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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   §

### SPECIAL WARRANTY DEED

Sienna/Johnson Development, L.P. ("Grantor") acting by and through its duly authorized officers, for and in consideration of Grantor's intention to make a gift as a charitable contribution under applicable income tax laws and regulations to the FORT BEND COUNTY DRAINAGE DISTRICT, a body Politic and Corporate (herein called "Grantee"), the receipt and sufficiency of which are hereby acknowledged and confessed, has hereinafter set forth, GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto said Grantee, the property described in Exhibit A1 thru A3 attached to and made part of this document for operation and maintenance of an external drainage channel.

This conveyance is made and accepted subject to all restrictions, ordinances, covenants, reservations, conditions, easements, maintenance charges and the liens securing said charges and all outstanding mineral and royalty interests, if any, affecting the premises conveyed herein and to all other matters of record affecting the herein described property, to the extent, but only to the extent, that they are now in force and effect; and to all laws, ordinances, regulations, administrative pronouncements and

orders, if any, of any court or governmental agency or body of the United States of America or the State of Texas or any political subdivision of either affecting the premises herein conveyed.

Grantor hereby expressly reserves for itself the entire mineral estate of the property hereby conveyed now owned by Grantor, if any, including, but not limited to, all oil, gas, and other minerals in, on, under, and that may be produced and saved from such property and which are now owned by Grantor. Grantor hereby waives its rights to enter the surface of such property for the exploration, development, or production of oil, gas, or other minerals from the mineral estate owned and retained by Grantor, it being expressly understood that the only manner in which said mineral estate may be produced is from a surface location not within the boundaries of such property.

GRANTOR HAS NOT MADE, AND MAKES NO REPRESENTATIONS OR WARRANTIES (EXPRESS OR IMPLIED) CONCERNING THE PROPERTY EXCEPT AS SPECIFICALLY SET FORTH IN THIS DEED, AND ALL OTHER REPRESENTATIONS (EXPRESS OR IMPLIED) AND WARRANTIES IN ANY WAY RELATING TO THE PROPERTY ARE HEREBY WAIVED BY GRANTEE. ANY REPRESENTATIONS MADE BY GRANTOR IN THE FUTURE SHALL BE CONSIDERED VOID AND OF NO EFFECT UNLESS MADE BY GRANTOR IN A WRITTEN DOCUMENT SIGNED BY GRANTOR AND ADDRESSED AND DELIVERED TO GRANTEE. THEREFORE, IT IS AGREED AND ACKNOWLEDGED THAT THE PROPERTY IS BEING SOLD AND CONVEYED BY GRANTOR AND ACCEPTED BY GRANTEE IN ITS "AS-IS, WHERE IS" CONDITION WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND, WHETHER EXPRESS OR IMPLIED, EXCEPT FOR THE WARRANTY OF TITLE HEREIN.

Grantor shall pay the taxes the ad valorem taxes for the current year to the date of conveyance of the Property, and Grantee assumes and agrees to pay such ad valorem taxes for the current year and subsequent years, if any.

TO HAVE AND TO HOLD the above described premises unto Grantee, its successors and assigns, the property conveyed shall be used for drainage and flood control purposes, and Grantor does bind itself and its successors, subject to the matters set forth in this deed, to WARRANT AND FOREVER DEFEND, all and singular, the said premises 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 8<sup>th</sup> day of September, 2010.

**SIENNA/JOHNSON DEVELOPMENT, L.P.,**  
a Texas limited partnership

By: Sienna/Johnson Development GP, L.L.C.,  
a Texas limited liability company,  
general partner

By: Michael J. Smith  
Michael J. Smith  
Vice President

THE STATE OF TEXAS       §  
  §  
COUNTY OF FORT BEND   §

This instrument was acknowledged before me on this 8<sup>th</sup> day of September, 2010, by Michael J. Smith, Vice President of Sienna/Johnson Development GP, L.L.C., a Texas limited liability company, which is the general partner of Sienna/Johnson Development, L.P., a Texas limited partnership, for and on behalf of said company and limited partnership.



