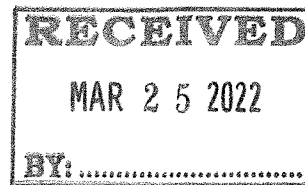


Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 14, 2022

CERTIFIED MAIL

Commissioners Court of Guadalupe County
c/o The Honorable Kyle Kutscher
County Judge
101 East Court St.
Seguin, Texas 78155

9489 0090 0027 6008 1122 46

Re: Guadalupe County Municipal Utility District No. 4
TCEQ Internal Control No. D-02282022-041
CN: 605990845 RN: 111448999

Honorable Judge Kutscher:

Information filed with the referenced petition (application) indicates the land (256.188 acres) within the proposed Guadalupe County Municipal Utility District No. 4 (District) is located entirely outside the corporate limits of any municipality and is located, in whole or in part, within your county; therefore, Texas Water Code Section 54.0161, is applicable to this project.

In compliance with Texas Water Code Section 54.0161, notification is hereby given that this application has been filed with the Texas Commission on Environmental Quality (TCEQ). Pursuant to Texas Water Code Section 54.0161, the County Commissioners Court may make a recommendation regarding the creation of the proposed District. The Commissioners Court may submit to the TCEQ its written opinion stating whether it recommends the creation of the proposed District, and any findings, conclusions, and other information that the Commissioners Court thinks would assist TCEQ in making a final determination on the petition. It is requested that the Commissioners Court respond as soon as possible if it intends to submit a recommendation regarding the creation of this District.

Texas Water Code Section 54.0161 requires that any written opinion be received by the TCEQ at least 10 days before the date set for the TCEQ to act on the application.

Please note that this opportunity to comment on the application is separate and apart from the right of the Commissioners Court, or any affected person, to protest the application and request a hearing pursuant to Texas Water Code Sections 49.011 and 54.018 and applicable TCEQ rules.

The Honorable Kyle Kutscher
Page 2
March 14, 2022

To assist in obtaining information on this project necessary for the Commissioners Court's consideration, the representatives of the Petitioner for the proposed District are provided below.

Ken Heroy, P.E.
Jones-Heroy and Associates, Inc.
13915 North Mopac Expressway, Suite 408
Austin, TX 78728

Tony Corbett
McLean and Howard LLP
901 S. Mopac Expressway Building II, Suite 225
Austin, Texas 78746

If you have any additional questions, please contact Darryl K. Smith of the Districts Bond Team at (512) 239-4172, or via email at Darryl.Smith@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink that reads "Daniel F. Finnegan". The signature is written in a cursive style with a large, prominent 'D' and 'F'.

Daniel Finnegan, Team Lead
Districts Bond Team
Water Supply Division
Texas Commission on Environmental Quality

DJF/DKS

**PETITION FOR CREATION OF
GUADALUPE COUNTY MUNICIPAL UTILITY DISTRICT NO. 4**

THE STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

TO THE HONORABLE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

The undersigned (herein the “*Petitioner*”), being the holder of title of a majority in value of the holders of title of the land within the proposed district as indicated by the tax rolls in Guadalupe County, Texas, and acting pursuant to the provisions of Chapter 54, Texas Water Code, petitions the Texas Commission on Environmental Quality (the “*Commission*”) for creation of a municipal utility district and would show the following:

I.

The name of the proposed municipal utility district shall be Guadalupe County Municipal Utility District No. 4 or some similar name as required or permitted by law (the “*District*”). The District shall be organized under the terms and provisions of Article III, Section 52 and Article XVI, Section 59 of the Constitution of Texas, Chapters 49 and 54 of the Texas Water Code, and any special act of the Texas Legislature applicable to the District, together with all amendments and additions thereto.

II.

The District will contain approximately 256.188 acres of land, more or less, situated in Guadalupe County, Texas. The land proposed to be included within the District consists of two separate tracts being more particularly described in **Exhibit “A”** attached hereto. All of the territory proposed to be included may properly be included in the District.

III.

The entirety of the Land is located within the extraterritorial jurisdiction of the City of Marion, Texas. Attached hereto as **Exhibit “B”** is a copy of the Petition for Consent filed with the City of Marion (“*City*”) on June 28, 2021 seeking the City’s consent to creation of, and inclusion of the Land within, the District pursuant to Section 54.016 of the Texas Water Code and Section 42.042 of the Texas Local Government Code. On July 12, 2021, the governing body of the City affirmatively voted to refuse consent to the creation of, and inclusion of the Land within, the District.

On July 13, 2021, as a result of the City’s refusal to provide consent to inclusion of the Land within the proposed District, the undersigned Petitioner, acting pursuant to Section 54.016, Texas Water Code and Section 42.042, Texas Local Government Code, petitioned the City Council of the City to make available to the Land the water and sanitary sewer services contemplated to be provided to the Land by the District. A copy of said Petition for Services is attached hereto as **Exhibit “C”**. By correspondence dated August 5, 2021, the Mayor of the City informed Petitioner that on July 20, 2021, the City Council of the City determined by vote that it could not provide the requested services, would not again take up the matter, and that there would be no contract for services with Owner in accordance with Section 54.016(c) of the Texas Water Code. A copy of said correspondence is attached hereto as **Exhibit “D”**.

IV.

All lienholders have consented to the inclusion of the Land into the corporate boundaries of the District. Attached hereto as **Exhibit "E"** is a true and correct copy of the lienholder consent to inclusion of the Land into the corporate boundaries of the District. By execution below, Petitioner certifies that the lienholder identified on **Exhibit "E"** is the sole lienholder.

IV.

The purposes of and the general nature of the work proposed to be done by the District shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

1. provide a water supply for municipal uses, domestic uses and commercial purposes;
2. collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;
3. gather, conduct, divert and control local storm water or other local harmful excesses of water in the District and the payment of organization expenses, operational expenses during construction and interest during construction;
4. design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and
5. provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

V.

There is a necessity for the improvements above described for the following reasons: The Land is within the growing environs of the City of Marion, Texas. The Land will within the immediate future, experience a substantial and sustained residential growth. Said Land is not supplied with adequate water and sanitary sewer facilities and services, with adequate drainage facilities, or road facilities. The health and welfare of the future inhabitants of the area and of territories adjacent thereto require the acquisition and installation of an adequate water supply system, sanitary sewer collection and disposal system, drainage system and roadway system.

A public necessity exists for the organization of such District to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer facilities, drainage facilities and road facilities in order to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VI.

The proposed improvements are feasible and practical. A preliminary investigation has been made to determine the cost of purchasing and constructing the proposed District projects, and it is now estimated by Petitioner, from such information as it has at this time, that such cost will be approximately \$47,850,000.

VII.

Pursuant to Section 54.022 of the Texas Water Code, Petitioner hereby certifies that a majority of

the proposed temporary directors are residents of Guadalupe County, a county adjacent to Guadalupe County, or of a county in the same metropolitan statistical area as Guadalupe County.


VIII.

WHEREFORE, Petitioner prays that this Petition be properly filed as provided by Chapter 54, Texas Water Code; that it be set for hearing as set forth therein; that notice of the hearing be given as provided therein; that this Petition be heard and granted in all respects; that the District be created; that five directors be appointed by the Commission; that the Commissioners authorize the inclusion of the land described herein with the District; and that such other orders, acts, procedures and relief be granted as are necessary and proper to the creation and organization of the District.

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RESPECTFULLY SUBMITTED this 7th day of February, 2022.

GRAFTED INVESTMENTS, LLC, a Texas limited liability company

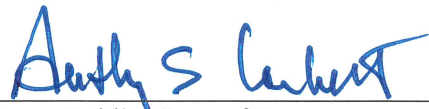
By: 
Name: Jason Osuna
Title: Manager

ACKNOWLEDGEMENT

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 7th day of February, 2022, by Jason Osuna, Manager of Grafted Investments, LLC, a Texas limited liability company, on behalf of said limited liability company.


Notary Public, State of Texas

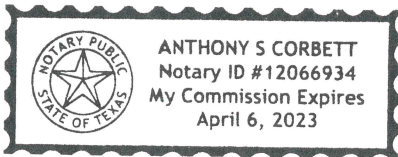
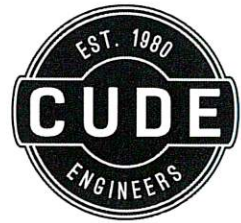


Exhibit "A"
Description of Land



PERIMETER DESCRIPTION
117.7 ACRES OF LAND

PERIMETER DESCRIPTION OF A 117.7 ACRE TRACT OF LAND OUT OF THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, SITUATED IN GUADALUPE COUNTY, TEXAS, AND BEING THAT SAME TRACT DESCRIBED AS 117.714 ACRES IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO GRAFTED INVESTMENTS LLC, DATED JUNE 15, 2021 AND RECORDED IN DOCUMENT NO. 202199021067, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, SAID 117.7 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, AT A WOOD FENCE CORNER POST FOUND IN THE EAST LINE OF THE REMAINDER OF THAT CERTAIN TRACT DESCRIBED AS TRACT NO. 1 IN A WARRANTY DEED WITH VENDOR'S LIEN TO MICHAEL GERDES, DATED OCTOBER 16, 2001 AND RECORDED IN VOLUME 1646, PAGE 845, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS, FOR THE CALLED WEST CORNER OF SAID 117.714 ACRE TRACT AND FOR THE WEST CORNER OF THIS TRACT;

THENCE, N 59°30'41" E 239.37 FEET WITH THE NORTH LINE OF SAID 117.714 ACRE TRACT AND THIS TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS A 2.41 ACRES IN A RIGHT-OF-WAY DEED TO THE COUNTY OF GUADALUPE, STATE OF TEXAS, DATED OCTOBER 23, 1979 AND RECORDED IN VOLUME 587, PAGE 75 OF SAID OFFICIAL PUBLIC RECORDS, SAID RIGHT-OF-WAY BEING COUNTY ROAD 315A, ALSO KNOW AS GERDES ROAD;

THENCE, WITH THE SOUTH LINE OF SAID COUNTY ROAD 315A (SAID 2.41 ACRE TRACT), AND WITH THE NORTH LINE OF SAID 117.714 ACRE TRACT AND THIS TRACT THE FOLLOWING TWO (2) COURSES:

1. N 59°29'46" E 1360.71 FEET TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "CUDE" SET,
2. N 66°31'25" E 299.45 FEET TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "MMES RPLS 6490" FOUND FOR THE EAST CORNER OF SAID 2.41 ACRE TRACT (COUNTY ROAD 315A), BEING AT THE SOUTH END OF A 60 FOOT RIGHT-OF-WAY (CONTINUATION OF COUNTY ROAD 315A) AS DESCRIBED IN VOLUME 349, PAGE 201 OF THE DEED RECORDS OF GUADALUPE COUNTY, TEXAS;

THENCE, CONTINUING WITH THE SOUTH LINE OF SAID COUNTY ROAD 315A, AND WITH THE NORTH LINE OF SAID 117.714 ACRE TRACT AND THIS TRACT THE FOLLOWING THREE (3) COURSES:

1. N 59°53'40" E 761.54 FEET TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "MMES RPLS 6490" FOUND,
2. N 52°07'20" E 345.31 FEET TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "MMES RPLS 6490" FOUND,
3. N 59°22'39" E 1631.08 FEET TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "MMES RPLS 6490" FOUND IN THE WEST LINE OF S. SANTA CLARA ROAD (NO RECORD INFORMATION FOUND) FOR THE NORTH CORNER HEREOF;

THENCE, S 30°08'52" E 1044.96 FEET WITH THE WEST MARGIN OF S. SANTA CLARA ROAD TO 1/2 INCH IRON ROD WITH CAP INSCRIBED "MMES RPLS 6490" FOUND FOR THE EAST CORNER HEREOF;

THENCE, S 58°28'52" W 70.47 FEET CONTINUING WITH THE WEST LINE OF S. SANTA CLARA ROAD, TO A 1/2 INCH IRON ROD IN CONCRETE FOUND FOR THE CALLED NORTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 138.474 ACRES IN A WARRANTY DEED WITH VENDOR'S LIEN TO GRAFTED INVESTMENTS LLC, DATED JUNE 15, 2021 AND RECORDED IN DOCUMENT NO. 202199021066, OF SAID OFFICIAL PUBLIC RECORDS;

THENCE, WITH THE COMMON LINE OF SAID 117.695 ACRE AND SAID 138.474 ACRE GRAFTED INVESTMENTS LLC TRACTS, AND WITH THE SOUTH LINE OF THIS TRACT THE FOLLOWING THREE (3) COURSES:

1. S 58°32'55" W 732.90 FEET TO 1/2 INCH IRON ROD IN CONCRETE FOUND,
2. S 26°41'11" E 192.39 FEET TO 1/2 INCH IRON ROD IN CONCRETE FOUND;
3. S 59°39'17" W 3289.36 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE CALLED MOST EASTERLY SOUTH CORNER OF SAID 117.714 ACRE TRACT AND THE SOUTH CORNER OF THIS TRACT;

THENCE, N 30°00'40" W, WITH THE WEST LINE OF SAID 117.714 ACRE TRACT, AT 10.22 FEET PASSING A 2 INCH PIPE FOUND FOR THE CALLED EASTERLY CORNER OF THAT CERTAIN TRACT DESCRIBED AS 208.655 ACRES IN A SPECIAL WARRANTY DEED TO PFANNSTIEL FARMS LLC, DATED MAY 9, 2017 AND RECORDED IN DOCUMENT NO. 2017011095, SAID OFFICIAL PUBLIC RECORDS, AND CONTINUING WITH SAID WEST LINE FOR AN OVERALL DISTANCE OF 797.87 FEET TO A 1 INCH IRON ROD FOUND;

THENCE, S 59°10'23" W 288.15 FEET WITH THE COMMON LINE OF SAID 117.714 ACRE GRAFTED INVESTMENTS LLC TRACT AND SAID PFANNSTIEL FARMS LLC TRACT TO A 1 INCH IRON ROD FOUND;

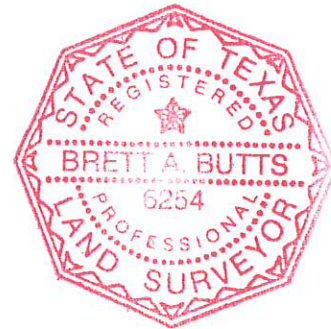
THENCE, S 59°30'28" W 239.46 FEET CONTINUING WITH THE COMMON LINE OF SAID 117.714 ACRE GRAFTED INVESTMENTS LLC TRACT AND SAID PFANNSTIEL FARMS LLC TRACT TO A 3/8 INCH IRON ROD FOUND IN THE EAST LINE OF SAID GERDES REMAINDER TRACT;

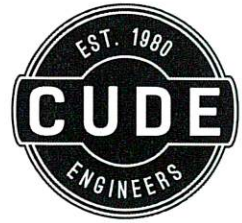
THENCE, N 30°27'44" W 439.21 FEET WITH THE COMMON LINE OF SAID 117.714 ACRE GRAFTED INVESTMENTS LLC TRACT AND SAID GERDES REMAINDER TRACT TO THE POINT OF BEGINNING.

BEARINGS BASED ON GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (2011). ALL DISTANCES SHOWN HERON ARE GROUND DISTANCES USING A COMBINED SCALE FACTOR OF 1.00013. A SURVEY PLAT ACCOMPANIES THIS FIELD NOTE DESCRIPTION.

