chord which bears South $62^{\circ} 21' 08''$ West, 635.64 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence, North $31^{\circ} 06' 52''$ West, 300.08 feet departing the proposed south right-of-way line of Fort Bend Parkway to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner; the beginning of a curve on the proposed north right-of-way line of Fort Bend Parkway;

Thence, 667.01 feet with the proposed north right-of-way line of Fort Bend Parkway along the arc of a curve to the right, having a central angle of $04^{\circ} 53' 59''$, a radius of 7,800.03 feet and a chord which bears North $62^{\circ} 20' 01''$ East, 666.81 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence, North $64^{\circ} 46' 56''$ East, 1,673.99 feet with the proposed north right-of-way line of Fort Bend Parkway to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence, North $64^{\circ} 46' 52''$ East, 311.40 feet with the proposed north right-of-way line of Fort Bend Parkway to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner, on the westerly line of that certain called 2.07 acre tract, conveyed to Sienna Plantation Levee Improvement District, by an instrument of record in File No. 2005073250, F.B.C.O.P.R.;

35.391 Acres

September 8, 2010
Job No. 1728-0005

Thence, South 24° 31' 28" East, 46.80 feet departing said proposed north right-of-way line of Fort Bend Parkway but with the westerly line of said 2.07 acre tract to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner, the southwest corner of said 2.07 acre tract;

Thence, North 81° 27' 53" East, 20.22 feet with said southerly line to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence, North 88° 01' 13" East, 29.02 feet continuing with said southerly line to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner, the southeast corner of said 2.07 acre tract;

Thence, North 04° 45' 32" East, 48.17 feet with said easterly line to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence, North 08° 01' 21" East, 26.69 feet continuing with said easterly line to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner on the proposed north right-of-way line of Fort Bend Parkway;

Thence, North 64° 46' 52" East, 1,843.88 feet with the proposed north right-of-way line of Fort Bend Parkway to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner; the beginning of a curve;

Thence, 893.45 feet with the proposed north right-of-way line of Fort Bend Parkway along the arc of a curve to the right, having a central angle of 22° 15' 25", a radius of 2,300.00 feet and a chord which bears North 75° 54' 34" East, 887.84 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

35.391 Acres

September 8, 2010
Job No. 1728-0005

Thence, North 87° 02' 17" East, 1,332.26 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence North 38° 12' 12" East, 40.76 feet to the POINT OF BEGINNING and containing 35.391 acres of land.

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE LEGAL DESCRIPTION HEREON AND THE ACCOMPANYING PLAT OF EVEN DATE REPRESENT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

Keith W. Monroe 9/8/2010

KEITH W. MONROE, R.P.L.S. DATE
TEXAS REGISTRATION NO. 4797
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200



I HEREBY CERTIFY THAT THIS PLAT IS
BASED ON AN ON THE GROUND SURVEY
MADE UNDER MY SUPERVISION, AND TO
THE BEST OF MY KNOWLEDGE, IS TRUE
AND CORRECT.

Keith W. Monroe
KEITH W. MONROE, R.P.L.S., TEXAS NO. 4797



MOSES SHIPMAN LEAGUE A-86

OYSTER CREEK FARMS
(UNRECORDED SUBDIVISION)

CALLLED 1.500 ACRES
JAMES R. SETYMOUR, ET UX
VOL. 2143 PG. 1587
F.B.C.O.R.

P.O.B.
PARCEL 51-E
Fnd. 5/8" IR.

MCKEEVER ROAD
(60' ROW)

19.467 ACRES
SPUD NO. 1
VARIABLE WIDTH DETENTION ESMT
FILE NO. 2005145119
F.B.C.O.R.

CALLLED 7.15, 908.6 ACRES
SIENNA/JOHNSON, NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.R.

2.17831 ACRES, FILE NO. 2000029469
4.0396 ACRES, FILE NO. 2000029469
3.3533 ACRES, FILE NO. 2000029469
SIENNA PARKWAY (140' ROW)
VOL. 1911, PG. 1168
F.B.C.O.R.

CALLLED 3.3533 ACRES
SIENNA/JOHNSON, NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.R.

P.O.B.
PARCEL 51-E
X-307058455
Y-1375786363

PROPOSED
ESMT.
PROPOSED
ESMT.

Detail A
N.T.S.

CALLLED 9.3, 902.3 AC'S
SIENNA/JOHNSON, NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.R.

P.O.B.
PARCEL 51-E
X-307058455
Y-1375786363

CALLLED 70.727 ACRES
DEWALT LAND LIMITED
FILE NO. 9781306
F.B.C.O.R.

PARENT TRACT INSET
PARCEL 51-E
(N.T.S.)

CALLLED 215.031 ACRES
DEWALT LAND LIMITED
FILE NO. 9781306
F.B.C.O.R.

PARCEL PLAT
SHOWING PROPERTY OF

SIENNA / JOHNSON
NORTH, L.P.

FORT BEND PARKWAY, SEGMENT B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200
SEPTEMBER 2010
SCALE: 1" = 50'

- NOTES:
1. METES AND BOUNDS DESCRIPTION FOR SUBJECT TRACT PREPARED BY SEPARATE INSTRUMENT BY THE UNDERSIGNED, DATED SEPTEMBER 8, 2010.
 2. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE COORDINATE SYSTEM SOUTH CENTRAL ZONE (NAD 83), WITH COORDINATES GIVEN IN FEET. ALL DISTANCES AND COORDINATES SHOWN ARE UNADJUSTED AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.9998657.
- FOUND 5/8" IRON ROD (unless otherwise noted)
- SET 5/8" IRON ROD WITH "LJA-ENG" CAP
- UNABLE TO SET

PARCEL 51-E

Parcel 51-E
1.629 AC. (70.955 S.F.)

MOSES SHIPMAN LEAGUE A-86

PROPOSED ESMT.

N87°02'17"E 1,318.64'

S87°02'17"W 1,332.26'

PROPOSED ROW.

PROPOSED
FORT BEND PARKWAY
(300' Wide)

CALLED 715.9086 ACRES
SIENNA/JOHNSON, NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.P.R.

CITY OF MISSOURI CITY
15' Wide Driveway Easement
Parcel 3
Volume 2030 Page 962
F.B.C.O.R.

CITY OF MISSOURI CITY
30' Wide Driveway Easement
Parcel 1
Volume 1892 Page 2122 &
Volume 2030 Page 962 F.B.C.O.R.

CITY OF MISSOURI CITY
15' Wide Driveway Easement
Parcel 4
Volume 2030 Page 962
F.B.C.O.R.

MATCH LINE STA. 924+00

PROPOSED BASELINE

S87°02'17"W

920+00

MATCH LINE STA. 918+00

NOTES:

1. METES AND BOUNDS DESCRIPTION FOR SUBJECT TRACT PREPARED BY SEPARATE INSTRUMENT BY THE UNDERSIGNED, DATED SEPTEMBER 8, 2010.
2. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE (NAD 83) METERS ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.9998657.

CALLED 215.031 ACRES
DEWALT LAND L LIMITED
FILE NO. 9781306
F.B.C.O.P.R.

