



**FIRST AMENDMENT TO THE
MASTER DECLARATION
OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
HEATH CROSSING
CITY OF HEATH, ROCKWALL COUNTY, TEXAS**

THE STATE OF TEXAS	§	
	§	KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF ROCKWALL	§	

THIS FIRST AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HEATH CROSSING (the "Amendment") is made this 11th day of September, 2015, by TR Heath Partners, Ltd., a Texas limited partnership (hereinafter referred to as "Declarant"), and the Requisite Members (as defined below) of the Heath Crossing Homeowners Association (the "Association").

WHEREAS, Declarant was the sole owner of that certain property known as Heath Crossing, a subdivision located in the City of Heath, Rockwall County, Texas, more accurately described on Exhibit "A" ("Land"); and

WHEREAS, Declarant by that certain instrument entitled MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR HEATH CROSSING (the "Declaration") filed of record on December 14, 2005 in the Official Public Records of Rockwall County, Texas, recorded in Volume 4339, Page 1 (the "Declaration"), imposed on the Land all those certain covenants, conditions, restrictions, and easements therein set forth; and

WHEREAS, Section 9.2 of the Declaration provides that the Declaration may be amended by written consent of the Declarant and Members having at least seventy percent (70%) of the total outstanding votes of all Members of the Association without regard to class ("Requisite Members"); and

WHEREAS, the Declarant has provided its written consent to amend the Declaration; and

WHEREAS, the undersigned member of the Association, TR Heath Partners, Ltd., holds approximately seventy-eight percent (78%) of the voting interest of the Association and therefore constitutes the Requisite Members required to amend the Declaration, and has provided its written consent to amend the Declaration;

NOW THEREFORE, for and in consideration of the mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned parties hereto agree as follows:

1. AMENDMENTS. The Declaration is hereby amended and modified as follows:

A. Section 3.11(d) is deleted in its entirety and replaced with the following:

“Permanent basketball goals are permitted between the street right-of-way and the front of the residence on a Lot provided the basketball goal is located at least twenty-five feet (25’) from the street curb. The basketball goal backboard must be perpendicular to the street and mounted on a black metal pole permanently installed in the ground. Portable basketball goals are permitted but must be stored in the rear of the Lot, inside a garage, or otherwise screened from view from sundown to sunrise. Basketball goals must be properly maintained and painted, with the net in good repair. All basketball goals, whether permanent or portable, must be approved by the New Construction Committee prior to being placed on any Lot.”

B. Section 3.12 is deleted in its entirety and replaced with the following:

“3.12 Garages. All garage doors shall be closed at all times when not in use. Every garage and accessory building (except a greenhouse) shall correspond in style and architectural and exterior building materials with the dwelling to which it is appurtenant. Porte cocheres must be approved by the New Construction Committee. No carport shall be built, placed, constructed or reconstructed on any Lot. As used herein, the term “carport” shall not be deemed to include a porte cochere. No garage shall ever be changed, altered, reconstructed or otherwise converted for any purposes inconsistent with the garaging of automobiles. Each residence constructed upon a Lot shall have a private garage for not less than three (3) automobiles. The location, orientation and opening (i.e. side-entry or front-entry) of each garage to be located on a Lot shall be approved in advance of construction by the New Construction Committee.”

C. Section 3.14 is deleted in its entirety and replaced with the following:

“3.14 Antennas. Except as expressly provided below, no exterior radio or television antennae or aerial or satellite dish or disc, shall be erected, maintained or placed on a lot without the prior written approval of the New Construction Committee; provided, however, that:

- (i) an antenna designed to receive direct broadcast services, including direct-to-home satellite services, that is one meter or less in diameter; or
- (ii) an antenna designed to receive video programming services via multipoint distribution services, including multi-channel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, that is one meter or less in diameter or diagonal measurement; or

- (iii) an antenna that is designed to receive television or radio broadcast signals;

(collectively, (i) through (iii) are referred to herein as the "Permitted Antennas") will be permitted subject to reasonable requirement as to location and screening as may be set forth in rules adopted by the New Construction Committee, consistent with applicable laws and regulations, in order to minimize obtrusiveness as viewed from streets and adjacent property."

D. Section 6.3 is deleted in its entirety and replaced with the following:

"6.3 Classes of Membership. The Association shall have two classes of voting membership:

CLASS A. Class A Members shall be all Owners who are not Class B Members. Class A Members shall be entitled to one vote for each Lot in which they hold the interest required for membership. When more than one Person holds such interest or interests in any Lot, all such Persons shall be Members, and the vote for such Lot shall be exercised as they, among themselves, determine, but in no event shall more than one vote be cast with respect to any such Lot.

CLASS B. Class B Members shall be Declarant and any Owner who acquires a Lot for the purpose of constructing a dwelling on any Lot for sale to consumers. If at any time any portion of the Land owned by Declarant is not platted into residential Lots, for the purposes of determining at that time the number of votes Declarant is entitled to cast and whether the Class B Membership has ceased, Declarant shall be deemed to own four (4) Lots per gross acre contained in such unplatted portion of the Land owned by Declarant. Upon the subsequent platting of any such portion of the Land owned by Declarant into residential Lots, the number of votes Declarant is entitled to cast with respect to such Lots shall be determined with reference to the actual number of such Lots owned by Declarant. Declarant shall be entitled to five (5) votes for each Lot owned by a Class B Member. Class B Members other than Declarant shall be non-voting Members. The Class B membership shall cease, and each Class B Member shall become a Class A Member, on the first to occur of (i) the date on which the total number of votes outstanding in the Class A membership is five (5) times greater than the total number of votes outstanding in the Class B membership; or (ii) the last to occur of the date that is the fifteenth (15th) anniversary of (x) the date of this Declaration or (y) if so added, the date the Additional Land is added to the coverage of this Declaration. If the Additional Land is added to the coverage of this Declaration, and if Class B membership has theretofore ceased, then the Class B membership shall be reinstated effective as of the date the Additional Land is so added."