Brett A. Butts DECEMBER 8, 2021

BRETT A. BUTTS
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6254
 CUDE ENGINEERS
 12301 RESEARCH BLVD, BUILDING V, SUITE 160
 AUSTIN, TX 78759
 TBPELS FIRM NO. 10048500
 TBPE FIRM NO. 455
 JOB NO. 3608.000





PERIMTER DESCRIPTION
138.4 ACRES OF LAND

BEING 138.4 ACRES OF LAND OUT OF THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, SITUATED IN GUADALUPE COUNTY, TEXAS, AND BEING THAT SAME TRACT DESCRIBED AS 138.474 ACRES IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO GRAFTED INVESTMENTS LLC, DATED JUNE 15, 2021 AND RECORDED IN DOCUMENT NO. 202199021066, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, SAID 138.4 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD IN CONCRETE FOUND IN THE EAST LINE OF THAT CERTAIN TRACT DESCRIBED AS 20.000 ACRES IN A PARTITION DEED TO DEBORAH K. PARSONS AND AUBREY PARSONS, DATED APRIL 4, 2019 AND RECORDED IN DOCUMENT NO. 201999009941, OF SAID OFFICIAL PUBLIC RECORDS, ON OR NEAR THE WEST CORNER OF THAT CERTAIN TRACT DESCRIBED AS 15.11 ACRES IN A WARRANTY DEED TO GILFORD ARLON ADAMS, DATED NOVEMBER 29, 2000 AND RECORDED IN VOLUME 1598, PAGE 806, SAID OFFICIAL PUBLIC RECORDS, AND BEING THE CALLED SOUTH CORNER OF SAID 138.474 ACRE GRAFTED INVESTMENTS LLC TRACT AND THE SOUTH CORNER OF THIS TRACT;

THENCE, N 20°27'55" W 1206.88 FEET WITH THE WEST LINE OF SAID GRAFTED INVESTMENTS LLC TRACT TO A 1/2 INCH IRON ROD IN CONCRETE FOUND ALONG THE SOUTH LINE OF THAT CERTAIN TRACT DESCRIBED AS 208.655 ACRES IN A SPECIAL WARRANTY DEED TO PFANNSTIEL FARMS, LLC, DATED MAY 9, 2017 AND RECORDED IN DOCUMENT NO. 2017011095, OF SAID OFFICIAL PUBLIC RECORDS, FOR THE NORTH CORNER OF SAID 20.000 ACRE PARSONS TRACT AND THE CALLED MOST SOUTHERLY WEST CORNER OF SAID GRAFTED INVESTMENTS LLC TRACT, AND FOR THE WEST CORNER OF THIS TRACT;

THENCE, N 60°16'29" E 745.80 FEET WITH THE NORTH LINE OF SAID 138.474 ACRE GRAFTED INVESTMENTS LLC TRACT AND THE NORTH LINE OF THIS TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE CALLED MOST EASTERLY SOUTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 117.714 ACRES IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO GRAFTED INVESTMENTS LLC, DATED JUNE 15, 2021 AND RECORDED IN DOCUMENT NO. 202199021067, SAID OFFICIAL PUBLIC RECORDS;

THENCE, WITH THE COMMON LINE OF SAID 138.474 ACRE AND SAID 117.714 ACRE GRAFTED INVESTMENTS LLC TRACTS, AND CONTINUING WITH THE NORTH LINE OF THIS TRACT, THE FOLLOWING THREE (3) COURSES:

1. N 59°39'17" E 3289.36 FEET TO A 1/2 INCH IRON ROD IN CONCRETE FOUND;
2. N 26°41'11" W 192.39 FEET TO A 1/2 INCH IRON ROD IN CONCRETE FOUND;
3. N 58°32'55" E 732.90 FEET TO A 1/2 INCH IRON ROD IN CONCRETE FOUND IN THE WEST MARGIN OF S. SANTA CLARA ROAD (NO RECORD INFORMATION FOUND) FOR THE CALLED NORTH CORNER OF SAID 138.474 ACRE GRAFTED INVESTMENTS LLC TRACT AND FOR THE NORTH CORNER OF THIS TRACT, FOR REFERENCE A 1/2 INCH IRON ROD WITH CAP INSCRIBED "MMES RPLS 6490" FOUND IN SAID WEST MARGIN FOR THE CALLED EAST CORNER OF SAID 117.695 ACRE GRAFTED INVESTMENTS LLC TRACT BEARS N 58°28'52" E 70.47 FEET;

THENCE, S 32°25'12" E 1411.89 FEET WITH THE WEST MARGIN OF SAID S. SANTA CLARA ROAD AND WITH THE EAST LINE OF SAID 138.474 ACRE GRAFTED INVESTMENTS LLC TRACT AND THIS TRACT TO A 1/2 INCH IRON ROD IN CONCRETE FOUND (MONUMENT OF RECORD DIGNITY) FOR THE EAST CORNER OF THIS TRACT, FOR REFERENCE A 5/8 INCH IRON ROD FOUND (NOT HONORING) FOR THE OSTENSIBLE EAST CORNER AS DESCRIBED IN SAID 138.474 ACRE GRAFTED INVESTMENTS DEED BEARS S 42°01'19" E 6.15 FEET;

THENCE, OCCASIONALLY ALONG OR NEAR A FENCE, WITH THE SOUTH LINE OF SAID 138.474 ACRE TRACT, AND WITH THE SOUTH LINE OF THIS TRACT, AS FOUND MONUMENTED ON THE GROUND, THE FOLLOWING FOURTEEN (14) COURSES:

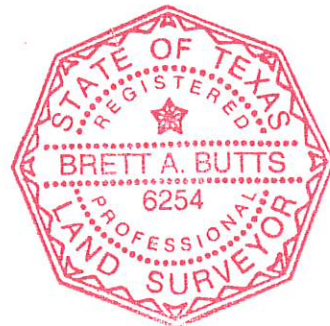
1. S 59°44'20" W WITH THE NORTH LINE OF THAT CERTAIN TRACT DESCRIBED AS 2.50 ACRES IN A GENERAL WARRANTY DEED TO TYLER J. ZUNKER AND EMILY RENEE ZUNKER DATED APRIL 8, 2019 AND RECORDED IN DOCUMENT NUMBER 201999007560 OF SAID OFFICIAL PUBLIC RECORDS, AND IN SUCCESSION, WITH THE NORTH LINE OF THAT CERTAIN TRACT DESCRIBED AS 16.050 ACRES IN A GENERAL WARRANTY DEED TO 4E LLC DATED AUGUST 27, 2020 AND RECORDED IN DOCUMENT NUMBER 202099023331 OF SAID OFFICIAL PUBLIC RECORDS, AT 200.3 FEET PASSING THE CENTER OF SANTA CLARA CREEK BEING ON OR NEAR THE NORTHWEST CORNER OF SAID 2.50 ACRE TRACT, AT 250.00 FEET PASSING A 1/2 INCH IRON ROD WITH CAP INSCRIBED "WALS" FOUND FOR A CALLED WITNESS MONUMENT IN THE NORTH LINE OF SAID 16.050 ACRE 4E LLC TRACT, AND CONTINUING FOR AN OVERALL DISTANCE OF 1029.02 FEET TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "B&A RLPS 2633" FOUND FOR THE WEST CORNER OF SAID 16.050 ACRE 4E LLC TRACT, SAME BEING THE NORTH CORNER OF LOT 17 OF KNOWLES SUBDIVISION PHASE 2 AS RECORDED IN VOLUME 6, PAGE 797-798 OF THE MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS,
2. S 59°50'26" W 334.83 FEET WITH THE NORTH LINE OF SAID LOT 17 TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "B&A RLPS 2633" FOUND FOR THE NORTH CORNER OF LOT 16 OF SAID KNOWLES SUBDIVISION,
3. S 59°39'49" W 279.87 FEET WITH THE NORTH LINE OF SAID LOT 16 TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "B&A RLPS 2633" FOUND FOR THE NORTH CORNER OF LOT 15 OF SAID KNOWLES SUBDIVISION,
4. S 59°47'10" W 350.52 FEET WITH THE NORTH LINE OF SAID LOT 15 TO A 1/2 INCH IRON ROD WITH CAP INSCRIBED "B&A RLPS 2633" FOUND FOR THE NORTH CORNER OF LOT 14 OF SAID KNOWLES SUBDIVISION,
5. S 59°46'31" W 69.38 FEET WITH THE NORTH LINE OF SAID LOT 14 TO A CALCULATED POINT,
6. S 60°05'31" W 145.56 FEET CONTINUING WITH THE NORTH LINE OF SAID LOT 14 TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 10.00 ACRES IN A WARRANTY DEED WITH VENDOR'S LIEN TO BRIAN D. OGLE DATED NOVEMBER 26, 2012 AND RECORDED IN VOLUME 4008, PAGE 923 OF SAID OFFICIAL PUBLIC RECORDS,
7. S 60°05'58" W 255.41 FEET WITH THE NORTH LINE OF SAID 10.00 ACRE OGLE TRACT TO A 3/8 INCH IRON ROD FOUND FOR THE NORTH CORNER OF LOT 7 OF RED OAK SUBDIVISION AS RECORDED IN VOLUME 5, PAGE 178-B AND 179-A OF SAID MAP AND PLAT RECORDS,
8. S 59°55'11" W 201.13 FEET WITH THE NORTH LINE OF SAID LOT 7 TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF LOT 6 OF SAID RED OAK SUBDIVISION,
9. S 59°54'14" W 230.99 FEET WITH THE NORTH LINE OF SAID LOT 6 TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 4.693 ACRES IN A WARRANTY DEED WITH VENDOR'S LIEN TO GEORGE ANTHONY MARTINEZ AND KORIN LEIGH MARTINEZ DATED AUGUST 13, 2008 AND RECORDED IN DOCUMENT NUMBER 201899018965 OF SAID OFFICIAL PUBLIC RECORDS,
10. S 59°49'34" W 153.10 FEET WITH THE NORTH LINE OF SAID 4.693 ACRE MARTINEZ TRACT TO A 3/8 INCH IRON ROD FOUND FOR THE NORTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 5.015 ACRES IN A GENERAL WARRANTY DEED TO CREOLA KENNEDY DATED AUGUST 30, 2006 AND RECORDED IN VOLUME 2366, PAGE 563 OF SAID OFFICIAL PUBLIC RECORDS,

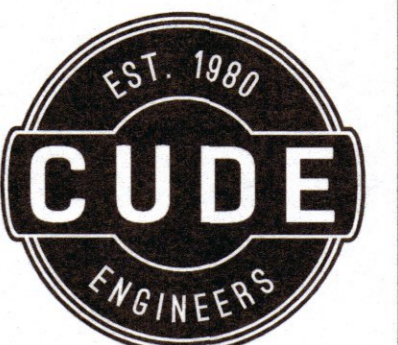
11. S 60°33'17" W 160.86 FEET WITH THE NORTH LINE OF SAID 5.015 ACRE KENNEDY TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 5.50 ACRES IN A WARRANTY DEED WITH VENDOR'S LIEN TO JASON P. ELLIS AND ALICIA N. ELLIS DATED JULY 30, 2012 AND RECORDED IN VOLUME 3155, PAGE 729 OF SAID OFFICIAL PUBLIC RECORDS,
12. S 60°01'57" W 187.71 FEET WITH THE NORTH LINE OF SAID 5.50 ACRE ELLIS TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 10.0 ACRES IN A WARRANTY DEED WITH VENDOR'S LIEN TO TIM H. SHULER AND DONNA M. SHULER DATED APRIL 18, 2017 AND RECORDED IN DOCUMENT NUMBER 2017008564 OF SAID OFFICIAL PUBLIC RECORDS,
13. S 60°04'20" W 382.02 FEET WITH THE NORTH LINE OF SAID 10.0 ACRE SHULER TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE NORTH CORNER OF THAT CERTAIN TRACT DESCRIBED AS 10.00 ACRES IN A WARRANTY DEED WITH VENDOR'S LIEN TO RICHARD E. WALTON AND LISA L. WALTON DATED MARCH 32, 2004 AND RECORDED IN VOLUME 1987, PAGE 987 OF SAID OFFICIAL PUBLIC RECORDS,
14. S 60°01'55" W 1258.04 FEET WITH THE NORTH LINE OF SAID 10.00 ACRE WALTON TRACT, AND WITH THE NORTH LINE OF SAID 15.11 ACRE ADAMS TRACT TO THE POINT OF BEGINNING.

BEARINGS BASED ON GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (2011). ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES USING A COMBINED SCALE FACTOR OF 1.00013. A SURVEY PLAT ACCOMPANIES THIS FIELD NOTE DESCRIPTION.

Brett A. Butts DECEMBER 8, 2021

BRETT A. BUTTS
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6254
 CUDE ENGINEERS
 12301 RESEARCH BLVD, BUILDING V, SUITE 160
 AUSTIN, TX 78759
 TBPPELS FIRM NO. 10048500
 TBPE FIRM NO. 455
 JOB NO. 3608.000





4122 POND HILL RD. • SUITE 101
SAN ANTONIO, TEXAS 78231
T:210.681.2951 • F:210.523.7112
WWW.CUDEENGINEERS.COM
TBPELS FIRM #10048500 • TBPE FIRM #455



LOCATION MAP
NOT TO SCALE

LEGEND

- P.O.B. = POINT OF BEGINNING
- M.P.R.G.C.T. = MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS
- O.P.R.G.C.T. = OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- 1 = 1/2" IRON ROD WITH CAP INSCRIBED "CUDE" SET
- 2 = 1/2" IRON ROD IN CONCRETE FOUND
- 3 = 1/2" IRON ROD FOUND
- 4 = WOOD FENCE CORNER POST FOUND
- 5 = IRON ROD WITH CAP INSCRIBED "MMES RPLS 6490" FOUND
- 6 = 3/8" IRON ROD FOUND
- 7 = 1" IRON ROD FOUND
- 8 = IRON ROD WITH CAP INSCRIBED "B-A RPLS 2633" FOUND
- 9 = CALCULATED POINT
- 10 = ELECTRIC METER
- 11 = FIRE HYDRANT
- 12 = GUY ANCHOR
- 13 = GAS VALVE
- 14 = WATER FAUCET
- 15 = UTILITY POLE
- 16 = SIGN
- 17 = TPED - TELEPHONE PEDESTAL
- 18 = WATER METER
- 19 = WATER VALVE
- 20 = MAILBOX

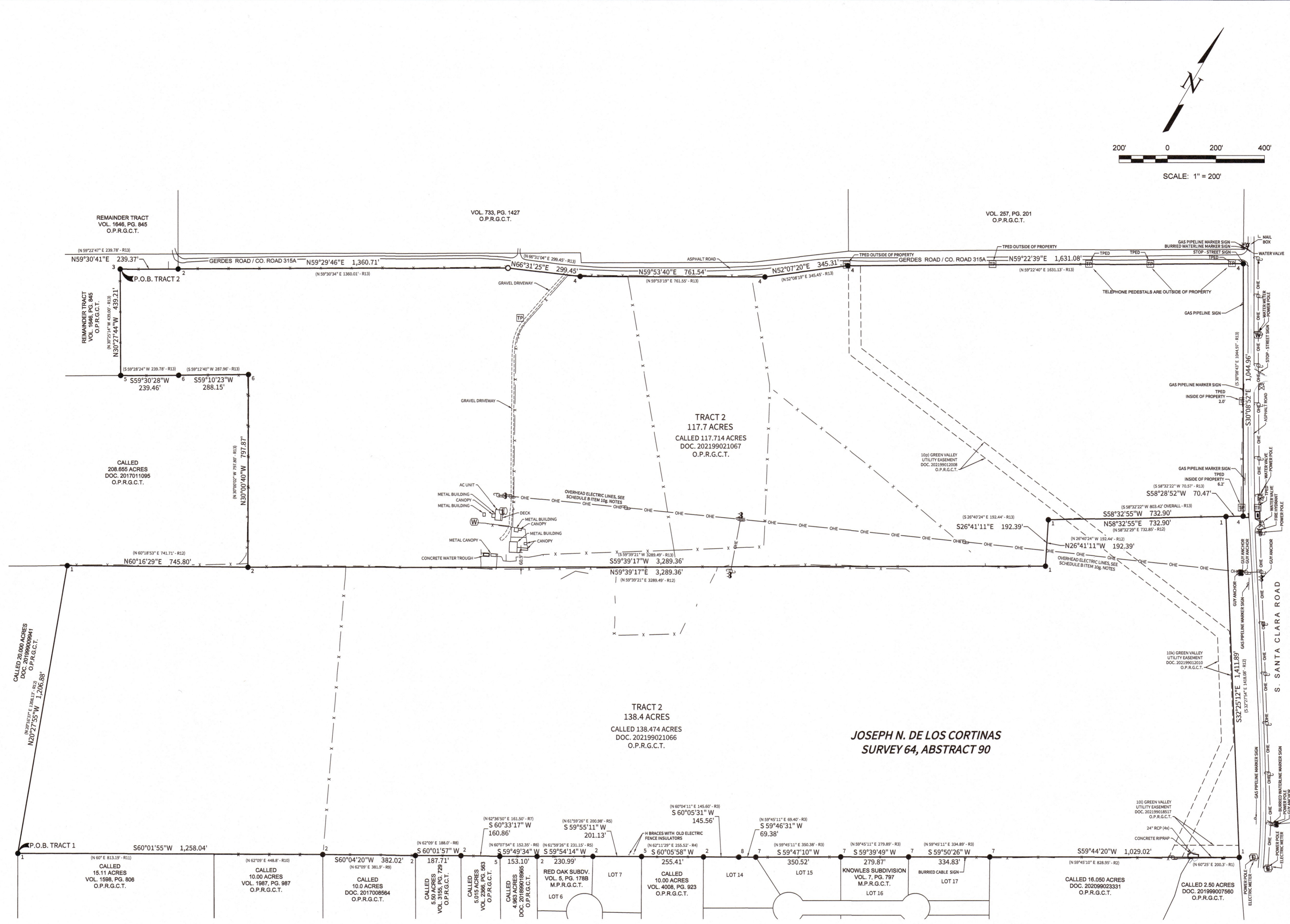
LINE LEGEND

- X = BARBED WIRE FENCE
- = CHAINLINK FENCE
- = OVERHEAD ELECTRIC

REFERENCES:
THIS SURVEY WAS PREPARED IN CONJUNCTION WITH, BUT NOT SOLELY RELYING ON THE TITLE COMMITMENT LISTED BELOW.
TITLE COMMITMENT: G.F. # SCT-48-4300112105539-DB
CHICAGO TITLE INSURANCE COMPANY
DATE ISSUED: SEPTEMBER 2, 2021
EFFECTIVE DATE: AUGUST 29, 2021
ONLY THOSE MATTERS AFFECTING THE AREA OF SUBJECT PROPERTY IDENTIFIED IN THIS TITLE COMMITMENT ARE SHOWN.