PARCEL 51-E

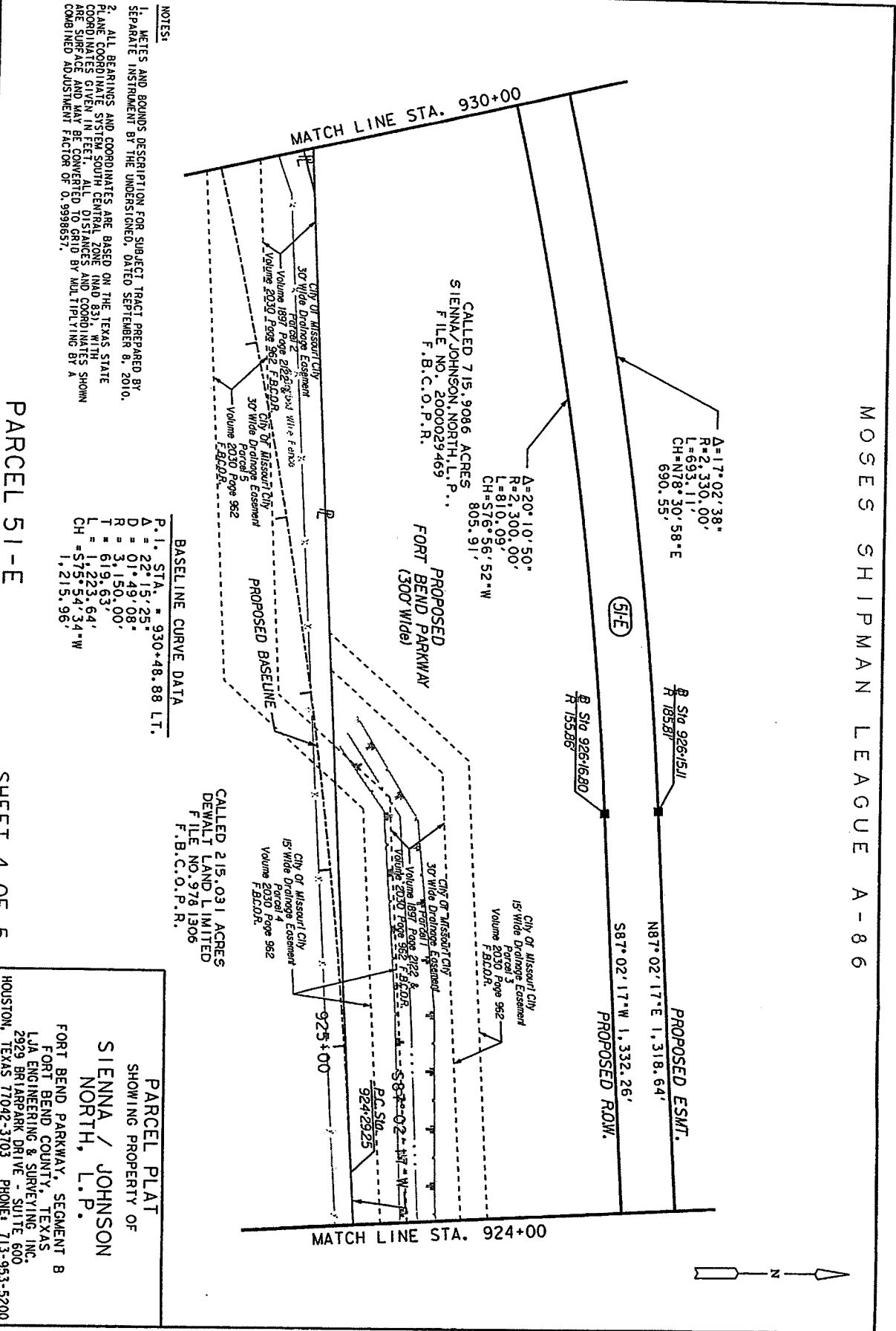
SHEET 3 OF 5

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.

FORT BEND PARKWAY, SEGMENT B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703
SEPTEMBER 2010
PHONE: 713-953-5200
SCALE: 1" = 50'

I:\A PROJECT NO. 1728-0005-0005

MOSES SHIPMAN LEAGUE A-86



MOSES SHIPMAN LEAGUE A-86

- NOTES:
1. ACRES AND BOUNDS DESCRIPTION FOR SUBJECT TRACT PREPARED BY SEPARATE INSTRUMENT BY THE UNDERSIGNED, DATED SEPTEMBER 8, 2010.
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PARCEL 51-E

SHEET 5 OF 5

PARCEL PLAT
SHOWING PROPERTY OF
**SIENNA / JOHNSON
NORTH, L.P.**
FORT BEND PARKWAY, SEGMENT B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200
SEPTEMBER 2010
SCALE: 1" = 50'

BASILINE CURVE DATA
P.I. STA. = 930+48.88-114
Δ = 22°15'25"
D = 01°49'08"
R = 3,150.00'
T = 619.63'
L = 1,223.64'
CH = 575°54'34"W
1,215.96'

19.467 ACRES
S.P.M.U.D. NO.
FILE NO. 2005145113
F.B.C.O.P.R.

119.43°52'W
N16°06'52"E
145.64'E
S73°57'11"E
195.39'

CALLLED 7.15.9086 ACRES
SIENNA/JOHNSON NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.P.R.

Δ=17°02'38"
R=2,330.00'
L=693.11'
CH=N78°30'58"E
690.55'

Δ=20°10'50"
R=2,300.00'
L=810.09'
CH=S76°56'52"W
805.91'

CALLLED 215.031 ACRES
DEWALT LAND L LIMITED
FILE NO. 9781306
F.B.C.O.P.R.

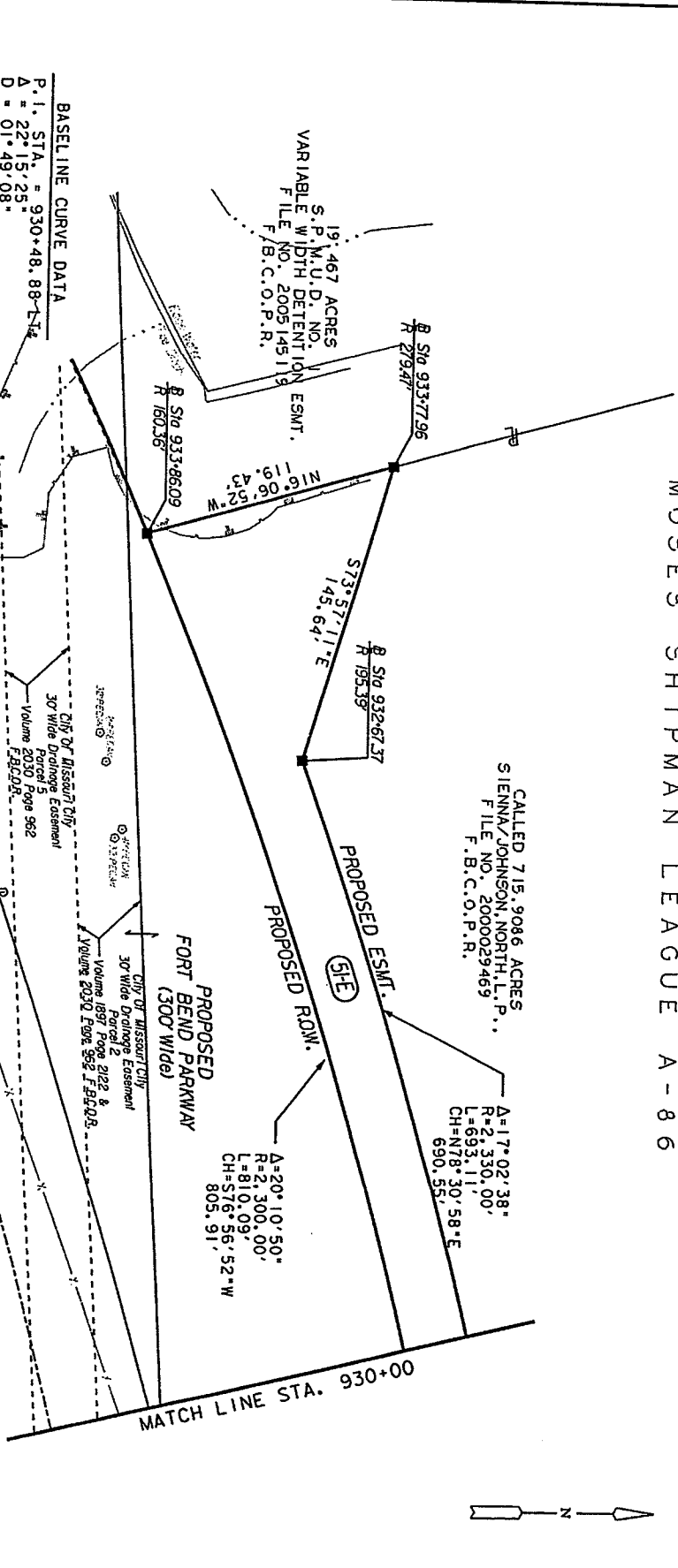
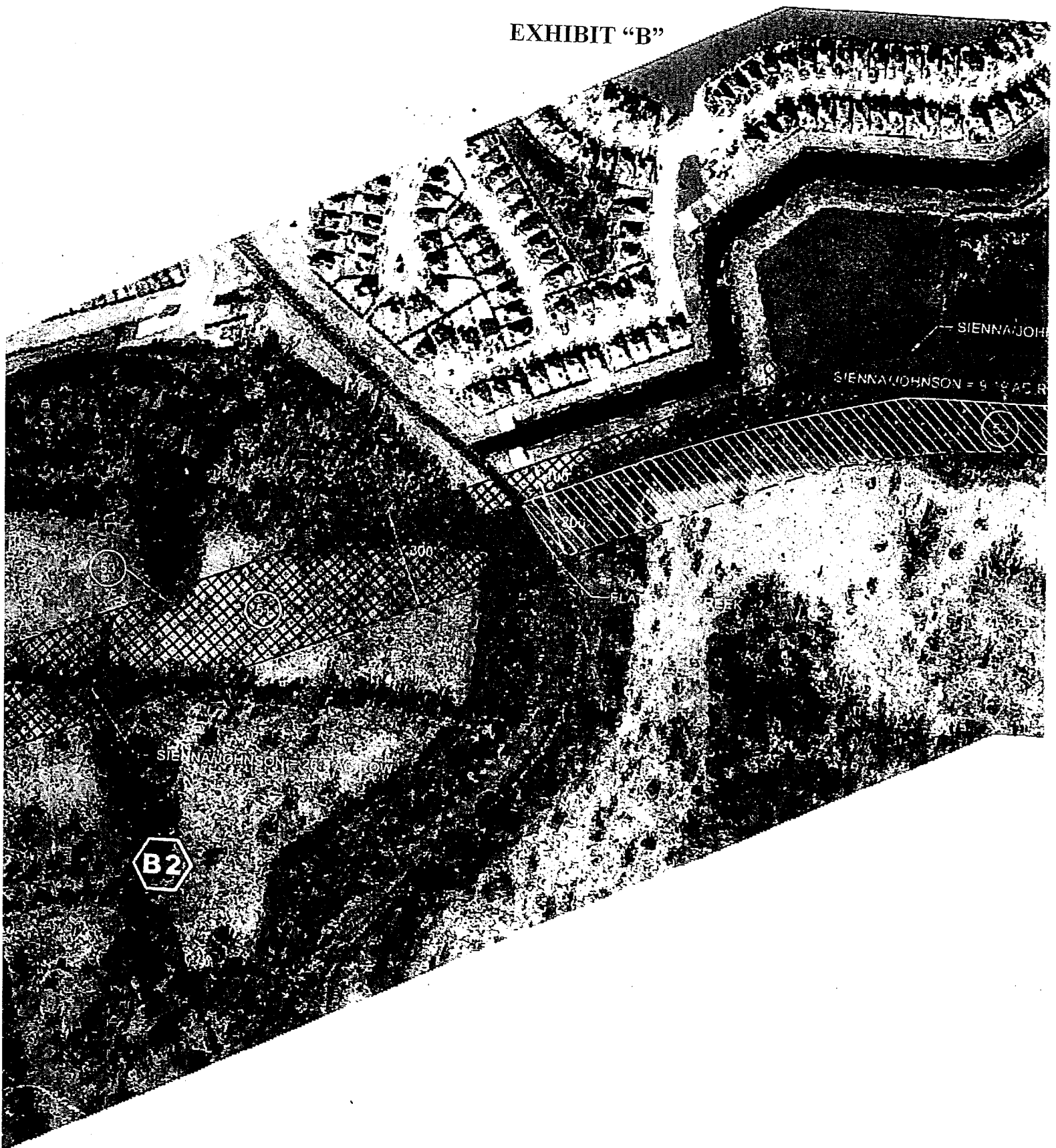