Carolyn Williams  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS  
Printed name of notary: Carolyn Williams  
Commission expires: 02-02-2014

After Recording, return to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

County: Fort Bend  
Project: External Channel Tract 1  
Job No. 103308  
MBS No. 10-019

FIELD NOTES FOR 24.276 ACRES

Being a tract of land containing 24.276 acres located in the David Fitzgerald League, Abstract Number 25 and the Thomas Barnett League, Abstract 7, both in Fort Bend County, Texas; Said 24.276 acre tract being all of Reserve "C", Sienna Sports Complex, a subdivision recorded in Plat Number 20060057 of the Fort Bend County Plat Records and a portion of a call 1558.274 acre tract of land recorded in the name of Sienna/Johnson Development, L.P. in Fort Bend County Clerk's File (F.B.C.C.F.) number 2000029467 of the Official Records of Fort Bend County (O.R.F.B.C.); Said 24.276 acre tract of land being more particularly described by metes and bounds as follows: (bearings are based the Texas Coordinate System, NAD83, South Central Zone, as derived from Missouri City Control Monuments):

**Beginning** at a 5/8-inch iron rod found at the northeasterly corner of said Reserve "C", the northwesterly corner of Reserve "D", in said Sienna Sports Complex and also being on the southerly Right-of-Way (R.O.W.) line of the AT & SF Railroad as described in Volume 1934, Page 1181 of the O.R.F.B.C.:

Thence, with the common line of said Reserves "C" & "D", and the southeasterly line of a tract of land recorded in the name of Sienna Plantation Levee Improvement District in F.B.C.C.F. number 9741281, the following seven (7) courses:

- 1) South 02 degrees 56 minutes 50 seconds East, a distance of 895.14 feet;
- 2) South 23 degrees 23 minutes 10 seconds East, a distance of 470.63 feet;
- 3) South 57 degrees 45 minutes 48 seconds East, a distance of 1292.10 feet;
- 4) South 45 degrees 56 minutes 51 seconds East, a distance of 800.00 feet;
- 5) South 24 degrees 43 minutes 50 seconds East, a distance of 1300.00 feet;
- 6) South 05 degrees 19 minutes 39 seconds East, a distance of 394.61 feet;
- 7) South 11 degrees 44 minutes 40 seconds West, a distance of 134.65 feet to the northerly line of a tract of land recorded in the name of UST-PRU Sienna, L.P. in F.B.C.C.F. number 2008021731;

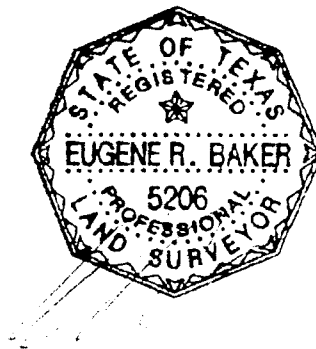
Thence, with said northerly line, South 87 degrees 05 minutes 30 seconds West, a distance of 206.72 feet;

Thence, through and across said 1558.274 acre tract of land, with the northwesterly line of a tract of land recorded in the name of Sienna Stables Land, LTD. in F.B.C.C.F. number 2005133925 and the westerly lines of said Reserve "C", the following seven (7) courses:

- 1) North 11 degrees 44 minutes 40 seconds East, a distance of 156.92 feet;
- 2) North 05 degrees 19 minutes 39 seconds West, a distance of 330.41 feet;
- 3) North 24 degrees 43 minutes 50 seconds West, a distance of 1228.34 feet;
- 4) North 45 degrees 56 minutes 51 seconds West, a distance of 741.84 feet;
- 5) North 57 degrees 45 minutes 48 seconds West, a distance of 1333.27 feet;
- 6) North 23 degrees 23 minutes 10 seconds West, a distance of 568.55 feet;
- 7) North 02 degrees 56 minutes 50 seconds West, a distance of 928.04 feet to the aforesaid southerly R.O.W. line of the AT & SF Railroad;

Thence, with said southerly R.O.W. line, North 86 degrees 08 minutes 48 seconds East, a distance of 200.02 feet to the **Point of Beginning** and containing 24.276 acres of land.

GBJ Partners, L.P.  
Phn: 713.995.1306  
May 04, 2010



AT&SF RAILROAD  
VJ934, PG.1181 O.R.F.B.C.

P.O.B.

