**EXHIBIT** 

"Δ"

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.

## **EXCHANGE DEED**

THE STATE OF TEXAS

§

**COUNTY OF WILLIAMSON** 

§ 8

WHEREAS, the CITY OF ROUND ROCK, TEXAS, a Texas home rule municipal corporation whose address is 221 East Main, Round Rock, Texas 78664 (herein referred to as "<u>Round Rock</u>"), is the owner of the real property in Williamson County, Texas, more particularly described on <u>Exhibit "A"</u>, attached hereto and incorporated herein by reference ("<u>Tract 1</u>"); and

WHEREAS, CRESSMAN ENTERPRISES, LP, a Texas limited partnership whose address is 3232 Trexler Road, Texarkana, Texas 75501 (herein referred to as "<u>Cressman</u>"), is the owner of the real property in Williamson County, Texas, more particularly described on <u>Exhibit "B"</u>, attached hereto and incorporated herein by reference ("<u>Tract 2</u>"); and

WHEREAS, for mutually beneficial purposes, Round Rock and Cressman desire to exchange property, so that Cressman will hereafter own Tract 1 and Round Rock will hereafter own Tract 2;

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS THAT for \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in order to accomplish the exchange of Tract 1 and Tract 2:

- (a) Round Rock has EXCHANGED, GRANTED, and CONVEYED and, by these presents, does hereby EXCHANGE, GRANT, and CONVEY Tract 1 unto Cressman, TO HAVE AND TO HOLD Tract 1, together with all improvements, rights, and appurtenances thereto unto Cressman and its successors and assigns, forever; and Round Rock does hereby bind itself and its successors and assigns to warrant and forever defend Tract 1 unto Cressman, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Round Rock, but not otherwise; except, however, that this conveyance is made subject to all easements, restrictions, reservations, and other title exceptions that are filed of record or visible or apparent on the ground, to the extent the same are valid and subsisting and affect Tract 1, and the liens securing payment of ad valorem taxes for the current and all subsequent years; and
- (b) Cressman has EXCHANGED, GRANTED, and CONVEYED and, by these presents, does hereby EXCHANGE, GRANT, and CONVEY Tract 2 unto

Round Rock, TO HAVE AND TO HOLD Tract 2, together with all improvements, rights, and appurtenances thereto unto Round Rock and its successors and assigns, forever; and Cressman does hereby bind itself and its successors, and assigns to warrant and forever defend Tract 2 unto Round Rock, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Cressman, but not otherwise; except, however, that this conveyance is made subject to all easements, restrictions, reservations, and other title exceptions that are filed of record or visible or apparent on the ground, to the extent the same are valid and subsisting and affect Tract 2, and the liens securing payment of ad valorem taxes for the current and all subsequent years.

Any liens or claims that would arise in favor of any party by operation of law, or otherwise, due to Tract 1 and Tract 2 not being equal in size or value are expressly waived and released. This Exchange Deed may be executed simultaneously in two or more counterparts, each of which will be deemed an original, and all of which will constitute one and the same instrument.

**EXECUTED AND DELIVERED** by the undersigned effective as of \_\_\_\_\_\_\_, 2020.

(signatures on following pages)

## COUNTERPART SIGNATURE PAGE TO EXCHANGE DEED

δ

corporation, on behalf of said municipal corporation.

# **Round Rock:** CITY OF ROUND ROCK, TEXAS, a Texas home rule municipal corporation Craig Morgan, Mayor This instrument was acknowledged before me on \_\_\_\_\_\_\_, 2020, by Craig Morgan, Mayor of the City of Round Rock, Texas, a Texas home rule municipal

Notary Public Signature

THE STATE OF TEXAS

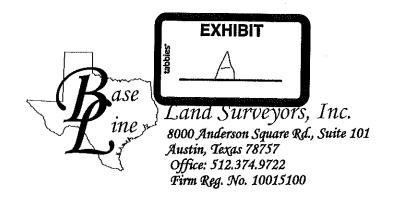
(seal)

