

MEMORANDUM OF FACILITIES LEASE

This Memorandum of Facilities Lease is executed by the undersigned to evidence the execution by CFC - Epicenter Properties LLC, an Arizona limited liability company whose sole member is a 501(c)(3) corporation, as Lessor, and Fort Bend County, Texas, a Texas political subdivision, as Lessee, of a Facilities Lease Agreement (the "Facilities Lease") dated as of June 23, 2021, covering the property located in Fort Bend County, Texas and described in Exhibit A attached hereto and incorporated herein, including any improvements now or hereafter constructed or placed thereon by the Lessor, subject to Permitted Encumbrances (as such term is defined in the Facilities Lease).

Persons having an interest in the provisions of the Facilities Lease may obtain additional information from the Lessor or the Lessee at the following addresses:

If to the Lessor:

CFC - Epicenter Properties LLC
c/o Community Finance Corporation
Attention: Michael S. Hammond
333 N. Wilmot Road, Suite 227
Tucson, AZ 85711

If to the Lessee:

Fort Bend County
301 Jackson
Richmond, Texas 77469
Attention: County Attorney

This Memorandum is executed for the purpose of recordation in the official public records of real property of Fort Bend County, Texas. This Memorandum is not intended and shall not be construed to amend, modify, or change any of the terms, provisions, conditions or covenants of the Facilities Lease, and both the Facilities Lease and this Memorandum shall be deemed to constitute a single instrument. In the event of any conflict between this Memorandum and the Facilities Lease, the Facilities Lease shall in all events control.

[Signature Pages Follow]

Executed to be effective as of _____, 2021.

CFC-EPICENTER PROPERTIES LLC, an
Arizona limited liability company

By: Community Finance Corporation, an
Arizona non-profit corporation, its sole
member

By: _____
Name: Michael S. Hammond
Its: President

STATE OF _____
COUNTY OF _____

Before me, on this day personally appeared the foregoing individual, known to me to
be the person whose name was subscribed in my presence to the foregoing instrument.

Given under my hand and seal of office this _____, 2021.

Notary Public in and for the State of Texas

(Notary Seal)

Signature Page to Memorandum of Facilities Lease

Executed to be effective as of June 3, 2021.

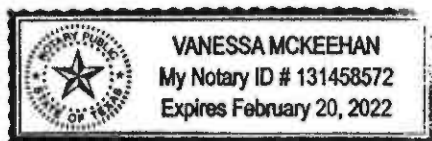
LESSEE:
FORT BEND COUNTY, TEXAS

By: KP George
KP George, County Judge

STATE OF TEXAS
COUNTY OF FORT BEND

Before me, on this day personally appeared the foregoing individual, known to me to be the person whose name was subscribed in my presence to the foregoing instrument.

Given under my hand and seal of office this June 3, 2021.



VMcKeehan
Notary Public in and for the State of Texas

(Notary Seal)

AFTER RECORDING, PLEASE RETURN TO:
Jean Matzeder
Hardwick Law Firm LLC
1700 Resaca Blvd.
Austin, Texas 78738

Signature Page to Memorandum of Facilities Lease

EXHIBIT A
Legal Description of the Land

TRACT 1:

Being a tract or parcel containing 45.00 acres (1,960,373 square feet) of land situated in the I. & G. N. Railroad Company Survey, Abstract Number 358 and the K. Hillyer Survey, Abstract Number 749, Fort Bend County, Texas; being out of and a portion of the remainder of that certain called 95.5 acre tract conveyed to Mary Francis Gubbels Koehl, et al, by deeds recorded in Volume 2002, Page 1972 and Volume 2002, Page 1978 of the Fort Bend County Deed Records (F.B.C.D.R.), Fort Bend County, Texas; said 45.00 acre tract being more particularly described as follows (bearings are referenced to the Texas Coordinate System, South Central Zone, (NAD 83);

