

STATE OF TEXAS
COUNTY OF ROCKWALL

WHEREAS ROCKWALL/S-180 LTD. BEING THE OWNER OF A TRACT OF LAND IN THE COUNTY OF ROCKWALL, STATE OF TEXAS, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEING A TRACT OF LAND LOCATED IN THE J. D. McFARLAND SURVEY ABSTRACT NO. 145, ROCKWALL COUNTY, TEXAS, AND BEING A PART OF A 110.8 ACRE TRACT CONVEYED TO NAN L. SMARTT OF RECORD IN VOLUME 63, PAGE 100, DEED RECORDS, ROCKWALL COUNTY, TEXAS, AND FURTHER BEING PART OF THAT 4.864 ACRE TRACT OF LAND CONVEYED TO HENRY S. MILLER COMPANY TRUSTEE FROM NAN L. SMARTT BY DEED RECORDED IN VOLUME 105, PAGE 121, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTH CORNER OF GOLDENCREST ADDITION, AN ADDITION TO THE CITY OF ROCKWALL, RECORDED IN SLIDE B, AT PAGE 888, PLAT RECORDS OF ROCKWALL COUNTY, TEXAS, SAID POINT ALSO BEING THE WEST CORNER OF SAID HENRY S. MILLER TRACT:

THENCE SOUTH 44 DEGREES 49 MINUTES 25 SECONDS EAST A DISTANCE OF 69.17 FEET TO A 1/2 INCH IRON ROD SET FOR THE POINT OF BEGINNING, SAID POINT ALSO BEING THE POINT OF A NONTANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 14 DEGREES 22 MINUTES 47 SECONDS, A RADIUS OF 766.64 FEET, AN ARC LENGTH OF 192.42' AND WITH A CHORD BEARING AND DISTANCE OF NORTH 37 DEGREES 37 MINUTES 31 SECONDS EAST A DISTANCE OF 191.91 FEET.

THENCE ALONG SAID CURVE TO THE RIGHT AND WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF YELLOWJACKET LANE AN ARC DISTANCE OF 192.42 FEET TO A 1/2 INCH IRON ROD SET AT THE POINT OF TANGENCY.

THENCE NORTH 44 DEGREES 51 MINUTES 34 SECONDS EAST CONTINUING ALONG THE SOUTH RIGHT-OF-WAY OF YELLOWJACKET LANE A DISTANCE OF 694.64 FEET TO A 1/2 INCH IRON ROD SET FOR A CORNER.

THENCE SOUTH 44 DEGREES 39 MINUTES 17 SECONDS EAST, DEPARTING THE SOUTHEAST RIGHT-OF-WAY LINE OF YELLOWJACKET LANE A DISTANCE OF 768.14 FEET TO A 1/2 INCH IRON ROD SET FOR A CORNER.

THENCE SOUTH 36 DEGREES 28 MINUTES 47 SECONDS WEST, A DISTANCE OF 821.07 FEET TO A 1/2 INCH IRON ROD SET FOR A CORNER, SAID POINT BEING IN THE NORTHEAST RIGHT-OF-WAY LINE OF KYLE DRIVE.

THENCE NORTH 44 DEGREES 44 MINUTES 25 SECONDS WEST ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF KYLE DRIVE A DISTANCE OF 685.46 FEET TO A 1/2 INCH IRON ROD SET AT A POINT OF CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 19 DEGREES 27 MINUTES 07 SECONDS, A RADIUS OF 890.00 FEET, AND A LENGTH OF 223.94 FEET.

THENCE ALONG SAID CURVE TO THE LEFT AND WITH THE NORTHEAST RIGHT-OF-WAY LINE OF KYLE DRIVE AN ARC DISTANCE OF 223.94 FEET TO A 1/2 INCH IRON ROD SET FOR AN ANGLE POINT AT THE END OF SAID CURVE.

THENCE NORTH 44 DEGREES 44 MINUTES 25 SECONDS WEST A DISTANCE OF 24.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 646.90 00 SQUARE FEET OR 16.00 ACRES OF LAND MORE OR LESS.

SURVEYOR'S CERTIFICATE

STATE OF TEXAS
COUNTY OF ROCKWALL

NOW, THEREFORE, KNOW ALL MEN PRESENTS:

THAT I SEPEHR PARNIAN, OF PCC CONSULTING ENGINEERS, INC. 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.