SCALE 1"=500'

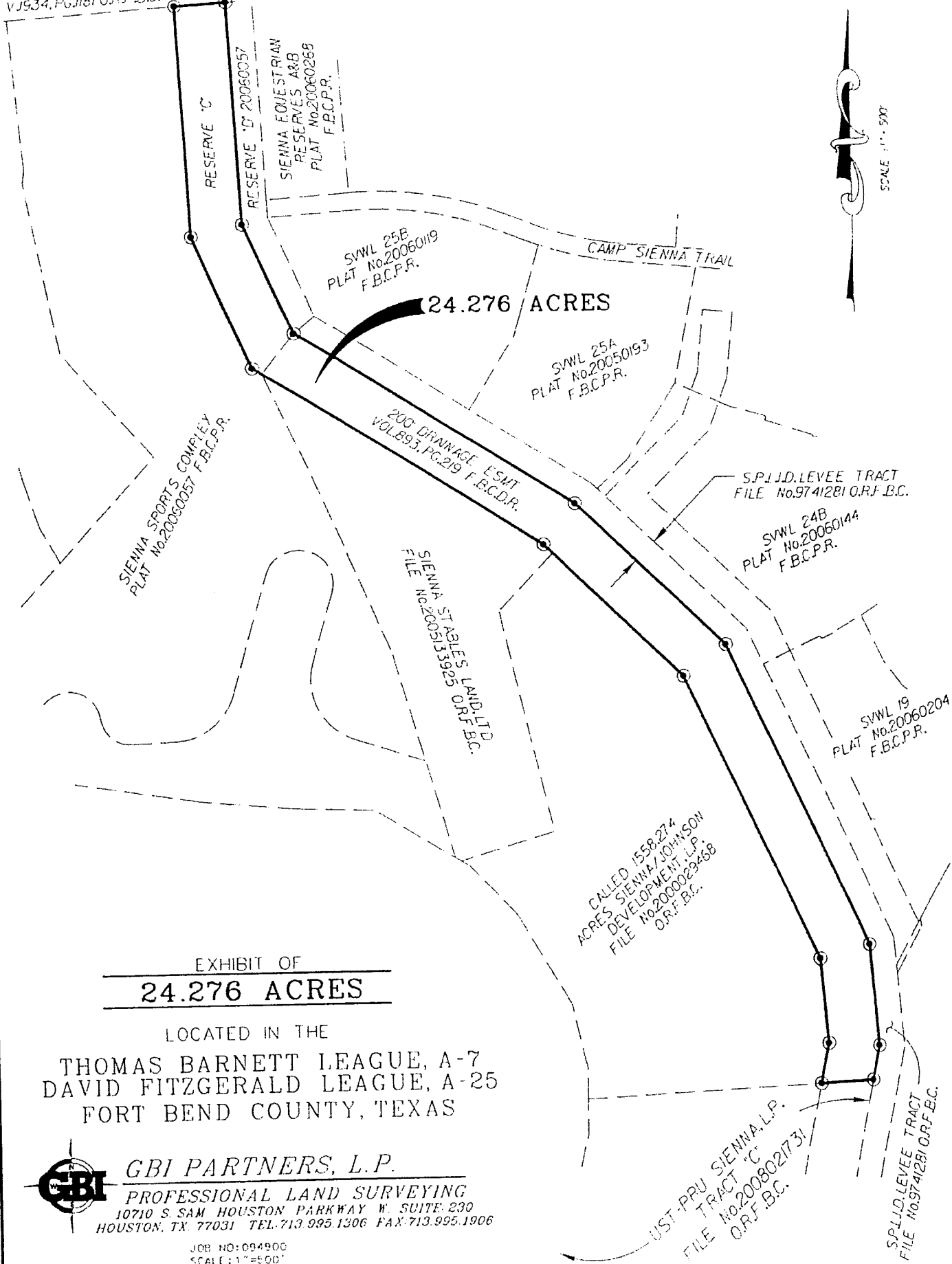


EXHIBIT OF  
**24.276 ACRES**

LOCATED IN THE  
THOMAS BARNETT LEAGUE, A-7  
DAVID FITZGERALD LEAGUE, A-25  
FORT BEND COUNTY, TEXAS



**GBI PARTNERS, L.P.**

PROFESSIONAL LAND SURVEYING  
10710 S. SAM HOUSTON PARKWAY W. SUITE 230  
HOUSTON, TX. 77031 TEL: 713.995.1306 FAX: 713.995.1906