COUNTY OF WILLIAMSON

# COUNTERPART SIGNATURE PAGE TO EXCHANGE DEED

	Cres	sman:
		SSMAN ENTERPRISES, LP, a slimited partnership
	Ву:	Cressman Enterprises GP, LLC, a Texas limited liability company, its General Partner
		By: Scott Cressman Managing Member
THE STATE OF TEXAS \$  COUNTY OF WILLIAMSON \$		
COUNTY OF WILLIAMSON §		
This instrument was ackno 2020, by Scott Cressman, Managing limited liability company, General 1 partnership, on behalf of said limited	g Member of Cres Partner of Cressm	an Enterprises, LP, a Texas limited
(seal)	Notary Publ	ic Signature

Page 1 of 6



### METES AND BOUNDS DESCRIPTION

BEING 3.495 ACRES OF LAND, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297 AND BEING A PORTION OF A 5.511 ACRE TRACT DESCRIBED AS KENNEY FORT BOULEVARD, PHASE 4 RIGHT OF WAY, BY INSTRUMENT OF RECORD IN DOCUMENT NO. 2017109979 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the east line of said 5.511 acre tract, same being in the west line of a 9.258 acre tract of land conveyed to City of Round Rock, Texas by instrument of record in Document No. 2014056270 of the Official Public Records of Williamson County, Texas. [Point of Beginning Coordinates Northing = 10,167,513.59; Easting = 3,146,101.63]

THENCE South 00°40'22" East (record: South 01°55'02" West) along the east line of 5.511 acre tract, same being the west line of said 9.258 acre tract a distance of 153.10 feet to a calculated point at the southeast corner of the 5.511 acre tract, same being an angle point in the easterly line of a 81.41 acre tract of land described as Tract 1 as conveyed to Cressman Enterprises, L.P. by instrument of record in Document No. 2003063811 of the Official Public Records of Williamson County, Texas, from which a 1/2" Iron rebar set with plastic cap stamped "BASELINE, INC." at an angle point in the east line of said 81.41 acre tract and the west line of the 9.258 acre tract, bears South 00°40'22" East (record – South 01°55'02" West) a distance of 249.88 feet;

THENCE along the southerly line of 5.511 acre tract the following three (3) courses:

- 1. Along a tangential curve to the right, having a radius of 1,140.00 feet (record: 1,140.00 feet), an arc length of 998.24 feet (record: 998.28 feet), a delta angle of 50°10'15" (record: 50°10'22"), and having a chord which bears South 52°03'00" West a distance of 966.65 feet (record: South 52°03'08"West a distance of 966.69 feet) to a calculated point for a point of tangency;
- 2. South 77°08'19" West a distance of 84.48 feet (record- South 77°08'19" West a distance of 84.49 feet) to a calculated point for a point of curvature;
- 3. Along a tangential curve to the left, having a radius of 1,020.00 feet (record: 1,020.00 feet), an arc length of 281.55 feet, a delta angle of 15°48'55", and having a chord which bears South 69°13'49" West a distance of 280.65 feet to a point of cusp, from which a 1/2" rebar found for an angle point in the southerly line of the 5.511 acre tract, and being the northeast corner of a 4.680 acre tract of land conveyed to the City of Round Rock, Texas by instrument of record in Doc. No. 2014027063 of the Official Records of Williamson County, Texas, bears South 86°58'20" West a distance of 146.78 feet;

THENCE crossing through the 5.511 acre tract the following two (2) courses:

- 1. Along a non-tangential curve to the left having a radius of 2,000.00 feet, a length of 265.68 feet, a delta angle of 7°36'44" and having a chord which bears North 57°30'56" East a distance of 265.49 feet to a calculated point for a point of tangency;
- 2. North 53°42'35" East a distance of 207.36 feet to a calculated point for a point of curvature in the northerly line of the 5.511 acre tract and a southerly line of the 81.41 acre tract;

THENCE along the northerly line of the 5.511 acre tract and a southerly line of the 81.41 acre tract the following two (2) courses:

- 1. Along a tangential curve to the left having a radius of 1,010.00 feet (record: 1,010.00 feet), an arc length of 980.26 feet, a delta angle of 55°36'31" and a chord which bears North 44°54'33" East a distance of 942.23 feet to a calculated point of compound curve;
- 2. Along a compound curve to the left having a radius of 1,455.00 feet, an arc length of 108.06 feet, a delta angle of 04°15'19" and a chord which bears North 25°51'36" East a distance of 108.04 to a calculated point for the northeast corner of the 5.511 acre trac, and being in the west line of the 9.258 acre tract;

THENCE South 00°38'14" East (record: South 01°57'52" East), along the east line of the 5.511 acre tract and the west line of the 9.258 acre tract, a distance of 163.98 feet to the POINT OF BEGINNING.