- E. Exhibit "A" is deleted in its entirety and replaced with the attached Exhibit "B".

2. **INCONSISTENT TERMS.** The Declaration is hereby amended by the terms and provisions hereof. If any term or provision of the Declaration is contradictory to, or inconsistent with, any term or provision of this Amendment, then the terms and provisions of this Amendment shall in all events control and such contradictory or inconsistent term or provision of the Declaration shall be null and void. All terms of the Declaration not expressly amended hereby shall remain in full force and effect.

3. **DEFINITIONS.** Any term used herein shall have the same definition as is provided in the Declaration, unless otherwise noted herein.

4. **FURTHER ASSURANCES.** The parties hereto covenant and agree that they will execute such other and further documents and instruments as are or may become necessary or convenient to effectuate and carry out the objectives of this Amendment.

5. **SEVERABILITY.** If any provision contained in this Amendment is held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Amendment shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

6. **COUNTERPARTS.** This Amendment may be executed in several counterparts, each of which will be deemed to be an original, and each of which alone and all of which together, shall constitute one and the same instrument. This Amendment may be transmitted by facsimile, and it is the intent of the parties for the facsimile of any autograph printed by a receiving facsimile machine to be an original signature and for the facsimile and any complete photocopy of this Amendment to be deemed an original counterpart.

7. **RATIFICATION.** Except as modified hereby, the Declaration is hereby ratified and confirmed as being in full force and effect by all of the undersigned.

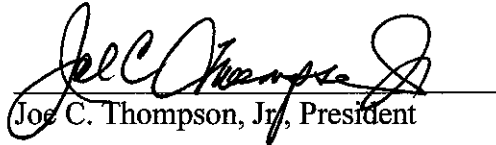
[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, Declarant and Requisite Members have caused this instrument to be executed as of the date set forth in the first paragraph of this Amendment.

DECLARANT:

TR HEATH PARTNERS, LTD., a Texas limited partnership

By: its general partner, TFC Heath GP, Inc., a Texas Corporation

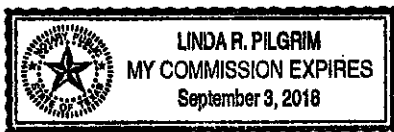

Joe C. Thompson, Jr., President

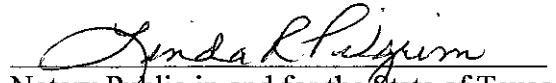
THE STATE OF TEXAS
COUNTY OF ROCKWALL

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KNOW ALL PERSONS BY THESE PRESENTS:

This instrument was acknowledged before me on the 11th day of September, 2015, by Joe C. Thompson, Jr., President of TFC Heath GP, Inc., the sole general partner of TR Heath Partners, Ltd., a Texas limited partnership, on behalf of said partnership.

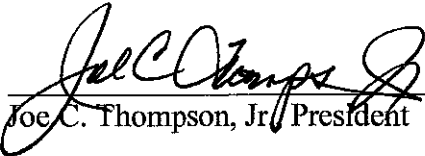



Notary Public in and for the State of Texas

REQUISITE MEMBERS:

TR HEATH PARTNERS, LTD., a Texas limited
partnership

By: its general partner, TFC Heath GP, Inc., a Texas
Corporation

By: 
Joe C. Thompson, Jr. President

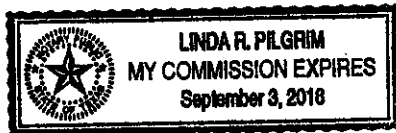
THE STATE OF TEXAS

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KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF ROCKWALL

This instrument was acknowledged before me on the 11th day of September, 2015, by
Joe C. Thompson, Jr., President of TFC Heath GP, Inc., the sole general partner of TR Heath
Partners, Ltd., a Texas limited partnership, on behalf of said partnership.





Notary Public in and for the State of Texas

EXHIBIT "A"

LAND

STAMPED FOR SCANNING
PURPOSES ONLY

STAMPED FOR SCANNING
PURPOSES ONLY

EXHIBIT A
THE LAND
134.68 ACRES

BEING a 134.68-acre tract of land situated in the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas, said tract being all of 4 tracts of land described in deed to TR Heath Partners, Ltd., (Parcel A, Parcel B, Parcel D and Parcel E), as recorded in Volume 3346, Page 100, Deed Records Rockwall County, Texas (D.R.R.C.T.) and all of a tract of land described in deed to TR Heath Partners, Ltd. (5.414 acres), as recorded in Volume 3346, Page 116, D.R.R.C.T., said tract being more particularly described as follows:

BEGINNING at a found 1/2-inch iron rod with cap stamped "RPLS 5439" (hereinafter referred to as "with cap") for the northwest corner of said 5.414 acre tract, said corner being within White Road;

THENCE North 89 degrees 39 minutes 28 seconds East, along the north line of said 5.414 acre tract and along said White Road, passing a found 1/2-inch iron rod with cap at a distance of 725.99 feet for the northwest corner of said Parcel D, continuing along the north line of said Parcel D, for a total distance of 745.99 feet to a found 1/2-inch iron rod with cap for corner;

THENCE South 00 degrees 10 minutes 39 seconds East, along the north line of said Parcel D, a distance of 12.79 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 89 degrees 00 minutes 08 seconds East, along the north line of said Parcel D a distance of 200.72 feet to a found 1/2-inch iron rod with cap for the southwest corner of said Parcel B;

THENCE North 00 degrees 59 minutes 52 seconds West, along the west line of said Parcel B, a distance of 125.87 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 07 degrees 30 minutes 17 seconds East, along the west line of said Parcel B, a distance of 428.75 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 01 degrees 48 minutes 36 seconds West, along the west line of said Parcel B, a distance of 26.08 feet to a found 1/2-inch iron rod with cap for the northwest corner of said Parcel B;

