

## QUIT CLAIM DEED

STATE OF TEXAS                   §  
    §       KNOW ALL MEN BY THESE PRESENTS  
 COUNTY OF ROCKWALL       §

THAT LUMBERMEN'S INVESTMENT CORPORATION, a Delaware corporation ("Transferor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid by the CITY OF ROCKWALL, TEXAS ("Transferee"), whose address is 385 S. Goliad, Rockwall, Texas 75087, the receipt and sufficiency of which are acknowledged by Transferor, HAS QUITCLAIMED, and by these presents DOES QUITCLAIM to Transferee, all of Transferor's right, title and interest (if any) in and to the real property described in Exhibit "A" attached hereto and fully incorporated herein by reference for all purposes (the "Land").

Transferor hereby declares that the following restrictive covenant ("Restriction") shall be and is hereby imposed against the Land and shall constitute a covenant running with the Land. The Land shall be utilized solely for public lake and/or park purposes and for no other purpose or use whatsoever. The foregoing Restriction shall be enforceable by Transferor and its successors and assigns by any remedies available at law or in equity, specifically including, but not limited to, a suit for injunctive relief. The Restriction may be amended or terminated, in whole or in part, only by a written instrument executed by the then owner of the Land (or portion so affected) and Transferor, its successors or assigns, and duly filed in the Real Property Records of Rockwall County, Texas.

Transferor hereby excepts from this conveyance the reservations set forth in Exhibit "B" attached hereto and fully incorporated herein by reference for all purposes (the "Reservations").

TO HAVE AND TO HOLD all of the Transferor's right, title and interest in and to the Land (if any), together with all and singular the rights and appurtenances belonging in any way to Transferor's right, title and interest in and to the Land (if any) to Transferee, its successors and assigns forever, and neither Transferor nor Transferor's successors or assigns shall have, claim or demand any right, title or interest in all or any part of the Land, save and except for the continuing rights of Transferor, its successors and assigns, to enforce the Restriction and Reservations.

EXECUTED this 3rd day of February, 2005.

Lumbermen's Investment Corporation,  
 a Delaware corporation

By: 

Name: Thomas H. Burlison

Title: Vice President

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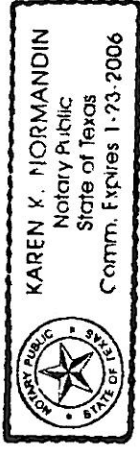
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STATE OF TEXAS       §  
                              §  
                              §  
COUNTY OF DALLAS

Before me the undersigned Notary Public, on this day personally appeared Thomas H. Bureson, known to me to be the Vice President of Lumbermen's Investment Corporation, and acknowledged to me that he was duly authorized to execute the foregoing in and for said corporation, for the purposes and consideration therein expressed, and in the capacity therein stated, on behalf of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 4<sup>th</sup> day of February, 2005.

My Commission expires:



*Karen K. Normandin*  
Notary Public in and for the  
State of Texas

EXHIBIT "B"

Notwithstanding anything to the contrary contained or implied elsewhere herein, Transferor hereby excepts from this conveyance and reserves and retains unto itself and its successors and assigns all of the oil, gas and other minerals in, on or under the Land, provided that Transferor hereby expressly waives in favor of Transferee and its successors and assigns any and all rights to utilize the surface estate of the Land for any and all uses whatsoever including, but not limited to, drilling, extraction or other exploration or mining for oil, gas or other minerals or the storage or transportation thereof; but such waiver shall not restrict or prohibit the pooling or unitization of the mineral estate reserved by Transferor with land other than the Land or the exploration or production of the oil, gas and other minerals by means of wells that are drilled or mines that open on land other than the Land but enter or bottom under the Land, provided that such operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Land.

Notwithstanding anything to the contrary contained or implied elsewhere herein, Transferor hereby excepts from this conveyance and reserves and retains unto itself and its successors and assigns an easement for outfall drainage from Transferor's adjacent property on, over, across and under the Land.

Notwithstanding anything to the contrary contained or implied elsewhere herein, Transferor hereby excepts from this conveyance and reserves and retains unto itself and its successors and assigns a thirty foot (30') wide temporary right-of-way and construction easement on the portion of the Land more particularly described on Exhibit "C" and Exhibit "D" attached hereto and fully incorporated herein by reference for all purposes (the "Temporary Easement Area") until the completion of the construction and installation of an underground gas pipeline system adjacent to and contiguous with the Temporary Easement Area, at which time said temporary construction easement shall automatically expire and be of no further force or effect.

