

94

**DONATION DEED**

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
 COUNTY OF FORT BEND §

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.

THAT, **UDFLOF TUSCANY LAKES, L.P.** ("Grantor"), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration to Grantor in hand paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged, has **DONATED**, and by these presents does **GRANT, GIVE AND CONVEY** unto **FORT BEND COUNTY, TEXAS** ("Grantee"), a body corporate and politic under the laws of the State of Texas and unto its successors, and assigns, forever, a certain tract of land, containing **15.65 acres**, more particularly described in Exhibit "A", attached hereto and incorporated herein and made a part hereof for all purposes, together with all rights, titles, and interests appurtenant thereto and improvements situated thereon (collectively, the "Property").

This Donation Deed and the conveyance hereinabove set forth are executed by Grantor and accepted by Grantee subject to the terms, conditions and provisions hereof and further subject to all easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, utility conveyances, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record in Fort Bend County, Texas, to the extent the same are validly existing and applicable to the Property (collectively, the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property unto Grantee, its successors and assigns forever without express or implied warranty of any kind. All warranties that might arise by common law, as well as the warranties in Section 5.023 of the Texas Property Code (or its successor), are excluded. Grantor makes no warranty, express or implied, as to the Property conveyed hereby whatsoever.

If current ad valorem taxes on said Property have not been prorated at the time of closing, Grantor and Grantee shall be responsible for payment of its respective share thereof based on period of ownership.

Grantee's address is 301 Jackson Street, Richmond, Texas 77469.

CCM 7-24-2018 # 31E
 Fort Bend County Clerk
 Return Admin Serv Coord
 RAC

EXECUTED on this the 27th day of June, 2018.

GRANTOR:

UDFLOF Tuscany Lakes, L.P.

By: UDFLOF TL Manager, Inc.

By: Todd Etter

Name: Todd Etter

Title: Executive Vice President

THE STATE OF TEXAS

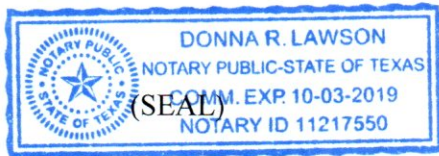
§

COUNTY OF TARRANT

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§

This instrument was acknowledged before me on the 27th day of June, 2018 by Todd Etter, Executive Vice President, on behalf of UDFLOF Tuscany Lakes, L.P. of UDFLOF TL Manager, Inc as the general partner,



Donna R Lawson
Notary Public in and for the State of Texas

Attachments:

Exhibit A – Legal Description of the Property

After Recording Return to:
Fort Bend County Engineering
Attn: Bryan Norton
301 Jackson Street
Richmond, Texas 77469

EXHIBIT A

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION
15.65 ACRES (681,874 SQ. FT.)
OUT OF CALLED 607.3245 ACRE TRACT
T. HOBERMAKER SURVEY, A-191
FORT BEND COUNTY, TEXAS

Being a tract or parcel of land containing 15.65 acres (681,874 square feet), more less, situated in the T. Hobermaker Survey, Abstract No. 191, in Fort Bend County, Texas, said 15.65 acre tract being out of that certain tract called 607.3245 acres conveyed to UDFLOF TUSCANY LAKES, L.P., by special warranty deed dated December 15, 2008, recorded in Fort Bend County Clerk's File No. 2008130668, of the Official Public Records of Fort Bend County, Texas, said 15.65 acre parcel being more particularly described by metes and bounds as follows (with all bearings referenced to the Texas Coordinate System, South Central Zone, NAD '83):

BEGINNING at a 5/8-inch iron rod with a Tejas cap (X=3,087,429.18; Y=13,777,170.99; surface, feet) set in the proposed southerly right-of-way line of F. M. 2234 (width varies) at it's intersection with the westerly line of said 607.3245 acre tract and the easterly line of the westerly residue of certain tract called 655.417 acres conveyed to THE WILLIAM CARLOSS MORRIS, III, SHARON KAY MORRIS AND MORRIS CHILDREN CHARITABLE REMAINDER UNITRUST by special warranty deed dated December 24, 1986, recorded in Vol. 1907, Pg. 1381, of the Official Public Records of Fort Bend County, Texas, being the most southerly southwest corner of that certain tract called 0.2476 acre Parcel 22B Part 1, conveyed to The State of Texas, described in Fort Bend County Clerk's File No. 2015094417 of the Official Records of Fort Bend County, Texas, being also the southeast corner of that certain tract called 1.027 acre Parcel 22A, described in Fort Bend County Clerk's File No. 2015103684 of the Official Records of Fort Bend County, Texas, for the northwest corner of the herein described 15.65 acre tract in the proposed westerly right-of-way line of Chimney Rock Road, from which a found TxDOT aluminum disk bears S87°34'27"W, 1.88 feet;

