

OWNERS CERTIFICATE AND DEDICATION

WHEREAS, Bank of America, N.A. is the sole owner of a tract of land situated in the City of Rockwall, Rockwall County, Texas out of the E. Teal Survey, Abstract No. 207 and being all of Lot 5, Block A, Horizon Ridge according to the plat thereof recorded in Cabinet E, Page 117, Map Records, Rockwall County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199" in the southwest right of way line of Horizon Road (F.W. 3087) (110' right of way), the northeast corner of said Lot 5 and being the southeast corner of Lot 4, Block A of said addition;

THENCE, along said southwest right of way line, the northeasterly line of said Lot 5, South 45 degrees, 37 minutes, 17 seconds, East, a distance of 254.66 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199", the most easterly corner of said Lot 5 and being a northeast corner of Lot 3, Block A of said addition;

THENCE, departing said southwest right of way line, along the southeasterly line of said Lot 5 and the northeasterly line of said Lot 3, South 44 degrees, 22 minutes, 43 seconds, West, a distance of 60.00 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE, continuing along said common line, South 45 degrees, 37 minutes, 17 seconds, East, a distance of 20.00 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE, continuing along said common line, South 44 degrees, 22 minutes, 43 seconds, West, a distance of 128.00 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE, along the southwesterly line of said Lot 5 and a northeasterly line of said Lot 3, North 45 degrees, 37 minutes, 17 seconds, West, a distance of 222.57 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199" in the southeasterly line of said Lot 4;

THENCE, along the northwesterly line of said Lot 5 and the southeasterly line of said Lot 4, North 37 degrees, 36 minutes, 40 seconds, East, a distance of 42.19 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE, continuing along said common line, North 06 degrees, 22 minutes, 43 seconds, East, a distance of 76.53 feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199";

THENCE, continuing along said common line, North 44 degrees, 22 minutes, 43 seconds, East, a distance of 85.80 feet to the **POINT OF BEGINNING** and containing 46,937 square feet or 1.0775 acres of land, more or less.

OWNERS CERTIFICATE AND DEDICATION

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS §
COUNTY OF ROCKWALL §

I the undersigned owner of the land shown on this plat, and designated herein as **HORIZON RIDGE, BLOCK A, LOT 5R**, subdivision to the City of Rockwall, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown on the purpose and consideration therein expressed. I further certify that all other parties who have a mortgage or lien interest in the **HORIZON RIDGE, BLOCK A, LOT 5R** subdivision have been notified and signed this plat.

I understand and do hereby reserve the easement strips shown on this plat for the purposes stated and for the mutual use and accommodation of all utilities desiring to use or using same. I also understand the following:

- No buildings shall be constructed or placed upon, over, or across the utility easements as described herein.
- Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the necessity of, at any time, procuring the permission of anyone.
- The City of Rockwall will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
- The developer and subdivision engineer shall bear total responsibility for storm drain improvements.
- The developer shall be responsible for the necessary facilities to provide drainage patterns and drainage controls such that properties within the drainage area are not adversely affected by storm drainage from the development.
- No house dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/or owner has complied with all requirements of the Subdivision Regulations of the City of Rockwall regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of streets with the required base and paving, curb and gutter, water and sewer, drainage structures, storm structures, storm sewers, and alleys, all according to the specifications of the City of Rockwall; or

Until an escrow deposit, sufficient to pay for the cost of such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the city secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in no case shall the City be obligated to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the city secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in the bond, which time shall be fixed by the city council of the City of Rockwall.

I further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City; I, my successors and assigns hereby waive any claim, damage, or cause of action that I may have as a result of the dedication of exactions made herein.

Jay Taylor, Senior Vice President

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared Jay Taylor, 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 purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2003.

Notary Public in and for the State of Texas

Authorized Signature of Party with Mortgage or Lien Interest

STATE OF TEXAS §
COUNTY OF ROCKWALL §

Before me, the undersigned authority, on this day personally appeared _____, 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 purpose and consideration therein stated.

Given upon my hand and seal of office this ____ day of _____, 2003.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Douglas S. Loomis, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

RELEASED 03/28/03 FOR REVIEW PURPOSES ONLY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Douglas S. Loomis
Registered Professional Land Surveyor, No. 5199

STATE OF TEXAS §
COUNTY OF COLLIN §

This instrument was acknowledged before me on the ____ day of _____, 2003

By: _____

Notary Public in and for the State of Texas

RECOMMENDED FOR FINAL APPROVAL

Planning and Zoning Commission _____ Date _____

APPROVED

I hereby certify that the above and foregoing plat of an addition to the City of Rockwall, Texas, was approved by the City Council of the City of Rockwall on the ____ day of _____, 2003.

This approval shall be invalid unless the approved plat for such addition is recorded in the office of the County Clerk of Rockwall, County, Texas, within one hundred twenty (120) days from said date of final approval.

Said addition shall be subject to all the requirements of the Subdivision Regulations of the City of Rockwall.

WITNESS OUR HANDS, this ____ day of _____, 2003.

Mayor, City of Rockwall _____ City Secretary, City of Rockwall

City Engineer

THE PURPOSE OF THIS REPLAT IS TO DEDICATE EASEMENTS NECESSARY FOR DEVELOPMENT OF LOT 5.

HORIZON RIDGE, BLOCK A, LOT 5R
BEING A REPLAT OF LOT 5, BLOCK A, HORIZON RIDGE
(CABINET E, PAGE 117, M.R.R.C.T.)
out of
E. TEAL SURVEY, ABSTRACT No. 207
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNER/DEVELOPER:
BANK OF AMERICA, N.A.
525 North Tryon Street
3rd Floor
Charlotte, North Carolina 28255

PROJECT INFORMATION
Date of Survey: 12/12/2002
Job Number: 0210178
Drawn By: M.M.D.
G.P. No.: N/A
File: Replat.Dwg
SHEET 2 OF 2



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