This tract contains 3.495 acres of land, more or less, out of the P.A. Holder Survey, Abstract Number 297 in Williamson County, Texas.

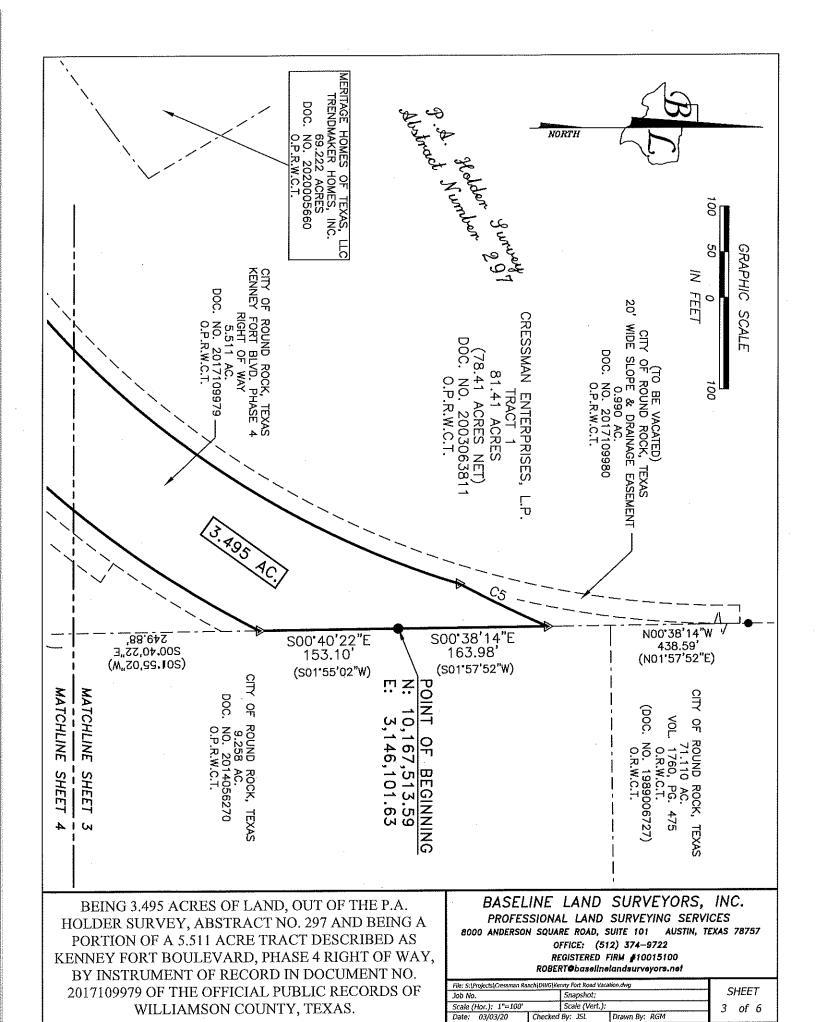
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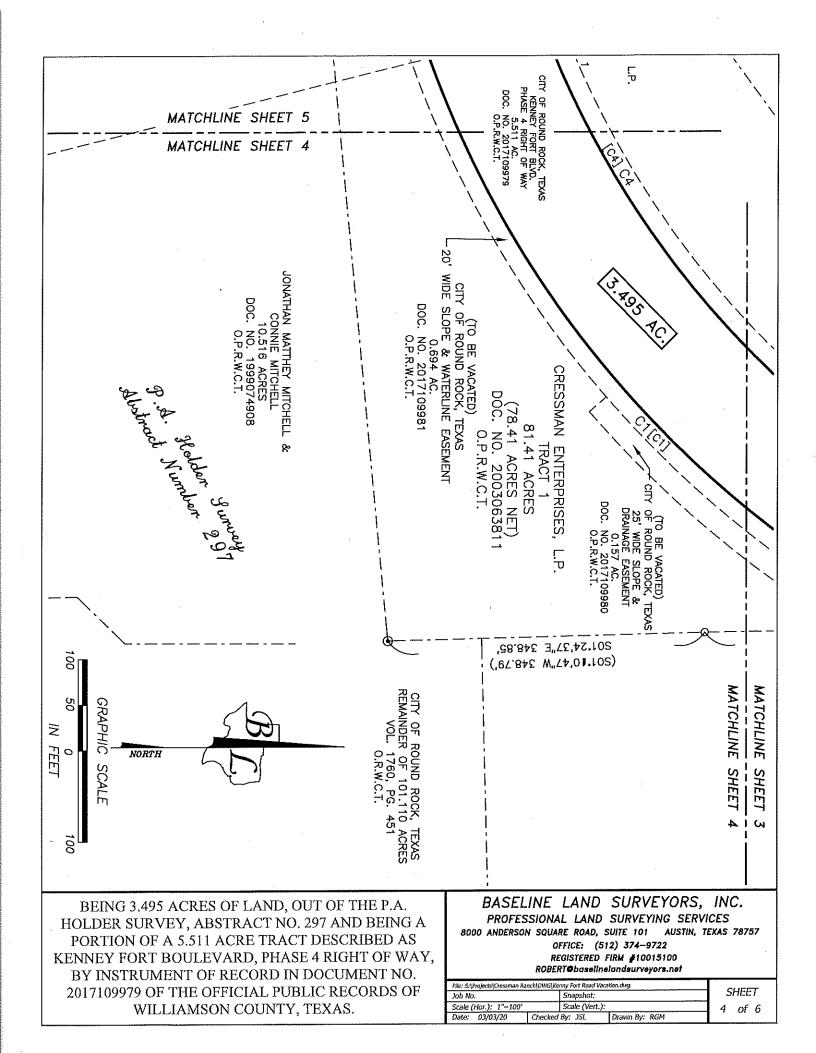