THENCE North 87°01'23" East along the proposed southerly right-of-way line of said F.M. 2234, a distance of 134.21 feet (called 139.06') to a 5/8-inch iron rod with a Tejas cap set at an intersect with the easterly line of said 607.3245 acre tract, being also the westerly line of the easterly residue of said 655.417 acre tract, for the most southerly southeast corner of said 0.2476 acre Parcel 22B Part 1, being also the southwest corner of that certain tract called 1.536 acre Parcel 22C, described in Fort Bend County Clerk's File No. 2015104000 of the Official Public Records of Fort Bend County, Texas, in the proposed easterly right-of-way line of said Chimney Rock Road, from which a found TxDOT aluminum disk bears N87°01'23"E, 2.84 feet;

THENCE in a southwesterly direction, a distance of 31.16 feet along the easterly line of said 607.3245 acre tract and the westerly line of the easterly residue of said 655.417 acre tract, being the proposed easterly right-of-way line of said Chimney Rock Road, following the arc of a curve

to the left, having a radius of 25.00 feet and a central angle of $71^{\circ}24'38''$ (Ch= $S32^{\circ}42'27''W$, 29.18 feet) to a 5/8-inch iron rod with a Tejas cap set for a point of tangency;

THENCE South $02^{\circ}59'52''$ East (called $S00^{\circ}10'30''E$) along the east line of said 607.3245 acre tract and the westerly line of the easterly residue of said 655.417 acre tract, being the proposed easterly right-of-way line of said Chimney Rock Road, a distance of 850.65 feet to a 5/8-inch iron rod with a Tejas cap set for an interior corner of said 607.3245 acre tract and the herein described parcel, being a southwest corner of the easterly residue of said 655.417 acre tract;

THENCE North $87^{\circ}00'08''$ East (called $N89^{\circ}49'30''E$) along a north line of said 607.3245 acre tract and the southerly line of the easterly residue of said 655.417 acre tract, being the proposed easterly right-of-way line of said Chimney Rock Road, a distance of 25.00 feet to a 5/8-inch iron rod with a Tejas cap set for a northeasterly corner of the herein described parcel;

THENCE crossing said 607.3245 acre tract along the proposed easterly right-of-way line of said Chimney Rock Road, the following six courses and distances:

South $02^{\circ}59'52''$ East, a distance of 8.05 feet to 5/8-inch iron rod with a Tejas cap set for a point of curvature;

In a southerly direction, a distance of 738.98 feet, following the arc of a curve to the right, having a radius of 2,075.00 feet and a central angle of $20^{\circ}24'19''$ (Ch= $S07^{\circ}12'17''W$, 735.08 feet) to a 5/8-inch iron rod with a Tejas cap set for a point of tangency;

South $17^{\circ}24'27''$ West, a distance of 360.35 feet to 5/8-inch iron rod with a Tejas cap set for a point of curvature;

In a southerly direction, a distance of 679.00 feet, following the arc of a curve to the left, having a radius of 1,925.00 feet and a central angle of $20^{\circ}12'36''$ (Ch= $S07^{\circ}18'09''W$, 675.49 feet) to a 5/8-inch iron rod with a Tejas cap set for a point of tangency;

South $02^{\circ}48'09''$ East, a distance of 2,361.34 feet to 5/8-inch iron rod with a Tejas cap set for a point of curvature;

In a southerly direction, at a distance of 1,033.58 feet, pass a 5/8-inch iron rod with a Tejas cap set for reference, and continue, in all a distance of 1,108.27 feet, following the arc of a curve to the right, having a radius of 2,075.00 feet and a central angle of $30^{\circ}36'07''$ (Ch= $S12^{\circ}29'55''W$, 1,095.14 feet) to an intersect with the north line of that certain tract called 69.97 acres, conveyed to Sunlake, Ltd., by special warranty deed effective date March 19, 2018, recorded in Fort Bend County Clerk's File No. 2018029236 of the Official Records of Fort Bend County, Texas, for the southeast corner of the herein described parcel located in the waters of the American Canal;

