# MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF TARRANT REGIONAL WATER DISTRICT HELD ON THE 21st DAY OF APRIL 2015 AT 9:30 A.M.

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The call of the roll disclosed the presence of the Directors as follows:

Present
Victor W. Henderson
Jack R. Stevens
Marty V. Leonard
Jim Lane
Mary Kelleher

Also present were Jim Oliver, Alan Thomas, Dan Buhman, Darrel Andrews, Darrell Beason, Steve Christian, Wesley Cleveland, Randall Cocke, Jason Gehrig, Nancy King, Chad Lorance, David Marshall, Sandy Newby, Wayne Owen, Kirk Thomas and Ed Weaver.

Also in attendance were George Christie, General Counsel for Tarrant Regional Water District (Water District); Lee Christie, Ethel Steele, and Jeremy Harmon of Pope, Hardwicke, Christie, Schell, Kelly, & Ray LLP; Andra Beatty of Andra Beatty Real Estate; Dick Fish of Lake Country POA; Don McDaniel of TMG Imaging; Denis Qualls from the City of Dallas Water Utilities; Bob Brashear and Douglas Varner of CDM Smith; Amy Campbell of MWH; Elizabeth Basham of Mayfest; Lexi Johnson of TCU; Josh Richards of Fossil Creek; and Christine Jacoby of JQ Infrastructure.

President Henderson convened the meeting with the assurance from management that all requirements of the "open meetings" laws had been met.

1.

All present were given the opportunity to join in reciting the Pledge of Allegiance.

On a motion made by Director Leonard and seconded by Director Lane, the Directors voted unanimously to approve the minutes, as revised, from the meeting held on March 17, 2015. It was accordingly ordered that these minutes be placed in the permanent files of the Tarrant Regional Water District.

3.

With the recommendation of management, Director Stevens moved to approve capital expenditures as noted below.

Project	Vendor	Amount Approved	Funding	Committee Review
ITB 15-057 Heavy Duty LGP Dozer w/ winch replacement	Holt Company, Dallas, Texas	\$212,250	General	Construction and Operations

Director Lane seconded the motion and the vote in favor was unanimous.

4.

With the recommendation of management, Director Lane moved to approve an amendment to the contract with CDM Smith, Inc. in the amount of \$749,150 to begin Phase 2 of the storm water quality modeling. Funding for this amendment is included in the FY 2015 and FY 2016 General Fund Budgets. Director Kelleher seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management, Director Stevens moved to approve a change in the calculation of retainage being held for DCI Contracting to 5% of the total contract price, following the recent 50% completion milestone of its contract for the acquisition and installation of Cedar Creek and Richland-Chambers reservoirs intake structures access bridges. All remaining contract payments are to be made in full.

However, any changes to the contract price by change order or alternate base bid work for the project will require adjustment to the retainage schedule. Funding for this contract is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Stevens moved to approve a contract with Retzlaff Construction in the not to exceed amount of \$105,000 for construction of up to 22,483 square feet of concrete trail along the Trinity River. Funding for this contract is included in the FY 2015 General Fund Budget. Director Lane seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Lane moved to approve an amendment to the contract with CDM Smith, Inc. in the not to exceed amount of \$1,136,826 for the Integrated Pipeline Project Supervisory Control and Data Acquisition (SCADA) application engineering services. With this amendment, the total not to exceed contract value will be \$20,627,133. Funding for this amendment is included in the Bond Fund. Director Stevens seconded the motion and the vote in favor is unanimous.

8.

With the recommendation of management, Director Lane moved to approve a change in calculation of retainage being held for ASI Constructors Inc. to 5% of the total contract price, following the recent 50% completion milestone of its contract for the Integrated Pipeline Project Joint Booster Station No. 3 Suction Reservoir. All remaining

contract payments are to be made in full. However, any changes to the contract price by change order or alternate base bid work for the project will require adjustment to the retainage schedule. Funding for this contract is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

9.

#### Staff Updates

- Update on System Status
- Update on Environmental Awards
- Reverse Litter Mayor Videos

10.

A request to speak form was submitted by and public comments received from Elizabeth Basham of Mayfest on Mayfest 2015.

The Board of Directors recessed for a break from 10:27 a.m. to 10:42 a.m.

11.

The presiding officer next called an executive session at 10:42 a.m. under V.T.C.A., Government Code, Section 551.071 to consult with legal counsel on a matter in which the duty of counsel under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with Chapter 551, Texas Government Code, and to conduct a private consultation with attorneys regarding pending or contemplated litigation (*Monty Bennett v. Tarrant Regional Water District*, Cause No. 153-264899-13, in the 153<sup>rd</sup> District Court of Tarrant County, Texas, Cause No. 02-13-00354-CV, in the Second Court of Appeals, Fort Worth, Texas and Cause No. 15-0030 in the Supreme Court of Texas; *Tarrant Regional Water District v. Lazy W District No. 1, et al.*, Cause No. 2014C-0144 in the 3<sup>rd</sup> District Court of Henderson County, Texas, Cause No. 12-14-00329-CV in the Twelfth

Court of Appeals, Tyler, Texas and Cause No. 15-0117 in the Supreme Court of Texas; White House Cemetery Association v. Tarrant Regional Water District, Cause No. 2014C-1022, in the 3<sup>rd</sup> District Court of Henderson County, Texas), and under Section 551.072 to deliberate the purchase, exchange, lease or value of real property. Upon completion of the executive session at 10:52 a.m., the President reopened the meeting.

12.