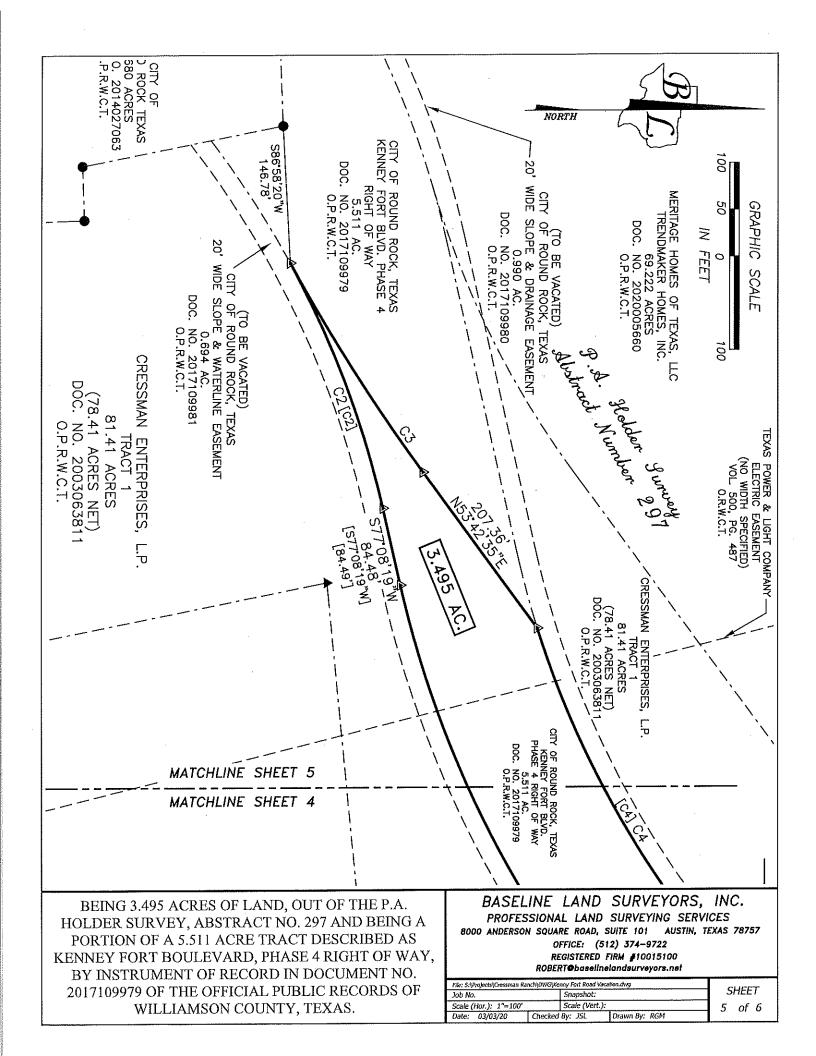
Robert Glen Maloy 03/04/20
Robert Glen Maloy Date
Registered Professional Land Surveyor
State of Texas No. 6028