BEGINNING at a cut "X" in concrete set marking the intersection of the west right-of-way (R.O.W.) line of North Fairgrounds Road (60-foot wide R.O.W.) as recorded in Volume 522, Page 87 F.B.C.D.R. with the south R.O.W. line of U.S. Highway 59 (Southwest Freeway) (Width Varies), being the southeast corner of a called 3.048 acre R.O.W. dedication recorded at Fort Bend County Clerk's File (F.B.C.C.F.) Number 2015029761, said cut "X" marking the northeast corner of the herein described tract;

THENCE, South 02°36'07" East, along the west R.O.W. line of said North Fairgrounds Road, a distance of 1,142.45 feet to a cut "X" in concrete set marking the northeast corner of that certain called 20.00 acre tract conveyed to the City of Rosenberg recorded in Volume 523, Page 585 F.B.C.D.R. and marking the southeast corner of the herein described tract;

THENCE, South 87°25'54" East, along the north line of said 20.00 acre tract, at a distance of 45.00 feet passing a found 1/2-inch iron pipe, at a distance of 1,409.49 feet passing a found 1-inch iron pipe, continuing in all, a distance of 1,145.87 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set in the northeasterly line of that certain called 159.309 acre tract recorded under F.B.C.C.F. Number 9877354 and in the southwesterly line of the remainder of said called 95.5 acre tract, said iron rod marking the most southerly southwest corner of the herein described tract;

THENCE, North 50°48'51" West, along the northeasterly line of said called 159.309 acre tract and along the southwesterly line of the remainder of said called 95.5 acre tract, parallel with and 140.00 feet northeasterly of the northeasterly line of Cottonwood Sec. 1 Final Plat and Cottonwood Sec. 2 Final Plat as recorded at Plat Numbers 20040170 and 20050236 respectively of the Fort Bend County Plat Records, a distance of 552.99 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the southeast corner of that certain called 1.918 acre tract, Easement Grant and Dedication for Bamore Road as recorded under F.B.C.C.F. Number 2004099537, said iron rod marking the most westerly southwest corner of the herein described tract;

THENCE, along the easterly lines of said Bamore Road, as follows;

Northerly, a distance of 525.82 feet along the arc of a curve to the left, having a radius of 450.00

feet, a central angle of 66°56'58" and a chord which bears North 05°42'40" East, 496.41 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the end of said curve;

North 27°45'49" West, a distance of 189.43 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the beginning of a curve to the right;

Northerly, a distance of 108.58 feet along the arc of said curve to the right, having a radius of 350.00 feet, a central angle of 17°46'27" and a chord which bears North 18°52'36" West, 108.14 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set in the aforesaid south R.O.W. line of U.S. Highway 59 (Southwest Freeway) (Width Varies) and being in the south line of said called 3.048 acre R.O.W. dedication, said iron rod marking the northwest corner of the herein described tract;

THENCE, North 87°11'37" East, along the south R.O.W. line of U.S. Highway 59 (Southwest Freeway), a distance of 1,867.28 feet to the POINT OF BEGINNING and containing 45.00 acres (1,960,373 square feet) of land. This description is based on the Alta/Nsps Land Title Survey and plat made by Terra Surveying Company, Inc. dated August 27, 2021, Project Number 20-1142.

TRACT II:

Being a tract or parcel containing 6.75 acres (294,201 square feet) of land situated in the I. & G. N. Railroad Company Survey, Abstract Number 358 and the K. Hillyer Survey, Abstract Number 749, Fort Bend County, Texas; being out of and a portion of the remainder of that certain called 95.5 acre tract conveyed to Mary Francis Gubbels Koehl, et al, by deeds recorded in

Volume 2002, Page 1972 and Volume 2002, Page 1978 of the Fort Bend County Deed Records (F.B.C.D.R.), Fort Bend County, Texas; said 6.75 acre tract being more particularly described as follows (bearings are referenced to the Texas Coordinate System, South Central Zone, (NAD 83);

COMMENCING at a cut "X" in concrete set marking the intersection of the west right-of-way (R.O.W.) line of North Fairgrounds Road (60-foot wide R.O.W.) as recorded in Volume 522, Page 87 F.B.C.D.R. with the south R.O.W. line of U.S. Highway 59 (Southwest Freeway) (Width Varies), being the southeast corner of a called 3.048 acre R.O.W. dedication recorded at Fort Bend County Clerk's File (F.B.C.C.F.) Number 2015029761;