EXHIBIT B

EXHIBIT "B"



Fort Bend County Parkway B
Parcel No. 51

DEED IN LIEU OF CONDEMNATION

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

THE STATE OF TEXAS §
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COUNTY OF FORT BEND §

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GRANTOR hereby acknowledges and agrees that, except as expressly set out herein, from and after the date hereof, Grantor shall have no access to the main lanes of the toll way that Grantee constructs on the Property from Grantor's adjoining land.

Grantor acknowledges that, except as provided herein, the Property will not have access to the toll road Grantee intends to construct on the Property; provided, however, Grantee agrees that the Property may have access to the exit ramp constructed on the Property via one (1) public or private road (the "Access Road"), constructed at

Grantor's sole cost and expense, and meeting the requirements set out herein. The Access Road must meet the following requirements: (i) it must conform to all roadway and intersection design specifications, including, without limitation, acceleration and deceleration and right turn lane requirements, established by Fort Bend County and the City of Missouri City and in effect on the date the Access Road is constructed, (ii) the plans and specifications must be approved by the Grantee's engineer, which shall not be unreasonably withheld, delayed, or conditioned; (iii) it must be thirty feet (30') wide; (iv) it must be 360 feet (360') from the westernmost outside pavement edge of the next closest access road or roadway intersection; and (v) any tie in with such toll road must meet the specifications established by Grantee for entrances to such road. The covenants and agreements set forth in this paragraph shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective heirs, legal representatives, successors and assigns.

GRANTOR may cross (perpendicularly) the Property with public or private wet and dry utilities, which will be constructed at Grantor's sole cost and expense and shall meet the design and construction standards then in effect of the City of Missouri City for such utility crossings of roadways of similar width.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in any wise belonging, unto Grantee, its successors and assigns, forever, 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, subject to the matters herein set forth.

[Signature page follows this page.]

EXECUTED effective as of the 20 day of April, 2011.

SIENNA/JOHNSON NORTH, L.P., a Texas
limited partnership

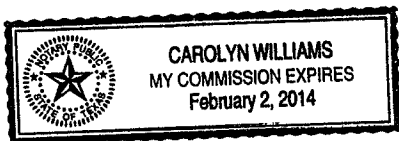
By: SIENNA/JOHNSON NORTH
GP, L.L.C., its sole general
partner

By: Michael J. Smith
Michael J. Smith
Vice President/General
Manager

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 20 day of April, 2011, by Michael J. Smith, Vice President/General Manager of Sienna/Johnson North GP, L.L.C., a Texas limited liability company, the sole general partner of SIENNA/JOHNSON NORTH, L.P., a Texas limited partnership, on behalf of said limited partnership and said limited liability company.

(NOTARY SEAL)



Carolyn Williams
Notary Public in and for the
State of Texas 02-02-2014

AGREED TO AND ACCEPTED this 26th day of April, 2011.

FORT BEND COUNTY TOLL ROAD
AUTHORITY

By: [Signature]

Name: James D. Condrey

Title: Chairman, Board of Directors

ATTEST:

By: [Signature]

Name: Melody Hess

(SEAL)

Title: Asst. Secretary, Board of Directors

THE STATE OF TEXAS §

§

COUNTY OF FORT BEND §

This instrument was acknowledged before me on this 26th day of April, 2011, by James D. Condrey, as Chairman, and Melody Hess, as Asst. Secretary, of the Board of Directors of FORT BEND COUNTY TOLL ROAD AUTHORITY, a local government corporation of the State of Texas, on behalf of said Authority.

(NOTARY SEAL)



[Signature]
Notary Public, State of Texas

Attachment:

Exhibit A - Legal Description of the Land

AFTER RECORDING, please return to Allen Boone Humphries Robinson LLP,
Attention: Yvonne A. Onak, 3200 Southwest Freeway, Suite 2600, Houston, Texas
77027.

EXHIBIT A

June 16, 2006
Job No. 1728-0002-202

PARCEL NO. 46
FORT BEND PARKWAY PHASE "B"
FORT BEND COUNTY, TEXAS

All that certain tract or parcel containing 5.853 acres of land in the Moses Shipman League, A-86, Fort Bend County, Texas, being part of the residue of that certain tract called 93.9023 acres conveyed to Sienna / Johnson North, L.P., by an instrument of record in File No. 2000029469 of the Official Records of said Fort Bend County (F.B.C.O.R.) and being more particularly described by metes and bounds as follows, all bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone (NAD 83), all coordinates and distances are surface and may be converted to grid by multiplying by the combined adjustment factor of 0.9998657;

COMMENCING for reference at a 5/8-inch iron rod with a plastic cap marked "LJA ENG." found marking the easterly southeast corner of that certain tract called 4.778 acres conveyed to Sienna Plantation L.L.D. by an instrument of record in File No. 2000003919 of the F.B.C.O.R., same being on a west line of the residue of that certain tract called 70.727 acres conveyed to DeWalt Land Limited by an instrument of record in File No. 9781306 of the F.B.C.O.R.;

Thence with the easterly lines of said 4.778 acre tract and with the westerly lines of said residue of said 70.272 acre tract the following four (4) courses;

- 1) North 09° 15' 18" East, 590.00 feet to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." found marking an angle point in the east line of said 4.778 acre tract;
- 2) North 34° 10' 09" West, at 153.22 feet pass a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set on the south right-of-way line of the proposed Fort Bend Parkway, and continue in all a total of 222.74 feet to a 5/8-inch iron rod found marking an angle point in the east line of said 4.778 acre tract;

5.853 Acres

June 16, 2006
Job No. 1728-0002-202

- 3) North 50° 09' 26" West, 145.34 feet to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set marking an angle point in the east line of said 4.778 acre tract;
- 4) North 33° 19' 19" West, at 76.81 feet pass a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set on a north right-of-way line of the proposed Fort Bend Parkway, varying width, and continuing with said easterly and westerly lines and with the west right-of-way line of the proposed Fort Bend Parkway in all a total of 203.62 feet to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." found marking an angle point in said easterly and westerly lines;

Thence North 57° 14' 32" West, 37.15 feet continuing with said easterly and westerly lines, with an easterly line of that certain tract called 9.031 acres conveyed to Sienna Plantation L.I.D. by an instrument of record in File No. 1999033512 of the F.B.C.O.R. and with a west right-of-way of the proposed Fort Bend Parkway to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set on the common line between the aforesaid residue of 93.9023 acre tract and the aforesaid residue of 70.727 acre tract and on a north right-of-way line of the proposed Fort Bend Parkway;

Thence South 87° 34' 25" West, departing said easterly and westerly lines and with a north right-of-way line of the proposed Fort Bend Parkway, at 170.93 feet pass a west line of said 9.031 acre tract and continuing with the common line between said residue of 93.9023 acre and 70.727 acre tracts and with a north right-of-way line of the proposed Fort Bend Parkway in all a total of 307.32 feet to a 5/8-inch iron rod with a plastic cap marled "LJA ENG." set for the POINT OF BEGINNING of the herein described tract and having surface coordinates of X=3,073,089.84, Y=13,757,750.56;

Thence South 87° 34' 25" West, departing the north right-of-way line of the proposed Fort Bend Parkway and with the common line between said residue of 93.9023 acre and residue of 70.727 acre tracts, at 2251.78 feet pass the east right-of-way line of Sienna Parkway, and continue in all a total of 2262.61 feet to a bent 5/8-inch iron rod found on the east right-of-way line of Sienna Parkway, 140.0 feet wide, same being on the arc of a curve whose center bears North 64° 57' 21" East;

5.853 Acres

June 16, 2006
Job No. 1728-0002-202

Thence 207.35 feet along the arc of a non-tangent curve to the right, with the east right-of-way line of said Sienna Parkway, having a central angle of $12^{\circ} 47' 33''$, a radius of 928.68 feet and a chord which bears North $18^{\circ} 38' 53''$ West, 206.92 feet to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set for corner;

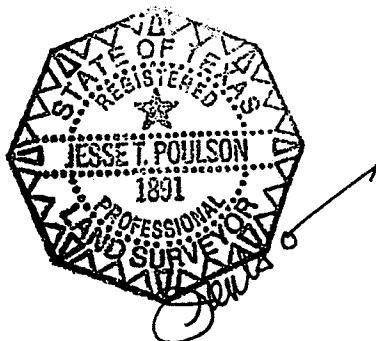
Thence South $52^{\circ} 19' 25''$ East, 75.57 feet departing the east right-of-way line of said Sienna Parkway and with a north right-of-way line of the proposed Fort Bend Parkway to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set for corner;