JOB NO: 094906  
SCALE: 1"=500'  
DATE: 05/03/10

County: Fort Bend  
Project: External Channel Tract 2  
Job No. 103308  
MBS No. 10-020

FIELD NOTES FOR 44.768 ACRES

Being a tract of land containing 44.768 acres located in the Thomas Barnett League, Abstract 7, Fort Bend County, Texas; Said 44.768 acre tract being all of Reserve "A", Sienna Steep Bank Village, Section 5C, a subdivision recorded in Plat Number 20050175 of the Fort Bend County Plat Records (F.B.C.P.R.), all of Reserve "A", Sienna Steep Bank Village, Section 5B, a subdivision recorded in Slide Number 2428B of the F.B.C.P.R., all of Reserve "A", Sienna Steep Bank Village, Section 5A, a subdivision recorded in Slide Number 2269A of the F.B.C.P.R., all of Reserve "A", Sienna Steep Bank Village, Section 4C, a subdivision recorded in Slide Number 2152B of the F.B.C.P.R., all of Reserve "A", Sienna Steep Bank Village, Section 4B, a subdivision recorded in Slide Number 2031B of the F.B.C.P.R., all of Reserve "A", Sienna Steep Bank Village, Section 4A, a subdivision recorded in Slide Number 1865B of the F.B.C.P.R., all of Reserve "J", Sienna Steep Bank Village, Section 1, a subdivision recorded in Slide Number 1602B of the F.B.C.P.R. and all of Reserve "C", Sienna Steep Bank Village, Section 2A, a subdivision recorded in Slide Number 1687A of the F.B.C.P.R.; Said 44.768 acre tract of land being more particularly described by metes and bounds as follows: (bearings are based the Texas Coordinate System, NAD83, South Central Zone, as derived from Missouri City Control Monuments):

**Beginning** at a 5/8-inch iron rod found at the Most southerly southwest corner of said Reserve "A", Sienna Steep Bank Village (SSBV), Section 5C and the southeasterly corner of a call 59.976 acre tract of land recorded in the name of Missouri City in Fort Bend County Clerk's File Number 2010011614 of the Official Records of Fort Bend County (O.R.F.B.C.), said iron rod also being on the northerly Right-of-Way (R.O.W.) line of the AT & SF Railroad as described in Volume 1934, Page 1181 of the O.R.F.B.C.;

Thence, with the common line of said Section 5C and said 59.976 acre tract, North 02 degrees 56 minutes 50 seconds West, a distance of 1539.60 feet to an iron rod found at the northwesterly of said Section 5C and being on the southerly line of a call 8.462 acre tract of land recorded in the name of Sienna Plantation Levee Improvement District in F.B.C.C. file number 2000009183;

Thence, with the northerly lines of SSBV, Section 5C, SSBV, Section 5B, SSBV, Section 5A, SSBV, Section 4C, SSBV, Section 4B, SSBV, Section 4A, SSBV, Section 1, the southerly lines of said 8.462 acre tract, Reserve "A", Acreage Estates, Section 3A, a subdivision recorded in Plat Number 20010581 of the F.B.C.P.R., Reserve "F" and "E", Acreage Estates, Phase Two, a subdivision recorded in Plat Number 20010457 of the F.B.C.P.R., North 87 degrees 05 minutes 18 seconds East, a distance of 6751.66 feet to an iron rod found at a re-entrant corner of said Reserve "J";

Thence, with the westerly line of said Reserve "J" and SSBV, Section 2A and the easterly line of said Reserve "E", North 01 degrees 06 minutes 12 seconds West, a distance of 1106.19 feet to an iron rod found at the northwest corner of said SSBV, Section 2A;

Thence, with the north line of said SSBV, Section 2A, North 87 degrees 13 minutes 36 seconds East, a distance of 496.46 feet to the westerly R.O.W. line of Sienna Parkway (160-foot wide) a street dedication plat recorded in Slide Number 1176B of the F.B.C.P.R.;