SCHEDULE B (ONLY THOSE MATTERS IN TITLE COMMITMENT ARE ADDRESSED BELOW):

- 10g) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC.
PURPOSE: ELECTRIC AND COMMUNICATIONS EASEMENT
RECORDING DATE: JUNE 25, 2018
RECORDING NO: DOCUMENT NUMBER 201899014142, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.
AFFECTS: AS DESCRIBED THEREIN. (TRACT 1) (SUBJECT TO: BLANKET TYPE, LOCATION OF EASEMENT IS NOT SPECIFIED OTHER THAN BEING LIMITED TO 15' EACH SIDE OF FACILITIES. THERE ARE ELECTRIC LINES LOCATED ACROSS TRACTS 1 AND 2 AS SHOWN. DOCUMENT NO. 201899014142 REFERS TO THE TRACT DESCRIBED IN VOLUME 4010, PAGE 298, OF WHICH TRACT 1 SHOWN HEREON IS A PART.)
- 10i) OIL, GAS AND MINERAL LEASE DATED JULY 14, 1947 BETWEEN HERMAN SCHMOEKEL, AS LESSOR, AND H.S. BALL, AS LESSEE, RECORDED IN VOLUME 226, PAGE 242, DEED RECORDS OF GUADALUPE COUNTY, TEXAS, TOGETHER WITH RIGHTS INCIDENTAL THERETO. (TRACT 1) (SUBJECT TO)
- 10j) OIL, GAS AND MINERAL LEASE DATED JULY 15, 1949 BETWEEN HERMAN SCHMOEKEL, AS LESSOR, AND W.A. MILLS, AS LESSEE, RECORDED IN VOLUME 239, PAGE 81, DEED RECORDS OF GUADALUPE COUNTY, TEXAS, TOGETHER WITH RIGHTS INCIDENTAL THERETO. (TRACT 1) (SUBJECT TO)
- 10k) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: GREEN VALLEY SPECIAL UTILITY DISTRICT
PURPOSE: UTILITY EASEMENT
RECORDING DATE: APRIL 9, 2021
RECORDING NO: DOCUMENT NUMBER 202199012010, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.
AFFECTS: AS DESCRIBED THEREIN. (TRACT 1) (SUBJECT TO AS SHOWN)
- 10l) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: GREEN VALLEY SPECIAL UTILITY DISTRICT
PURPOSE: TEMPORARY CONSTRUCTION EASEMENT
RECORDING DATE: MAY 28, 2021
RECORDING NO: DOCUMENT NUMBER 202199018517, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.
AFFECTS: AS DESCRIBED THEREIN. (TRACT 1) (SUBJECT TO AS SHOWN)
- 10m) TITLE TO THAT PORTION OF THE LAND WHICH IS EMBRACED WITHIN THE BOUNDS OF THE ERNEST LINNE CEMETERY, TOGETHER WITH THE RIGHTS OF SEPTULPATURE AND RIGHTS OF INGRESS AND EGRESS, AS EVIDENCED BY INSTRUMENTS RECORDED IN VOLUME 347, PAGE 586, AND VOLUME 5, PAGE 629, DEED RECORDS, GUADALUPE COUNTY, TEXAS. (TRACT 2) (SUBJECT TO - NO VISIBLE ABOVE GROUND EVIDENCE WAS FOUND FOR SAID CEMETERY ON THE TRACTS SHOWN HEREON. THE DESCRIPTIONS RECORDED IN VOLUME 5, PAGE 629, VOLUME 268, PAGE 474 (FIRST TRACT), AND VOLUME 347, PAGE 586, CONTAIN EVIDENCE OF SAID CEMETERY BEING LOCATED ON TRACT 2 AS SHOWN HEREON. SAID ABOVE RECORDED DOCUMENTS DESCRIBE PARENT TRACTS OF WHICH TRACT 2 SHOWN HEREON IS A PART.)
- 10n) WATER PIPELINE AND ACCESS TO WATER WELL AS RESERVED BY HERMAN SCHMOEKEL IN DEED FILED MARCH 20, 1954 AND RECORDED IN VOLUME 268, PAGE 474, DEED RECORDS, GUADALUPE COUNTY, TEXAS. (TRACT 2) (SUBJECT TO - UNABLE TO LOCATE BASED ON RECORD DESCRIPTION. NO UNDERGROUND UTILITIES WERE LOCATED FOR THE PURPOSES OF THIS SURVEY. THE 83-1/2 ACRE TRACT REFERRED TO IN VOLUME 268, PAGE 464 IS DESCRIBED IN VOLUME 23, PAGE 392 AS BEING "THE EAST HALF OF THE ONE HUNDRED AND SIXTY SEVEN AND 3/10 ACRES...RECORDED IN...BOOK NO. 5 ON PAGES 629-630." SAID ABOVE RECORDED DOCUMENTS DESCRIBE PARENT TRACTS OF WHICH TRACT 2 SHOWN HEREON IS A PART.)
- 10o) EASEMENT FOR ROAD AS RESERVED BY HERMAN SCHMOEKEL IN DEED FILED MARCH 20, 1954 AND RECORDED IN VOLUME 268, PAGE 474, DEED RECORDS, GUADALUPE COUNTY, TEXAS. (TRACT 2) (SUBJECT TO - UNABLE TO LOCATE BASED ON RECORD DESCRIPTION. THE 83-1/2 ACRE TRACT REFERRED TO IN VOLUME 268, PAGE 464 IS DESCRIBED IN VOLUME 5, PAGE 629, VOLUME 268, PAGE 474 (FIRST TRACT), AND VOLUME 347, PAGE 586, CONTAIN EVIDENCE OF SAID CEMETERY BEING LOCATED ON TRACT 2 AS SHOWN HEREON. SAID ABOVE RECORDED DOCUMENTS DESCRIBE PARENT TRACTS OF WHICH TRACT 2 SHOWN HEREON IS A PART.)
- 10p) EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
GRANTED TO: GREEN VALLEY SPECIAL UTILITY DISTRICT
PURPOSE: UTILITY EASEMENT
RECORDING DATE: APRIL 9, 2021
RECORDING NO: DOCUMENT NUMBER 202199012008, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.
AFFECTS: AS DESCRIBED THEREIN. (TRACT 2) (SUBJECT TO AS SHOWN)



NOTES:
1. BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (2011). ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES USING A COMBINED SCALE FACTOR OF 1.00013.
2. ALL PROPERTY CORNERS SHOWN HEREON ARE SET 1/2" REBAR WITH PLASTIC SURVEYOR'S CAP STAMPED "CUDE" UNLESS OTHERWISE NOTED.
3. SETBACKS OR EASEMENTS PER RESTRICTIONS OR ZONING MAY EXIST.
4. THE FIELD WORK WAS COMPLETED ON OCTOBER 12, 2021.
5. GERDES ROAD/COUNTY ROAD 315A IS A PUBLIC RIGHT-OF-WAY THAT ABUTS TRACT 2.
6. SANTA CLARA ROAD IS A PUBLIC RIGHT-OF-WAY THAT ABUTS TRACT 1 AND TRACT 2.
7. TRACT 1 ABUTS TRACT 2 AND THEY ARE CONTIGUOUS ALONG THEIR COMMON BOUNDARY.
8. UTILITY SYMBOLS ARE EXAGGERATED IN SIZE FOR CLARITY.

RECORD INFORMATION
R1 = DOCUMENT NUMBER 20199007560, O.P.R.G.C.T.
R2 = DOCUMENT NUMBER 20209902331, O.P.R.G.C.T.
R3 = VOLUME 5, PAGE 797-798, M.P.R.G.C.T.
R4 = VOLUME 4008, PAGE 923, O.P.R.G.C.T.
R5 = VOLUME 5, PAGE 178-B, 179A, M.P.R.G.C.T.
R6 = DOCUMENT NUMBER 201899018965, O.P.R.G.C.T.
R7 = VOLUME 2986, PAGE 963, O.P.R.G.C.T.
R8 = VOLUME 3155, PAGE 729, O.P.R.G.C.T.
R9 = DOCUMENT NUMBER 2017008564, O.P.R.G.C.T.
R10 = VOLUME 1987, PAGE 987, O.P.R.G.C.T.
R11 = VOLUME 1596, PAGE 806, O.P.R.G.C.T.
R12 = DOCUMENT NUMBER 202199021066, O.P.R.G.C.T.
R13 = DOCUMENT NUMBER 202199021067, O.P.R.G.C.T.

STATE OF TEXAS
COUNTY OF TRAVIS

TO: GRAFTED INVESTMENTS LLC, A TEXAS LIMITED LIABILITY COMPANY;
PULTE HOMES OF TEXAS, L.P.; CHICAGO TITLE OF TEXAS;

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SYSTEM OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, CONDITION 4, LAND TITLE SURVEY.

BRETT A. BUTTS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6254
BBUTTS@CUDEENGINEERS.COM

DECEMBER 8, 2021

BRETT A. BUTTS
6254
REGISTERED PROFESSIONAL LAND SURVEYOR

LAND TITLE SURVEY

TRACT 1
A 138.4 ACRE TRACT, MORE OR LESS, OUT OF THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, SITUATED IN GUADALUPE COUNTY, TEXAS, SAID 138.4 ACRE TRACT BEING THE SAME TRACT CALLED 138.474 ACRES DESCRIBED IN THE DEED TO GRAFTED INVESTMENTS LLC RECORDED IN DOCUMENT NO. 202199021066, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, AND ALSO DESCRIBED IN A GENERAL WARRANTY DEED TO BURTON K. NICHOLS, DATED NOVEMBER 30, 2012, RECORDED IN VOLUME 4010, PAGE 298, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS.

TRACT 2
A 117.7 ACRE TRACT, MORE OR LESS, OUT OF THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, SITUATED IN GUADALUPE COUNTY, TEXAS, SAID 117.7 ACRE TRACT BEING THE SAME TRACT CALLED 117.714 ACRES DESCRIBED IN THE DEED TO GRAFTED INVESTMENTS LLC, RECORDED IN DOCUMENT NO. 202199021067, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS.

DATE: OCT. 12, 2021

PROJECT NO.: 03608.000

DRAWN BY: DLT

CHECKED BY: BAB

REVISIONS

1.	TITLE COMMENTS 11-11-21
2.	
3.	
4.	
5.	
6.	
7.	
8.	

V-1

4 OF 4

Exhibit "B"
Petition for City Consent

V.

The purposes of and the general nature of the work proposed to be done by the District shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

1. provide a water supply for municipal and domestic uses;
2. collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;
3. gather, conduct, divert and control local storm water or other local harmful excesses of water in the District and the payment of organization expenses, operational expenses during construction and interest during construction;
4. design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and
5. to provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law.

VI.

There is, for the following reasons, a necessity for the above-described work, services and improvements: The area proposed to be within the District will experience substantial and sustained growth. There is not now available within the area, which will be developed as a master-planned residential community, an adequate waterworks system, sanitary sewer system, drainage and storm sewer system, or road improvements. The health and welfare of the present and future inhabitants of the area and of territories adjacent thereto require the construction, acquisition, maintenance, and operation of an adequate waterworks system, sanitary sewer system, and drainage and storm sewer system, and roadway system. A public necessity therefore exists for the organization, extension, improvement, maintenance, and operation of such waterworks system, sanitary sewer system, and drainage and storm sewer system, and road improvements, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VII.

A preliminary investigation has been instituted to determine the cost of the project, and it is now estimated by the Petitioner, from such information as it has at this time, that the ultimate costs of the development contemplated will be approximately \$29,402,647. Eligible costs of the project will be financed by the issuance of bonds by the District.

WHEREFORE, the Petitioner respectfully prays that this Request be heard and that your Honorable Body duly pass and approve an ordinance or resolution granting the consent to the creation of the District and authorizing the inclusion of the land described herein within the District.

[The remainder of this page intentionally left blank.]