THENCE North 69 degrees 41 minutes 40 seconds East, along the north line of said Parcel B, a distance of 577.86 feet to a found 1/2-inch iron rod with cap for the northwest corner of said Parcel E;

THENCE North 70 degrees 01 minutes 45 seconds East, along the north line of said Parcel E, a distance of 407.84 feet to a found 1/2-inch iron rod with cap for corner, said corner being on the south line of a tract of land described in deed to Robert Allen, Trustee (89.75 acres), as recorded in Volume 1942, Page 72, D.R.R.C.T.;

THENCE Southwesterly, along the north and east lines of said Parcel E the following calls:

South 76 degrees 45 minutes 44 seconds East, a distance of 101.72 feet to a found 1/2-inch iron rod with cap for corner;

North 61 degrees 33 minutes 28 seconds East, a distance of 314.93 feet to a found 1/2-inch iron rod with cap for corner;

North 85 degrees 19 minutes 09 seconds East, a distance of 171.48 feet to a found 1/2-inch iron rod with cap for corner;

South 39 degrees 13 minutes 37 seconds East, a distance of 111.16 feet to a found 1/2-inch iron rod with cap for corner;

South 81 degrees 03 minutes 37 seconds East, a distance of 17.00 feet to a found 1/2-inch iron rod with cap for corner;

South 79 degrees 38 minutes 47 seconds West, a distance of 100.00 feet to a found 1/2-inch iron rod with cap for corner;

South 10 degrees 21 minutes 13 seconds East, a distance of 250.00 feet to a found 1/2-inch iron rod with cap for corner;

North 79 degrees 38 minutes 47 seconds East, a distance of 405.36 feet to a found 1/2-inch iron rod with cap for corner;

North 10 degrees 21 minutes 13 seconds West, a distance of 193.22 feet to a found 1/2-inch iron rod with cap for corner;

North 65 degrees 43 minutes 59 seconds East, a distance of 79.19 feet to a found 1/2-inch iron rod with cap for corner;

South 23 degrees 14 minutes 22 seconds East, a distance of 149.40 feet to a found 1/2-inch iron rod with cap for corner;

South 67 degrees 26 minutes 13 seconds East, a distance of 232.73 feet to a found 1/2-inch iron rod with cap for corner;

South 32 degrees 25 minutes 36 seconds East, a distance of 315.56 feet to a found 1/2-inch iron rod with cap for corner;

South 38 degrees 20 minutes 52 seconds East, a distance of 214.20 feet to a point for corner within Buffalo Creek;

THENCE South 16 degrees 01 minutes 05 seconds East, along the east line of said Parcel E and the meanders of Buffalo Creek, a distance of 200.82 feet to a point for corner along Buffalo Creek;

THENCE South 04 degrees 45 minutes 00 seconds West, along the east line of said Parcel E and the meanders of Buffalo Creek, a distance of 108.40 feet to the southeast corner of said Parcel E;

THENCE Southwesterly, along the southeast line of said Parcel E, the following calls:

South 70 degrees 26 minutes 36 seconds West, departing said Buffalo Creek, along the south line of said Parcel E, a distance of 413.92 feet to a found 1/2-inch iron rod with cap for corner;

South 76 degrees 31 minutes 26 seconds West, a distance of 180.23 feet to a found 1/2-inch iron rod with cap for corner;

South 88 degrees 17 minutes 59 seconds West, a distance of 202.39 feet to a found 1/2-inch iron rod with cap for corner;

South 88 degrees 34 minutes 08 seconds West, a distance of 80.14 feet to a found 1/2-inch iron rod with cap for corner;

South 73 degrees 56 minutes 52 seconds West, a distance of 149.19 feet to a found 1/2-inch iron rod with cap for corner;

South 43 degrees 59 minutes 07 seconds East, a distance of 292.90 feet to a found 1/2-inch iron rod with cap for corner;

South 59 degrees 50 minutes 21 seconds East, a distance of 56.31 feet to a found 1/2-inch iron rod with cap for corner;

South 43 degrees 37 minutes 37 seconds East, a distance of 119.94 feet to a found 1/2-inch iron rod with cap for the point of curvature of a circular curve to the left, having a radius of 275.00 feet and whose chord bears South 50 degrees 11 minutes 17 seconds East, a distance of 62.85 feet;

Southeasterly, along said curve to the left, through a central angle of 13 degrees 07 minutes 21 seconds, an arc distance of 62.98 feet to a found 1/2-inch iron rod with cap for corner;

South 46 degrees 04 minutes 51 seconds West, a distance of 418.35 feet to a found 1/2-inch iron rod with cap for the most southerly corner of said Parcel B, said corner being on the northeast line of said Parcel A;

THENCE South 45 degrees 29 minutes 00 seconds East, along said northeast line, a distance of 1347.05 feet to a found 1/2-inch iron rod with cap for the most easterly corner of said Parcel A;

THENCE Southwesterly, along said Parcel A the following calls:

South 11 degrees 45 minutes 24 seconds West, a distance of 470.81 feet to a found 1/2-inch iron rod with cap for corner;

South 20 degrees 51 minutes 10 seconds West, a distance of 214.26 feet to a found 1/2-inch iron rod with cap for corner;

South 38 degrees 54 minutes 03 seconds West, a distance of 229.77 feet to a found 1/2-inch iron rod with cap for corner;

North 88 degrees 49 minutes 02 seconds West, a distance of 238.42 feet to a found 1/2-inch iron rod with cap for corner on the north line of a tract of land described in deed to Mark Word and Judy Word, as recorded in Volume 873, Page 64, D.R.R.C.T.;

South 86 degrees 53 minutes 26 seconds West, along said north line, a distance of 91.62 feet to a point for corner;