Thence, with said westerly R.O.W. line, South 33 degrees 11 minutes 04 seconds East, a distance of 231.91 feet to an iron rod found at the most easterly southeasterly corner of said Reserve "C";

Thence, with a southerly line of said Reserve "C", South 87 degrees 13 minutes 36 seconds West, a distance of 419.60 feet to an iron rod found at a re-entrant corner of said Reserve "C";

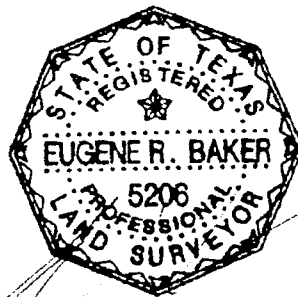
Thence, with the easterly line of said Reserve "C" and said Reserve "J", South 01 degrees 06 minutes 12 seconds East, a distance of 1105.73 feet to an iron rod found at a easterly corner of said Reserve "J";

Thence, through and across said SSBV, Section 1, SSBV, Section 4A, SSBV, Section 4B, SSBV, Section 4C, SSBV, Section 5A, SSBV, Section 5B and SSBV, Section 5C, South 87 degrees 05 minutes 18 seconds West, a distance of 6745.33 feet to an iron rod found at a re-entrant corner of said Reserve "A", SSBV, Section 5C;

Thence, with the easterly line of said Reserve "A", South 02 degrees 56 minutes 50 seconds East, a distance of 1336.32 feet to a iron rod found at the aforesaid northerly R.O.W. line of the AT & SF Railroad;

Thence, with said northerly R.O.W. line, South 86 degrees 08 minutes 54 seconds West, a distance of 200.02 feet to the **Point of Beginning** and containing 44.768 acres of land.

GBI Partners, L.P.  
Phn: 713.995.1306  
May 3, 2010



P.O.B.

SCALE 1"=800'

CALLED 59.976 ACRES  
CITY OF MISSOURI CITY  
FILE No.2010011614 O.R.F.B.C.

44.768 ACRES

CALL 8.462 ACRES  
S.P.L.D.  
FILE No.2000009783  
O.R.F.B.C.

RESERVE "A"  
ACREAGE EST. 3A  
PLAT No.20010581  
F.B.C.P.R.

RESERVE "F"  
ACREAGE ESTATES PHASE TWO  
PLAT No.20010457 F.B.C.P.R.

RESERVE "E"  
ACREAGE ESTATES PHASE TWO  
PLAT No.20010457 F.B.C.P.R.

RESERVE "B"  
SIENNA BEES CREEK  
COMMERCIAL PARK  
TWO PARTIAL REPLAT NO.  
PLAT No.20080147  
F.B.C.P.R.

SIENNA PARKWAY (160' ROW.)  
SLIDE No.176B F.B.C.P.R.

SSBV 1  
SLIDE No.1602B  
F.B.C.P.R.

SSBV 2A  
SLIDE No.1687A  
F.B.C.P.R.

SSBV 4A  
SLIDE No.1865B  
F.B.C.P.R.

SSBV 4B  
SLIDE No.2031B  
F.B.C.P.R.

SSBV 4C  
SLIDE No.2152B  
F.B.C.P.R.

SSBV 5A  
SLIDE No.2269A  
F.B.C.P.R.

SSBV 5B  
SLIDE No.2428B  
F.B.C.P.R.

SSBV 5C  
PLAT No.20060175  
F.B.C.P.R.

EXHIBIT OF

44.768 ACRES

LOCATED IN THE  
THOMAS BARNETT LEAGUE, A-7  
FORT BEND COUNTY, TEXAS



GBI PARTNERS, L.P.