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Anderson Square Rd. #101 1, TEXAS 78757 Glen Maloy, NO. 6028 STATE OF TEXAS

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BEING 3.495 ACRES OF LAND, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297 AND BEING A PORTION OF A 5.511 ACRE TRACT DESCRIBED AS KENNEY FORT BOULEVARD, PHASE 4 RIGHT OF WAY, BY INSTRUMENT OF RECORD IN DOCUMENT NO. 2017109979 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC. PROFESSIONAL LAND SURVEYING SERVICES AUSTIN, TEXAS 78757 8000 ANDERSON SQUARE ROAD, SUITE 101 OFFICE: (512) 374-9722 REGISTERED FIRM #10015100

O.P.R.W.C.T. O.R.W.C.T.

RECORD INFORMATION-DOC. NO. 2017109979, O.P.R.W.C.T.

RECORD INFORMATION-DOC. NO.

2003063811, O.P.R.W.C.T.

OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS

STAMPED "BASELINE INC"

1/2" REBAR SET WITH PLASTIC CAP

CALCULATED POINT IRON PIPE FOUND NAIL FOUND SYMBOU

1/2" REBAR FOUND DESCRIPTION

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Page 1 of 6



#### METES AND BOUNDS DESCRIPTION

BEING 4.088 ACRES OF LAND, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297 AND BEING A PORTION OF A 81.41 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AS CONVEYED TO CRESSMAN ENTERPRISES, L.P. BY INSTRUMENT OF RECORD IN DOCUMENT NO, 2003063811 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar set with plastic cap which reads "BASELINE INC." in the east line of said 81.41 acre tract, same being the west line of a 71.110 acre tract of land conveyed to the City of Round Rock, Texas, by deed of record in Volume 1760, Page 475 of the Official Records of Williamson County, Texas, and by instrument of record in Document No. 198900672 of the Official Public Records of Williamson County, Texas, from which a 1/2" iron rebar found for an angle point in the east line of the 81.41 acre tract, same being the west line of said 71.110 acre tract bears North 00°37'36" West a distance of 190.30 feet (record – North 01°58'49" East a distance of 190.30 feet) [Point of Beginning Coordinates Northing = 10,168,278.64; Easting = 3,146,092.63]

THENCE along the east line of the 81.41 acre tract and the west line of the 71.110 acre tract the following two (2) courses:

- 1. THENCE South 00°48'29" East a distance of 162.53 feet (record South 01°47'57" West a distance of 162.84 feet) to a 1/2" rebar found;
- South 00°34'31" East (record South 01°57'52" West), a distance of 217.72 feet to a 1/2" rebar found to a point of curvature at the northeast corner of a 5.511 acre tract of land described as Kenney Fort Blvd. Phase 4 to the City of Round Rock, Texas by instrument of record in Document No. 2017109979 of the Official Public Records of Williamson County, Texas;

THENCE along a southerly line of the 81.41 acre tract and the northerly line of said 5.511 acre tract, along a tangential curve to the right having a radius of 1010.00 feet (record: 1,010.00 feet), an arc length of 322.54 feet, a delta angle of 18°17'49", and a chord which bears South 07°57'06" West, a distance of 321.17 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." for a point of compound curvature;