THENCE South $89^{\circ}45'25''$ West along the north line of said 69.97 acre tract, a distance of 171.87 feet to an intersect with the proposed westerly right-of-way line of said Chimney Rock Road for the southwest corner of the herein described parcel, located in the waters of the American Canal;

THENCE crossing said 607.3245 acre tract along the proposed westerly right-of-way line of said Chimney Rock Road, the following two courses and distances:

In a northerly direction, at a distance of 74.67 feet, pass a 5/8 inch iron rod with a Tejas cap set for reference, and continue, in all a distance of 1,108.98 feet, following the arc of a curve to the left, having a radius of 1,925.00 feet and a central angle of $33^{\circ}00'28''$ (Ch= $N13^{\circ}42'05''E$, 1,093.71 feet) to a 5/8-inch iron rod with a Tejas cap set for a point of tangency;

North $02^{\circ}48'09''$ West, a distance of 142.31 feet to 5/8-inch iron rod with a Tejas cap set at an intersect with the most westerly north line of said 607.3245 acre tract, being the southerly line of that certain tract called 219.441 acres conveyed to Cloverleaf Ranch, LLC by quitclaim deed dated June 22, 2011, recorded in Fort Bend County Clerk's File No. 2011064978 of the Official Public Records of Fort Bend County, Texas, for a northwesterly corner of the herein described parcel;

THENCE North $87^{\circ}11'24''$ East (called East), along the most westerly north line of said 607.3245 acre tract and the southerly line of said 219.441 acre tract, a distance of 75.00 feet to 5/8-inch iron rod with a Tejas cap set for the interior corner of said 607.3245 acre tract and the herein described parcel, being also the southeast corner of said 219.441 acre tract, from which a found 2-inch iron pipe bears $S47^{\circ}32'17''E$, 0.98 feet and a found 5/8-inch iron rod bears $S65^{\circ}20'34''E$, 1.46 feet;

THENCE North $02^{\circ}48'09''$ West (called North), along the westerly line of said 607.3245 acre tract and the easterly line of said 219.441 acre tract, a distance of 2,771.86 feet to 5/8-inch iron rod with a Tejas cap set at an intersect with the proposed westerly right-of-way line of said Chimney Rock Road, for an angle point of the herein described parcel;

THENCE crossing said 607.3245 acre tract along the proposed westerly right-of-way line of said Chimney Rock Road, the following four courses and distances:

In a northerly direction, a distance of 172.32 feet, following the arc of a curve to the right having a radius of 2,075.00 feet and a central angle of $04^{\circ}45'29''$ (Ch= $N15^{\circ}01'42''E$, 172.27 feet) to a 5/8-inch iron rod with a Tejas cap set for a point of tangency;

North $17^{\circ}24'27''$ East, a distance of 360.35 feet to 5/8-inch iron rod with a Tejas cap set for a point of curvature;

In a northerly direction, a distance of 685.56 feet, following the arc of a curve to the left, having a radius of 1,925.00 feet and a central angle of $20^{\circ}24'19''$ (Ch= $N07^{\circ}12'17''E$, 681.95 feet) to a 5/8-inch iron rod with a Tejas cap set for a point of tangency;

North $02^{\circ}59'52''$ West, a distance of 8.05 feet to 5/8-inch iron rod with a Tejas cap set at an intersect with a northerly line of said 607.3245 acre tract, being the southerly line of the westerly residue of said 655.417 acre tract, for a northwesterly corner of the herein described parcel;

THENCE North $87^{\circ}00'08''$ East (called $N89^{\circ}49'30''E$) along a northerly line of said 607.3245 acre tract, being the southerly line of the westerly residue of said 655.417 acre tract, a distance of 25.00 feet to 5/8-inch iron rod with a Tejas cap set for an interior corner of said 607.3245 acre tract and the herein described parcel, being the southeast corner of the westerly residue of said 655.417 acre tract;

THENCE North $02^{\circ}59'52''$ West (called $N00^{\circ}10'30''W$) along the most northerly west line of said 607.3245 acre tract, being the proposed westerly right-of-way line of said Chimney Rock Road and being also the easterly line of the westerly residue of said 655.417 acre tract, a distance of 850.65 feet to 5/8-inch iron rod with a Tejas cap set for a point of curvature;