PROFESSIONAL LAND SURVEYING

10710 S. SAM HOUSTON PARKWAY W. SUITE 230  
HOUSTON, TX 77031 TEL: 713.995.1306 FAX: 713.995.1906

JOB NO: 054900  
SCALE: 1"=800'  
DATE: 05/03/10

County: Fort Bend  
Project: External Channel – Tract 3  
Job No. 103308  
MBS No. 10-021

FIELD NOTES FOR 41.597 ACRES

Being a tract of land containing 41.597 acres located in the Thomas Barnett League, Abstract 7, Fort Bend County, Texas; Said 41.597 acre tract being all of Reserve "A", Sienna Steep Bank Village, Section 1, a subdivision recorded in Slide Number 1602A of the Fort Bend County Plat Records (F.B.C.P.R.), all of Reserve "A", Sienna Steep Bank Village, Section 3, a subdivision recorded in Slide Number 1771B of the F.B.C.P.R., all of Reserve "C", FBISD Elementary Number 32, a subdivision recorded in Slide Number 1610B of the F.B.C.P.R., all of Reserve "A", Sienna Steep Bank Village, Section 7B, a subdivision recorded in Slide Number 2195A of the F.B.C.P.R., a portion of Reserve "H", Sienna Steep Bank Village, Section 9, a subdivision recorded in Slide Number 2166B of the F.B.C.P.R., all of Reserve "F", Sienna Steep Bank Village, Section 11A, a subdivision recorded in Slide Number 2351B of the F.B.C.P.R., all of Reserve "A", Sienna Steep Bank Village, Section 11B, Phase 1, a subdivision recorded in Slide Number 2379A of the F.B.C.P.R., all of Reserve "A", Sienna Steep Bank Village, Section 11B, Phase 2, a subdivision recorded in Slide Number 2513A of the F.B.C.P.R., all of Reserve "I", Sienna Steep Bank Village, Section 11B, Phase 3, a subdivision recorded in Plat Number 20040017 of the F.B.C.P.R., all of Reserve "E", Sienna Steep Bank Village, Section 15, a subdivision recorded in Plat Number 20040128 of the F.B.C.P.R. and all of Reserve "J", Sienna Steep Bank Village, Section 16, a subdivision recorded in Plat Number 20070074 of the F.B.C.P.R.; Said 41.597 acre tract of land being more particularly described by metes and bounds as follows; (bearings are based the Texas Coordinate System, NAD83, South Central Zone, as derived from Missouri City Control Monuments):

**Beginning** at a 5/8-inch iron rod found at the Northwesterly corner of said Reserve "A", Sienna Steep Bank Village (SSBV), Section 1 and the southeasterly corner of a call 34.177 acre tract of land recorded in the name of Dewalt Land Limited in Fort Bend County Clerk's File Number 9781306 of the Official Records of Fort Bend County (O.R.F.B.C.), said iron rod also being on the easterly Right-of-Way (R.O.W.) line of Sienna Parkway, a street dedication plat recorded in Slide Number 1176B of the F.B.C.R.;

Thence, with the southerly line of said 34.177 acre tract and the southerly R.O.W. line of McKeever Road, North 87 degrees 13 minutes 36 seconds East, a distance of 5311.59 feet to an iron rod set on the northeasterly corner of a 200-foot wide drainage easement recorded in the name of Fort Bend County Drainage District in Volume 893, Page 219 of the Fort Bend County Deed Records;

Thence, with the easterly line of said drainage easement, South 01 degrees 11 minutes 30 seconds West, a distance of 898.02 feet to an iron rod set on the northerly line of aforesaid Reserve "F", SSBV, Section 11A;

Thence, with said northerly line, at a distance of 80.71 feet pass an iron rod set at the southwesterly corner of a tract of land recorded in the name of NJ Chehayeb in Volume 1856, Page 772 of the O.R.F.B.C., continuing with the northerly lines of said SSBV, Section 11A, SSBV, Section 11B, Phase 1, 2 and 3, SSBV, Section 15 and SSBV, Section 16, North 87 degrees 25 minutes 56 seconds East, a distance of 3983.04 feet to an iron rod set at the northeasterly corner of said Reserve "J", SSBV, Section 16;

Thence, with the easterly line of said Reserve "J", South 02 degrees 33 minutes 03 seconds East, a distance of 149.43 feet to an iron rod set at the southeasterly corner of said Reserve "J";

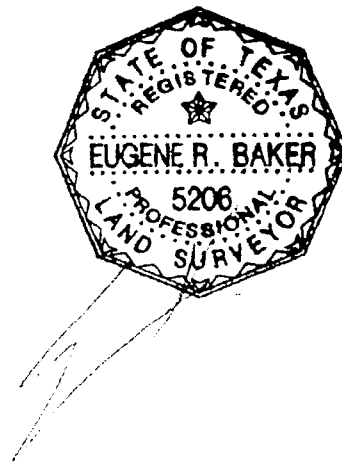
Thence, South 87 degrees 26 minutes 48 seconds West, a distance of 4193.18 feet to the southwesterly corner of said Reserve "F", SSBV, Section 11A;