THENCE, South 87°11'37" West, along the south R.O.W. line of U.S. Highway 59 (Southwest Freeway) and the south line of said called 3.048 acre R.O.W. dedication, at a distance of 1,867.28 feet passing a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the intersection of said south R.O.W. line U.S. Highway 59 with the east line of that certain Easement Grant and Dedication for Bamore Road, a called 1.918 acre tract as recorded under F.B.C.C.F. Number 2004099537, continuing along said south R.O.W. line of U.S. Highway 59, in all, a distance of 1,967.89 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the intersection of said south R.O.W. line U.S. Highway 59 with the west line of said Easement Grant and Dedication for Bamore Road, said iron rod marking the northeast corner of the herein described tract;

THENCE, along the westerly lines of said Bamore Road, as follows;

Southerly, a distance of 152.18 feet along the arc of a curve to the left, having a radius of 450.00 feet, a central angle of $19^{\circ}22'35''$ and a chord which bears South $18^{\circ}04'32''$ East, 151.46 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the end of said curve;

South $27^{\circ}45'49''$ East, a distance of 189.43 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set marking the beginning of a curve to the right;

Southerly, a distance of 408.97 feet along the arc of said curve to the right, having a radius of 350.00 feet, a central angle of $66^{\circ}56'58''$ and a chord which bears South $05^{\circ}42'40''$ West, 386.10 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set in the northeasterly line of that certain called 159.309 acre tract recorded under F.B.C.C.F. Number 9877354 and in the southwesterly line of the remainder of said called 95.5 acre tract, said iron rod marking the southwesterly corner of the aforesaid called 1.918 acre tract, Easement Grant and Dedication for Bamore Road and marking the southeasterly corner of the herein described tract;

THENCE, North $50^{\circ}48'51''$ West, along the northeasterly line of said called 159.309 acre tract and along the southwesterly line of the remainder of said called 95.5 acre tract, parallel with and 140.00 feet northeasterly of the northeasterly line of Cottonwood Sec. 1 Final Plat as recorded at Plat Number 20040170 of the Fort Bend County Plat Records, at a distance of 246.93 feet passing a found 1/2-inch iron pipe, at a distance of 515.85 feet passing a 5/8-inch iron rod with cap stamped "Sam, Inc." found marking the most easterly corner of a called 4.00 acre tract as recorded in Volume 432, Page 411 F.B.C.D.R., continuing along the southwesterly line of the remainder of said called 95.5 acre tract and along the northeasterly line of said called 4.00 acre tract, at a distance of 1,024.98 feet passing a Texas Department of Transportation (TxDot) aluminum monument, continuing along the southwesterly line of the remainder of said called 95.5 acre tract and along the northeasterly line of said called 4.00 acre tract, in all, a distance of 1,047.89 feet to a 5/8-inch iron rod with plastic cap stamped "Terra Surveying" set in the aforesaid south R.O.W. line of U.S. Highway 59 (Southwest Freeway) (Width Varies), marking the southwest corner of the aforesaid called 3.048 acre R.O.W. dedication and marking the most westerly corner of the herein described tract;

THENCE, along the south R.O.W. line of U.S. Highway 59 (Southwest Freeway) and the south line of said called 3.048 acre R.O.W. dedication, a distance of 147.13 feet along the arc of a curve to the left, having a radius of 7,844.44 feet, a central angle of $01^{\circ}04'29''$ and a chord which bears North $87^{\circ}43'51''$ East, 147.13 feet to a TxDot concrete monument found marking the end of said curve;

THENCE, North $87^{\circ}11'37''$ East, continuing along the south R.O.W. line of U.S. Highway 59 (Southwest Freeway) and the south line of said called 3.048 acre R.O.W. dedication, a distance of 569.08 feet to the **POINT OF BEGINNING** and containing 6.75 acres (294,201 square feet) of land. This description is based on the Alta/Nsps Land Title Survey and plat made by Terra Surveying Company, LLC, dated August 27, 2021, Project Number 20-1142.