South 71 degrees 16 minutes 26 seconds West, continuing along said north line, passing at a distance of 139.53 feet the southeast corner of Lot 18, Block A, Crestridge Meadows, Phase Two, an addition to the City of Heath, as recorded in Cabinet C, Slide 85, Plat Records Rockwall County, Texas (P.R.R.C.T.), continuing along the east line of said Lot 18, a total distance of 145.78 feet to a found 1/2-inch iron rod with cap for corner;

South 78 degrees 12 minutes 26 seconds West, continuing along said east line, a distance of 81.13 feet to a found 1/2-inch iron rod with cap for corner;

North 16 degrees 02 minutes 04 seconds West, continuing along said east line, a distance of 15.29 feet to a found 1/2-inch iron rod with cap for corner;

South 78 degrees 52 minutes 26 seconds West, continuing along said east line, a distance of 28.94 feet to a found 1/2-inch iron rod with cap for corner;

North 23 degrees 47 minutes 14 seconds West, continuing along said east line, a distance of 112.95 feet to a point for corner;

North 06 degrees 08 minutes 34 seconds West, continuing along said east line, passing at a distance of 47.80 feet the most southerly northeast corner of Lot 17, Block A, Crestridge Meadows, Phase Two, continuing along the east line of said Lot 17, a total distance of 58.12 feet to a found 1/2-inch iron rod with cap for the northeast corner of said Lot 17;

South 76 degrees 55 minutes 39 seconds West, along the north line of said Lot 17, a distance of 41.28 feet to a found 1/2-inch iron rod with cap for the southeast corner of Lot 16, Block A, Las Lomas, an addition to the City of Heath, as recorded in Cabinet C, Slide 256, P.R.R.C.T.;

North 29 degrees 15 minutes 30 seconds West, along the east line of said Las Lomas, a distance of 667.79 feet to a found 1/2-inch iron rod with cap for the most northerly northeast corner of Lot 19, Block A, of said Las Lomas;

North 50 degrees 31 minutes 24 seconds West, departing said east line, a distance of 496.38 feet to a found 1/2-inch iron rod with cap for corner;

North 51 degrees 20 minutes 10 seconds West, a distance of 434.30 feet to a found 1/2-inch iron rod with cap for corner;

North 56 degrees 15 minutes 46 seconds West, a distance of 41.49 feet to a found 1/2-inch iron rod with cap for corner;

North 31 degrees 03 minutes 23 seconds West, a distance of 306.16 feet to a found 1/2-inch iron rod with cap for corner;

North 45 degrees 14 minutes 57 seconds West, a distance of 212.48 feet to a found 1/2-inch iron rod with cap for corner on the southeast line of Willow Springs No. 1, an addition to the City of Heath, as recorded in Cabinet D, Slide 83, P.R.R.C.T., said corner being the southwest corner of Willow Springs, Phase 2B, an addition to the City of Heath, as recorded in Cabinet F, Slide 79, P.R.R.C.T.;

THENCE North 87 degrees 52 minutes 38 seconds East, along the south line of said Willow Springs, Phase 2B, a distance of 350.95 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 82 degrees 26 minutes 25 seconds East, along said south line, a distance of 210.18 feet to a found 1/2-inch iron rod with cap for the southeast corner of said Willow Springs, Phase 2B;

THENCE North 18 degrees 47 minutes 16 seconds West, along the east line of said Willow Springs, Phase 2B, a distance of 300.69 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 79 degrees 08 minutes 32 seconds East, along said east line, a distance of 67.19 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 17 degrees 07 minutes 58 seconds West, along said east line, a distance of 208.08 feet to a found 1/2-inch iron rod with cap for the northeast corner of said Willow Springs, Phase 2B, said corner being on a circular curve to the right having a radius of 440.00 feet and whose chord bears South 84 degrees 21 minutes 08 seconds West, a distance of 243.29 feet;

THENCE Southwesterly, along the north line of said Willow Springs, Phase 2B and said curve to the right, through a central angle of 32 degrees 05 minutes 55 seconds, an arc distance of 246.50 feet to a found 1/2-inch iron rod with cap for the point of tangency of said curve;

THENCE North 74 degrees 21 minutes 36 seconds West, along the north line of said Willow Springs, Phase 2B, passing at a distance of 111.50 feet a found 1/2-inch iron rod with cap for the northeast corner of Willow Springs, Phase 2A, an addition to the City of Heath, as recorded in Cabinet F, Slide 23, P.R.R.C.T., and continuing along the north line of said Willow Springs, Phase 2A, a total distance of 326.10 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 57 degrees 28 minutes 36 seconds West, along the north line of said Willow Springs, Phase 2A, a distance of 143.35 feet to a found 1/2-inch iron rod with cap for the southeast corner of the aforementioned Parcel D;

THENCE South 75 degrees 05 minutes 38 seconds West, along the south line of said Parcel D, a distance of 256.35 feet to a found 1/2-inch iron rod with cap for the southwest corner of said Parcel D and the southwest corner of the aforementioned 5.414 acre tract, said corner being on the north line of said Willow Springs No. 1;

THENCE North 82 degrees 52 minutes 06 seconds West, along the south line of said 5.414 acre tract and the north line of said Willow Springs No. 1, a distance of 301.58 feet to a found 1/2-inch iron rod with cap for corner;

THENCE South 74 degrees 17 minutes 19 seconds West, along said south line and said north line, a distance of 305.54 feet to a found 1/2-inch iron rod with cap for corner;

THENCE North 77 degrees 05 minutes 16 seconds West, along said south line and departing said north line, a distance of 53.17 feet to a found 1/2-inch iron rod with cap for corner;

THENCE South 88 degrees 46 minutes 14 seconds West, along said south line, a distance of 127.95 feet to a found 1/2-inch iron rod with cap for the southwest corner of said 5.414 acre tract;

THENCE North 00 degrees 18 minutes 13 seconds West, along the west line of said 5.414 acre tract, a distance of 351.40 feet to the POINT OF BEGINNING AND CONTAINING 5,866,633 square feet or 134.684 acres of land more or less.