Exhibit "A"

Description of Property



STATE OF TEXAS
COUNTY OF GUADALUPE

**FIELD NOTE DESCRIPTION
OF
A 117.714 ACRE TRACT**

Being a 117.714 acre tract of land lying in the Joseph N. De Los Cortinas Survey 64, Abstract 90, Guadalupe County, Texas, said 117.714 acre tract being a portion of a 119 acre tract of land recorded in a Warranty Deed to Gordon Remainder Trust, Dated August 15, 2000, Volume 1536, Page 511, Official Public Records of Guadalupe County, Texas, further described as a 121.15 acre tract of land in a Deed to Robert D. Shaw, dated May 8, 1962, recorded in Volume 347, Page 586, Deed Records of Guadalupe County, Texas, and all of a 2.41 acre tract of land described in a Warranty Deed to Gordon Remainder Trust, dated August 22, 2000, and recorded in Volume 1538, Page 336, Official Public Records of Guadalupe County, Texas; said 117.714 acre tract being more particularly described as follows:

- COMMENCING:** at 1/2" iron rod found at the intersection of the southwest right-of-way line of Santa Clara Road (a 60' wide right-of-way at this point) and the northwest right-of-way line of Gerdes Road, aka County Road 315A (a 60' wide right-of-way), for the north corner of the aforementioned 121.15 acre tract, the north corner of a 3.752 acre tract of land as described and recorded in Volume 349, Page 201, Deed Records of Guadalupe County, Texas, and the east corner of a 182.26 acre tract of land as described and recorded in Document No. 2017021957, Official Public Records of Guadalupe County, Texas;
- THENCE:** along the southwest right-of-way line of the aforementioned Santa Clara Road, the northeast line of the aforementioned 3.752 acre tract, and the northeast line of the aforementioned 121.15 acre tract, S30°08'43"E, a distance of 60.00 feet (Record – S34°46'E) to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for the **PLACE OF BEGINNING**, the east corner of said 3.752 acre tract, and the north corner of the herein described 117.714 acre tract;
- THENCE:** continuing along the southwest right-of-way line of the aforementioned Santa Clara Road and the northeast line of the aforementioned 121.15 acre tract, S30°08'43"E, a distance of 1,044.97 feet (Record – S34°46'E) to 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for the east corner of said 121.15 acre tract and the east corner of the herein described 117.714 acre tract;
- THENCE:** leaving the southwest right-of-way line of the aforementioned Santa Clara Road, along a southeast line of the aforementioned 121.15 acre tract, S58°32'22"W, passing a 1/2" iron rod in concrete found for the north corner of a 138.432 acre tract of land as described and recorded in Volume 4010, Page 298, Official Public Records of Guadalupe County, Texas, at a distance of 70.57 feet, continuing a total distance of 803.42 feet (Record – S60°W~855') to a 1/2" iron rod in concrete found for the interior corner of said 121.15 acre tract, a west corner of said 138.432 acre tract, and an interior corner of the herein described 117.714 acre tract;

- THENCE:** along a northeast line of the aforementioned 121.15 acre tract and a southwest line of the aforementioned 138.432 acre tract, S26°40'24"E, a distance of 192.44 feet (Record – S16°20'W~193.80') to a 1/2" iron rod in concrete found for an east corner of said 121.15 acre tract, an interior corner of said 138.432 acre tract, and an east corner of the herein described 117.714 acre tract;
- THENCE:** along a southeast line of the aforementioned 121.15 acre tract and a northwest line of the aforementioned 138.432 acre tract, S59°39'21"W, a distance of 3,289.49 feet (Record – S60°W~3,300') to a 1/2" iron rod found for the south corner of said 121.15 acre tract, the east corner of a 208.655 acre tract of land as described and recorded in Document No. 2017011097, Official Public Records of Guadalupe County, Texas, and the most easterly south corner of the herein described 117.714 acre tract;
- THENCE:** along a southwest line of the aforementioned 121.15 acre tract and the northeast line of the aforementioned 208.655 acre tract, N30°00'02"W, a distance of 797.80 feet (Record – N30°W~787') to a 1" iron rod found for an interior corner of said 121.15 acre tract, the north corner of said 208.655 acre tract, and an interior corner of the herein described 117.714 acre tract;
- THENCE:** along a southeast line of the aforementioned 121.15 acre tract, the northwest line of the aforementioned 208.655 acre tract, S59°12'40"W, a distance of 287.96 feet (Record – S60°W~289.3') to a 1" iron rod found for a south corner of said 121.15 acre tract, the east corner of the aforementioned 2.41 acre tract, and an angle point of the herein described 117.714 acre tract;
- THENCE:** along the southeast line of the aforementioned 2.41 acre tract and the northwest line of the aforementioned 208.655 acre tract, S59°28'24"W, a distance of 239.78 feet (Record – S60°00'W~239.5') to a 1/2" iron rod found for the south corner of said 2.41 acre tract and the most westerly south corner of the herein described 117.714 acre tract;
- THENCE:** along the southwest line of the aforementioned 2.41 acre tract, N30°25'14"W, a distance of 439.00 feet (Record – N30°00'W~439.0') to a wood fence corner post found for the west corner of said 2.41 acre tract and the west corner of the herein described 117.714 acre tract;
- THENCE:** along the northwest line of the aforementioned 2.41 acre tract, N59°22'47"E, a distance of 239.78 feet (Record – N60°00'E~239.5') to a 1/2" iron rod found for the north corner of said 2.41 acre tract, the south corner of a 2.41 acre tract of land as described and recorded in Volume 587, Page 75, Deed Records of Guadalupe County, Texas, same being the south corner of the aforementioned Gerdes Road, and an angle point of the herein described 117.714 acre tract, from which a car axle found for the west corner of said 2.41 acre tract, same being the west corner of said Gerdes Road, and a south corner of a 112.52 acre tract of land as described and recorded in Volume 733, Page 1427, Official Public Records of Guadalupe County, Texas, bears N31°08'36"W, a distance of 60.31 feet;
- THENCE:** along the southeast line of the aforementioned 2.41 acre tract, same being the southeast line of the aforementioned Gerdes Road, N59°30'34"E, a distance of 1,360.01 feet (Record – N60°00'E~1,362') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for an angle point and N66°31'04"E, a distance of 299.45 feet (Record – N67°05'E~300.0') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" for the east corner of said 2.41 acre tract, the south corner of the aforementioned 3.752 acre tract, and an angle point of the herein described 117.714 acre tract, from which a nail found for the north corner of said 2.41 acre tract bears N29°02'29"W, a distance of 96.81 feet;


THENCE: along the southeast line of the aforementioned 3.752 acre tract, same being the southeast line of the aforementioned Gerdes Road, the following three (3) courses and distances:

N59°53'19"E, a distance of 761.55 feet (Record – N60°E~762.1') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for an angle point,

N52°08'19"E, a distance of 345.45 feet (Record – N52°45'E~345.7') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for an angle point, and

N59°22'40"E, a distance of 1,631.13 feet (Record – N60°E~1,632.8') to the **PLACE OF BEGINNING** and containing 117.714 acres of land.

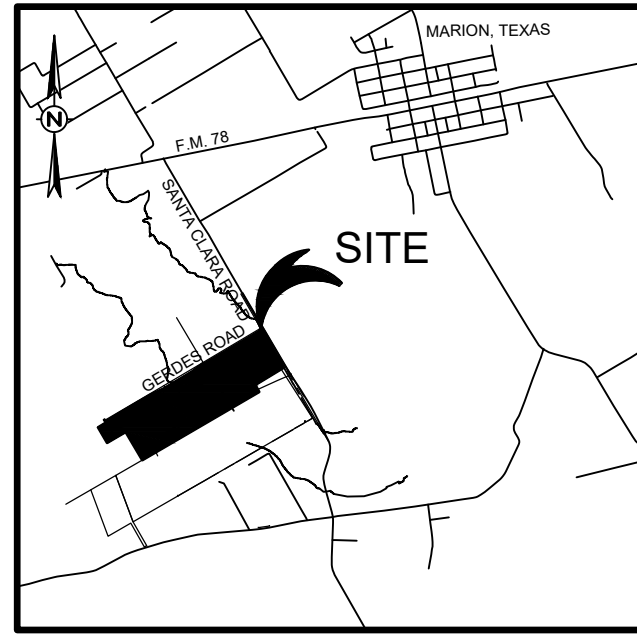



Paul L. Myers
Registered Professional Land Surveyor
No. 6490 – State of Texas

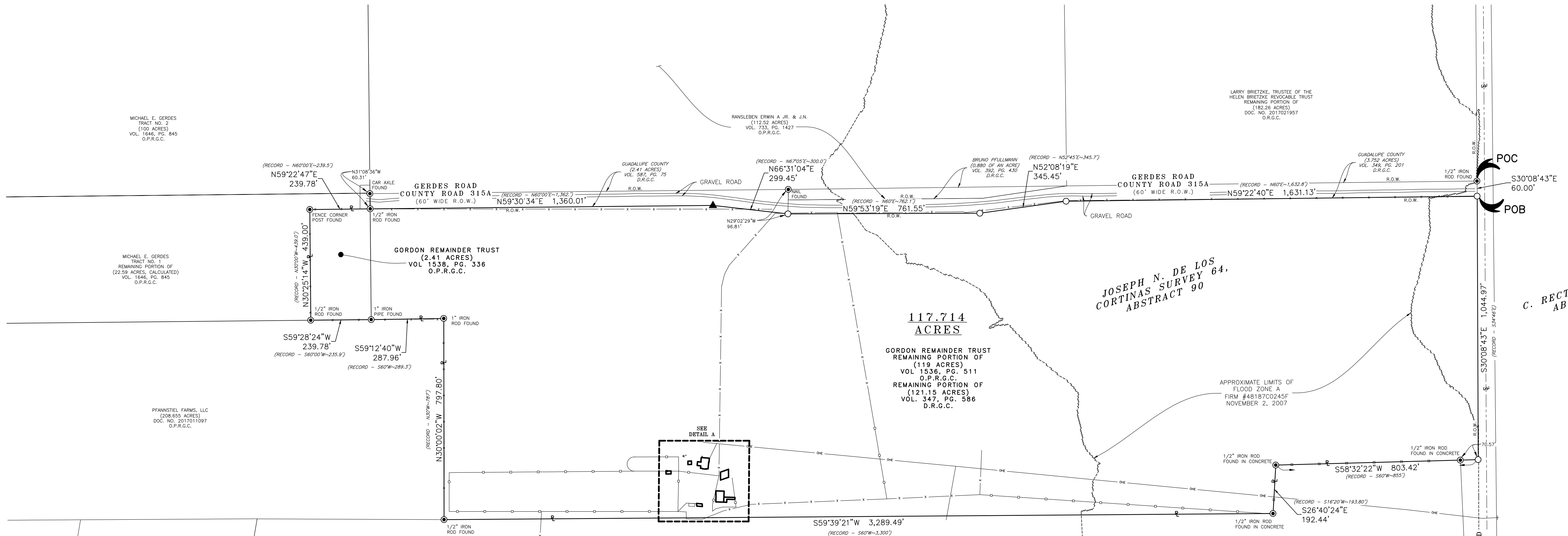
Job #20063
August 20, 2020

BOUNDARY & IMPROVEMENT SURVEY OF

A 117.714 ACRE TRACT OF LAND LYING IN THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, GUADALUPE COUNTY, TEXAS, SAID 117.714 ACRE TRACT BEING ALL OF A 2.41 ACRE TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED TO GORDON REMAINDER TRUST, DATED AUGUST 22, 2000, AND RECORDED IN VOLUME 1538, PAGE 336, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, ALSO BEING A PORTION OF A 119 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO GORDON REMAINDER TRUST, DATED AUGUST 15, 2000, AND RECORDED IN VOLUME 1536, PAGE 511, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, FURTHER DESCRIBED AS A 121.15 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT D. SHAW, DATED MAY 8, 1962, RECORDED IN VOLUME 347, PAGE 586, DEED RECORDS OF GUADALUPE COUNTY TEXAS.



LOCATION MAP



MICHAEL E. GERDES
 TRACT NO. 2
 (100 ACRES)
 VOL. 1646, PG. 845
 O.P.R.G.C.

MICHAEL E. GERDES
 TRACT NO. 1
 REMAINING PORTION OF
 (22.59 ACRES, CALCULATED)
 VOL. 1646, PG. 845
 O.P.R.G.C.

PFANNSTIEL FARMS, LLC
 (208.655 ACRES)
 DOC. NO. 2017011097
 O.P.R.G.C.

ROONEY P. SCHMCKEL ET. AL
 (20,000 ACRES)
 DOC. NO. 2016013338
 O.P.R.G.C.

RANSLEBEN ERWIN A JR. & J.N.
 (112.02 ACRES)
 VOL. 733, PG. 1427
 O.P.R.G.C.

BRAND PRILLMANN
 (0.880 OF AN ACRES)
 VOL. 352, PG. 430
 D.R.G.C.

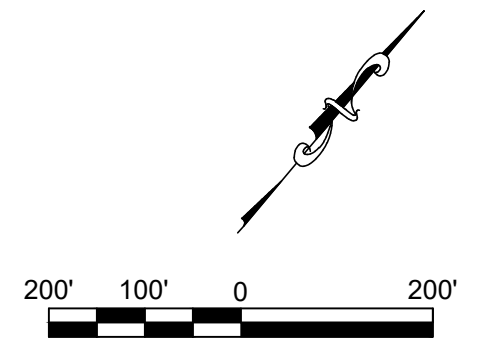
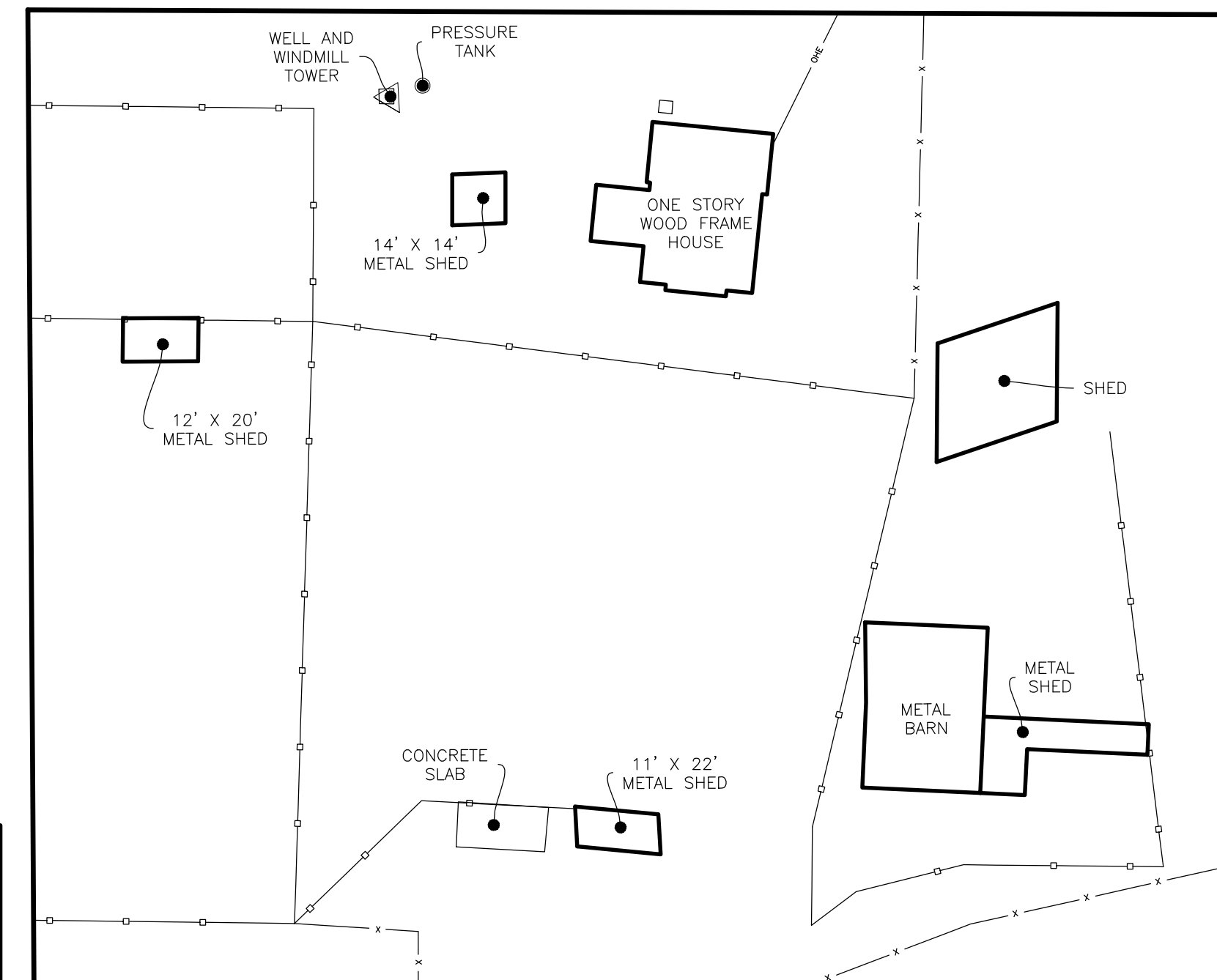
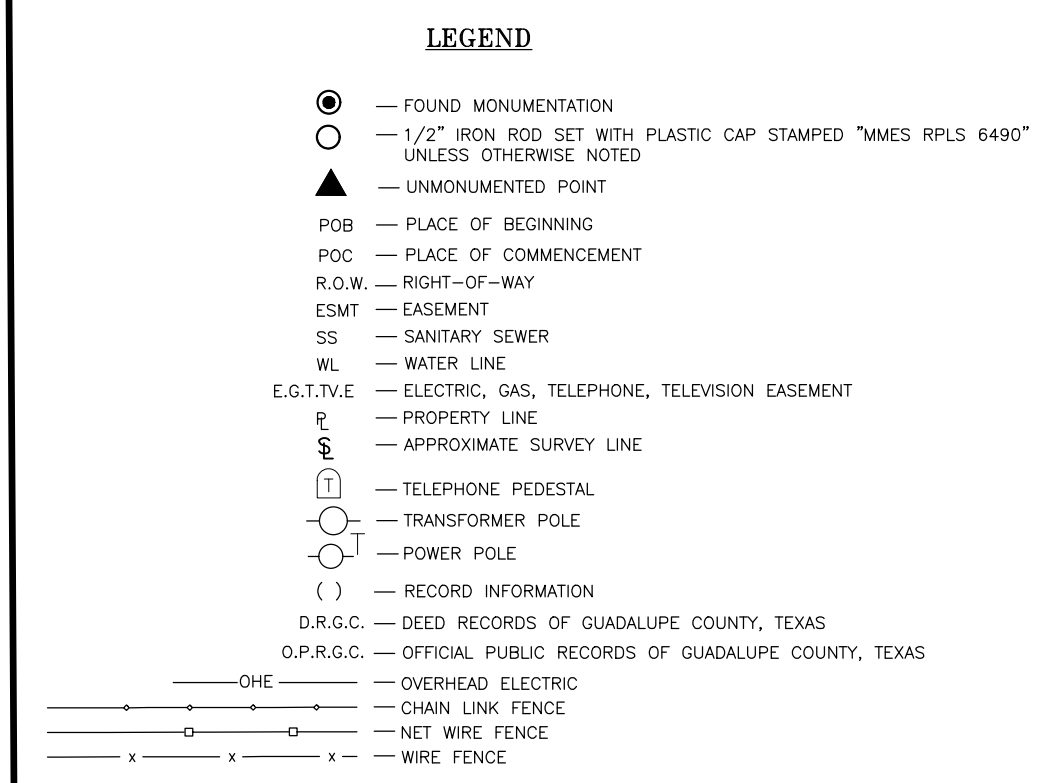
LARRY BRIETZKE, TRUSTEE OF THE
 HELEN BRIETZKE REVOCABLE TRUST
 REMAINING PORTION OF
 (182.28 ACRES)
 DOC. NO. 2017021957
 O.P.R.G.C.