Thence North $87^{\circ} 34' 25''$ East, 1001.52 feet with the north right-of-way of said Fort Bend Parkway to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set for corner, the beginning of a curve;

Thence 594.00 feet along the arc of a curve to the right, continuing with the north right-of-way line of the proposed Fort Bend Parkway, having a central angle of $11^{\circ} 17' 20''$, a radius of 3014.80 feet and a chord which bears South $86^{\circ} 46' 55''$ East, 593.04 feet to a 5/8-inch rod with a plastic cap marked "LJA ENG." set for corner at the end of said curve;

Thence South $81^{\circ} 08' 16''$ East, 256.62 feet continuing with the north right-of-way line of the proposed Fort Bend Parkway to a 5/8-inch iron rod with a plastic cap marked "LJA ENG." set for corner, the beginning of a curve;

Thence 422.00 feet along the arc of a curve to the left, continuing with the north right-of-way line of the proposed Fort Bend Parkway, having a central angle of $11^{\circ} 17' 20''$, a radius of 2141.83 feet and a chord which bears South $86^{\circ} 46' 55''$ East, 421.32 feet to the POINT OF BEGINNING and containing 5.853 acres of land.



LJA Engineering & Surveying, Inc.

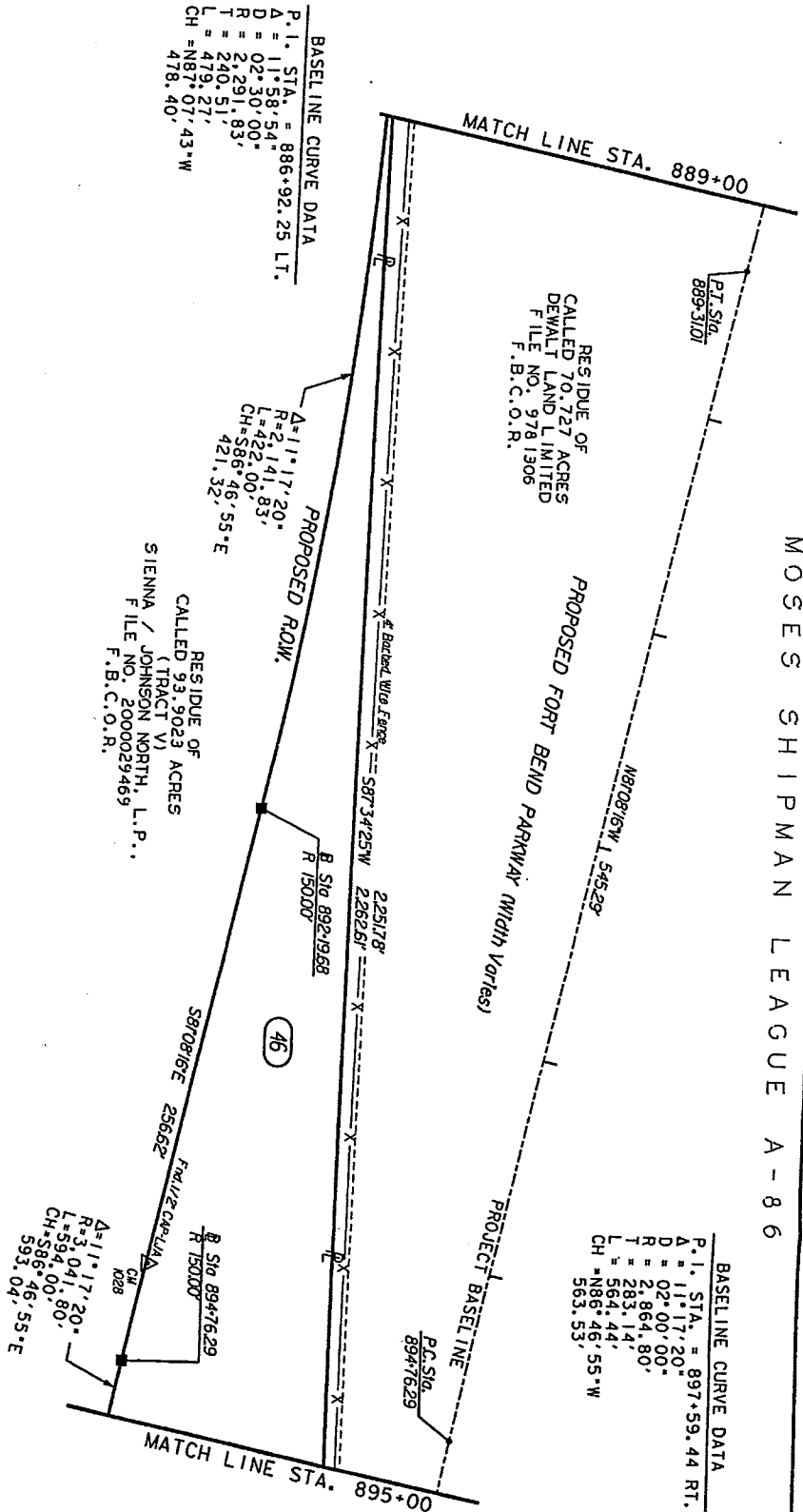
MOSES SHIPMAN LEAGUE A-86

PARCEL 46

SHEET 2 OF 5

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.
FORT BEND PARKWAY, PHASE B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING, INC. JUNE 2006

SCALE: 1" = 50'
FBTR-PHB-PAR-46.DGN PROJECT NO. 1728-0002-002

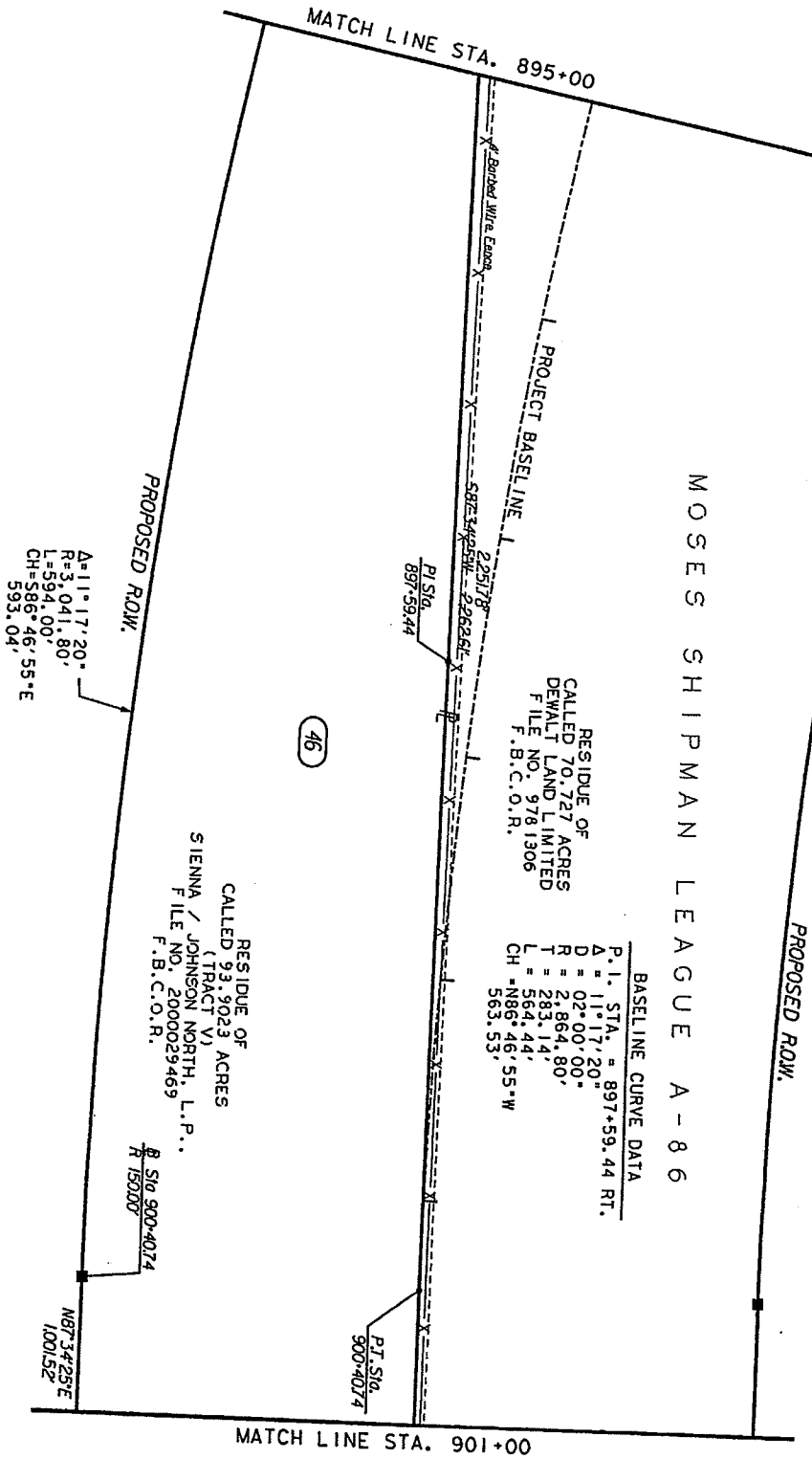


PARCEL 46

SHEET 3 OF 5

SCALE: 1" = 50'
FBTR-PHB-PAR-46.DGN PROJECT NO. 1728-0002-002

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.
FORT BEND PARKWAY, PHASE B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING, INC. JUNE 2006



