

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL
CITY OF ROCKWALL

WHEREAS Rockwall-Mays L.P. is the sole owner of a 2.531 acre tract of land situated in the S.S. McCurry Survey, Abstract No. 146 and the J.H.B. Jones Survey, Abstract No. 124, City of Rockwall, Rockwall County, Texas, and being all of Lot 1, Block B, of QUAIL RUN RETAIL, an addition to the City of Rockwall described by plat recorded in Cabinet E, Slide 67, Plat Records of Rockwall County, Texas, said 2.531 acre tract of land being more particularly described as follows:

BEGINNING at a P.K. nail found the northwest corner of said Lot 1 and being the point of intersection of the northeasterly right-of-way line of State Highway 205, (a 105 foot right-of-way at this point), with the approximate centerline of old Quail Run Road, (an apparent prescriptive right-of-way);

THENCE North 88°25'16" East along the north line of said Lot 1 same being the south line of that certain tract of land described in deed to W.W. Caruth recorded in Volume 188, Page 774, Deed Records of Rockwall County, Texas and generally along said centerline of old Quail Run Road, a distance of 682.73 feet to a 5/8-inch iron rod with cap stamped "Bury & Partners" found for the northeast corner of said Lot 1 and being the point of intersection of said centerline with the northwesterly right-of-way line of new Quail Run Road, (an 85 foot right-of-way at this point) and being the point of intersection of a non-tangent curve to the left having a radius point which bears South 18°28'11" East, a distance of 892.50 feet;

THENCE along said northwesterly right-of-way line the following:

Southeasterly with said curve to the left through a central angle of 24°29'46" for an arc distance of 381.58 feet, a chord bearing of South 59°16'55" West and a chord distance of 378.68 feet to a 1/2-inch iron rod found for the point of reverse curvature of a curve to the right having a radius of 807.50 feet;

Southwesterly with said curve to the right through a central angle of 03°48'28" for an arc distance of 53.66 feet, a chord bearing of South 48°56'16" West and a chord distance of 53.65 feet to a 1/2-inch iron rod found for the point of compound curvature of a curve to the right having a radius of 239.50 feet;

Southwesterly with said curve to the right through a central angle of 19°16'03" for an arc distance of 80.54 feet, a chord bearing of South 60°28'32" West and a chord distance of 80.16 feet to a 1/2-inch iron rod found for the point of reverse curvature of a curve to the left having a radius of 260.50 feet;

Southwesterly with said curve to the left through a central angle of 10°15'11" for an arc distance of 46.62 feet, a chord bearing of South 64°58'58" West and a chord distance of 46.55 feet to a 5/8-inch iron rod with cap stamped "Bury & Partners" found for point of reverse curvature of a curve to the right having a radius of 792.50 feet;

Southwesterly with said curve to the right through a central angle of 04°03'09" for an arc distance of 56.05 feet, a chord bearing of South 61°52'57" West and a chord distance of 56.04 feet to a 1/2-inch iron rod found for the point of compound curvature of a curve to the right having a radius of 64.50 feet;

Northwesterly with said curve to the right through a central angle of 101°52'12" for an arc distance of 114.68 feet, a chord bearing of North 65°09'23" West and a chord distance of 100.16 feet to a 5/8-inch iron rod with cap stamped "Bury & Partners" found for the point of intersection of said northwesterly right-of-way line with the aforementioned northeasterly right-of-way line of State Highway 205;

THENCE North 14°13'17" West along said northeasterly right-of-way line, a distance of 261.40 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 110,245 square feet or 2.531 acres of land.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

STATE OF TEXAS
COUNTY OF ROCKWALL

WE THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE LOT 1R, BLOCK B, QUAIL RUN RETAIL 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. WE FURTHER CERTIFY THAT ALL OTHER PARTIES WHO HAVE A MORTGAGE OR LIEN INTEREST IN THE QUAIL RUN RETAIL SUBDIVISION HAVE BEEN NOTIFIED AND SIGNED THIS PLAT.

WE 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. WE ALSO UNDERSTAND THE FOLLOWING:

1. NO BUILDINGS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE UTILITY EASEMENTS AS DESCRIBED HEREIN.
2. 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.
3. 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.
4. 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.
5. 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.

WE FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTION'S MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPART WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; WE, OUR SUCCESSORS AND ASSIGNS HEREBY WAIVE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTION'S MADE HEREIN.

BY:

ROCKWALL-MAYS L.P.

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE _____ DAY OF _____, 2003.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS EXPIRATION: _____

SURVEYOR'S CERTIFICATE

NOW, THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, DAVID J. DE WEIRD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I HAVE PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND, AND THE CORNER MONUMENTS SHOWN HEREON WERE FOUND AND/OR PLACED UNDER MY PERSONAL SUPERVISION.

"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE"

DAVID J. DE WEIRD
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5066

STATE OF TEXAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2003.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS EXPIRATION: _____

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 _____.

THIS APPROVAL SHALL BE INVALID UNLESS THE APPROVED PLAT FOR SUCH ADDITION IS RECORDED IN THE OFFICE OF THE COUNTY CLERK OF ROCKWALL, 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 _____.

MAYOR, CITY OF ROCKWALL

CITY SECRETARY CITY OF ROCKWALL

CITY OF ROCKWALL ENGINEER

**LOT 1R, BLOCK B
QUAIL RUN RETAIL
BEING A REPLAT OF
LOT 1, BLOCK B
QUAIL RUN RETAIL
BEING 2.531 ACRES SITUATED IN THE
S.S. McCURRY SURVEY, ABSTRACT NO. 146, AND
J.H.B. JONES SURVEY, ABSTRACT NO. 124
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS
NOVEMBER 07, 2003**

OWNER:
ROCKWALL-MAYS L.P.
C/O MAYS & COMPANY
5949 SHERRY LANE, SUITE 1570
DALLAS, TEXAS 75225
PH: 214-363-8400

SURVEYOR:
BURY + PARTNERS-DFW, INC.
5310 HARVEST HILL, SUITE 100
DALLAS, TEXAS 75230
PH: 972-991-0011

THIS PLAT FILED IN CABINET _____, SLIDE _____, DATED _____, SHEET 2 OF 2