GUADALUPE COUNTY
 (3.752 ACRES)
 VOL. 144, PG. 201
 D.R.G.C.

BURTON K. NICHOLS
 (138.432 ACRES)
 VOL. 4610 PG. 298
 O.P.R.G.C.

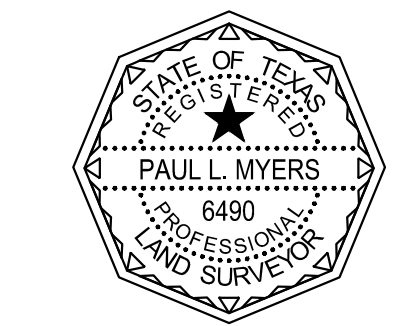
- SURVEYORS NOTES:**
1. BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.
 2. THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, OF NO. SC1-46-1300112003905-08, EFFECTIVE DATE OF APRIL 26, 2020, ISSUE DATE OF MAY 5, 2020.
 3. A PORTION OF THE SUBJECT TRACT LIES WITHIN ZONE A ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP #48187C0245F, DATED NOVEMBER 2, 2007. MEALS-MYERS ENGINEERING AND SURVEYING DID NOT CONDUCT A FLOOD STUDY.
 4. THE SUBJECT TRACT LIES WITHIN THE CITY OF MARION ETJ.
 5. THE SUBJECT TRACT ADJUTS THE PUBLIC RIGHT-OF-WAY OF SANTA CLARA ROAD AND COUNTY ROAD 315A, AKA GERDES LANE.
 6. ONLY THOSE UTILITIES VISIBLE TO THE SURVEYOR ARE SHOWN HEREON. NO UNDERGROUND UTILITIES WERE OBSERVED NOR WAS ANY SUBSURFACE UTILITY EXPLORATION (SUE) DONE AT THE TIME OF THIS SURVEY.
 7. DISTANCES SHOWN HEREON ARE SURFACE.
 8. COMBINED SCALE FACTOR: GRID * 1.00016 = SURFACE
 9. FIELD NOTE DESCRIPTIONS OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
 10. FIELD WORK WAS COMPLETED IN AUGUST 2020.

- SCHEDULE B, ITEM 10:**
9. ERNST LIME CEMETERY REFERENCED IN VOLUME 347, PAGE 586 AND VOLUME 5, PAGE 629, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT, COULD NOT LOCATE CEMETERY PER DESCRIPTION, DID NOT OBSERVE ANY EVIDENCE OF CEMETERY ON PROPERTY, RIGHTS TO INGRESS/EGRESS EASEMENT MAY AFFECT SUBJECT TRACT.
 10. WATER PIPELINE/ACCESS TO WATER WELL REFERENCED IN VOLUME 268, PAGE 474, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT, NOT LOCATABLE PER DESCRIPTION.
 11. EASEMENT FOR ROAD REFERENCED IN VOLUME 268, PAGE 474, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT, EASEMENT NOT LOCATABLE PER DESCRIPTION.



MM MEALS MYERS
 ENGINEERING & SURVEYING LLC

7711 ECKHERT ROAD
 SUITE #108
 SAN ANTONIO, TX 78240
 PHONE: 830-931-1269
 210-740-2483
 TBPE #F-18576
 TBPLS #10194291



TO: GRAFTED INVESTMENTS, LLC, GORDON REMAINDER TRUST, AND CHICAGO TITLE INSURANCE COMPANY.

I, PAUL L. MYERS, A REGISTERED PROFESSIONAL SURVEYOR, LICENSED BY THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SURVEY REPRESENTS FACTS DISCLOSED BY AN ON THE GROUND SURVEY, MADE UNDER MY SUPERVISION IN JUNE THRU AUGUST 2020 AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 3 LAND TITLE SURVEY.

Paul L. Myers
 PAUL L. MYERS, RPLS
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6490



STATE OF TEXAS
COUNTY OF GUADALUPE

**FIELD NOTE DESCRIPTION
OF
A 138.474 ACRE TRACT**

Being a 138.474 acre tract of land lying in the Joseph N. De Los Cortinas Survey 64, Abstract 90, Guadalupe County, Texas, said 138.474 acre tract being the same 138.432 acre tract of land as described in a General Warranty Deed to Burton K. Nichols, dated November 30, 2012, and recorded in Volume 4010, Page 298, Official Public Records of Guadalupe County, Texas; said 138.474 acre tract being more particularly described as follows:

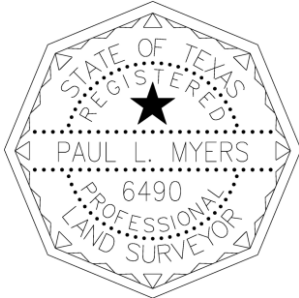
BEGINNING: at 5/8" iron rod found in a southwest right-of-way line of Santa Clara Road (a varying width right-of-way), for the east corner of the aforementioned 138.432 acre tract, the north corner of a 2.50 acre tract of land as described and recorded in Document No. 201999007560, Official Public Records of Guadalupe County, Texas, the west corner of a 0.355 of an acre tract of land as described and recorded in Document No. 201999023876, Official Public Records of Guadalupe County, Texas, and the east corner of the herein described 138.474 acre tract;


THENCE: along the southeast line of the aforementioned 138.432 acre tract, the northwest line of the aforementioned 2.50 acre tract, the northwest line of a 38.69 acre tract of land as described and recorded in Volume 727, Page 67, Official Public Records of Guadalupe County, Texas, and Lot 17 of the Knowles Subdivision Phase 2, recorded in Volume 6, Pages 797-798, Map and Plat Records of Guadalupe County, Texas, S60°01'30"W, a distance of 1,365.08 feet (Record – S61°25'32"W) to a 1/2" iron rod found for an angle point of the herein described 138.474 acre tract;

THENCE: continuing along the southeast line of the aforementioned 138.432 acre tract, the northwest line of Lots 16, 15, and 14 of the aforementioned Knowles Subdivision, the northwest line of a 10.00 acre tract of land as described and recorded in Volume 4008, Page 923, Official Public Records of Guadalupe County, Texas, and the northwest line of Lots 7 and 6 of the Red Oak Subdivision recorded in Volume 5, Pages 178B and 179A, Map and Plat Records of Guadalupe County, Texas, S59°50'16"W, a distance of 1,381.08 feet (Record – S61°25'32"W) to a chain link fence post for an angle point of the herein described 138.474 acre tract;

- THENCE:** continuing along the southeast line of the aforementioned 138.432 acre tract, the northwest line of the aforementioned Lot 6, the northwest line of a 4.963 acre tract of land as described and recorded in Document No. 201899018965, the northwest line of a 5.015 acre tract of land as described and recorded in Volume 2366, Page 563, the northwest line of a 5.50 acre tract of land as described and recorded in Volume 3155, Page 729, the northwest line of a 10.0 acre tract of land as described and recorded in Document No. 2017008564, the northwest line of a 10.00 acre tract of land as described and recorded in Volume 1987, Page 987, and the northwest line of a 15.11 acre tract of land as described and recorded in Volume 1598, Page 806, all of the Official Public Records of Guadalupe County, Texas, S60°04'17"W, a distance of 2,293.77 feet (Record – S61°25'32"W) to a 1/2" iron rod in concrete found for the west corner of said 15.11 acre tract, an angle point of 20.000 acre tract of land as described and recorded in Document No. 201601338, Official Public Records of Guadalupe County, Texas, and the south corner of the herein described 138.474 acre tract;
- THENCE:** along the west line of the aforementioned 138.432 acre tract and an east line of the aforementioned 20.000 acre tract, N20°16'37"W, a distance of 1,208.13 feet (Record – N18°59'47"W~1,206.79') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set in the southeast line of a 208.655 acre tract of land described and recorded in Document No. 2017011097, Official Public Records of Guadalupe County, Texas, for the north corner of said 20.000 acre tract and the most southerly west corner of the herein described 138.474 acre tract;
- THENCE:** along a northwest line of the aforementioned 138.432 acre tract and the southeast line of the aforementioned 208.655 acre tract, N60°18'53"E, a distance of 741.71 feet (Record – N61°16'12"E) to a 1/2" iron rod found for the east corner of said 208.655 acre tract, the south corner of a 119 acre tract of land recorded in Volume 1536, Page 511, Official Public Records of Guadalupe County, Texas, further described as a 121.15 acre tract of land as described and recorded in Volume 347, Page 586, Deed Records of Guadalupe County, Texas, and an angle point of the herein described 138.474 acre tract;
- THENCE:** continuing along a northwest line of the aforementioned 138.432 acre tract and a southeast line of the aforementioned 121.15 acre tract, N59°39'21"E, a distance of 3,289.49 feet (Record – N61°16'12"E) to a 1/2" iron rod in concrete found for an east corner of said 121.15 acre tract and an interior corner of the herein described 138.474 acre tract;
- THENCE:** along a southwest line of the aforementioned 138.432 acre tract and a northeast line of the aforementioned 121.15 acre tract, N26°40'24"W, a distance of 192.44 feet (Record – N26°52'W~193.93') to a 1/2" iron rod in concrete found for an interior corner of said 121.15 acre tract and the most northerly west corner of the herein described 138.474 acre tract;
- THENCE:** along a northwest line of the aforementioned 138.432 acre tract and a southeast line of the aforementioned 121.15 acre tract, N58°32'29"E, a distance of 732.85 feet (Record – N60°00'E~733.70') to a 1/2" iron rod in concrete found in a southwest right-of-way line of the aforementioned Santa Clara Road for the north corner of the herein described 138.474 acre tract;

THENCE: along the northeast line of the aforementioned 138.432 acre tract and a southwest right-of-way line of the aforementioned Santa Clara Road, S32°27'54"E, a distance of 1,418.08 feet (Record – S30°59'47"E~1,414.03') to the **PLACE OF BEGINNING** and containing 138.474 acres of land.

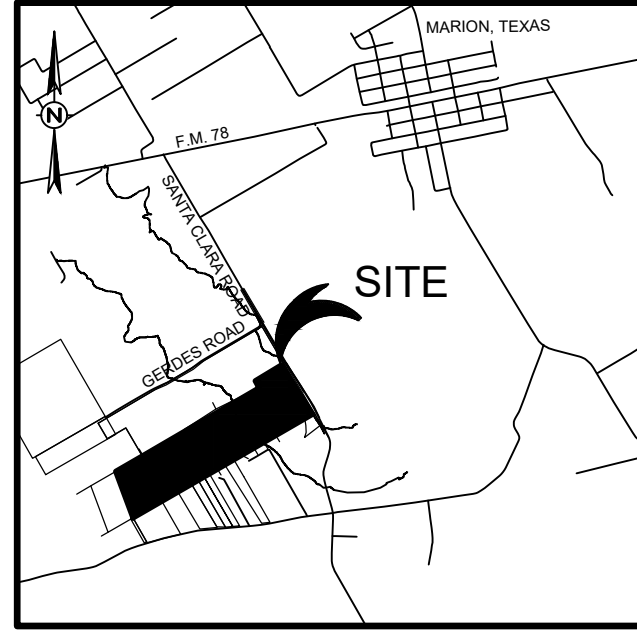



Paul L. Myers
Registered Professional Land Surveyor
No. 6490 – State of Texas

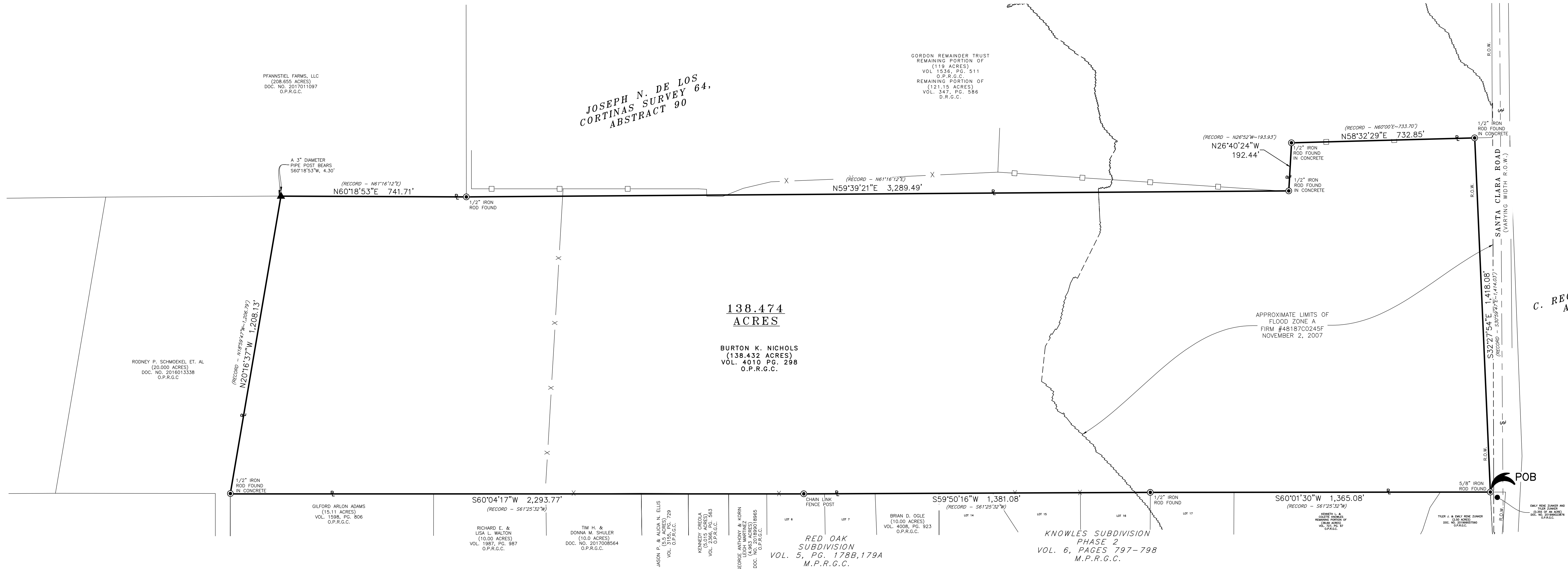
Job #20063
August 20, 2020

BOUNDARY & IMPROVEMENT SURVEY OF

A 138.474 ACRE TRACT OF LAND LYING IN THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, GUADALUPE COUNTY, TEXAS, SAID 138.474 ACRE TRACT BEING THE SAME 138.432 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO BURTON K. NICHOLS, DATED NOVEMBER 30, 2012, AND RECORDED IN VOLUME 4010, PAGE 298, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS.