THENCE crossing through the 81.41 acre tract the following two (2) courses:

- Along a non-tangential curve to the right, having a radius of 1455.00 feet, an arc length of 653.12 feet, a delta angle of 25°43'08", and a chord which bears South 40°50'55" West a distance of 647.65 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." for a point of tangency;
- 2. South 53°42'35" West a distance of 299.74 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." for a point of curvature in a southerly line of the 81.41 acre tract and the northerly line of the 5.511 acre tract;

THENCE along a southerly line of the 81.41 acre tract and the northerly line of the 5.511 acre tract the following three (3) courses:

- 1. Along a non-tangential curve to the right, having a radius of 1010.00 (record: 1,010.00 feet), an arc length of 77.94 feet, a delta angle of 04°25'17", and a chord which bears South 74°55'40" West a distance of 77.92 feet to a calculated point of tangency;
- 2. South 77°08'19" West a distance of 349.51 feet (record South 77°08'19" West a distance of 349.55 feet) to a calculated point of curvature;
- 3. Along a tangential curve to the left, having a radius of 955.00 feet (record: 955.00 feet), an arc length of 59.98 feet, a delta angle of 03°35′55″, and a chord which bears South 75°20′21″ West a distance of 59.97 feet to a 1/2″ iron rebar set with plastic cap which reads "BASELINE INC." for a point of cusp a northerly line of the 81.41 acre tract and being in the southerly line of a 69.222 acre tract of land conveyed to Meritage Homes of Texas, LLC and Trendmaker Homes, Inc. by instrument of record in Document No. 2020005660 of the Official Public Records of Williamson County, Texas;

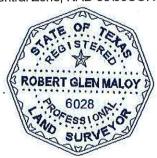
THENCE along the northerly line of the 81.41 acre tract and the southerly line of said 69.22 acre tract the following two (2) courses:

- 1. Along a non-tangential curve to the left, having a radius of 1000.00, an arc length of 346.06 feet, a delta angle of 19°49'39", and a chord which bears North 63°37'20" East a distance of 344.33 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." for a point of tangency;
- 2. North 53°42'35" East a distance of 409.63 feet to a 1/2" iron rebar set with plastic cap which reads "BASELINE INC." for a point of curvature;

THENCE continuing along the northerly line of the 81.41 acre tract and the southerly line of the 69.22 acre tract, and crossing into and through the 81.41 acre tract, along a tangential curve to the left, having a radius of 1325.00 feet, an arc length of 1257.42 feet, a delta angle of 54°22'24", and a chord which bears North 26°30'50" East a distance of 1210.76 feet to POINT OF BEGINNING

This tract contains 4.088 acres of land, more or less, out of the P.A. Holder Survey, Abstract Number 297 in Williamson County, Texas.

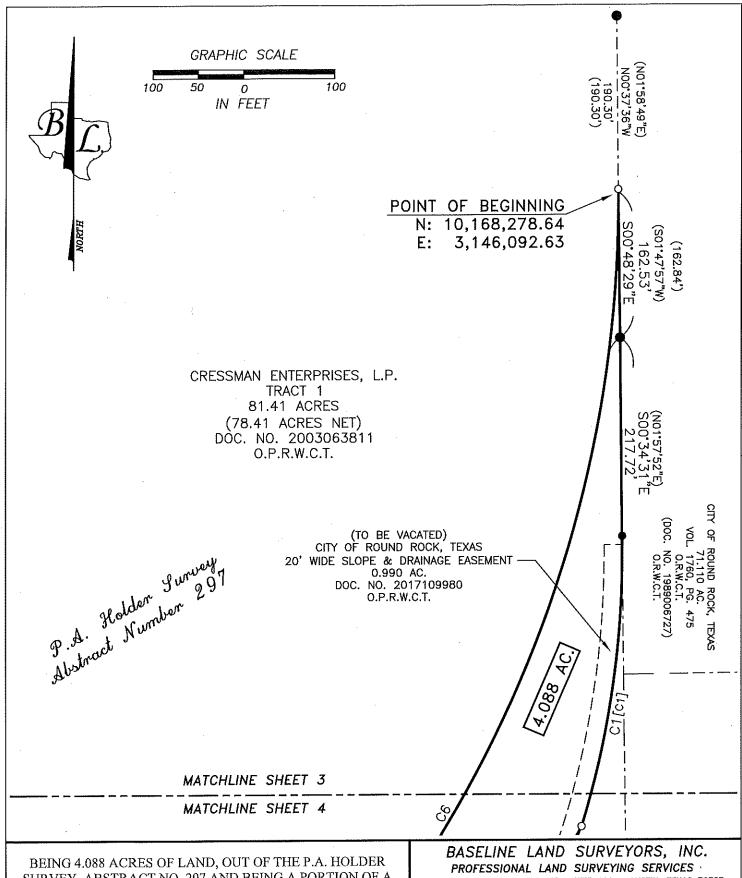
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Robert Glen Waloy 03/04/20
Robert Glen Maloy Date
Registered Professional Land Surveyor
State of Texas No. 6028