SEPEHR PARNIAN REGISTERED PUBLIC SURVEYOR NO. 3466

STATE OF TEXAS
COUNTY OF ROCKWALL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 1997

BY _____

NOTARY PUBLIC, STATE OF TEXAS MY COMMISSION EXPIRES _____

STATE OF TEXAS
COUNTY OF ROCKWALL

NOW, THEREFORE, KNOW ALL MEN PRESENTS:

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE ROCKWALL PLACE APARTMENTS SUBDIVISION AN ADDITION 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 ROCKWALL PLACE APARTMENTS SUBDIVISION HAVE BEEN 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 SAME. I ALSO UNDERSTAND THE FOLLOWINGS:

- 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 BUILDING, FENCES, TREES, SHRUBS OR OTHER GROWTHS OR IMPROVEMENTS WHICH IN ANY WAY ENDANGERS OR INTERFERES 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 STREET IN THE SUBDIVISION.
- THE DEVELOPER AND SUBDIVISION ENGINEER SHALL BEAR TOTAL RESPONSIBILITY FOR STORM DRAINAGE 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 ADJUTS, 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, COMMITTED 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(ME) MAY HAVE AS A RESULT OF THE DEDICATION OF EXACTIONS MADE HEREIN.

JAMES M. CLIFTON - PRESIDENT
CLIFTON, FITZGIBBONS & SHAM II, INC. - GENERAL PARTNER
OF ROCKWALL/S-180 LTD.

STATE OF TEXAS
COUNTY OF ROCKWALL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JAMES M. CLIFTON KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 19____.

NOTARY PUBLIC, STATE OF TEXAS MY COMMISSION EXPIRES _____

JOSEPH A. SPINA, JR., V.P.
BERKSHIRE MORTGAGE FINANCE CORPORATION
PARTY WITH MORTGAGE OR LIEN INTEREST

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOSEPH A. SPINA, JR. KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN STATED.

GIVEN UPON MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 1997.

NOTARY PUBLIC, STATE OF _____ MY COMMISSION EXPIRES _____

OWNER'S CERTIFICATE

RECOMMENDED FOR FINAL APPROVAL

PLANNING AND ZONING COMMISSION

DATE

APPROVED

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT AND ADDITION TO THE CITY OF ROCKWALL, TEXAS WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL ON THE _____ DAY OF _____, 19____.

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, TEXAS.

WITNESS OUR HANDS THIS _____ DAY OF _____, 19____.

MAYOR, CITY OF ROCKWALL

CITY SECRETARY, CITY OF ROCKWALL

NOTE:
IT SHALL BE THE POLICY OF THE CITY OF ROCKWALL TO WITHHOLD ISSUING BUILDING PERMITS UNTIL ALL STREETS, WATER, SEWER AND STORM DRAINAGE SYSTEMS HAVE BEEN ACCEPTED BY THE CITY. THE APPROVAL OF A PLAT BY THE CITY DOES NOT CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE THAT ANY BUILDING WITHIN SUCH PLAT SHALL BE APPROVED, AUTHORIZED OR PERMIT THEREFORE ISSUED, NOR SHALL SUCH APPROVAL CONSTITUTE ANY REPRESENTATION, ASSURANCE OR GUARANTEE BY THE CITY OF THE ADEQUACY AND AVAILABILITY FOR WATER FOR PERSONAL USE AND FIRE PROTECTION WITHIN SUCH PLAT, AS REQUIRED UNDER ORDINANCE 8854.

FINAL PLAT

ROCKWALL PLACE APARTMENTS

BEING 16.00 ACRES OUT OF THE
J.D. McFARLAND SURVEY, ABSTRACT NO. 145 IN THE CITY
OF ROCKWALL, ROCKWALL COUNTY, TEXAS

OWNED BY:
ROCKWALL / S-180, LTD.

A TEXAS LIMITED PARTNERSHIP
CLIFTON, FITZGIBBONS AND SHAM II, INC.
A TEXAS CORPORATION, ITS GENERAL PARTNER
CONTACT: JIM CLIFTON

DEVELOPED BY:
CLIFTON, FITZGIBBONS AND SHAM II, INC.

A TEXAS LIMITED PARTNERSHIP
5703 COVEHAVEN DRIVE
DALLAS, TEXAS 75252
CONTACT: JIM CLIFTON
(972) 401-1222

PREPARED BY:

PCC CONSULTING ENGINEERS, INC.
1120 EMPIRE CENTRAL PLACE, SUITE 308
DALLAS, TEXAS 75247
(214) 690-1949

CCM engineering corporation

1120 EMPIRE CENTRAL PLACE SUITE 308 DALLAS, TEXAS 75247
(214) 690-5200

AUGUST 1997 SHEET 2 OF 2 1" = 100'