SAVE AND EXCEPT ANY PROPERTY PLATTED AS PUBLIC RIGHT OF WAY.

EXHIBIT "B"

STAMPED FOR SCANNING
PURPOSES ONLY

STAMPED FOR SCANNING
PURPOSES ONLY

EXHIBIT "B"

HEATH CROSSING
288.377 ACRES

LEGAL DESCRIPTION

BEING a 288.377 acre tract of land situated in the Edward Teal Survey, Abstract No. 207, Rockwall County, Texas, being all of Heath Crossing, Phase One, an addition to the City of Heath, Texas, recorded in Cabinet F, Slide 315, Plat Records, Rockwall County, Texas, all of Heath Crossing, Phases 1C & 1D, an addition to the City of Heath, Texas, recorded in Cabinet G, Slide 171 of said Plat Records, all of Heath Crossing, Phase Two A, an addition to the City of Heath, Texas, recorded in Cabinet I, Slide 215 of said Plat Records, all of a 94.13 acre tract of land (Tract 3) described in deed to TR Heath Partners, Ltd, recorded in Volume 4531, Page 38 of said Deed Records, all of a 1.246 acre tract of land described in deed to The Florida Company, recorded in Instrument 20140000012668 of said Deed Records, all of a 4.81 acre tract of land (Tract 2) described in deed to TR Heath Partners, Ltd, recorded in Volume 4531, Page 38 of said Deed Records, all of the 54.473 acre residue of a called 68.272 acre tract of land (Parcel A) described in deed to TR Heath Partners, Ltd, recorded in Volume 3346, Page 100 of said Deed Records and all of the 32.276 acre residue of a called 51.49 acre tract, described in deed to TR Heath Partners, Ltd, recorded in Volume 4531, Page 38 of said Deed Records, said 288.377 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at the westerly northwest corner of said Phase One, said corner being in the north right-of-way line of Heathland Crossing, an 85 ft. right-of-way at this point;

THENCE Easterly and northerly, with the northerly and westerly boundary lines of said Phase One, the following courses:

- ☒ North 89 degrees 39 minutes 29 seconds East, a distance of 745.99 feet;
- ☒ South 00 degrees 10 minutes 39 seconds East, a distance of 12.79 feet;
- ☒ North 89 degrees 00 minutes 08 seconds East, a distance of 200.72 feet;
- ☒ North 00 degrees 59 minutes 52 seconds West, a distance of 125.87 feet;
- ☒ North 07 degrees 30 minutes 17 seconds East, a distance of 428.75 feet;
- ☒ North 01 degrees 48 minutes 04 seconds West, passing the northwest corner of said Phase One and the southwest corner of said 94.13 acre tract at a distance of 26.08 feet, said corner being in the east boundary line of Lot 3, Block A, Dixon Addition No. 3, an addition to the City of Heath, recorded in Cabinet D, Slide 116 of said Plat Records, continuing with the common boundary line of said 94.13 acre tract and said Lot 3, a total distance of 166.38 feet to the southeast corner of said 1.246 acre tract and the northeast corner of said Lot 3;

THENCE South 88 degrees 18 minutes 52 seconds West, with the south boundary line of said 1.248 acre tract, a distance of 251.00 feet to a 1/2-inch iron rod found for the northwest corner of said Lot 3 and the southwest corner of said 1.248 acre tract;

THENCE North 00 degrees 19 minutes 33 seconds West, with the west boundary line of said 1.246 acre tract, a distance of 236.01 feet to the northwest corner of said 1.246 acre tract, said corner being in the south boundary line of Peck Cemetery;

THENCE North 88 degrees 29 minutes 27 seconds East, with the common boundary line of said 1.246 acre tract and said Cemetery, a distance of 130.00 feet to the southwest corner of said Cemetery in the west boundary line of said 94.13 acre tract;

THENCE Northerly, with the westerly boundary lines of said 94.13 acre tract, the following courses:

- North 01 degrees 14 minutes 29 seconds West, with the east boundary line of said Cemetery, a distance of 257.62 feet;
- North 71 degrees 13 minutes 22 seconds West, with the northeast boundary line of said Cemetery, a distance of 96.89 feet;
- North 01 degrees 14 minutes 29 seconds West, a distance of 2234.04 feet to the north corner of said 94.13 acre tract in a tributary of Buffalo Creek;

THENCE Southwesterly, with the easterly boundary lines of said 94.13 acre tract and generally along the meanders of said tributary of Buffalo Creek, the following courses:

- South 53 degrees 20 minutes 00 seconds East, a distance of 109.28 feet;
- South 89 degrees 07 minutes 00 seconds East, a distance of 77.90 feet;
- South 65 degrees 24 minutes 00 seconds East, a distance of 52.50 feet;
- North 79 degrees 20 minutes 00 seconds East, a distance of 62.20 feet;
- South 71 degrees 21 minutes 00 seconds East, a distance of 142.80 feet;
- South 46 degrees 11 minutes 00 seconds East, a distance of 89.20 feet;
- North 84 degrees 54 minutes 00 seconds East, a distance of 77.69 feet;
- South 07 degrees 37 minutes 00 seconds East, a distance of 41.70 feet;
- South 53 degrees 14 minutes 00 seconds East, a distance of 99.09 feet;
- South 01 degrees 45 minutes 00 seconds East, a distance of 102.30 feet;
- South 34 degrees 04 minutes 00 seconds East, a distance of 113.20 feet;
- South 00 degrees 55 minutes 00 seconds East, a distance of 196.10 feet;
- South 77 degrees 16 minutes 00 seconds East, a distance of 79.10 feet;
- North 70 degrees 04 minutes 00 seconds East, a distance of 123.80 feet;
- South 82 degrees 26 minutes 00 seconds East, a distance of 121.10 feet;
- South 23 degrees 41 minutes 00 seconds East, a distance of 152.80 feet;
- North 86 degrees 09 minutes 00 seconds East, a distance of 47.60 feet;
- South 26 degrees 40 minutes 00 seconds East, a distance of 104.70 feet;
- South 50 degrees 25 minutes 00 seconds East, a distance of 402.50 feet;
- South 68 degrees 53 minutes 00 seconds East, a distance of 64.60 feet;

- South 56 degrees 54 minutes 00 seconds East, a distance of 267.60 feet;
- South 00 degrees 34 minutes 00 seconds East, a distance of 50.90 feet;
- South 54 degrees 39 minutes 00 seconds East, a distance of 70.90 feet;
- North 61 degrees 55 minutes 00 seconds East, a distance of 54.80 feet;
- South 39 degrees 37 minutes 00 seconds East, a distance of 39.40 feet;
- South 19 degrees 31 minutes 00 seconds West, a distance of 58.10 feet;
- South 34 degrees 41 minutes 00 seconds East, a distance of 101.80 feet;
- North 72 degrees 55 minutes 00 seconds East, a distance of 65.90 feet;
- South 28 degrees 17 minutes 00 seconds East, a distance of 143.00 feet;
- South 19 degrees 36 minutes 00 seconds West, a distance of 81.00 feet;
- North 70 degrees 11 minutes 00 seconds East, a distance of 57.60 feet;
- South 70 degrees 08 minutes 00 seconds East, a distance of 39.40 feet;
- South 24 degrees 25 minutes 00 seconds West, a distance of 101.00 feet;
- South 13 degrees 34 minutes 00 seconds East, a distance of 130.00 feet;
- South 56 degrees 35 minutes 00 seconds East, a distance of 76.90 feet;
- South 07 degrees 23 minutes 00 seconds East, a distance of 61.70 feet;
- South 32 degrees 10 minutes 00 seconds East, a distance of 93.90 feet;
- South 67 degrees 28 minutes 00 seconds East, a distance of 105.50 feet;
- North 47 degrees 05 minutes 00 seconds East, a distance of 163.00 feet;
- South 02 degrees 16 minutes 00 seconds East, a distance of 14.60 feet;
- North 18 degrees 10 minutes 00 seconds East, a distance of 50.40 feet;
- South 56 degrees 52 minutes 00 seconds East, a distance of 35.90 feet;
- South 06 degrees 01 minutes 00 seconds East, a distance of 109.50 feet;
- South 66 degrees 14 minutes 00 seconds East, a distance of 54.50 feet;
- North 63 degrees 10 minutes 00 seconds East, a distance of 34.80 feet;
- North 12 degrees 58 minutes 00 seconds East, a distance of 48.00 feet to the intersection of said tributary with Buffalo Creek;

THENCE Southerly, with the easterly boundary lines of said 94.13 acre tract and generally along the meanders of said Buffalo Creek, the following courses:

- South 79 degrees 35 minutes 00 seconds East, a distance of 126.80 feet;
- South 06 degrees 16 minutes 00 seconds East, a distance of 66.20 feet;
- South 25 degrees 35 minutes 00 seconds West, a distance of 51.30 feet;
- South 49 degrees 28 minutes 00 seconds West, a distance of 168.60 feet;
- South 02 degrees 13 minutes 00 seconds West, a distance of 68.80 feet;
- South 35 degrees 26 minutes 00 seconds East, a distance of 59.00 feet;
- South 87 degrees 25 minutes 00 seconds East, a distance of 61.00 feet;
- South 18 degrees 28 minutes 00 seconds West, a distance of 138.50 feet;
- South 52 degrees 38 minutes 00 seconds West, a distance of 53.80 feet;
- South 17 degrees 38 minutes 00 seconds West, a distance of 47.60 feet;
- South 09 degrees 27 minutes 00 seconds East, a distance of 70.70 feet;
- South 29 degrees 59 minutes 00 seconds East, a distance of 95.40 feet;

- South 55 degrees 10 minutes 00 seconds East, a distance of 52.10 feet;
- South 89 degrees 01 minutes 00 seconds East, a distance of 62.00 feet;
- South 02 degrees 52 minutes 00 seconds East, a distance of 144.10 feet;
- South 16 degrees 01 minutes 05 seconds East, passing an easterly corner of said Phase 1C & 1D at a distance of a distance of 121.58 feet and continuing with the east boundary line of said Phase 1C & 1D, a total distance of 322.42 feet;

THENCE Southerly, with the easterly boundary lines of said Phase 1C & 1D, the following courses:

- South 04 degrees 45 minutes 00 seconds West, a distance of 206.60 feet;
- South 42 degrees 41 minutes 00 seconds East, a distance of 54.90 feet;
- South 87 degrees 07 minutes 00 seconds East, a distance of 131.60 feet;
- South 31 degrees 59 minutes 00 seconds East, a distance of 63.90 feet;
- South 06 degrees 00 minutes 00 seconds East, passing the southeast corner of said Phase 1C & 1D and the northeast corner of said Phase Two A at a distance of 137.30 feet from which a 1/2-inch iron rod found bears South 79 degrees 40 minutes 40 seconds East, a distance of 1.65 feet and continuing with the east boundary line of said Phase Two A, a total distance of 190.10 feet;

THENCE Southerly, with the easterly boundary lines of said Phase Two A, the following courses:

- South 12 degrees 17 minutes 00 seconds West, a distance of 99.30 feet;
- South 05 degrees 17 minutes 30 seconds East, a distance of 53.92 feet;
- South 48 degrees 58 minutes 07 seconds West, a distance of 49.70 feet;
- South 50 degrees 33 minutes 19 seconds West, a distance of 76.75 feet;
- South 17 degrees 52 minutes 47 seconds East, a distance of 76.10 feet;
- South 57 degrees 01 minutes 17 seconds East, a distance of 198.75 feet;
- South 15 degrees 17 minutes 02 seconds East, a distance of 76.04 feet to the southeast corner of said Phase Two A and the northeast corner of said 32.276 acre Residue tract;

THENCE Southerly, with the easterly boundary line of said 32.276 acre Residue tract and generally along the meanders of said Buffalo Creek, the following courses:

- South 15 degrees 19 minutes 33 seconds East, a distance of 106.16 feet;
- South 50 degrees 28 minutes 13 seconds East, a distance of 25.20 feet;
- North 37 degrees 25 minutes 00 seconds East, a distance of 144.32 feet;
- North 65 degrees 13 minutes 09 seconds East, a distance of 101.24 feet;
- South 45 degrees 37 minutes 19 seconds East, a distance of 93.01 feet;
- South 18 degrees 05 minutes 25 seconds West, a distance of 220.58 feet;
- South 00 degrees 30 minutes 05 seconds West, a distance of 41.50 feet;
- South 62 degrees 02 minutes 22 seconds East, a distance of 85.00 feet;
- South 89 degrees 48 minutes 20 seconds East, a distance of 85.61 feet;
- South 27 degrees 47 minutes 57 seconds East, a distance of 64.03 feet;
- South 28 degrees 53 minutes 12 seconds West, a distance of 298.84 feet;
- South 04 degrees 32 minutes 24 seconds East, a distance of 218.85 feet;

- South 14 degrees 14 minutes 15 seconds East, a distance of 304.03 feet;
- South 51 degrees 04 minutes 46 seconds West, a distance of 65.19 feet;
- South 87 degrees 40 minutes 40 seconds West, a distance of 138.97 feet;
- South 81 degrees 15 minutes 00 seconds West, a distance of 166.70 feet;
- South 10 degrees 20 minutes 07 seconds West, a distance of 88.74 feet;
- South 75 degrees 51 minutes 07 seconds West, a distance of 68.54 feet;
- South 18 degrees 14 minutes 10 seconds West, a distance of 67.58 feet;
- South 04 degrees 58 minutes 06 seconds West, a distance of 63.95 feet;
- South 23 degrees 58 minutes 02 seconds West, a distance of 102.26 feet;
- South 01 degrees 46 minutes 17 seconds East, a distance of 48.87 feet;
- South 46 degrees 35 minutes 34 seconds East, a distance of 75.55 feet;
- South 46 degrees 43 minutes 26 seconds East, a distance of 151.80 feet;
- South 03 degrees 56 minutes 46 seconds East, a distance of 54.88 feet;
- South 11 degrees 44 minutes 07 seconds West, a distance of 127.49 feet;
- South 22 degrees 38 minutes 28 seconds West, a distance of 60.08 feet;
- South 41 degrees 08 minutes 04 seconds West, a distance of 79.27 feet;
- South 05 degrees 40 minutes 06 seconds West, a distance of 44.78 feet;
- South 16 degrees 33 minutes 32 seconds East, a distance of 23.00 feet
- North 80 degrees 07 minutes 09 seconds West, a distance of 24.77 feet to a point for corner in the common boundary line of said 32.276 acre Residue tract and a 13.101 acre tract of land described in deed to Samuel Lee Ellis and Margaret Anne Ellis, as recorded in Volume 895, Page 109 of said Deed Records;

THENCE Northwesterly along the common boundary line of said 32.276 acre Residue tract and said 13.101 acre tract the following courses:

- North 65 degrees 41 minutes 03 seconds West, a distance of 42.68 feet to a 5/8-inch iron rod found for corner;
- South 82 degrees 25 minutes 57 seconds West, a distance of 90.30 feet to a 5/8-inch iron rod found for corner;
- North 65 degrees 19 minutes 03 seconds West, a distance of 64.95 feet to a 5/8-inch iron rod found for corner;
- North 54 degrees 25 minutes 03 seconds West, a distance of 66.35 feet to a 5/8-inch iron rod found for corner;
- North 65 degrees 23 minutes 03 seconds West, a distance of 156.80 feet to a 5/8-inch iron rod found for corner;
- North 68 degrees 04 minutes 03 seconds West, a distance of 158.10 feet to a 5/8-inch iron rod found for corner;
- North 54 degrees 36 minutes 12 seconds West, a distance of 9.42 feet to the north corner of said 13.101 acre tract and the east corner of a 1.936 acre tract of land described in deed to Mark Word and Judy Word, recorded in Volume 873, Page 64 of said Deed Records;

THENCE Northwesterly, with the common boundary line of said 32.276 acre Residue tract and said 1.936 acre tract, the following courses:

- North 50 degrees 00 minutes 07 seconds West, a distance of 28.78 feet;
- North 59 degrees 31 minutes 04 seconds West, a distance of 190.72 feet to the southwest corner of said 32.276 acre Residue tract and a north corner of said 1.936 acre tract, said corner being in a southerly boundary line of said 54.473 acre Residue tract;

THENCE Northwesterly, with the westerly boundary lines of said 54.473 acre Residue tract, the following courses:

- South 86 degrees 53 minutes 26 seconds West, a distance of 87.35 feet;
- South 71 degrees 16 minutes 26 seconds West, a distance of 145.78 feet to a 1/2-inch iron rod found for corner;
- South 78 degrees 12 minutes 26 seconds West, a distance of 81.13 feet;
- North 16 degrees 02 minutes 04 seconds West, a distance of 15.29 feet;
- South 78 degrees 52 minutes 26 seconds West, a distance of 28.94 feet;
- North 23 degrees 47 minutes 14 seconds West, a distance of 112.95 feet;
- North 06 degrees 08 minutes 34 seconds West, a distance of 58.12 feet;
- South 76 degrees 55 minutes 39 seconds West, a distance of 41.28 feet to the southeast corner of Las Lomas, an addition to the City of Heath, as recorded in Cabinet C, Page 256, of said Plat Records;

THENCE North 29 degrees 15 minutes 29 seconds West with the common boundary line of said 54.473 acre Residue tract and said Las Lomas, a distance of 667.79 feet to a fence post found for the most easterly corner of said 4.81 acre tract;

THENCE Northwesterly, with the common boundary lines of said 4.81 acre tract and said Los Lomas, the following courses:

- North 84 degrees 25 minutes 46 seconds West, a distance of 274.34 feet to a 1/2-inch iron rod found for corner;
- North 41 degrees 47 minutes 35 seconds West, a distance of 568.20 feet;
- North 76 degrees 50 minutes 06 seconds West, a distance of 336.82 feet to a 1/2-inch iron rod found for corner;
- North 01 degrees 55 minutes 57 seconds East, a distance of 73.33 feet;
- North 24 degrees 24 minutes 09 seconds West, a distance of 138.37 feet to a 3/8-inch iron rod found for corner;
- South 88 degrees 52 minutes 45 seconds West, a distance of 226.38 feet to the most westerly corner of said 4.81 acre tract and the southeast corner of Willow Springs No. 1, an addition to the City of Heath, recorded in Cabinet D, Slide 83 of said Deed Records;

THENCE North 33 degrees 02 minutes 26 seconds East, with the common boundary line of said Willow Springs No. 1 and said 4.81 acre tract, a distance of 357.85 feet to a 1/2-inch iron rod found for the north corner of said 4.81 acre tract, the northwest corner of said 54.473 acre

Residue tract and the southwest corner of Willow Springs, Phase 2B, an addition to the City of Heath, recorded in Cabinet F, Slide 79 of said Plat Records;

THENCE North 87 degrees 52 minutes 38 seconds East, with the common boundary line of said 54.473 acre Residue tract and said Willow Springs, Phase 2B, a distance of 350.93 feet to a 1/2-inch iron rod found for corner;

THENCE North 82 degrees 26 minutes 25 seconds East, continuing with the common boundary line of said 54.473 acre Residue tract and said Willow Springs, Phase 2B, a distance of 210.18 feet to a 5/8-inch iron rod found for the southeast corner of said Willow Springs, Phase 2B and the easterly southwest corner of said Heath Crossing, Phases 1C & 1D;

THENCE Northerly and westerly, with the common boundary lines of said Willow Springs, Phase 2B and said Heath Crossing, Phases 1C & 1D, the following courses:

- North 18 degrees 47 minutes 16 seconds West, a distance of 300.69 feet;
- North 72 degrees 08 minutes 32 seconds East, a distance of 67.19 feet;
- North 17 degrees 07 minutes 58 seconds West, a distance of 208.08 feet to the northeast corner of said Willow Springs, Phase 2B and an ell corner of said Heath Crossing, Phases 1C & 1D, said corner being the beginning of a non-tangent curve to the right having a radius of 440.00 feet whose chord bears South 84 degrees 21 minutes 08 seconds West, a distance of 243.29 feet;
- Southwesterly, with said curve to the right, through a central angle of 32 degrees 05 minutes 55 seconds, an arc distance of 246.50 feet to the northwest corner of said Willow Springs, Phase 2B and the northeast corner of Willow Springs, Phase 2A, an addition to the City of Heath, recorded in Cabinet F, Slide 23 of said Plat Records;

THENCE Northwesterly, with the common boundary lines of said Willow Springs, Phase 2A and said Heath Crossing, Phases 1C & 1D, the following courses:

- North 74 degrees 21 minutes 36 seconds West, a distance of 326.10 feet;
- North 57 degrees 28 minutes 36 seconds West, a distance of 143.35 feet to the westerly southwest corner of said Heath Crossing, Phases 1C & 1D and the westerly southeast corner of said Heath Crossing, Phase One;

THENCE South 75 degrees 05 minutes 38 seconds West, with the common boundary line of said Willow Springs No. 1 and said Heath Crossing, Phase One, a distance of 256.35 feet to the west corner of said Willow Springs, Phase 2A and a northerly corner of said Willow Springs No. 1;

THENCE North 82 degrees 52 minutes 06 seconds West, with the common boundary line of said Willow Springs No. 1 and said Heath Crossing, Phase One, a distance of 301.58 feet to a 1/2-inch iron rod found for corner;

THENCE South 74 degrees 17 minutes 19 seconds West, continuing with the common boundary line of said Willow Springs No. 1 and said Heath Crossing, Phase One, a distance of 305.54 feet to a 1/2-inch iron rod found for corner;

THENCE North 77 degree 05 minutes 16 seconds West, with the south boundary line of said Heath Crossing, Phase One, a distance of 53.17 feet;

THENCE South 88 degree 46 minutes 14 seconds West, continuing with the south boundary line of said Heath Crossing, Phase One, a distance of 127.95 feet to the southwest corner of said Heath Crossing, Phase One, said corner being in the east boundary line of a 2.09 acre tract of land described in deed to Douglas Edward Hall, recorded in Volume 6527, Page 31 of said Deed Records;

THENCE North 00 degree 18 minutes 13 seconds West, with the common boundary line of said Heath Crossing, Phase One and said 2.09 acre tract, a distance of 351.40 feet to the POINT OF BEGINNING AND CONTAINING 12,561,694 square feet; or 288.377 acres of land.

Filed and Recorded
Official Public Records
Shelli Miller, County Clerk
Rockwall County, Texas
09/21/2015 03:23:12 PM
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A handwritten signature in black ink, appearing to read "Shelli", is written over the seal.