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BEING 4.088 ACRES OF LAND, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297 AND BEING A PORTION OF A 81.41 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AS CONVEYED TO CRESSMAN ENTERPRISES, L.P. BY INSTRUMENT OF RECORD IN DOCUMENT NO, 2003063811 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

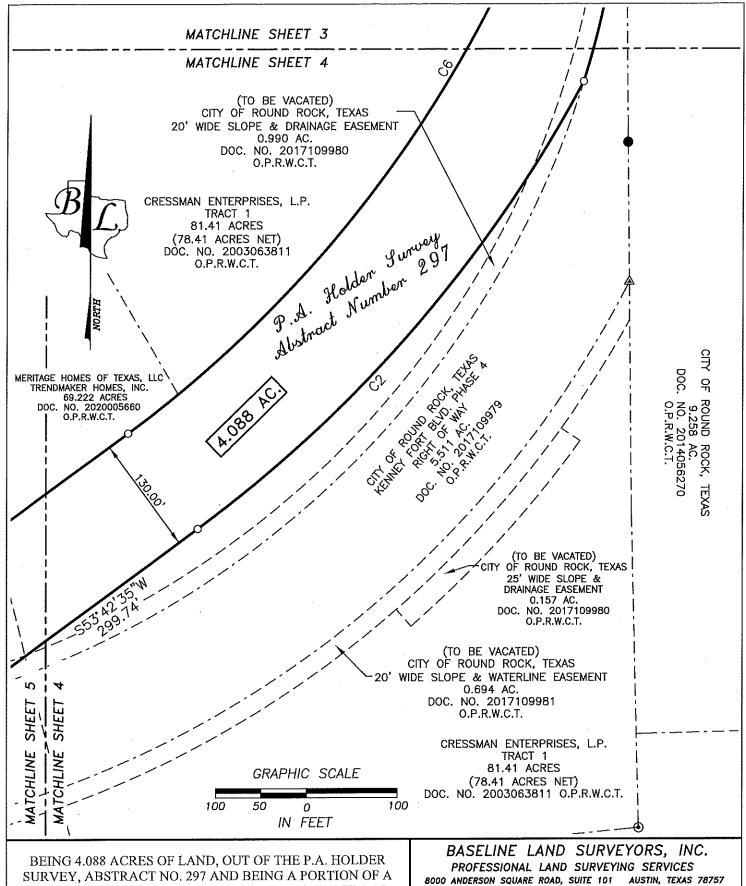
8000 ANDERSON SQUARE ROAD, SUITE 101 AUSTIN, TEXAS 78757