FIELD NOTE DESCRIPTION  
EXHIBIT "A"

STATE OF TEXAS  
COUNTY OF ROCKWALL

BEING a tract of land in the M.B. JONES SURVEY, Abstract No. 122, Rockwall County, Texas and being a portion of two tracts of land described in a deed to Lumbermen's Investment Corporation, tract 1 being recorded in Volume 1140, Page 323 of the Deed Records of Rockwall County, Texas (DRRCT) and tract 2 being recorded in Volume 1140, Page 318 (DRRCT) and being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set the most northeasterly corner of CARUTH LAKE, No. 3 as recorded in Cabinet C, Pages 307,308, 309 of the Plat Records of Rockwall County, Texas (PRRCT), said iron rod also being the most southwesterly corner of a tract of land described in a deed to The City of Rockwall as recorded in Volume 2770, Page 153 (DRRCT);

THENCE along the westerly line of said City of Rockwall tract as follows:

North 72 degrees 43 minutes 38 seconds West a distance of 61.90 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 15 degrees 38 minutes 59 seconds West a distance of 284.62 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 31 degrees 35 minutes 05 seconds East a distance of 35.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 58 degrees 24 minutes 55 seconds West a distance of 57.95 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 06 degrees 19 minutes 25 seconds East a distance of 303.16 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the POINT OF BEGINNING, said iron rod being in the southerly line of said tract 1;

THENCE along the southerly line of said tract 1 North 89 degrees 24 minutes 49 seconds West a distance of 379.69 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most northeasterly corner of a tract of land described in a deed to YMCA and recorded in Volume 152, Page 77 (DRRCT) and the approximate centerline of Squabble Creek;

THENCE departing the southerly line of said tract 1 and along the northerly line of said YMCA tract and approximate centerline of said Squabble Creek as follows:

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North 50 degrees 22 minutes 33 seconds West a distance of 77.30 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 12 degrees 35 minutes 27 seconds East a distance of 67.90 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 50 degrees 57 minutes 33 seconds West a distance of 155.40 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 73 degrees 28 minutes 33 seconds West a distance of 126.30 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 27 degrees 08 minutes 33 seconds West a distance of 62.60 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 76 degrees 22 minutes 33 seconds West a distance of 91.80 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 59 degrees 45 minutes 33 seconds West a distance of 79.10 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 04 degrees 10 minutes 27 seconds East a distance of 126.90 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 20 degrees 57 minutes 33 seconds West a distance of 132.70 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

South 89 degrees 47 minutes 27 seconds West a distance of 82.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 78 degrees 43 minutes 33 seconds West a distance of 48.70 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 57 degrees 07 minutes 33 seconds West a distance of 83.60 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 45 degrees 56 minutes 33 seconds West a distance of 97.50 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 73 degrees 00 minutes 33 seconds West a distance of 153.40 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 50 degrees 28 minutes 33 seconds West a distance of 59.30 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

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North 49 degrees 16 minutes 33 seconds West a distance of 176.20 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 78 degrees 14 minutes 33 seconds West a distance of 29.60 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner in the easterly right-of-way line of State Highway 205 (a 100 foot right-of-way);

THENCE departing the northerly line of said YMCA tract and approximate centerline of said Squabble Creek and along the easterly right-of-way line of State Highway 205 North 14 degrees 13 minutes 17 seconds West a distance of 156.21 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner in the southerly line of Quail Run Valley No. 1 as recorded in Cabinet \_\_\_\_, Page \_\_\_\_ (PRRCT);

THENCE departing the easterly right-of-way line of said State Highway 205 and along the southerly line of said Quail Run Valley No. 1 as follows:

South 60 degrees 17 minutes 00 seconds East a distance of 805.32 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 84 degrees 17 minutes 00 seconds East a distance of 305.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 67 degrees 54 minutes 00 seconds East a distance of 540.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner in the southerly line of Quail Run Valley No. 2 as recorded in Cabinet \_\_\_\_, Page \_\_\_\_ (PRRCT);

THENCE departing the southerly line of Quail Run Valley No. 1 and along the southerly line of Quail Run Valley No. 2 as follows:

South 73 degrees 59 minutes 00 seconds East a distance of 835.78 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the left having a radius of 50.00 feet, a chord bearing North 69 degrees 41 minutes 19 seconds East and a chord distance of 95.73 feet;

THENCE along said curve to the left through central angle of 146 degrees 23 minutes 44 seconds for an arc length of 127.75 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 33 degrees 21 minutes 39 seconds East a distance of 222.86 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 225.00 feet, a chord bearing North 60 degrees 55 minutes 48 seconds East and a chord distance of 208.27 feet;

THENCE along said curve to the right through central angle of 55 degrees 08 minutes 19 seconds for an arc length of 216.53 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

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THENCE North 88 degrees 29 minutes 58 seconds East a distance of 80.41 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the right having a radius of 30.00 feet, a chord bearing South 57 degrees 30 minutes 39 seconds East and a chord distance of 33.54 feet;

THENCE along said curve to the right through central angle of 67 degrees 58 minutes 47 seconds for an arc length of 35.59 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the left having a radius of 50.00 feet, a chord bearing South 87 degrees 23 minutes 34 seconds East and a chord distance of 89.78 feet;

THENCE along said curve to the left through central angle of 127 degrees 44 minutes 37 seconds for an arc length of 111.48 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 28 degrees 44 minutes 08 seconds East a distance of 84.14 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 01 degrees 30 minutes 02 seconds West a distance of 132.57 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most southwesterly corner of a tract of land described in a deed to Roy L. Lance and recorded in Volume 91, Page 107 (DRRCT);

THENCE departing the southerly line of Quail Run Valley No. 2 and along the southerly line of said Roy Lance tract North 88 degrees 29 minutes 58 seconds East a distance of 1342.90 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most southwesterly corner of a tract of land described in a deed to Lawrence & Carmen Leonard and recorded in Volume 141, Page 134 (DRRCT);

THENCE departing the southerly line of said Roy Lance tract and along the southerly line of said Leonard tract North 60 degrees 41 minutes 47 seconds East a distance of 870.45 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most southeasterly corner of said Leonard tract, said iron rod being in the westerly line of a tract of land described in a deed to John & Lynelle Yingling and recorded in Volume 825, Page 179 (DRRCT);

THENCE departing the southerly line of said Leonard tract and along the westerly line of said Yingling tract South 00 degrees 49 minutes 43 seconds East a distance of 207.70 feet to a 1/2 inch iron rod found for the most southwesterly corner of said Yingling tract;

THENCE along the southerly line of said Yingling tract North 89 degrees 15 minutes 49 seconds East a distance of 98.78 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

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THENCE departing the southerly line of said Yingling tract South 00 degrees 49 minutes 43 seconds East a distance of 105.80 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the beginning of a curve to the left having a radius of 1075.00 feet, a chord bearing South 60 degrees 04 minutes 24 seconds West and a chord distance of 507.33 feet;

THENCE along said curve to the left through central angle of 27 degrees 17 minutes 51 seconds for an arc length of 512.16 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 46 degrees 25 minutes 29 seconds West a distance of 194.89 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 78 degrees 29 minutes 32 seconds West a distance of 80.81 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 48 degrees 54 minutes 35 seconds West a distance of 197.06 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 39 degrees 43 minutes 26 seconds West a distance of 330.33 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 68 degrees 44 minutes 55 seconds West a distance of 486.65 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 64 degrees 05 minutes 56 seconds West a distance of 62.91 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 64 degrees 28 minutes 47 seconds West a distance of 374.43 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 85 degrees 56 minutes 15 seconds West a distance of 78.91 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 43 degrees 13 minutes 19 seconds West a distance of 201.11 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 17 degrees 59 minutes 54 seconds East a distance of 264.08 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 48 degrees 02 minutes 08 seconds East a distance of 249.07 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 59 degrees 58 minutes 02 seconds East a distance of 101.96 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;