LOCATION MAP



LEGEND

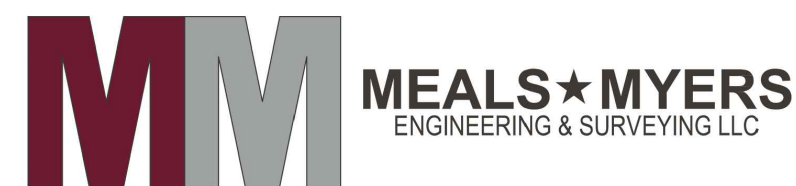
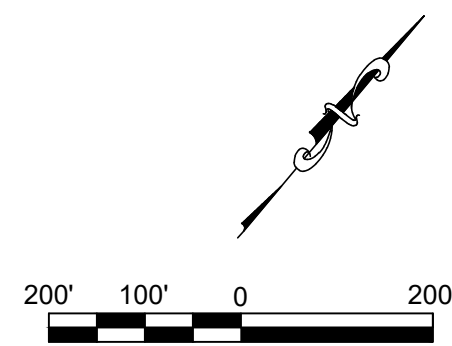
- FOUND MONUMENTATION
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "MMES RPLS 6490" UNLESS OTHERWISE NOTED
- UNMONUMENTED POINT
- POB — PLACE OF BEGINNING
- POC — PLACE OF COMMENCEMENT
- R.O.W. — RIGHT-OF-WAY
- ESMT — EASEMENT
- SS — SANITARY SEWER
- WL — WATER LINE
- E.G.T.V.E — ELECTRIC, GAS, TELEPHONE, TELEVISION EASEMENT
- PROPERTY LINE
- APPROXIMATE SURVEY LINE
- ☐ TELEPHONE PEDESTAL
- TRANSFORMER POLE
- POWER POLE
- () — RECORD INFORMATION
- D.R.G.C. — DEED RECORDS OF GUADALUPE COUNTY, TEXAS
- M.P.R.G.C. — MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS
- O.P.R.G.C. — OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
- OHE — OVERHEAD ELECTRIC
- CHAIN LINK FENCE
- NET WIRE FENCE
- X — WIRE FENCE

SCHEDULE B, ITEM 10:

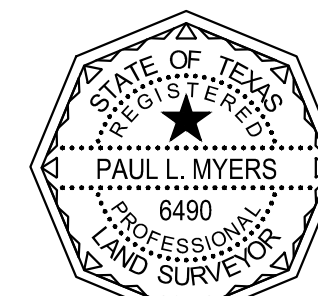
9. EASEMENT TO GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC. RECORDED IN DOCUMENT #2018904142, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT. CAN NOT LOCATE GRAPHICALLY. BLANKET EASEMENT.
10. INTEREST TO COAL, LIGNITE, OIL GAS AND OTHER MINERALS RECORDED IN VOLUME 4010, PAGE 298, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT.
11. OIL, GAS AND MINERAL LEASE RECORDED IN VOLUME 226, PAGE 242, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT.
12. OIL, GAS AND MINERAL LEASE RECORDED IN VOLUME 239, PAGE 81, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT.

SURVEYORS NOTES:

1. BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.
2. THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, OF NO. SOT-48-4300112003904-DB, EFFECTIVE DATE OF APRIL 26, 2020, ISSUE DATE OF MAY 4, 2020.
3. A PORTION OF THE SUBJECT TRACT LIES WITHIN ZONE A ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP #48187C0245F, DATED NOVEMBER 2, 2007. MEALS-MYERS ENGINEERING AND SURVEYING DID NOT CONDUCT A FLOOD STUDY.
4. THE SUBJECT TRACT LIES WITHIN THE CITY OF MARION ETJ.
5. THE SUBJECT TRACT ABUTS THE PUBLIC RIGHT-OF-WAY OF SANTA CLARA ROAD.
6. ONLY THOSE UTILITIES VISIBLE TO THE SURVEYOR ARE SHOWN HEREON. NO UNDERGROUND UTILITIES WERE OBSERVED NOR WAS ANY SUBSURFACE UTILITY EXPLORATION (SUE) DONE AT THE TIME OF THIS SURVEY.
7. DISTANCES SHOWN HEREON ARE SURFACE.
8. COMBINED SCALE FACTOR: GRID + 1.00016 = SURFACE
9. FIELD NOTE DESCRIPTIONS OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
10. FIELD WORK WAS COMPLETED IN AUGUST 2020.



7711 ECKHART ROAD
SUITE #108
SAN ANTONIO, TX 78240
PHONE: 830-931-1269
210-740-2483
TBPE #1-18576
TBPLS #10194291



TO: GRAFTED INVESTMENTS, LLC, CHICAGO TITLE INSURANCE COMPANY, AND BURTON K. NICHOLS.

I, PAUL L. MYERS, A REGISTERED PROFESSIONAL SURVEYOR, LICENSED BY THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SURVEY REPRESENTS FACTS DISCLOSED BY AN ON THE GROUND SURVEY, MADE UNDER MY SUPERVISION IN JUNE THRU AUGUST 2020 AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 3 LAND TITLE SURVEY.

PAUL L. MYERS, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6490

Exhibit "C"
Petition for City Services

PETITION FOR SERVICES
(Dove Song)

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MARION,
TEXAS:

By petition filed June 28, 2021, Grafted Investments, LLC ("Petitioner") requested the written consent of the City of Marion to the inclusion of land into, and creation of, a municipal utility district to be known as Guadalupe County Municipal Utility District No. 1 or some similar name as required or permitted by law (the "District") pursuant to Section 54.016, Texas Water Code, and Section 42.042, Texas Local Government Code. The land that is the subject of Petitioner's June 28, 2021 request contains approximately 256.185 acres, consists of two separate tracts of real property, and is more particularly described on Exhibit "A" attached hereto (the "Property"). The Property is located in the extraterritorial jurisdiction of the City of Marion, Texas and is currently owned by Petitioner.

On July 12, 2021, the governing body of the City of Marion affirmatively voted to refuse consent to the creation of, and inclusion of the Property within, the District. As a result, the undersigned Petitioner, holding title to all of the Property, and acting pursuant to Section 54.016, Texas Water Code and Section 42.042, Texas Local Government Code, respectfully petitions the City Council of the City of Marion, Texas to make available to the Property the water and sanitary sewer services contemplated to be provided to the Property by the District.

WHEREFORE, Petitioner prays that this petition be heard and that your Honorable Body agree by contract with the Petitioner to make available the water and sanitary sewer services contemplated to be provided to the Property by the District.

RESPECTFULLY SUBMITTED this 13 day of July, 2021.

GRAFTED INVESTMENTS, LLC, a Texas limited liability company

By: Jason Osuna
Name: Jason Osuna
Title: Manager

ACKNOWLEDGEMENT

THE STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on the 13 day of July, 2021, by Jason Osuna, Manager of Grafted Investments, LLC, a Texas limited liability company, on behalf of said limited liability company.

Sarah Wood
Notary Public, State of Texas

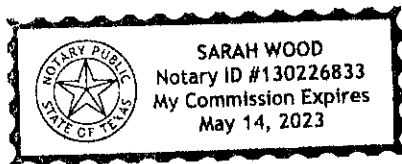


Exhibit "A"

Property Description



STATE OF TEXAS
COUNTY OF GUADALUPE

**FIELD NOTE DESCRIPTION
OF
A 117.714 ACRE TRACT**

Being a 117.714 acre tract of land lying in the Joseph N. De Los Cortinas Survey 64, Abstract 90, Guadalupe County, Texas, said 117.714 acre tract being a portion of a 119 acre tract of land recorded in a Warranty Deed to Gordon Remainder Trust, Dated August 15, 2000, Volume 1536, Page 511, Official Public Records of Guadalupe County, Texas, further described as a 121.15 acre tract of land in a Deed to Robert D. Shaw, dated May 8, 1962, recorded in Volume 347, Page 586, Deed Records of Guadalupe County, Texas, and all of a 2.41 acre tract of land described in a Warranty Deed to Gordon Remainder Trust, dated August 22, 2000, and recorded in Volume 1538, Page 336, Official Public Records of Guadalupe County, Texas; said 117.714 acre tract being more particularly described as follows:

- COMMENCING:** at 1/2" iron rod found at the intersection of the southwest right-of-way line of Santa Clara Road (a 60' wide right-of-way at this point) and the northwest right-of-way line of Gerdes Road, aka County Road 315A (a 60' wide right-of-way), for the north corner of the aforementioned 121.15 acre tract, the north corner of a 3.752 acre tract of land as described and recorded in Volume 349, Page 201, Deed Records of Guadalupe County, Texas, and the east corner of a 182.26 acre tract of land as described and recorded in Document No. 2017021957, Official Public Records of Guadalupe County, Texas;
- THENCE:** along the southwest right-of-way line of the aforementioned Santa Clara Road, the northeast line of the aforementioned 3.752 acre tract, and the northeast line of the aforementioned 121.15 acre tract, S30°08'43"E, a distance of 60.00 feet (Record – S34°46'E) to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for the **PLACE OF BEGINNING**, the east corner of said 3.752 acre tract, and the north corner of the herein described 117.714 acre tract;
- THENCE:** continuing along the southwest right-of-way line of the aforementioned Santa Clara Road and the northeast line of the aforementioned 121.15 acre tract, S30°08'43"E, a distance of 1,044.97 feet (Record – S34°46'E) to 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for the east corner of said 121.15 acre tract and the east corner of the herein described 117.714 acre tract;
- THENCE:** leaving the southwest right-of-way line of the aforementioned Santa Clara Road, along a southeast line of the aforementioned 121.15 acre tract, S58°32'22"W, passing a 1/2" iron rod in concrete found for the north corner of a 138.432 acre tract of land as described and recorded in Volume 4010, Page 298, Official Public Records of Guadalupe County, Texas, at a distance of 70.57 feet, continuing a total distance of 803.42 feet (Record – S60°W~855') to a 1/2" iron rod in concrete found for the interior corner of said 121.15 acre tract, a west corner of said 138.432 acre tract, and an interior corner of the herein described 117.714 acre tract;

- THENCE:** along a northeast line of the aforementioned 121.15 acre tract and a southwest line of the aforementioned 138.432 acre tract, S26°40'24"E, a distance of 192.44 feet (Record – S16°20'W~193.80') to a 1/2" iron rod in concrete found for an east corner of said 121.15 acre tract, an interior corner of said 138.432 acre tract, and an east corner of the herein described 117.714 acre tract;
- THENCE:** along a southeast line of the aforementioned 121.15 acre tract and a northwest line of the aforementioned 138.432 acre tract, S59°39'21"W, a distance of 3,289.49 feet (Record – S60°W~3,300') to a 1/2" iron rod found for the south corner of said 121.15 acre tract, the east corner of a 208.655 acre tract of land as described and recorded in Document No. 2017011097, Official Public Records of Guadalupe County, Texas, and the most easterly south corner of the herein described 117.714 acre tract;
- THENCE:** along a southwest line of the aforementioned 121.15 acre tract and the northeast line of the aforementioned 208.655 acre tract, N30°00'02"W, a distance of 797.80 feet (Record – N30°W~787') to a 1" iron rod found for an interior corner of said 121.15 acre tract, the north corner of said 208.655 acre tract, and an interior corner of the herein described 117.714 acre tract;
- THENCE:** along a southeast line of the aforementioned 121.15 acre tract, the northwest line of the aforementioned 208.655 acre tract, S59°12'40"W, a distance of 287.96 feet (Record – S60°W~289.3') to a 1" iron rod found for a south corner of said 121.15 acre tract, the east corner of the aforementioned 2.41 acre tract, and an angle point of the herein described 117.714 acre tract;
- THENCE:** along the southeast line of the aforementioned 2.41 acre tract and the northwest line of the aforementioned 208.655 acre tract, S59°28'24"W, a distance of 239.78 feet (Record – S60°00'W~239.5') to a 1/2" iron rod found for the south corner of said 2.41 acre tract and the most westerly south corner of the herein described 117.714 acre tract;
- THENCE:** along the southwest line of the aforementioned 2.41 acre tract, N30°25'14"W, a distance of 439.00 feet (Record – N30°00'W~439.0') to a wood fence corner post found for the west corner of said 2.41 acre tract and the west corner of the herein described 117.714 acre tract;
- THENCE:** along the northwest line of the aforementioned 2.41 acre tract, N59°22'47"E, a distance of 239.78 feet (Record – N60°00'E~239.5') to a 1/2" iron rod found for the north corner of said 2.41 acre tract, the south corner of a 2.41 acre tract of land as described and recorded in Volume 587, Page 75, Deed Records of Guadalupe County, Texas, same being the south corner of the aforementioned Gerdes Road, and an angle point of the herein described 117.714 acre tract, from which a car axle found for the west corner of said 2.41 acre tract, same being the west corner of said Gerdes Road, and a south corner of a 112.52 acre tract of land as described and recorded in Volume 733, Page 1427, Official Public Records of Guadalupe County, Texas, bears N31°08'36"W, a distance of 60.31 feet;
- THENCE:** along the southeast line of the aforementioned 2.41 acre tract, same being the southeast line of the aforementioned Gerdes Road, N59°30'34"E, a distance of 1,360.01 feet (Record – N60°00'E~1,362') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for an angle point and N66°31'04"E, a distance of 299.45 feet (Record – N67°05'E~300.0') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" for the east corner of said 2.41 acre tract, the south corner of the aforementioned 3.752 acre tract, and an angle point of the herein described 117.714 acre tract, from which a nail found for the north corner of said 2.41 acre tract bears N29°02'29"W, a distance of 96.81 feet;


THENCE: along the southeast line of the aforementioned 3.752 acre tract, same being the southeast line of the aforementioned Gerdes Road, the following three (3) courses and distances:

N59°53'19"E, a distance of 761.55 feet (Record – N60°E~762.1') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for an angle point,

N52°08'19"E, a distance of 345.45 feet (Record – N52°45'E~345.7') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set for an angle point, and

N59°22'40"E, a distance of 1,631.13 feet (Record – N60°E~1,632.8') to the **PLACE OF BEGINNING** and containing 117.714 acres of land.