Thence, North 01 degrees 11 minutes 30 seconds East, a distance of 845.64 feet to a iron rod set at a re-entrant corner of said Reserve "H", SSBV, Section 9;

Thence, South 87 degrees 13 minutes 30 seconds West, a distance of 4979.87 feet to an iron rod found at the southwesterly corner of aforesaid Reserve "A", SSBV, Section 1 and the aforesaid easterly R.O.W. line of Sienna Parkway;

Thence, with said easterly R.O.W. line, North 33 degrees 11 minutes 03 seconds West, a distance of 231.91 feet to the **Point of Beginning** and containing 41.597 acres of land.

GBI Partners, L.P.  
Phn: 713.995.1306  
May 3, 2010



SIENNA PARKWAY (160' ROW)  
SLIDE No.176B F.B.C.P.R.

SIENNA STEEP BANK  
VILLAGE SEC.1  
SLIDE No.1602A  
F.B.C.P.R.

SSBV SEC.3  
SLIDE No.771B  
F.B.C.P.R.

FISD ELEM. No.32  
SLIDE No.610B  
F.B.C.P.R.

SSBV 7B  
SLIDE No.2195A  
F.B.C.P.R.

SSBV 9  
SLIDE No.2166B  
F.B.C.P.R.

SSBV 11A  
SLIDE No.2355B  
F.B.C.P.R.

SSBV 11B, PH. 1  
SLIDE No.2379A  
F.B.C.P.R.

SSBV 11B, PH. 2  
SLIDE No.2513A  
F.B.C.P.R.

SSBV 11B, PH. 3  
FILE No.20040017  
F.B.C.P.R.

SSBV 15  
FILE No.20040128  
F.B.C.P.R.

SSBV 16  
FILE No.20070074  
F.B.C.P.R.

CALLED 34.77 ACRES  
DEWALT LAND LIMITED  
FILE NO.9781306  
O.R.F.B.C.

41.597 ACRES

22' HL&P ESMT  
V.473.PG.611&494  
F.B.C.C.M.

58' HL&P ESMT  
V.473.PG.127  
F.B.C.D.R.

200' DRAINAGE ESMT  
V.893.P.219 F.B.C.D.R.

REMAINDER PORTION  
RESERVE "H"  
SSBV 9  
SLIDE No.2166B  
F.B.C.P.R.

L GUITAR  
V.909.P.97  
F.B.C.D.R.

D GUITAR  
V.1065.P.262  
F.B.C.D.R.

T. MOORE  
V.1935.P.481  
F.B.C.D.R.

C. ALEXANDER  
V.874.P.175  
F.B.C.D.R.

D. POTTER  
V.874.P.173  
F.B.C.D.R.

L. BYRUM  
V.1965.P.971  
O.R.F.B.C.

V. WILLIAMSON  
V.916.P.311  
F.B.C.D.R.

BILLY ROY TEMPEL  
V.916.P.326  
F.B.C.D.R.

JOHN C. DELOME  
V.711.P.413  
F.B.C.D.R.

RONALD BROWN  
V.1937.P.323  
O.R.F.B.C.

DONALD LEAVINGS  
V.120.P.290  
F.B.C.D.R.

ELLIOT WEISS  
200007469  
O.R.F.B.C.

PAUL KELLER  
1999043369  
O.R.F.B.C.

EXHIBIT OF

41.597 ACRES

LOCATED IN THE  
THOMAS BARNETT LEAGUE, A-7  
FORT BEND COUNTY, TEXAS



GBI PARTNERS, L.P.

PROFESSIONAL LAND SURVEYING

10710 S. SAM HOUSTON PARKWAY W. SUITE 230  
HOUSTON, TX. 77031 TEL: 713.995.1306 FAX: 713.995.1906

JOB NO: 094900  
SCALE: 1"=1000'  
DATE: 05/03/10

# FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2010 Sep 17 02:33 PM

2010091000

DA \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS