

Ralph Hall 2B file

00000000000000000000000000000000

State of Texas

County of Rockwall

**RIGHT-OF-WAY DEED  
(Parcel No. 6C)**

Date: November 7, 2000

**Grantor:**

PRS Realty, II, L.P.  
4229 Cochran Chapel Road  
Dallas, Texas 75229

**Grantee:**

City of Rockwall, Texas  
205 W. Rusk  
Rockwall, Texas 75087

**Consideration:**

That, PRS Realty, <sup>II, L.P.</sup> 4229 Cochran Chapel Road, Dallas, Texas of the County of Dallas, State of Texas, hereinafter referred to as Grantor, whether one or more, represented by Trustees on behalf of Grantor, for \$10 and other good and valuable consideration to Grantors in hand paid by the State of Texas receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, by these presents does Grant, Sell, and Convey unto the State of Texas all that certain tract or parcel of land in Rockwall County, Texas, more particularly described in Exhibit "A" and shown on Exhibit "B" which are attached hereto and incorporated herein for any and all purposes. Benefits are to be derived by Grantor and its remaining property as a result of the proposed public improvements to be constructed and maintained at no cost to Grantors.

The City of Rockwall, 205 West Rusk, Rockwall, Texas of the County of Rockwall, State of Texas, hereinafter referred to as Grantee is in need of acquiring the necessary right of way from PRS Realty, II, L.P., 4229 Cochran Chapel Road, Dallas, Texas of the County of Dallas, State of Texas, hereinafter referred to as Grantor, for the construction of Ralph Hall Parkway over a portion of Developer's property as herein specifically described in the attached Exhibit "A" and shown on the attached Exhibit "B", and that the Rockwall City Council has approved the execution of a Developer's Agreement.

**Property Description:**

See Exhibit "A" attached hereto and all referenced made a part hereof.

**Conveyance:**

Grantor donates, grants, and conveys to Grantee in fee simple the Property described herein, TO HAVE AND TO HOLD, unto Grantee, its successors and assigns. Grantor, together with the Grantor's heirs, executors, administrators or successors, shall WARRANT AND FOREVER DEFEND all and singular the said Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof, except the Exceptions to Conveyance "by, through or under Grantor, but not otherwise."

**Exceptions to Conveyance:**

All presently recorded validly existing easements and rights-of-way, restrictions, reservations, conveyances, conditions, oil and gas leases, mineral severance's, and other instruments, other than liens and conveyances, that affect the Property.

**Miscellaneous:**

(a) Nothing in this instrument shall be construed as a waiver by Grantee of any utility connection charge or other charges imposed by ordinance by the City of Rockwall, Texas.

(b) The Property hereby conveyed may be used as a public right-of-way for the passage of vehicular and pedestrian traffic, including (without limitations) streets, roads, sidewalks, utilities, drainage, and other customary uses of public right-of-way. Improvements may be on such grade and according to such plans and specifications as will, in the opinion of Grantee, best serve the public purpose.

(c) The consideration described above shall be deemed full compensation for the conveyance of the Property, and for any diminution in value that may result to the remaining property of Grantor by virtue of Grantee's use of the Property.

(d) When the context requires it, singular nouns and pronouns include the plural.

(e) The conveyance is subject to the terms and conditions of the Developer's Agreement attached hereto as Exhibit C.

(f) Grantee and any of Grantee's agents or representatives shall not enter, trespass or encroach or cause any waste or nuisance upon Grantor's remaining property without the express written consent of Grantor. Grantee shall be liable for all damage or injury to any person or property resulting from the construction or maintenance of the

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Roadway Improvements, including, but not limited to, any damage sustained on Grantor's remaining property as a result of the construction or maintenance of the Roadway Improvements, if Grantee is found to be negligent.

EXECUTED effective as of the day first written above.

By: PRS REALTY II, LP  
Richard D. Squires

Print name: RICHARD D. SQUIRES

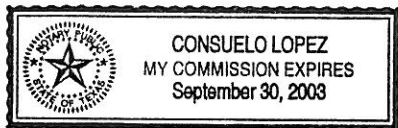
Print Title: PRESIDENT, RDS HOLDINGS, INC. which is the  
General Partner of PRS II, LP which is the  
General Partner of PRS REALTY II, LP.

SINGLE ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF ROCKWALL  
DALLAS

Before me, Consuelo Lopez, RICHARD D. SQUIRES, a notary public in and for said County and State, on this day personally appeared PRS Realty, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 7<sup>th</sup> day of November, 2000.