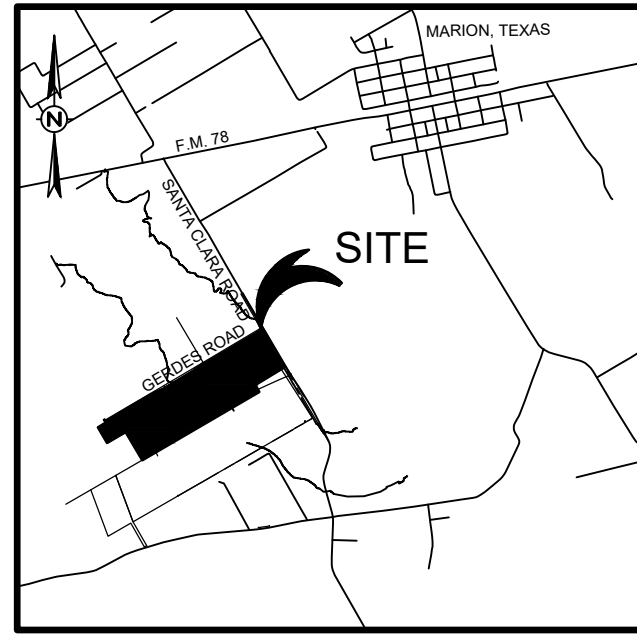



Paul L. Myers
Registered Professional Land Surveyor
No. 6490 – State of Texas

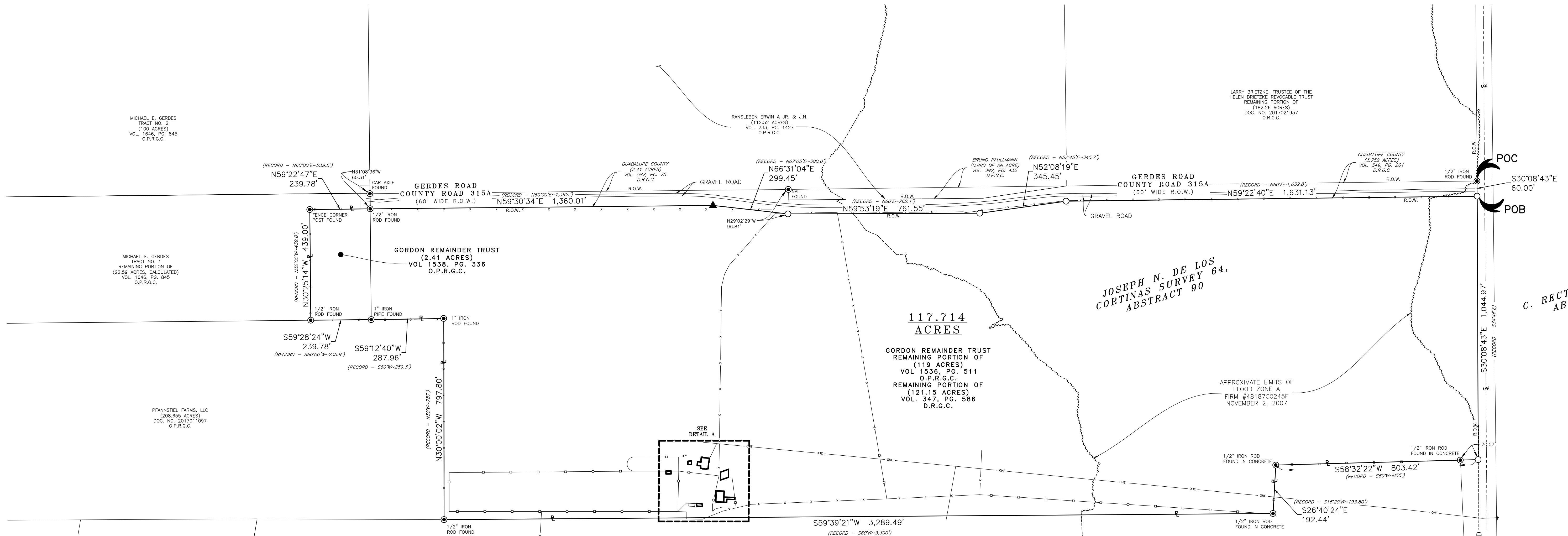
Job #20063
August 20, 2020

BOUNDARY & IMPROVEMENT SURVEY OF

A 117.714 ACRE TRACT OF LAND LYING IN THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, GUADALUPE COUNTY, TEXAS, SAID 117.714 ACRE TRACT BEING ALL OF A 2.41 ACRE TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED TO GORDON REMAINDER TRUST, DATED AUGUST 22, 2000, AND RECORDED IN VOLUME 1538, PAGE 336, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, ALSO BEING A PORTION OF A 119 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO GORDON REMAINDER TRUST, DATED AUGUST 15, 2000, AND RECORDED IN VOLUME 1536, PAGE 511, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS, FURTHER DESCRIBED AS A 121.15 ACRE TRACT OF LAND DESCRIBED IN A DEED TO ROBERT D. SHAW, DATED MAY 8, 1962, RECORDED IN VOLUME 347, PAGE 586, DEED RECORDS OF GUADALUPE COUNTY TEXAS.



LOCATION MAP



MICHAEL E. GERDES
 TRACT NO. 2
 (100 ACRES)
 VOL. 1646, PG. 845
 O.P.R.G.C.

MICHAEL E. GERDES
 TRACT NO. 1
 REMAINING PORTION OF
 (22.59 ACRES, CALCULATED)
 VOL. 1646, PG. 845
 O.P.R.G.C.

PFANNSTIEL FARMS, LLC
 (208.655 ACRES)
 DOC. NO. 2017011097
 O.P.R.G.C.

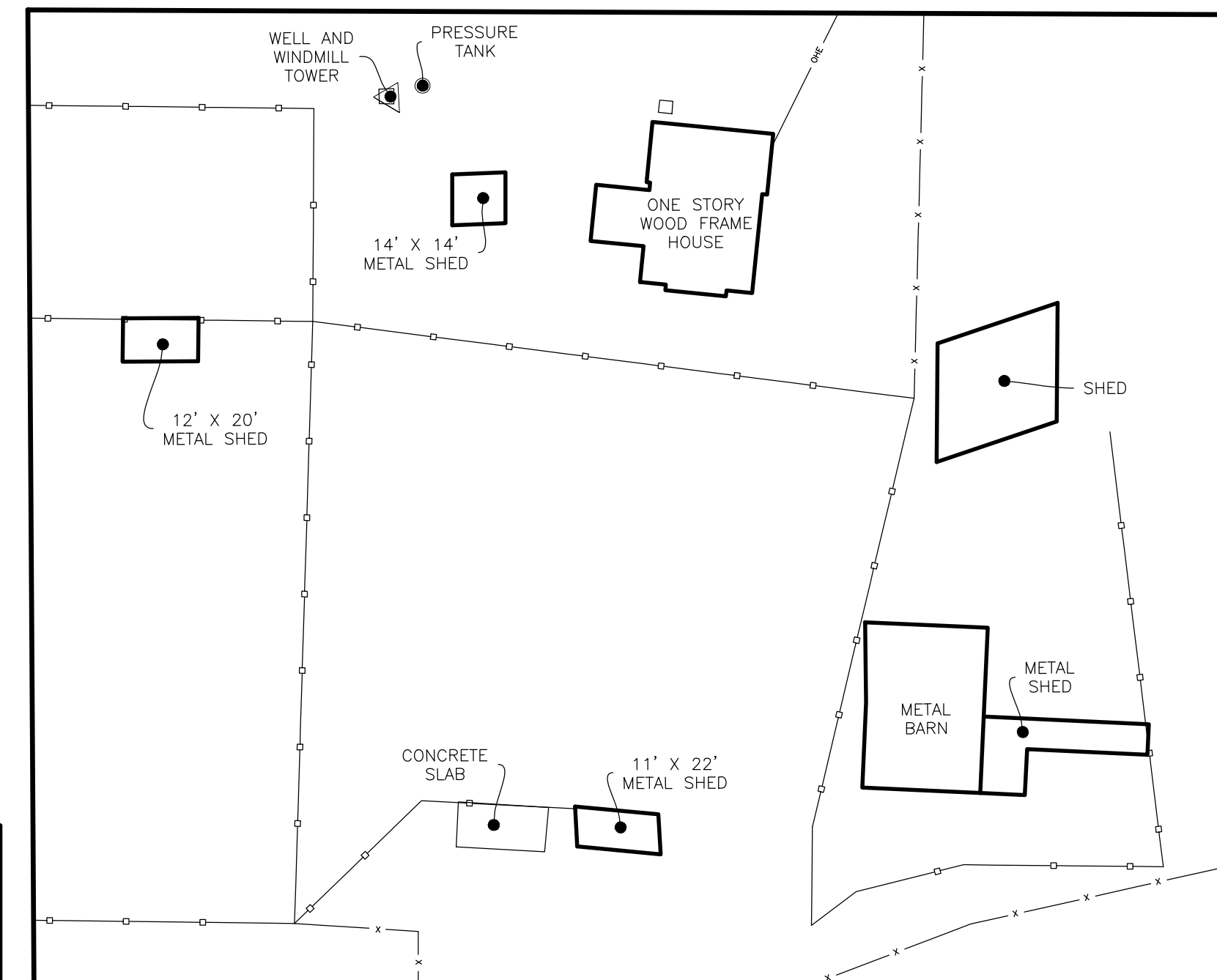
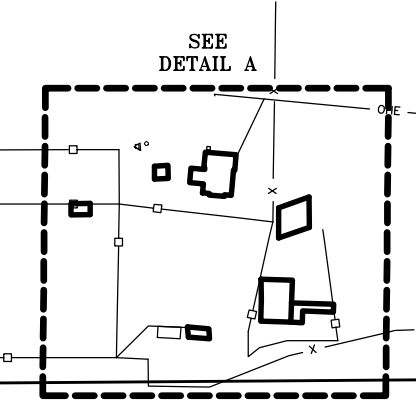
RANSLEBEN ERWIN A JR. & J.N.
 (112.02 ACRES)
 VOL. 733, PG. 1427
 O.P.R.G.C.

GUADALUPE COUNTY
 (2.41 ACRES)
 VOL. 392, PG. 75
 D.R.G.C.

BRAND PRILLMANN
 (0.880 OF AN ACRES)
 VOL. 392, PG. 430
 D.R.G.C.

GUADALUPE COUNTY
 (3.752 ACRES)
 VOL. 348, PG. 201
 D.R.G.C.

ROONEY P. SCHMCKEL ET. AL
 (20,000 ACRES)
 DOC. NO. 2016013338
 O.P.R.G.C.

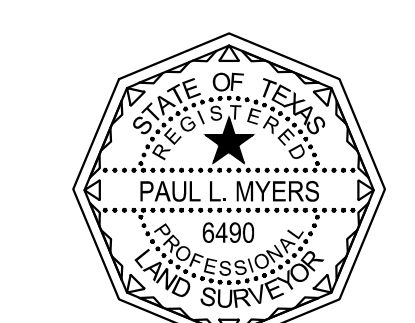


BURTON K. NICHOLS
 (138.432 ACRES)
 VOL. 4610 PG. 298
 O.P.R.G.C.

- LEGEND**
- FOUND MONUMENTATION
 - 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "MMES RPLS 6490" UNLESS OTHERWISE NOTED
 - ▲ UNMONUMENTED POINT
 - POB — PLACE OF BEGINNING
 - POC — PLACE OF COMMENCEMENT
 - R.O.W. — RIGHT-OF-WAY
 - ESMT — EASEMENT
 - SS — SANITARY SEWER
 - WL — WATER LINE
 - E.G.T.V.E — ELECTRIC, GAS, TELEPHONE, TELEVISION EASEMENT
 - PROPERTY LINE
 - APPROXIMATE SURVEY LINE
 - TELEPHONE PEDESTAL
 - TRANSFORMER POLE
 - POWER POLE
 - () — RECORD INFORMATION
 - D.R.G.C. — DEED RECORDS OF GUADALUPE COUNTY, TEXAS
 - O.P.R.G.C. — OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
 - OVERHEAD ELECTRIC
 - CHAIN LINK FENCE
 - NET WIRE FENCE
 - WIRE FENCE

- SURVEYORS NOTES:**
1. BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.
 2. THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, OF NO. SC1-46-1300112003905-08, EFFECTIVE DATE OF APRIL 26, 2020, ISSUE DATE OF MAY 5, 2020.
 3. A PORTION OF THE SUBJECT TRACT LIES WITHIN ZONE A ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP #48187C0245F, DATED NOVEMBER 2, 2007. MEALS-MYERS ENGINEERING AND SURVEYING DID NOT CONDUCT A FLOOD STUDY.
 4. THE SUBJECT TRACT LIES WITHIN THE CITY OF MARION ETJ.
 5. THE SUBJECT TRACT ADJUTS THE PUBLIC RIGHT-OF-WAY OF SANTA CLARA ROAD AND COUNTY ROAD 315A, AKA GERDES LANE.
 6. ONLY THOSE UTILITIES VISIBLE TO THE SURVEYOR ARE SHOWN HEREON. NO UNDERGROUND UTILITIES WERE OBSERVED NOR WAS ANY SUBSURFACE UTILITY EXPLORATION (SUE) DONE AT THE TIME OF THIS SURVEY.
 7. DISTANCES SHOWN HEREON ARE SURFACE.
 8. COMBINED SCALE FACTOR: GRID * 1.00016 = SURFACE
 9. FIELD NOTE DESCRIPTIONS OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
 10. FIELD WORK WAS COMPLETED IN AUGUST 2020.

- SCHEDULE B, ITEM 10:**
9. ERNST LIME CEMETERY REFERENCED IN VOLUME 347, PAGE 586 AND VOLUME 5, PAGE 629, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT. COULD NOT LOCATE CEMETERY PER DESCRIPTION. DID NOT OBSERVE ANY EVIDENCE OF CEMETERY ON PROPERTY. RIGHTS TO INGRESS/EGRESS EASEMENT MAY AFFECT SUBJECT TRACT.
 10. WATER PIPELINE/ACCESS TO WATER WELL REFERENCED IN VOLUME 268, PAGE 474, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT, NOT LOCATABLE PER DESCRIPTION.
 11. EASEMENT FOR ROAD REFERENCED IN VOLUME 268, PAGE 474, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT, EASEMENT NOT LOCATABLE PER DESCRIPTION.



TO: GRAFTED INVESTMENTS, LLC, GORDON REMAINDER TRUST, AND CHICAGO TITLE INSURANCE COMPANY.

I, PAUL L. MYERS, A REGISTERED PROFESSIONAL SURVEYOR, LICENSED BY THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SURVEY REPRESENTS FACTS DISCLOSED BY AN ON THE GROUND SURVEY, MADE UNDER MY SUPERVISION IN JUNE THRU AUGUST 2020 AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 3 LAND TITLE SURVEY.