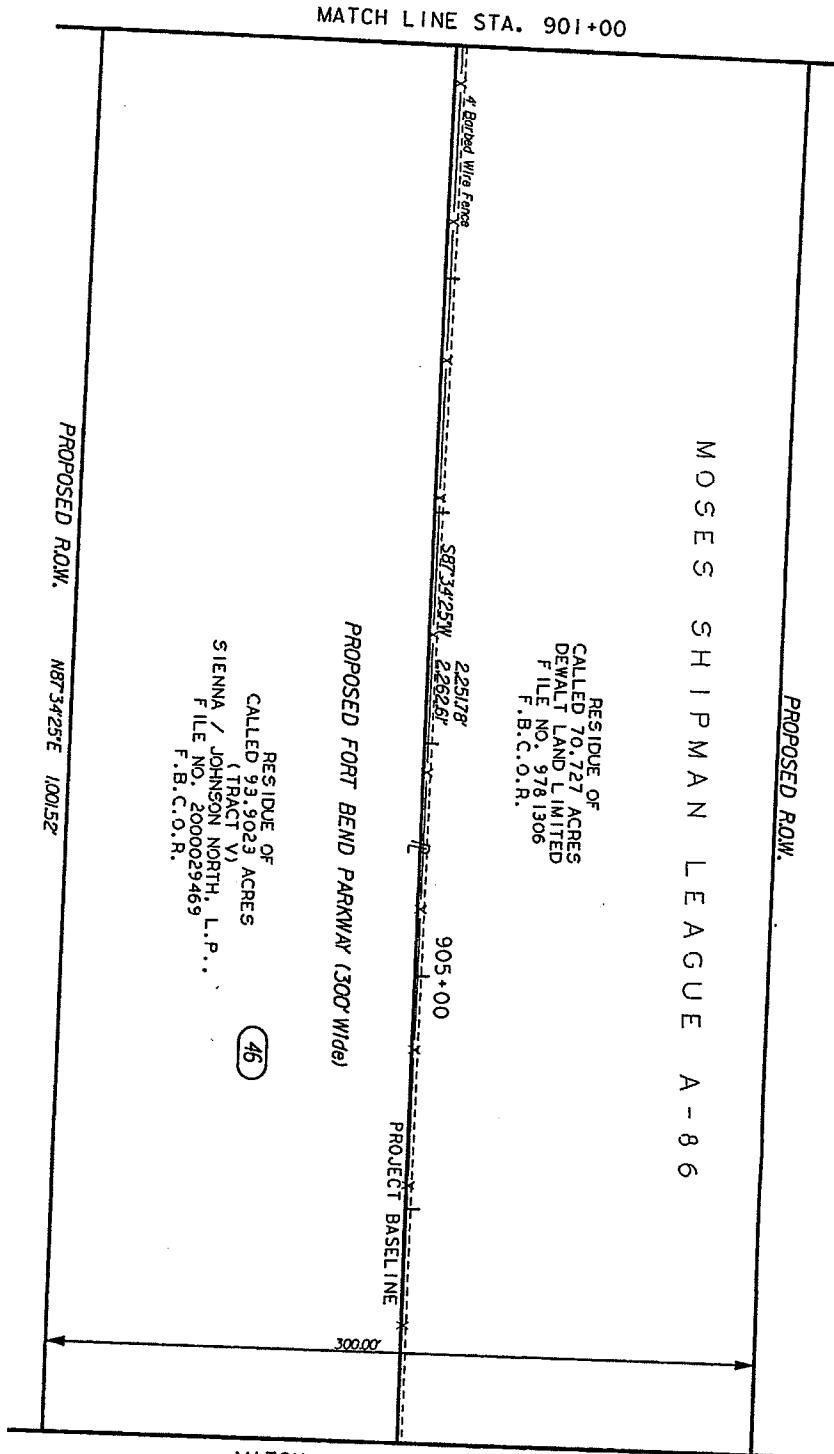
PARCEL 46

SHEET 4 OF 5

FBTR-PHB-PAR-46.DGN PROJECT NO. 1728-0002-002

SCALE: 1" = 50'

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.
FORT BEND PARKWAY, PHASE B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING, INC. JUNE 2006



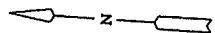
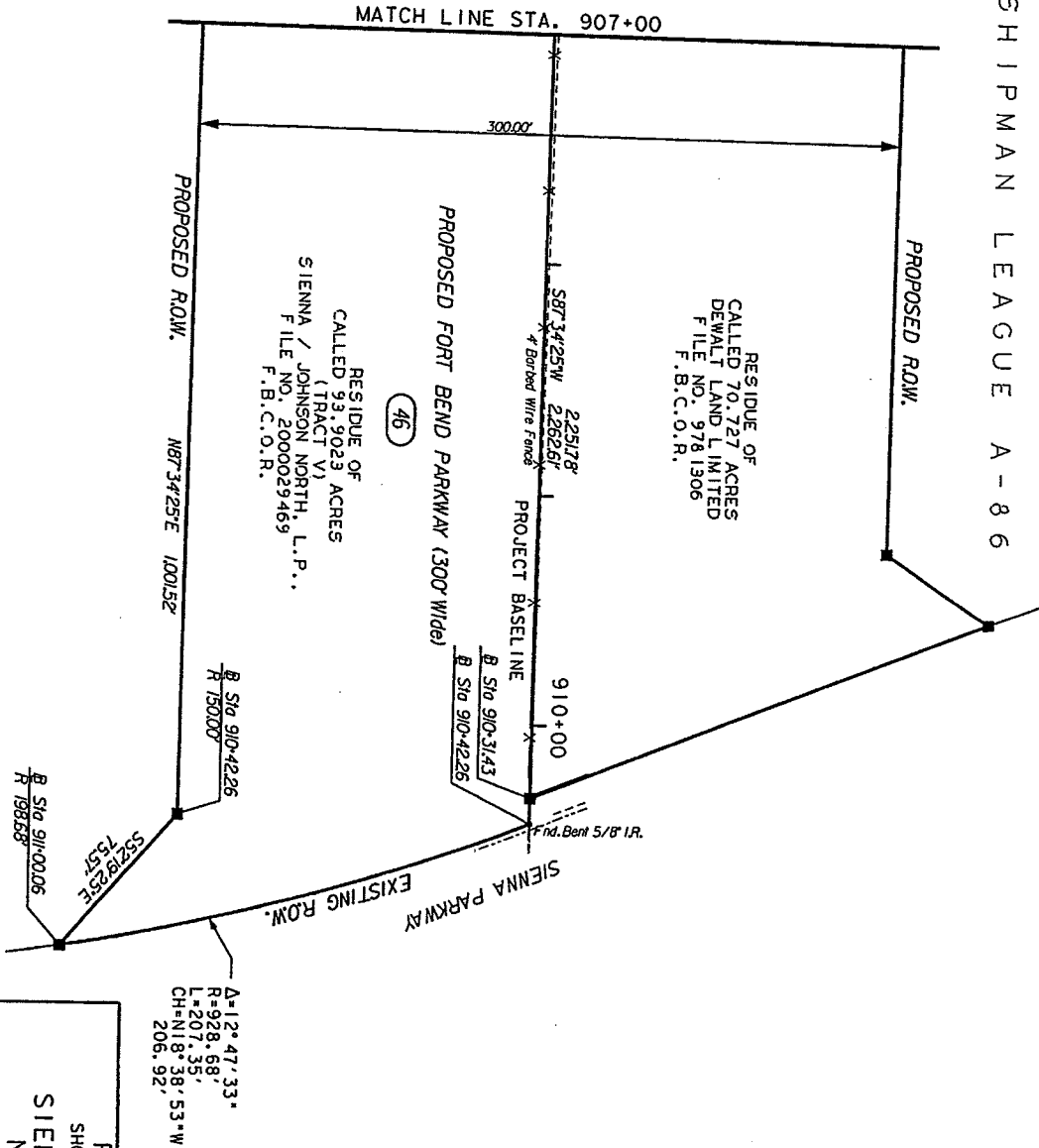
MOSES SHIPMAN LEAGUE A-86

PARCEL 46

SHEET 5 OF 5

SCALE: 1" = 50'
PROJECT NO. 1728-0002-002

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.
FORT BEND PARKWAY, PHASE B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING, INC. JUNE 2006



DEED IN LIEU OF CONDEMNATION

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

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THAT SIENNA/JOHNSON NORTH, L.P., a Texas limited partnership ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged, and for which no lien is retained, either express or implied, has GRANTED, SOLD and CONVEYED, and does hereby GRANT, SELL, and CONVEY in lieu of condemnation unto **FORT BEND COUNTY TOLL ROAD AUTHORITY**, a local government corporation ("Grantee"), all of that certain tract or parcel of land in Fort Bend County, Texas, more particularly described and shown in **Exhibit A** attached hereto, incorporated herein and made a part hereof for all purposes (the "Land"), together with, all and singular, all rights and appurtenances of Grantor pertaining thereto, including, without limitation (i) all rights, titles and interests of Grantor in and to any easements, rights-of-way, rights of ingress or egress, agreements or other interests to the extent that they benefit the Land (the "Rights") and (ii) any and all buildings, structures, landscaping, drainage improvements, utility facilities and other improvements placed, constructed or installed on the Land (the "Improvements") (the term "Property," as used herein, shall mean the Rights, the Improvements and the Land).