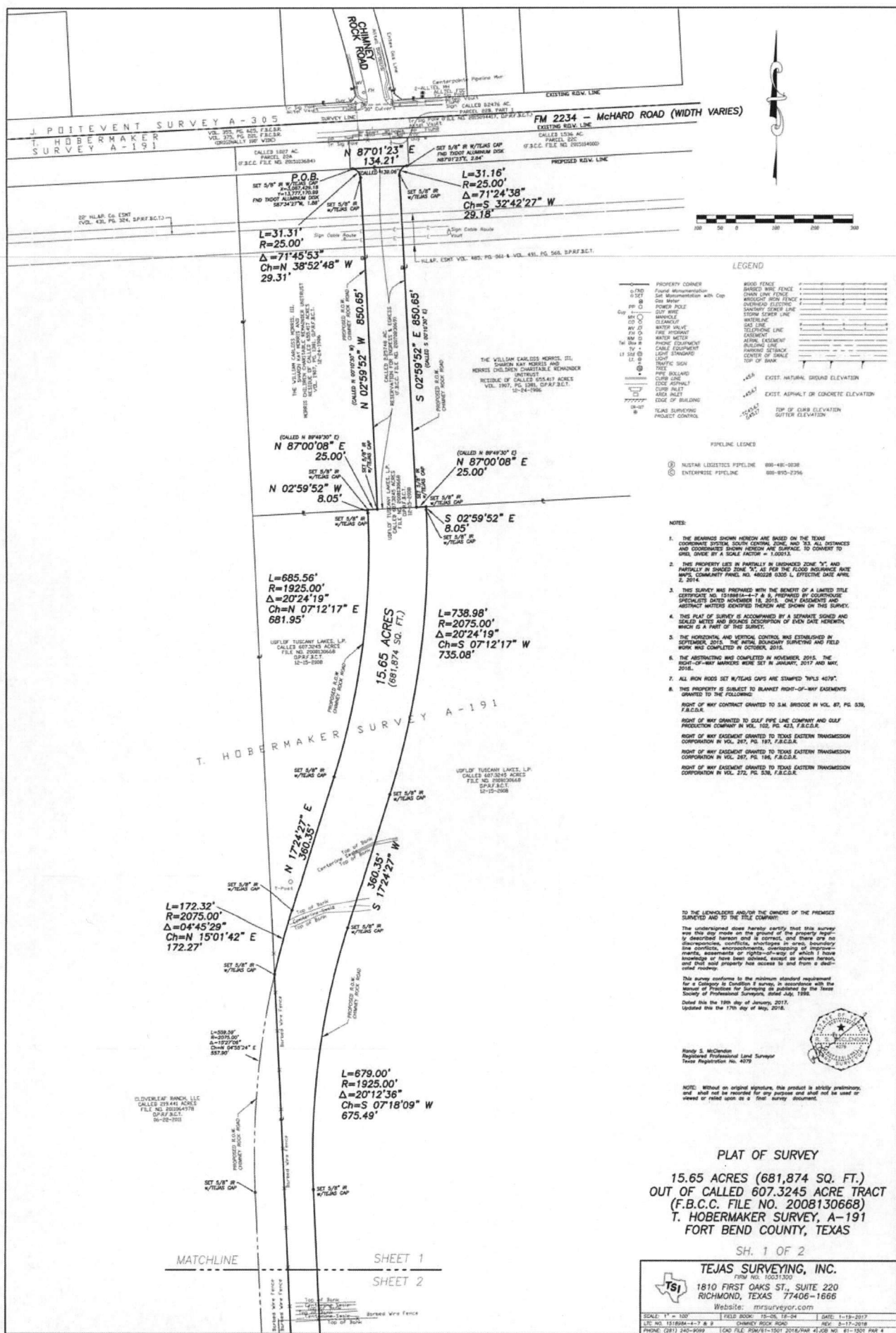
THENCE in a northwesterly direction, a distance of 31.31 feet along the westerly line of said 607.3245 acre tract and an easterly line of the westerly residue of said 655.417 acre tract, being the proposed westerly right-of-way line of said Chimney Rock Road, following the arc of a curve to the left, having a radius of 25.00 feet and a central angle of $71^{\circ}45'53''$ (Ch= $N38^{\circ}52'48''W$, 29.31 feet) to the POINT OF BEGINNING and containing 15.65 acres (681,874 square feet) of land, more or less.