PAUL L. MYERS, RPLS
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6490

MM MEALS MYERS
 ENGINEERING & SURVEYING LLC

7711 ECKHART ROAD
 SUITE #108
 SAN ANTONIO, TX 78240
 PHONE: 830-931-1269
 210-740-2483
 TBPE #F-18576
 TBPLS #10194291



STATE OF TEXAS
COUNTY OF GUADALUPE

**FIELD NOTE DESCRIPTION
OF
A 138.474 ACRE TRACT**

Being a 138.474 acre tract of land lying in the Joseph N. De Los Cortinas Survey 64, Abstract 90, Guadalupe County, Texas, said 138.474 acre tract being the same 138.432 acre tract of land as described in a General Warranty Deed to Burton K. Nichols, dated November 30, 2012, and recorded in Volume 4010, Page 298, Official Public Records of Guadalupe County, Texas; said 138.474 acre tract being more particularly described as follows:

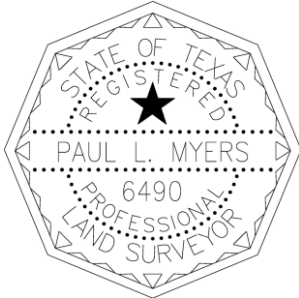
BEGINNING: at 5/8" iron rod found in a southwest right-of-way line of Santa Clara Road (a varying width right-of-way), for the east corner of the aforementioned 138.432 acre tract, the north corner of a 2.50 acre tract of land as described and recorded in Document No. 201999007560, Official Public Records of Guadalupe County, Texas, the west corner of a 0.355 of an acre tract of land as described and recorded in Document No. 201999023876, Official Public Records of Guadalupe County, Texas, and the east corner of the herein described 138.474 acre tract;


THENCE: along the southeast line of the aforementioned 138.432 acre tract, the northwest line of the aforementioned 2.50 acre tract, the northwest line of a 38.69 acre tract of land as described and recorded in Volume 727, Page 67, Official Public Records of Guadalupe County, Texas, and Lot 17 of the Knowles Subdivision Phase 2, recorded in Volume 6, Pages 797-798, Map and Plat Records of Guadalupe County, Texas, S60°01'30"W, a distance of 1,365.08 feet (Record – S61°25'32"W) to a 1/2" iron rod found for an angle point of the herein described 138.474 acre tract;

THENCE: continuing along the southeast line of the aforementioned 138.432 acre tract, the northwest line of Lots 16, 15, and 14 of the aforementioned Knowles Subdivision, the northwest line of a 10.00 acre tract of land as described and recorded in Volume 4008, Page 923, Official Public Records of Guadalupe County, Texas, and the northwest line of Lots 7 and 6 of the Red Oak Subdivision recorded in Volume 5, Pages 178B and 179A, Map and Plat Records of Guadalupe County, Texas, S59°50'16"W, a distance of 1,381.08 feet (Record – S61°25'32"W) to a chain link fence post for an angle point of the herein described 138.474 acre tract;

- THENCE:** continuing along the southeast line of the aforementioned 138.432 acre tract, the northwest line of the aforementioned Lot 6, the northwest line of a 4.963 acre tract of land as described and recorded in Document No. 201899018965, the northwest line of a 5.015 acre tract of land as described and recorded in Volume 2366, Page 563, the northwest line of a 5.50 acre tract of land as described and recorded in Volume 3155, Page 729, the northwest line of a 10.0 acre tract of land as described and recorded in Document No. 2017008564, the northwest line of a 10.00 acre tract of land as described and recorded in Volume 1987, Page 987, and the northwest line of a 15.11 acre tract of land as described and recorded in Volume 1598, Page 806, all of the Official Public Records of Guadalupe County, Texas, S60°04'17"W, a distance of 2,293.77 feet (Record – S61°25'32"W) to a 1/2" iron rod in concrete found for the west corner of said 15.11 acre tract, an angle point of 20.000 acre tract of land as described and recorded in Document No. 201601338, Official Public Records of Guadalupe County, Texas, and the south corner of the herein described 138.474 acre tract;
- THENCE:** along the west line of the aforementioned 138.432 acre tract and an east line of the aforementioned 20.000 acre tract, N20°16'37"W, a distance of 1,208.13 feet (Record – N18°59'47"W~1,206.79') to a 1/2" iron rod with plastic cap stamped "MMES RPLS 6490" set in the southeast line of a 208.655 acre tract of land described and recorded in Document No. 2017011097, Official Public Records of Guadalupe County, Texas, for the north corner of said 20.000 acre tract and the most southerly west corner of the herein described 138.474 acre tract;
- THENCE:** along a northwest line of the aforementioned 138.432 acre tract and the southeast line of the aforementioned 208.655 acre tract, N60°18'53"E, a distance of 741.71 feet (Record – N61°16'12"E) to a 1/2" iron rod found for the east corner of said 208.655 acre tract, the south corner of a 119 acre tract of land recorded in Volume 1536, Page 511, Official Public Records of Guadalupe County, Texas, further described as a 121.15 acre tract of land as described and recorded in Volume 347, Page 586, Deed Records of Guadalupe County, Texas, and an angle point of the herein described 138.474 acre tract;
- THENCE:** continuing along a northwest line of the aforementioned 138.432 acre tract and a southeast line of the aforementioned 121.15 acre tract, N59°39'21"E, a distance of 3,289.49 feet (Record – N61°16'12"E) to a 1/2" iron rod in concrete found for an east corner of said 121.15 acre tract and an interior corner of the herein described 138.474 acre tract;
- THENCE:** along a southwest line of the aforementioned 138.432 acre tract and a northeast line of the aforementioned 121.15 acre tract, N26°40'24"W, a distance of 192.44 feet (Record – N26°52'W~193.93') to a 1/2" iron rod in concrete found for an interior corner of said 121.15 acre tract and the most northerly west corner of the herein described 138.474 acre tract;
- THENCE:** along a northwest line of the aforementioned 138.432 acre tract and a southeast line of the aforementioned 121.15 acre tract, N58°32'29"E, a distance of 732.85 feet (Record – N60°00'E~733.70') to a 1/2" iron rod in concrete found in a southwest right-of-way line of the aforementioned Santa Clara Road for the north corner of the herein described 138.474 acre tract;

THENCE: along the northeast line of the aforementioned 138.432 acre tract and a southwest right-of-way line of the aforementioned Santa Clara Road, S32°27'54"E, a distance of 1,418.08 feet (Record – S30°59'47"E~1,414.03') to the **PLACE OF BEGINNING** and containing 138.474 acres of land.

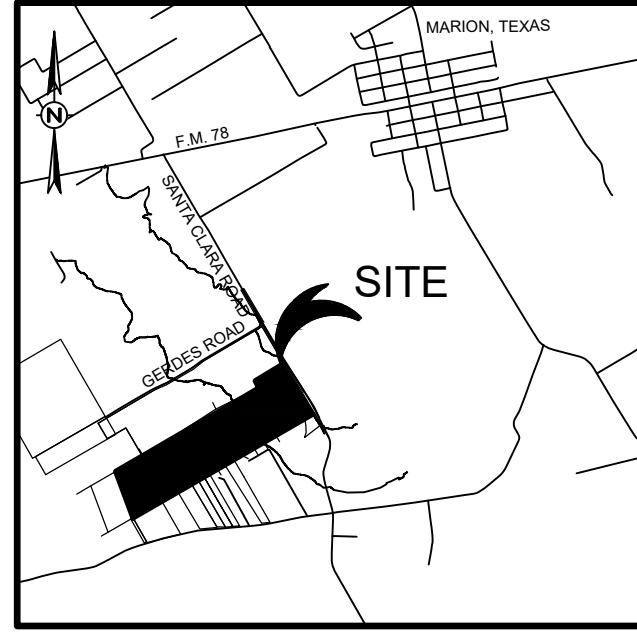



Paul L. Myers
Registered Professional Land Surveyor
No. 6490 – State of Texas

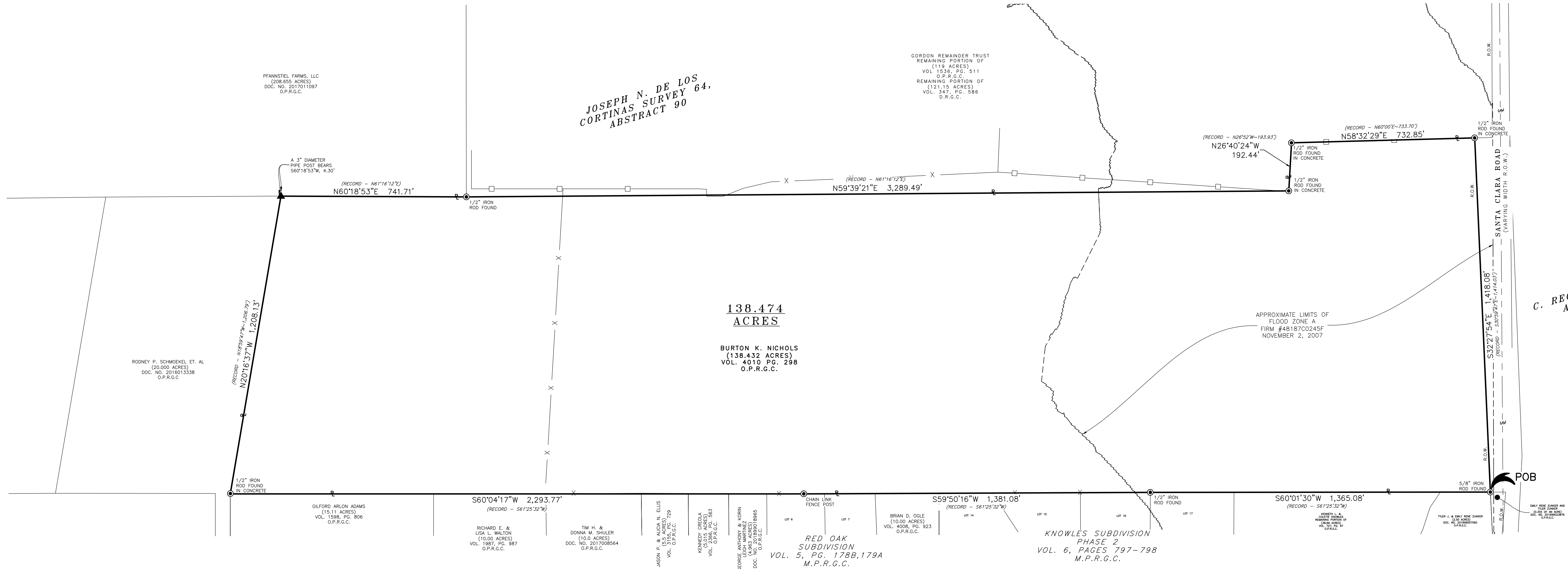
Job #20063
August 20, 2020

BOUNDARY & IMPROVEMENT SURVEY OF

A 138.474 ACRE TRACT OF LAND LYING IN THE JOSEPH N. DE LOS CORTINAS SURVEY 64, ABSTRACT 90, GUADALUPE COUNTY, TEXAS, SAID 138.474 ACRE TRACT BEING THE SAME 138.432 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO BURTON K. NICHOLS, DATED NOVEMBER 30, 2012, AND RECORDED IN VOLUME 4010, PAGE 298, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS.



LOCATION MAP



C. RECTOR SURVEY 83, ABSTRACT 270

LEGEND

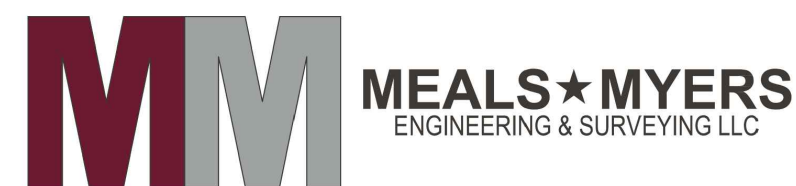
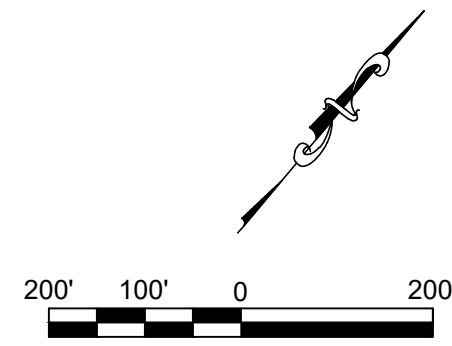
- FOUND MONUMENTATION
- 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "MMES RPLS 6490" UNLESS OTHERWISE NOTED
- UNMONUMENTED POINT
- POB — PLACE OF BEGINNING
- POC — PLACE OF COMMENCEMENT
- R.O.W. — RIGHT-OF-WAY
- ESMT — EASEMENT
- SS — SANITARY SEWER
- WL — WATER LINE
- E.G.T.V.E — ELECTRIC, GAS, TELEPHONE, TELEVISION EASEMENT
- PROPERTY LINE
- APPROXIMATE SURVEY LINE
- ☐ TELEPHONE PEDESTAL
- TRANSFORMER POLE
- POWER POLE
- () — RECORD INFORMATION
- D.R.G.C. — DEED RECORDS OF GUADALUPE COUNTY, TEXAS
- M.P.R.G.C. — MAP AND PLAT RECORDS OF GUADALUPE COUNTY, TEXAS
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- OHE — OVERHEAD ELECTRIC
- CHAIN LINK FENCE
- NET WIRE FENCE
- X — WIRE FENCE

SCHEDULE B, ITEM 10:

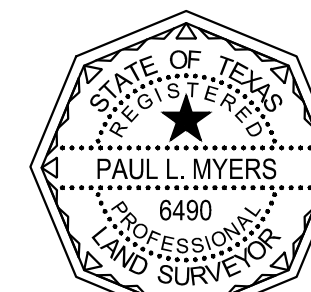
9. EASEMENT TO GUADALUPE VALLEY ELECTRIC COOPERATIVE, INC. RECORDED IN DOCUMENT #2018904142, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT. CAN NOT LOCATE GRAPHICALLY. BLANKET EASEMENT.
10. INTEREST TO COAL, LIGNITE, OIL GAS AND OTHER MINERALS RECORDED IN VOLUME 4010, PAGE 298, OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT.
11. OIL, GAS AND MINERAL LEASE RECORDED IN VOLUME 226, PAGE 242, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT.
12. OIL, GAS AND MINERAL LEASE RECORDED IN VOLUME 239, PAGE 81, DEED RECORDS OF GUADALUPE COUNTY, TEXAS. MAY AFFECT SUBJECT TRACT.

SURVEYORS NOTES:

1. BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83.
2. THIS SURVEY WAS CONDUCTED WITH THE BENEFIT OF A TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, OF NO. SOT-48-4300112003904-DB, EFFECTIVE DATE OF APRIL 26, 2020, ISSUE DATE OF MAY 4, 2020.
3. A PORTION OF THE SUBJECT TRACT LIES WITHIN ZONE A ACCORDING TO THE FLOOD INSURANCE RATE MAP, MAP #48187C0245F, DATED NOVEMBER 2, 2007. MEALS-MYERS ENGINEERING AND SURVEYING DID NOT CONDUCT A FLOOD STUDY.
4. THE SUBJECT TRACT LIES WITHIN THE CITY OF MARION ETJ.
5. THE SUBJECT TRACT ABUTS THE PUBLIC RIGHT-OF-WAY OF SANTA CLARA ROAD.
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7. DISTANCES SHOWN HEREON ARE SURFACE.
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9. FIELD NOTE DESCRIPTIONS OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
10. FIELD WORK WAS COMPLETED IN AUGUST 2020.



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TBPE #F-18576
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TO: GRAFTED INVESTMENTS, LLC, CHICAGO TITLE INSURANCE COMPANY, AND BURTON K. NICHOLS.
I, PAUL L. MYERS, A REGISTERED PROFESSIONAL SURVEYOR, LICENSED BY THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SURVEY REPRESENTS FACTS DISCLOSED BY AN ON THE GROUND SURVEY, MADE UNDER MY SUPERVISION IN JUNE THRU AUGUST 2020 AND THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 3 LAND TITLE SURVEY.

PAUL L. MYERS, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6490

Exhibit "D"
City Correspondence Denying Petition for Services



Office of the Mayor of Marion

08/05/2021

To: Mr. Jason Osuna
Grafted Investments

Subject: Request for Water and Sewer Services

Dear Mr. Osuna:

On July 20, 2021, the Marion City Council met to discuss the possibility of providing water and sewer service to the property on Santa Clara Rd. which is being developed by Grafted Investments and is subject to the municipal utility district petition (the Property). After some discussion, the Council concluded that the City is not able to provide the Property either the water or sewer service needed for the project. A motion was made, seconded and passed stating that the City cannot provide the requested services. As the Council does not intend to again take up this matter, there will not be a mutually agreeable contract as required in Texas Water Code Sec. 54.016(c).

Please let me know if you need anything further from the City of Marion.

Thank you and Best Regards,

Mayor Victor A. Contreras

Exhibit "E"
Lienholder Consent

CONSENT OF LIENHOLDER

Sigman Investments, LP, a Texas limited partnership ("Lienholder"), holds a lien on the property that is described in the attached Petition for Creation of Guadalupe County Municipal Utility District No. 4 (the "Land"). This lien arises from that certain promissory note in the original principal sum of \$3,371,942.17 dated June 15, 2021, executed by Grafted Investments LLC, and payable to the order of Lienholder, payment of which note is secured by a deed of trust of even date therewith recorded as Document No. 202199021068 in the Official Public Records of Guadalupe County, Texas. Lienholder consents to the creation of Guadalupe County Municipal Utility District No. 4 and inclusion of the Land into said district, and hereby joins in the Petition for Creation of Guadalupe County Municipal Utility District No. 4.

EXECUTED this 15 day of February, 2020.

SIGMAN INVESTMENTS, LP

By: SIGMAN MANAGEMENT, LLC, a Texas limited liability company, its General Partner

By: Joshua Sigman
Name: Joshua Sigman
Title: Member / Partner

STATE OF TEXAS

COUNTY OF Bexar

This instrument was acknowledged before me on the 15 day of February 2022, by Joshua Sigman as manager of Sigman Management, LLC, a Texas limited liability company and General Partner of Sigman Investments, LP, a Texas limited partnership, on behalf of said limited partnership.

Marcela H Rivera
Notary Public

My commission expires: 10/16/2022

[Seal]