OFFICE: (512) 374-9722

REGISTERED FIRM #10015100

ROBERT®baselinelandsurveyors.net

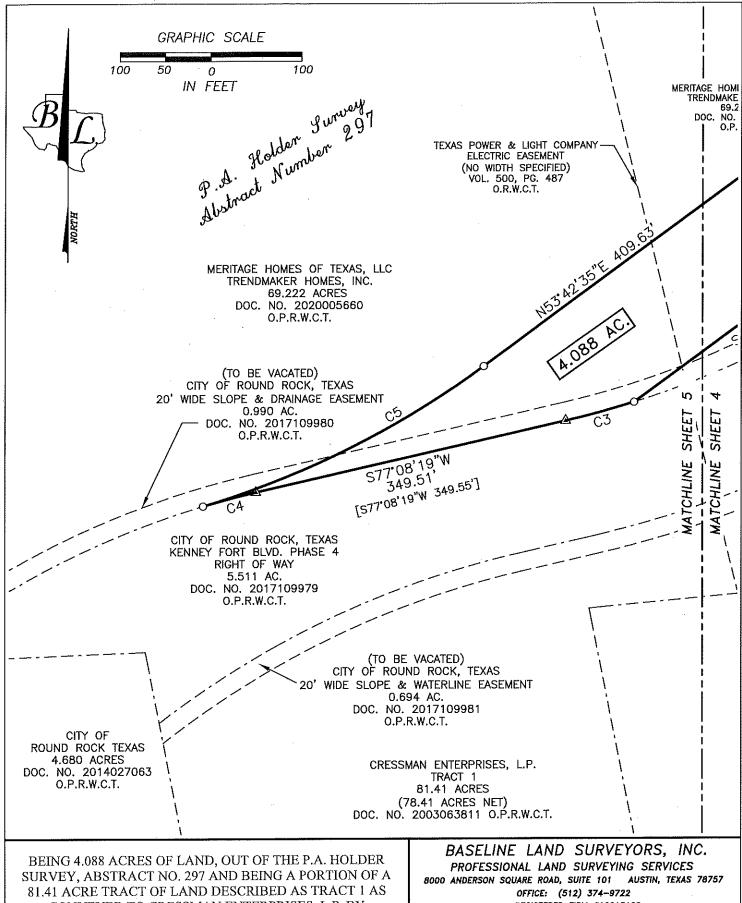
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81.41 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AS CONVEYED TO CRESSMAN ENTERPRISES, L.P. BY INSTRUMENT OF RECORD IN DOCUMENT NO, 2003063811 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

OFFICE: (512) 374-9722 REGISTERED FIRM #10015100 ROBERT@baselinelandsurveyors.net

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CONVEYED TO CRESSMAN ENTERPRISES, L.P. BY INSTRUMENT OF RECORD IN DOCUMENT NO, 2003063811 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

REGISTERED FIRM #10015100 ROBERT@baselinelandsurveyors.net

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Anderson Square Rd. #101 4, TEXAS 78757 Glen Maloy, NO. 6028 STATE OF TEXAS

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		CL	CURVE TABLE		
CURVE#	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD
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02	1,455.00	653.12	25 43 08"	S40.50.55.M	647.65
[c2]	1,455.00'				
С3	1,010.00'	77.94	4*25'17"	S74*55*40"W	77.92'
[c3]	1,010.00'				
C4	955.00'	59.98'	3*35*55"	S75*20'21"W	59.97'
[C4]	955.00				
C5	1000.00	346.06	19"49"39"	N63*37'20"E	344.33'
6	1,325.00'   1257.42'	1257.42	54.22,24,	N26'30'50"E	1210.76

BEING 4.088 ACRES OF LAND, OUT OF THE P.A. HOLDER SURVEY, ABSTRACT NO. 297 AND BEING A PORTION OF A 81.41 ACRE TRACT OF LAND DESCRIBED AS TRACT 1 AS CONVEYED TO CRESSMAN ENTERPRISES, L.P. BY INSTRUMENT OF RECORD IN DOCUMENT NO, 2003063811 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

BASELINE LAND SURVEYORS, INC. PROFESSIONAL LAND SURVEYING SERVICES AUSTIN, TEXAS 78757 8000 ANDERSON SQUARE ROAD, SUITE 101 OFFICE: (512) 374-9722 REGISTERED FIRM #10015100

O.P.R.W.C.T. O.R.W.C.T.

OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

INFORMATION-DOC. NO.

2003063811, O.P.R.W.C.T.

RECORD INFORMATION-DOC. NO. 2017109979, O.P.R.W.C.T.

OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS

STAMPED "BASELINE INC"

1/2" REBAR SET WITH PLASTIC CAP

CALCULATED POINT IRON PIPE FOUND NAIL FOUND SYMBOL

/2" REBAR FOUND DESCRIPTION

ROBERT baselinelandsurveyors.net

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