Consuelo Lopez  
Notary Public in and for  
State of Texas

0228621

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**RIGHT-OF-WAY PARCEL No. 6C**

BEING 29,282 square feet of land located in the J.D. McFarland Survey, Abstract No. 145, Rockwall County, Texas, being a portion of that tract of land described in deed to PRS Realty II, LP as recorded in Volume 961, Page 55 of the Deed Records of Rockwall County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod set at the Southeast corner of a tract of land described in deed to State of Texas as recorded in Volume 65, Page 591 of the Deed Records of Rockwall County, Texas, being the South corner of an 8.44 acre tract of land described in deed to L & B Land and Cattle Co., recorded in Volume 1406, Page 120 of the Deed Records of Rockwall County, Texas;

THENCE N 43°33'47"E along the Southeast boundary line of said 8.44 acre tract, 450.00 feet to a 1/2" iron rod set at the East corner of said 8.44 acre tract;

THENCE S 45°52'40"E, 108.93 feet to a 1/2" iron rod set;

THENCE S 62°28'20"W, 61.59 feet to a 1/2" iron rod set at the beginning of a Curve to the Left;

THENCE SOUTHWESTERLY, 398.29 feet along said curve to the Left, having a radius of 1,242.50, a central angle of 18°21'59" and a chord bearing S 53°17'21"W, 396.58 feet to a 1/2" iron rod set;

THENCE S 44°06'21"W, 291.19 feet to a 1/2" iron rod set in the Northeast boundary line of Ralph Hall Parkway (an 85-foot right-of-way);

THENCE N 45°53'39"W along the Northeast boundary line of said Ralph Hall Parkway, 19.21 feet to a 1/2" iron rod set in the Southeast boundary line of said State of Texas tract;

THENCE N 43°33'47"E along the Southeast boundary line of said State of Texas tract, 291.20 feet to the PLACE OF BEGINNING, containing 29,282 square feet of land.



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STATE OF TEXAS  
VOL. 65, PG. 591  
D.R.R.C.T.

J.D. McFARLAND SURVEY  
(Abstract No. 145)

L & B LAND  
& CATTLE Co.  
VOL. 1406, PG. 120  
D.R.R.C.T.

PLACE OF  
BEGINNING

291.20 N 43°33'47"E

450.00 N 43°33'47"E

291.19 S 44°06'21"W

D=18°21'59"

R=1242.50

L=398.29

CH=S 53°17'21"W

396.58

29.29 S 45°57'28"E

75°53'39"W  
19.21

PROPOSED  
85' R.O.W.

350.54 N 44°06'21"E

58

59

PROPOSED RALPH HALL PARKWAY

EXHIBIT "B"

RIGHT-OF-WAY  
PARCEL  
No. 6C  
29,282 SQ. FT.

LOCATED IN THE J. D. McFARLAND SURVEY,  
ABSTRACT No. 145 IN THE CITY OF  
ROCKWALL, ROCKWALL COUNTY, TEXAS

SHEET 1 OF 2

02-10-2000  
Row6cl.dwg  
WA# 97057

PRS REALTY II, LP  
VOL. 961, PG. 55  
D.R.R.C.T.



WIA WIER & ASSOCIATES, INC.

MATCH LINE SEE SHEET 2 OF 2

SCALE (feet)



SCALE: 1" = 40'

0202M 0000N

L & B LAND  
& CATTLE Co.  
VOL. 1406, PG. 120  
D.R.R.C.T.

450.00 N 43°33'47"E

J.D. McFARLAND SURVEY  
(Abstract No. 145)

PRS REALTY II, LP  
VOL. 961, PG. 55  
D.R.R.C.T.

108.93 S 45°52'40"E

D=18°21'59" R=1242.50 L=398.29 CH=S 53°17'21" W 396.58  
S 62°28'20"W 61.59

PROPOSED  
85' R/O.W.

PROPOSED RALPH HALL PARKWAY

EXHIBIT "B"  
RIGHT-OF-WAY  
PARCEL  
No. 6C  
29,282 SQ. FT.

LOCATED IN THE J. D. McFARLAND SURVEY,  
ABSTRACT No. 145 IN THE CITY OF  
ROCKWALL, ROCKWALL COUNTY, TEXAS

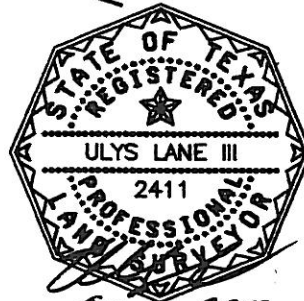
SHEET 2 OF 2

02-10-2000  
Row6c2.dwg  
WA# 97057

MATCH LINE SEE SHEET 1 OF 2



PRS REALTY II, LP  
VOL. 961, PG. 55  
D.R.R.C.T.



02-10-2000

WMA WIER & ASSOCIATES, INC.