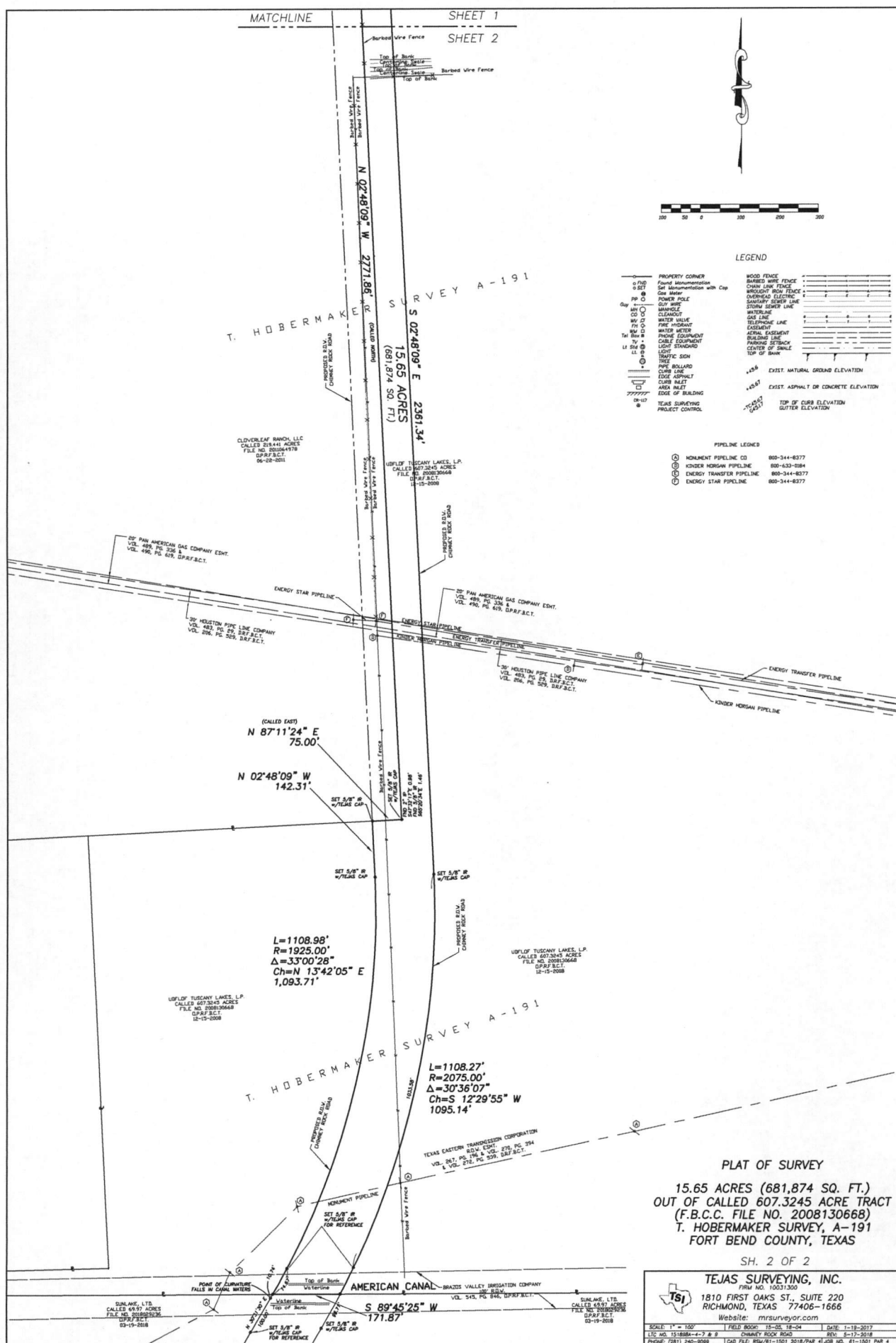
Note: This description is accompanied by a plat of survey of even date herewith. All iron rods set with Tejas caps are stamped with "RPLS 4079".

All distances and coordinates shown hereon are surface. To convert to grid, divide by a scale factor = 1.00013.

TEJAS SURVEYING, INC.
Firm No. 10031300
Ph: 281 240-9099
Job No. 61-1501 Parcel 4 Rev 2
January 18, 2017
Revised May 17, 2018







FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk

Fort Bend County Texas

July 26, 2018 10:36:48 AM



FEE: \$0.00

CR1

2018083553

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

UDFLOF TUSCANY LAKES, L.P.
Houston, TX United States

Certificate Number:
2018-380174

Date Filed:
07/16/2018

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Chimney Rock
Chimney Rock expansion

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

UDFLOF TUSCANY LAKES, L.P.
Houston, TX United States

Certificate Number:
2018-380174

Date Filed:
07/16/2018

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

Date Acknowledged:
07/24/2018

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Chimney Rock
Chimney Rock expansion

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.



6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)