THIS CONVEYANCE is made by Grantor and accepted by Grantee subject to the terms, conditions and provisions hereof and further subject to all applicable easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record validly existing and affecting the Property.

GRANTOR reserves for itself, its successors and assigns, the right to cross the Property with any and all roads, lines, mains, bridges, and other facilities and structures for all public or private transportation and/or utility purposes, provided, however, that all such items shall be constructed and maintained so as not to interfere with the use of the Property for drainage and flood control purposes, and provided further, that the plans for such items shall be submitted to, and approved by, Grantee prior to the start of construction of such items, so that Grantee may be certain that such items will create no impediment or obstruction to the drainage facilities constructed, or to be constructed,

on the Property, or otherwise interfere with the use of the Property for drainage and flood control purposes. Grantee's approval shall not be unreasonably withheld, delayed, or conditioned.

GRANTOR may access and/or cross the Property with public or private wet and dry utilities and/or roads, which will be constructed at Grantor's sole cost and expense and shall meet the design and construction standards then in effect of the City of Missouri City for such utility crossings of roadways of similar width.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in any wise belonging, unto Grantee, its successors and assigns, forever, 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, subject to the matters herein set forth.

[Signature page follows this page.]

EXECUTED effective as of the 20 day of April, 2011.

SIENNA/JOHNSON NORTH, L.P., a Texas
limited partnership

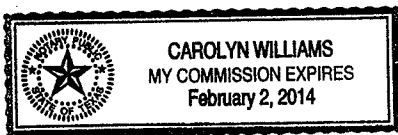
By: SIENNA/JOHNSON NORTH
GP, L.L.C., its sole general
partner

By: Michael J. Smith
Michael J. Smith
Vice President/General
Manager

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 20 day of April, 2011, by Michael J. Smith, Vice President/General Manager of Sienna/Johnson North GP, L.L.C., a Texas limited liability company, the sole general partner of SIENNA/JOHNSON NORTH, L.P., a Texas limited partnership, on behalf of said limited partnership and said limited liability company.

(NOTARY SEAL)



Carolyn Williams
Notary Public in and for the
State of Texas 02-02-2014

AGREED TO AND ACCEPTED this 20th day of April, 2011.

FORT BEND COUNTY TOLL ROAD
AUTHORITY

By: [Signature]

Name: James D. Condrey

Title: Chairman, Board of Directors

ATTEST:

By: [Signature]

Name: Melody Hess

(SEAL)

Title: Asst. Secretary, Board of Directors

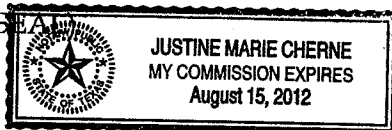
THE STATE OF TEXAS §

§

COUNTY OF FORT BEND §

This instrument was acknowledged before me on this 20th day of April, 2011, by James D. Condrey, as Chairman, and Melody Hess, as Asst. Secretary, of the Board of Directors of FORT BEND COUNTY TOLL ROAD AUTHORITY, a local government corporation of the State of Texas, on behalf of said Authority.

(NOTARY SEAL)



[Signature]
Notary Public, State of Texas

Attachment:

Exhibit A - Legal Description of Parcel No. 48

AFTER RECORDING, please return to Allen Boone Humphries Robinson LLP,
Attention: Yvonne A. Onak, 3200 Southwest Freeway, Suite 2600, Houston, Texas
77027.

EXHIBIT A

April 12, 2011
Job No. 1728-0010

PARCEL NO. 48
FORT BEND PARKWAY SEGMENT "B"

All that certain tract or parcel containing 0.072 acre (3,156 square feet) of land in the Moses Shipman League, A-86, Fort Bend County, Texas, being part of the residue of that certain tract called 93.9023 acres conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2000029469 of the Official Records of said Fort Bend County (F.B.C.O.R.) and being more particularly described by metes and bounds as follows, all bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone (NAD 83), all coordinates and distances are surface and may be converted to grid by multiplying by the combined adjustment factor of 0.9998657;

COMMENCING for reference at a 5/8-inch iron rod found marking the easterly northeast corner of that certain tract called 715.9086 acres conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2000029469 of the F.B.C.O.R., same being the southeast corner of Oyster Creek Farms, an unrecorded subdivision, the southeast corner of that certain tract called 1.500 acres conveyed to James R. Seymour, et ux, by an instrument of record in Volume 2143, Page 1587 of the F.B.C.O.R. and on the west right-of-way line of McKeever Road, 60.0 feet wide;

Thence South $25^{\circ} 00' 24''$ East, 2,322.66 feet departing said Oyster Creek Farms and said 1.500 acre tract, partly with the east line of said 715.9086 acre tract, partly with the west right-of-way line of McKeever Road and partly with the west line of that certain tract called 3.3533 acres conveyed to Sienna/Johnson North, L.P., in said File No. 2000029469 to a point;

Thence North $64^{\circ} 59' 36''$ East, 229.38 feet departing said east and west lines to a 5/8-inch iron rod with a plastic cap marked "LJA ENG" set for the POINT OF BEGINNING of the herein described tract and having surface coordinates of $X = 3,070,741.97$, $Y = 13,758,054.88$, same being on the easterly right-of-way line of Sienna Parkway, 140.0 feet wide at this point, and also being on the westerly line of the aforesaid 93.9023 acre tract;

0.072 acres

April 12, 2011
Job No. 1728-0010

Thence South 08° 17' 43" East, 138.91 feet departing said easterly and westerly lines to a 5/8-inch iron rod with a plastic cap marked "LJA ENG" set for corner on the arc of a curve whose center bears North 80° 25' 39" East;

Thence 54.65 feet along the arc of a non-tangent curve to the left, having a central angle of 03° 10' 47", a radius of 984.73 feet and a chord which bears South 11° 09' 44" East, 54.64 feet to a 5/8-inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence South 53° 35' 48" East, 97.70 feet to a 5/8-inch iron rod with a plastic cap marked "LJA ENG" set for corner on the proposed north right-of-way line of the Fort Bend Parkway, Phase "B";

Thence South 87° 34' 24" West, 28.34 feet with said proposed north right-of-way line to a 5/8-inch iron rod with a plastic cap marked "LJA ENG" set for corner;

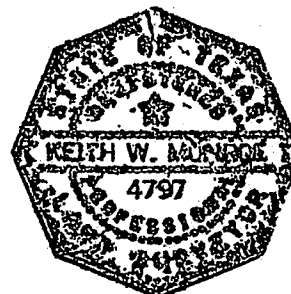
Thence North 52° 19' 25" West, 75.57 feet continuing with said proposed north right-of-way line to a 5/8-inch iron rod with a plastic cap marked "LJA ENG" set for corner on the east right-of-way line of Sienna Parkway, 140.0 feet wide at this point, and on the arc of a curve whose center bears North 77° 44' 53" East;

Thence 279.16 feet along the arc of a non-tangent curve to the right, with said east right-of-way line, having a central angle of 17° 13' 23", a radius of 928.68 feet and a chord which bears North 03° 38' 25" West, 278.11 feet to the POINT OF BEGINNING and containing 0.072 acre (3,156 square feet) of land.

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE LEGAL DESCRIPTION HEREON AND THE ACCOMPANYING PLAT OF EVEN DATE REPRESENT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

Keith W. Monroe 4-12-2011

KEITH W. MONROE, R.P.L.S. DATE
TEXAS REGISTRATION NO. 4797
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200



MOSES SHIPMAN LEAGUE A-86
PROPOSED FORT BEND PARKWAY (300' wide)

PARENT TRACT INSET
PARCEL 48
(N.T.S.)

I HEREBY CERTIFY THAT THIS PLAT IS
BASED ON AN ON THE GROUND SURVEY
MADE UNDER MY SUPERVISION, AND TO
THE BEST OF MY KNOWLEDGE, IS TRUE
AND CORRECT.

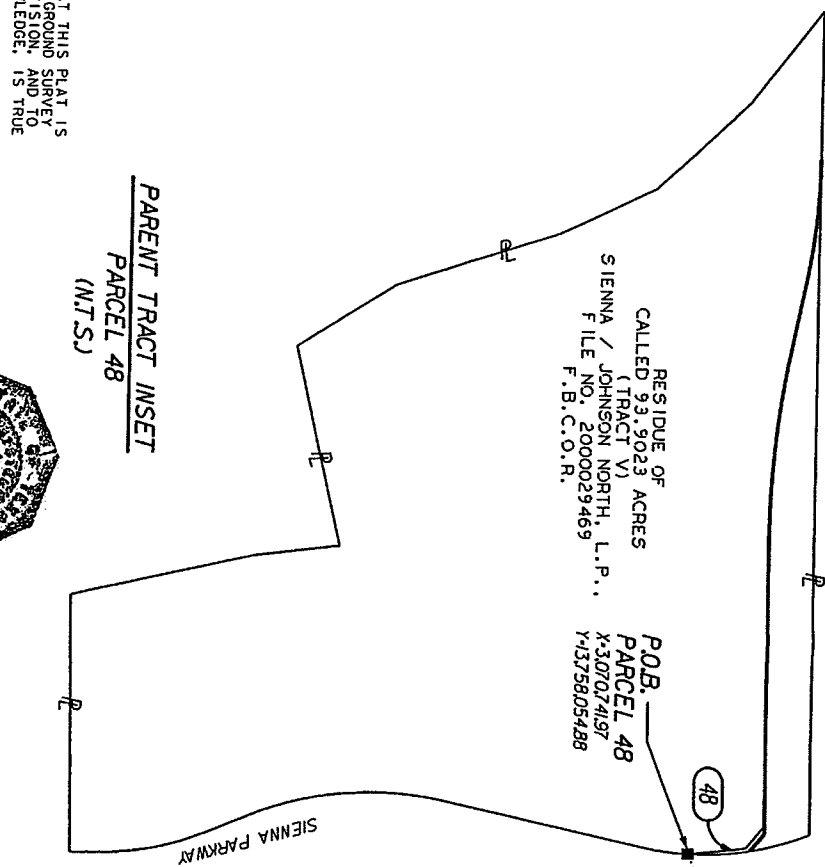
Keith W. Monroe

12 APRIL 2011
KEITH W. MONROE, R.P.L.S., TEXAS NO. 4797



1. METES AND BOUNDS DESCRIPTION FOR SUBJECT TRACT PREPARED BY
SEPARATE INSTRUMENT BY THE UNDERSIGNED, DATED APRIL 12, 2011.
2. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE
COORDINATE SYSTEM SOUTH CENTRAL ZONE (NAD 83) WITH
COORDINATES GIVEN IN FEET. ALL DISTANCES AND COORDINATES SHOWN
ARE UNADJUSTED AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A
COMBINED ADJUSTMENT FACTOR OF 0.9998657.
FOUND 5/8" IRON ROD (Unless otherwise noted)
SET 5/8" IRON ROD WITH "LJA-ENG" CAP

PARCEL 48



RESIDUE OF
CALLED 93.9023 ACRES
(TRACT V)
SIENNA / JOHNSON NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.R.

P.O.B.
PARCEL 48
X-307024197
Y-1375805488

229.38
N64°59'36"E

CALLED 715.9086 ACRES
(TRACT I)
SIENNA/JOHNSON NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.R.

525°00'24"E 2.32256'
CALLED 3.3533 ACRES
SIENNA/JOHNSON NORTH, L.P.,
FILE NO. 2000029469 F.B.C.O.R.

P.O.C.
PARCEL 48
Survey Line
MCKEEVER ROAD
(60' ROW)

CALLED 1.500 ACRES
JAMES R. SETMOUR, ET UX
VOL. 2143 PG. 1587
F.B.C.O.R.

OYSTER CREEK FARMS
(UNRECORDED SUBDIVISION)

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.

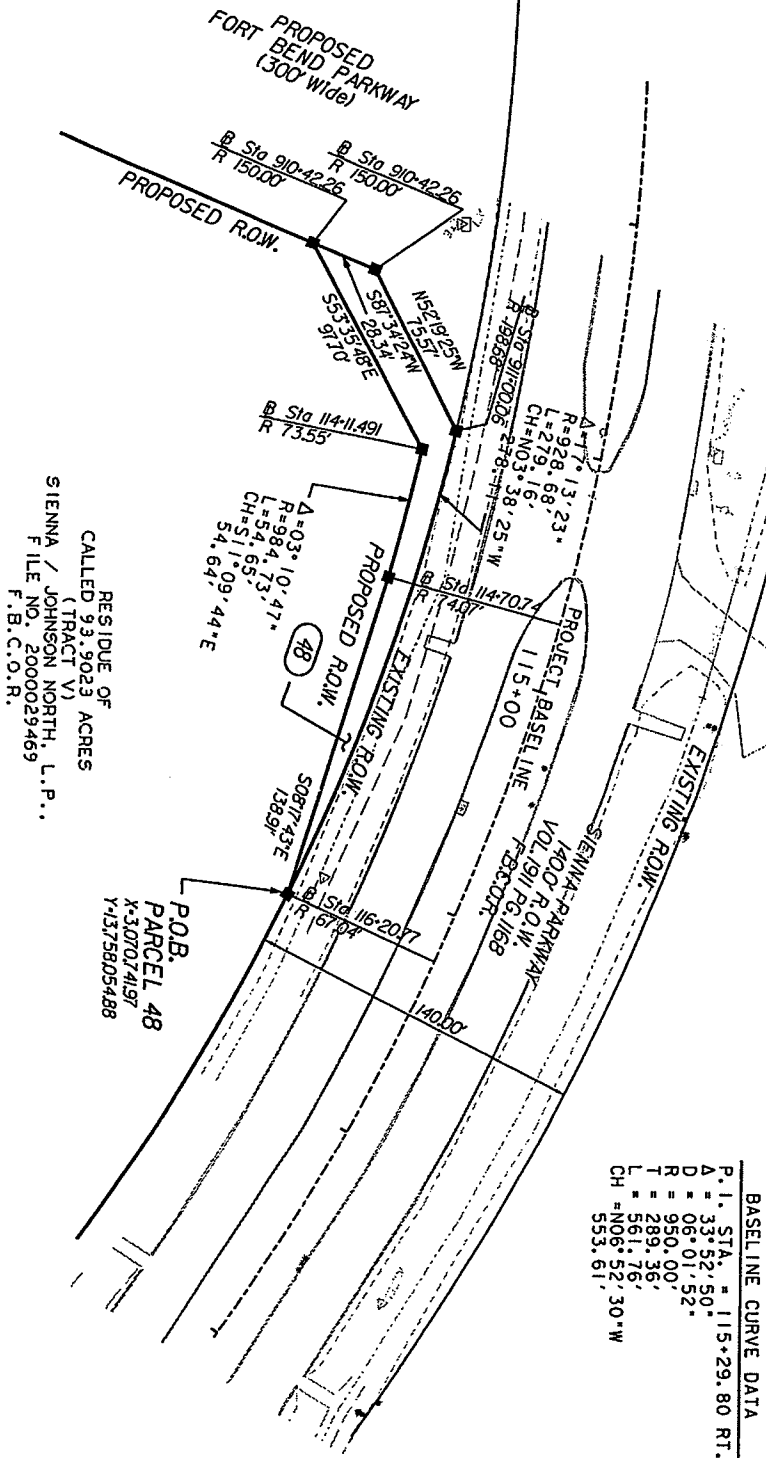
FORT BEND PARKWAY, SEGMENT B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703 PHONE: 713-953-5200
APRIL 2011 SCALE: 1" = 50'

* CALCULATED AREA			
EXISTING	TAKING	REMAINDER	
		LEFT	RIGHT
71.648	0.072 AC. (3.156 S.F.)		71.576

SHEET 1 OF 2

PROJECT NO. 1728-0010

MOSES SHIPMAN LEAGUE A-86



NOTES:

1. METES AND BOUNDS DESCRIPTION FOR SUBJECT TRACT PREPARED BY SEPARATE INSTRUMENT BY THE UNDERSIGNED, DATED APRIL 12, 2011.
2. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE AND COORDINATES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.9998657.

FOUND 5/8" IRON ROD (Unless otherwise noted)

SET 5/8" IRON ROD WITH "LJA-ENG" CAP

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.

FORT BEND PARKWAY, SEGMENT B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING, INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703 PHONE: 713-953-5200
APRIL 2011 SCALE: 1" = 50'

DEED IN LIEU OF CONDEMNATION

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THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

THAT SIENNA/JOHNSON NORTH, L.P., a Texas limited partnership ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), the receipt and sufficiency of which are hereby acknowledged, and for which no lien is retained, either express or implied, has GRANTED, SOLD and CONVEYED, and does hereby GRANT, SELL, and CONVEY in lieu of condemnation unto FORT BEND COUNTY TOLL ROAD AUTHORITY, a local government corporation ("Grantee"), all of that certain tract or parcel of land in Fort Bend County, Texas, more particularly described and shown in Exhibit A attached hereto, incorporated herein and made a part hereof for all purposes (the "Land"), together with, all and singular, all rights and appurtenances of Grantor pertaining thereto, including, without limitation (i) all rights, titles and interests of Grantor in and to any easements, rights-of-way, rights of ingress or egress, agreements or other interests to the extent that they benefit the Land (the "Rights") and (ii) any and all buildings, structures, landscaping, drainage improvements, utility facilities and other improvements placed, constructed or installed on the Land (the "Improvements") (the term "Property," as used herein, shall mean the Rights, the Improvements and the Land).

THIS CONVEYANCE is made by Grantor and accepted by Grantee subject to the terms, conditions, and provisions hereof and further subject to all applicable easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, liens encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record validly existing and affecting the Property.

GRANTOR reserves for itself, its successors and assigns, the right to cross the Property with any and all roads, lines, mains, bridges, and other facilities and structures for all public or private transportation and/or utility purposes, provided, however, that all such items shall be constructed and maintained so as not to interfere with the use of the Property for drainage and flood control purposes, and provided further, that the plans for such items shall be submitted to, and approved by, Grantee prior to the start of construction of such items, so that Grantee may be certain that such items will create no impediment or obstruction to the drainage facilities constructed, or to be

constructed, on the Property, or otherwise interfere with the use of the Property for drainage and flood control purposes. Grantee's approval shall not be unreasonably withheld, delayed, or conditioned.

GRANTOR may access and/or cross the Property with public or private wet and dry utilities and/or roads, which will be constructed at Grantor's sole cost and expense and shall meet the design and construction standards then in effect of the City of Missouri City for such utility crossings of roadways of similar width.

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in any wise belonging, unto Grantee, its successors and assigns, forever, 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, subject to the matters herein set forth.

[Signature page follows this page.]

EXECUTED effective as of the 20 day of April, 2011.

SIENNA/ JOHNSON NORTH, L.P., a Texas
limited partnership

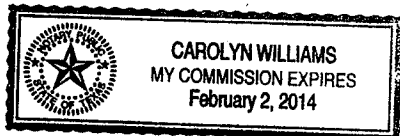
By: SIENNA/JOHNSON NORTH
GP, L.L.C., its sole general
partner

By: Michael J. Smith
Michael J. Smith
Vice President/General
Manager

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 20 day of April, 2011 by Michael J. Smith, Vice President/General Manager of Sienna/Johnson North GP, L.L.C., a Texas limited liability company, the sole general partner of SIENNA/JOHNSON NORTH, L.P., a Texas limited partnership, on behalf of said limited partnership and said limited liability company.

(NOTARY SEAL)



Carolyn Williams
Notary Public in and for the
State of Texas

AGREED TO AND ACCEPTED this 20th day of April, 2011.

FORT BEND COUNTY TOLL ROAD
AUTHORITY

By: [Signature]

Name: James D. Condrey

Title: Chairman, Board of Directors

ATTEST:

By: [Signature]

Name: Melody Hess

(SEAL)

Title: Asst. Secretary, Board of Directors

THE STATE OF TEXAS §

§

COUNTY OF FORT BEND §

This instrument was acknowledged before me on this 20th day of April, 2011, by James D. Condrey, as Chairman, and Melody Hess, as Asst. Secretary, of the Board of Directors of FORT BEND COUNTY TOLL ROAD AUTHORITY, a local government corporation of the State of Texas, on behalf of said Authority.

(NOTARY)



[Signature]
Notary Public, State of Texas

Attachment:

Exhibit A - Legal Description of Parcel No. 50

AFTER RECORDING, please return to Allen Boone Humphries Robinson LLP,
Attention: Yvonne A. Onak, 3200 Southwest Freeway, Suite 2600, Houston, Texas
77027.

EXHIBIT A

April 12, 2011
LJA Job No. 1728-0010

PARCEL NO. 50
FORT BEND PARKWAY SEGMENT "B"

All that certain tract or parcel containing 0.206 acre (8,967 square feet) of land in the Moses Shipman League, A-86, Fort Bend County, Texas, being part of those certain tracts called 715.9086 acres, 3.3533 acres, 4.0396 acres and 21.7831 acres all conveyed to Sienna/Johnson North, L.P., by an instrument of record in File No. 2000029469 of the Official Records of said Fort Bend County (F.B.C.O.R.) and being more particularly described by metes and bounds as follows, all bearings referenced to the Texas State Plane Coordinate System, South Central Zone; all coordinates and distances are surface and may be converted to grid by multiplying by the combined adjustment factor of 0.9998657;

COMMENCING for reference at a 5/8-inch iron rod found marking the easterly northeast corner of said 715.9086 acre tract same being the southeast corner of Oyster Creek Farms, an unrecorded subdivision, the southeast corner of that certain tract called 1.500 acres conveyed to James R. Seymour, et ux, by an instrument of record in Volume 2143, Page 1587 of the F.B.C.O.R. and on the west right-of-way line of McKeever Road, 60.0 feet wide;

Thence South 25° 00' 24" East, 2,074.18 feet departing said Oyster Creek Farms and said 1.500 acre tract, partly with the east line of said 715.9086 acre tract, partly with the west right-of-way line of McKeever Road and partly with the west line of said 3.3533 acre tract to a point;

Thence North 64° 59' 36" East, 216.77 feet departing said east and west lines to a 5/8-inch iron rod with a plastic cap marked "LJA ENG" set for the POINT OF BEGINNING of the herein described tract and having surface coordinates of X = 3,070,625.51, Y = 13,758,274.74;

Thence with the westerly right-of-way line of Sienna Parkway 140.0 feet wide at this point and with the easterly line of said 21.7831 acre tract the following two (2) courses;

- 1) South 10° 03' 55" West, 40.35 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner, the beginning of a curve;

- 2) 594.83 feet along the arc of a curve to the left, having a central angle of $31^{\circ} 53' 27''$, a radius of 1,068.68 feet and a chord which bears South $05^{\circ} 51' 40''$ East, 587.18 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner on the northerly line of that certain tract called 215.031 acres conveyed to DeWalt Land Limited by an instrument of record in File No. 9781306 of the F.B.C.O.R.;

Thence South $87^{\circ} 02' 17''$ West, departing said westerly and easterly lines and with the north line of said 215.031 acre tract, at 1.10 feet pass an one (1) inch iron pipe found marking the southeast corner of the aforesaid 715.9086 acre tract and continue with the north line of said 215.031 acre tract and the south line of said 715.9086 acre tract in all a distance of 31.65 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner on the arc of a curve whose center bears North $68^{\circ} 43' 35''$ East;

Thence 186.01 feet along the arc of a non-tangent curve to the right, departing said north and south lines, having a central angle of $09^{\circ} 42' 02''$, a radius of 1,098.68 feet and a chord which bears North $16^{\circ} 25' 24''$ West, 185.79 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence North $36^{\circ} 46' 44''$ East, 32.53 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner on the arc of a curve whose center bears North $77^{\circ} 23' 14''$ East;

Thence 140.62 feet along the arc of a non-tangent curve to the right, having a central angle of $08^{\circ} 37' 37''$, a radius of 933.93 feet and a chord which bears North $08^{\circ} 17' 58''$ West, 140.49 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner, the beginning of a curve whose center bears North $85^{\circ} 12' 51''$ East;

Thence 108.24 feet along the arc of a non-tangent curve to the right, having a central angle of $12^{\circ} 08' 54''$, a radius of 510.50 feet and a chord which bears North $01^{\circ} 17' 17''$ East, 108.04 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner;

0.206 acre

April 12, 2011
Job No. 1728-0010

Thence North 07° 21' 44" East, 135.92 feet to a 5/8 inch iron rod with a plastic cap marked "LJA ENG" set for corner;

Thence North 17° 11' 13" East, 41.21 feet to the POINT OF BEGINNING and containing 0.206 acre (8,967 square feet) of land.

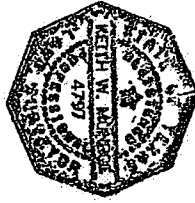
I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE LEGAL DESCRIPTION HEREON AND THE ACCOMPANYING PLAT OF EVEN DATE REPRESENT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

Keith W. Monroe 4-12-2011

KEITH W. MONROE, R.P.L.S. DATE
TEXAS REGISTRATION NO. 4797
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200



MOSES SHIPMAN LEAGUE A - 86



PARENT TRACT INSET
PARCEL 50
(N.T.S.)

I HEREBY CERTIFY THAT THIS PLAT IS
BASED ON AN ON THE GROUND SURVEY
MADE UNDER MY SUPERVISION, AND TO
THE BEST OF MY KNOWLEDGE, IS TRUE
AND CORRECT.

Keith W. Monroe
KEITH W. MONROE, R.P.L.S., TEXAS NO. 4797
12 APRIL 2011

NOTES:

1. METES AND BOUNDS DESCRIPTION FOR SUBJECT TRACT PREPARED BY
SEPARATE INSTRUMENT BY THE UNDERSIGNED, DATED APRIL 12, 2011.
2. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE
PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE. WITH THIS
COORDINATES GIVEN IN FEET, DISTANCES AND BEARINGS SHOWN
ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A
COMBINED ADJUSTMENT FACTOR OF 0.9996657.
3. FOUND 5/8" IRON ROD (Unless otherwise noted)
4. SET 5/8" IRON ROD WITH "LJA-ENG" CAP

PARCEL 50

OYSTER CREEK FARMS
(UNRECORDED SUBDIVISION)

CALLLED 1.500 ACRES
JAMES R. SEYMOUR, ET UX
VOL. 2143 PG. 1587
F.B.C.O.R.

POC
PARCEL 50
Ely NE COR.
7159086 AC.
F.M. 5/8" IR.

MCKEEVER ROAD
(60' ROW)

CALLLED 715,9086 ACRES
SIENNA/JOHNSON, NORTH, L.P.,
(TRACT I)
FILE NO. 2000029469
F.B.C.O.R.

21.7831 ACRES
4.0396 ACRES
3.3533 ACRES
5250024FE 207448'

CALLLED 93,9023 AC'S
(TRACT V)
SIENNA/JOHNSON NORTH, L.P.,
FILE NO. 2000029469
F.B.C.O.R.

CALLLED 70,727 ACRES
DEWALT LAND LIMITED
FILE NO. 9781306
F.B.C.O.R.

CALLLED 215.031 ACRES
(PART 3)
DEWALT LAND LIMITED
FILE NO. 9781306
F.B.C.O.R.

Parcel 50 * CALCULATED AREA

EXISTING	TAKING	REMAINDER
57.6111	0.206 AC. (8.967 S.F.)	57.405

PARCEL PLAT
SHOWING PROPERTY OF
SIENNA / JOHNSON
NORTH, L.P.

FORT BEND PARKWAY, SEGMENT B
FORT BEND COUNTY, TEXAS
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE, SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200
SCALE: 1" = 50'
APRIL 2011

PROJECT NO. 1728-0010