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THENCE South 63 degrees 16 minutes 47 seconds West a distance of 35.87 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 59 degrees 58 minutes 02 seconds East a distance of 154.60 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 01 degrees 50 minutes 56 seconds East a distance of 201.94 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 31 degrees 47 minutes 49 seconds East a distance of 729.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 40 degrees 40 minutes 55 seconds East a distance of 225.63 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 49 degrees 09 minutes 45 seconds East a distance of 400.63 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 05 degrees 33 minutes 54 seconds West a distance of 116.01 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 49 degrees 09 minutes 45 seconds East a distance of 319.52 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 63 degrees 47 minutes 22 seconds East a distance of 124.87 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 89 degrees 14 minutes 01 seconds East a distance of 220.51 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 79 degrees 39 minutes 07 seconds East a distance of 316.94 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE South 89 degrees 52 minutes 34 seconds East a distance of 219.27 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 53 degrees 36 minutes 30 seconds East a distance of 137.70 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

THENCE North 74 degrees 09 minutes 33 seconds East a distance of 98.29 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner in the westerly right-of-way line of F.M. 1141;

THENCE along the westerly right-of-way line of F.M. 1141 South 01 degrees 20 minutes 34 seconds East a distance of 74.99 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for the most northeasterly corner of said City of Rockwall tract;

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THENCE departing the westerly right-of-way line of F.M. 1141 and along the northerly line of said City of Rockwall tract as follows:

South 63 degrees 59 minutes 00 seconds West a distance of 1321.71 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 40 degrees 27 minutes 00 seconds West a distance of 2963.92 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 90 degrees 00 minutes 00 seconds West a distance of 600.00 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 00 degrees 00 minutes 00 seconds East a distance of 90.23 feet to a 1/2 inch iron rod with a red plastic cap stamped W.A.I. set for corner;

North 89 degrees 24 minutes 49 seconds West a distance of 391.24 feet to the POINT OF BEGINNING.

Containing within these metes and bounds 106.866 acres or 4,655,079 square feet of land more or less.

The bearings contained herein are based upon the deed to Lumbermen's Investment Corporation as recorded in Volume 1140, Page 323 of the Deed Records of Rockwall County, Texas (DRRCT).

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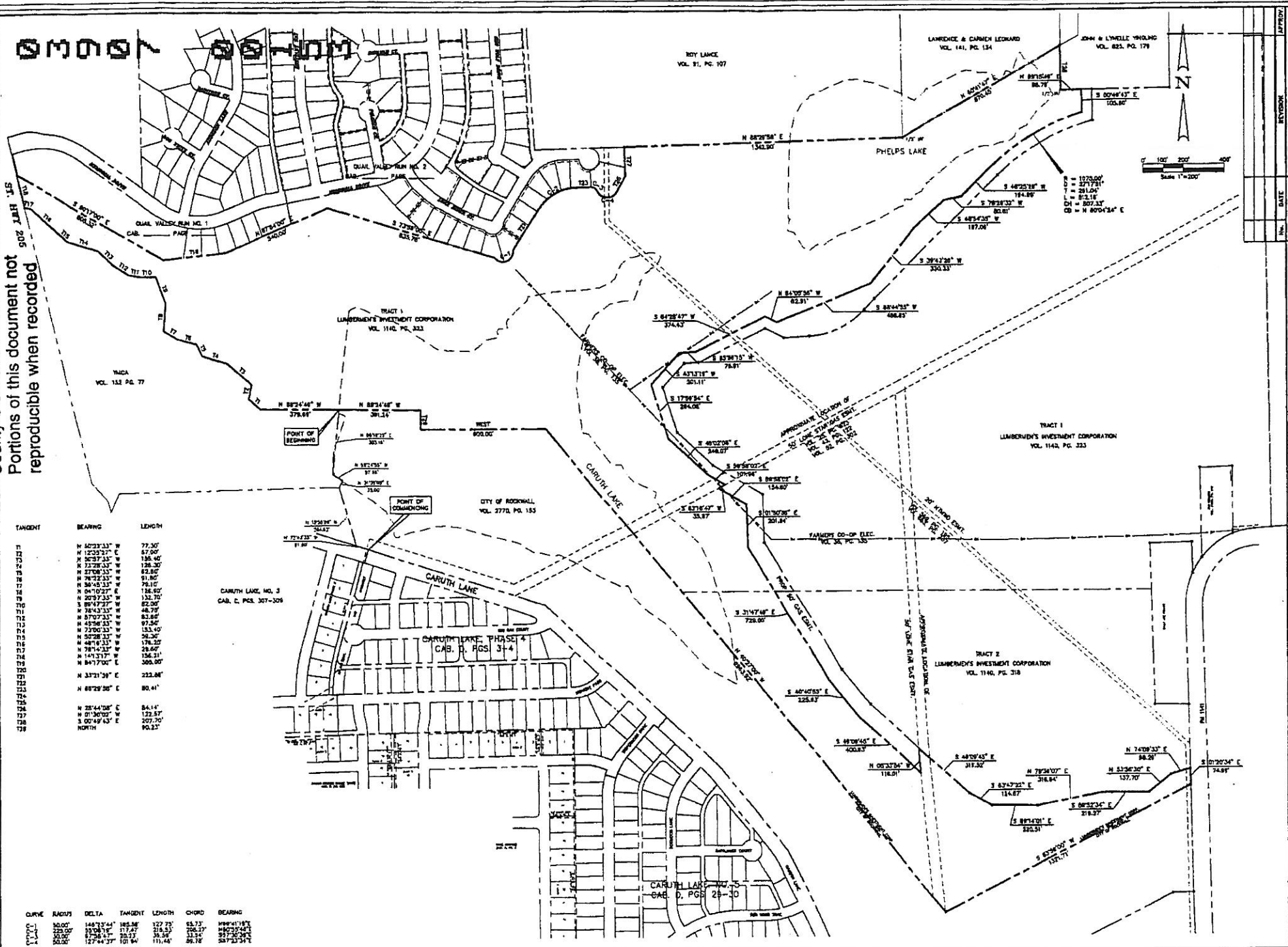
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County Clerk's Memo

Portions of this document not  
reproducible when recorded

TANGENT	BEARING	LENGTH
-----	N 60°23'33" W	77.30'
-----	N 12°53'27" E	67.00'
-----	N 82°33'33" W	136.40'
-----	N 73°28'33" W	128.30'
-----	N 37°08'33" W	62.80'
-----	N 87°12'33" W	91.80'
-----	N 30°45'33" W	78.10'
-----	N 04°10'27" E	126.60'
-----	N 22°37'33" W	132.70'
-----	N 89°47'27" W	82.00'
-----	N 78°43'33" W	48.70'
-----	N 87°07'33" W	83.88'
-----	N 43°36'33" W	97.66'
-----	N 73°02'33" W	133.40'
-----	N 52°28'33" W	96.30'
-----	N 48°13'33" W	178.20'
-----	N 78°43'33" W	28.60'
-----	N 14°31'33" W	136.31'
-----	N 84°17'00" E	308.00'
-----	N 33°21'39" E	222.84'
-----	N 88°29'26" E	80.41'
-----	N 28°44'28" E	84.14'
-----	N 01°30'02" E	123.87'
-----	S 00°49'43" E	207.70'
-----	NORTH	90.21'

CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
1	58.00'	148°15'41"	185.86'	127.75'	65.73'	N88°41'14"E
2	28.00'	33°04'19"	17.47'	216.53'	206.21'	N82°29'49"E
3	58.00'	148°15'41"	185.86'	127.75'	65.73'	N88°41'14"E
4	28.00'	33°04'19"	17.47'	216.53'	206.21'	N82°29'49"E



Scale: 1"=200'	Date: 11-26-03
Designed By: mh	Drawn By: mh
Checked By: mh	Project No.: 14854-02
<b>Winkelmann &amp; Associates, Inc.</b>	
M.B. JAMES SURVEY, ABSTRACT NO. 122 CITY OF ROCKWALL ROCKWALL COUNTY, TEXAS LUMBERMEN'S INVESTMENT CORPORATION VOL. 1140, PG. 318	
<b>EXHIBIT "B"</b> <b>CARUTH PARKLAND DEDICATION</b> <b>106.866 ACRES</b>	
DATE	REVISION

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OR

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Filed for Record in:  
Rockwell County

On: Mar 01, 2005 at 12:09P

As a  
Recording

Document Number: 00323187

Amount 35.00

Receipt Number - 132380

By,  
Francine

STATE OF TEXAS

COUNTY OF ROCKWELL  
I hereby certify that this instrument was  
filed on the date and time stamped hereon by me  
and was duly recorded in the volume and page  
of the named records of:  
Rockwell County  
as stamped hereon by me.

Mar 01, 2005

Honorable Paulette Bernis, County Clerk  
Rockwell County

This document has been received by this Office for  
Recording into the Official Public Records. We do  
hereby swear that we do not discriminate due to  
Race, Creed, Color, Sex or National Origin.