With the recommendation of management, Director Lane moved to approve the conveyance of 7.57 square feet, more or less, located beneath a residential improvement encroaching on land owned by the District below the 325 mean sea level elevation on Cedar Creek Lake. The District will reserve all minerals and a flowage easement, and the owners of the residential property will pay all of the permit fees and related costs. Director Leonard seconded the motion and the vote in favor was unanimous.

## EXHIBIT "A"

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE J.M. MENDOZA SURVEY, A-487, AND BEING A TARRANT REGIONAL WATER DISTRICT TRACT OF LAND ADJACENT TO LOT 239, BLOCK B, OF ENCHANTED OAKS, SECTION FOUR, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 43, CABINET C, SLIDE 44 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS. SAID LOT, TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a ''' iron rod found at the southwest corner of Lot 239 in the north line of Cedarwood Drive at the platted 325 elevation line of Cedar Creek Lake (TRWD Property);

THENCE, along the west line of Lot 239, the east line of Cedar Creek Lake and along the platted 325 elevation line as follows: N 04° 26′ 00″ W, 16.68 feet; N 28° 23′ 32″ E, 61.40 feet; N 43° 31′ 33″ E, 38.90 feet; N 58° 11′ 28″ E, 23.96 feet to an existing structure for the POINT OF BEGINNIG OF THIS TRACT;

THENCE, along the existing structure and through the TRWD tract as follows: N 25° 05' 48" E, 4.82 feet; S 64° 55' 41" E, 3.14 feet to the west line of Lot 239;

THENCE, S 58° 11' 33" W, 5.75 feet along the west line of Lot 239 and the platted 325 elevation line and through the existing structure to the POINT OF BEGINNING and CONTAINING 7.57 SQUARE FEET OF LAND.

BASIS OF BEARING:

RECORDED PLAT

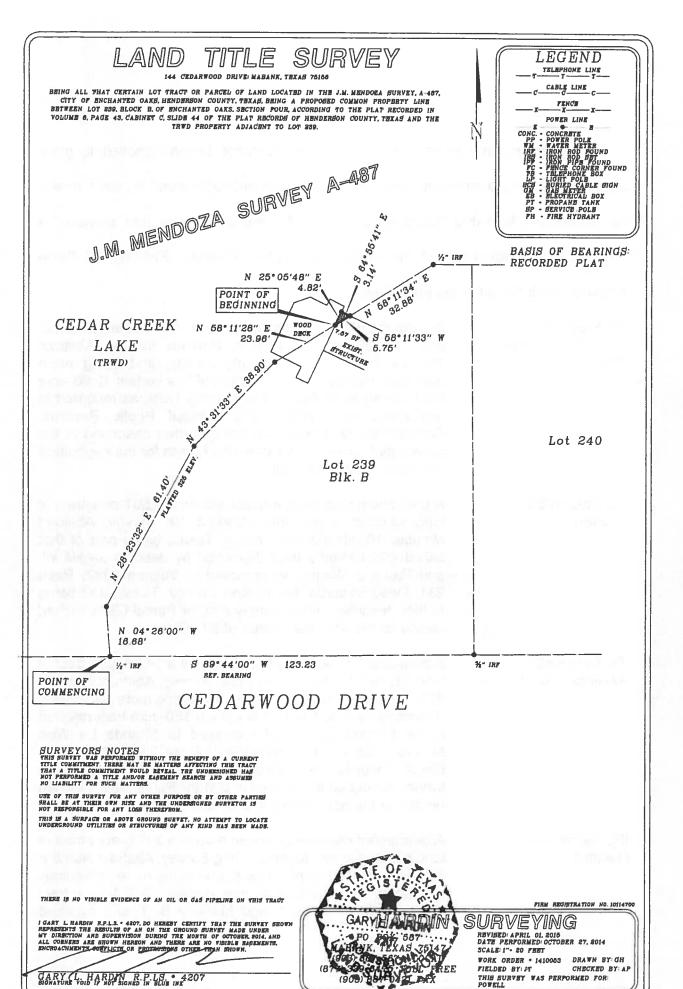
SURVEYOR'S CERTIFICATE

**Date: OCTOBER 27, 2014** 

To: CARL POWELL

I, Gary L. Hardin, Registered Professional Land Surveyor No. 4207, do hereby certify that the field notes hereon represents the results of a survey made on the ground under my direction and supervision, the lines and dimensions of said property being as indicated. This survey is based on deeds, easements and/or recorded plats and other records when furnished by the client or the client's representative, as well as significant and visible monuments found on the subject property and adjacent properties, field measurements and evidence of boundaries found on the ground. However, this certification is not a representation of warranty of title or guarantee of ownership. This survey was performed EXCLUSIVELY for the above mentioned parties. USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR RISK AND THE UNDERSIGNED IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.

Gary L. Hardin, RPLS No. 4207 W.O. 1410053 (SEE SURVEY)



(D) 2014 ALL RIGHTS RESERVED SEE FIRLD HOTES

With the recommendation of management, Director Leonard moved to grant authority to acquire permanent easement interests, as set forth below, in, over, under, and across the following described properties for the public use and purpose of construction and operation of the Integrated Pipeline Project. Funding for these acquisitions is included in the Bond Fund.

IPL Parcel 99 (Allen Family Living Trust) A permanent easement interest across a 1.724-acre tract of land situated in the Joaquin Rendon Survey, Abstract Number 1263, Tarrant County, Texas, and being more particularly described as a portion of that certain 12.96-acre tract conveyed to Allen Family Living Trust, as recorded in Instrument No. D206039573, Official Public Records, Tarrant County, Texas, and being further described in the survey plat for Parcel 99 attached hereto for the negotiated purchase price of \$82,000.

IPL Parcel 650 (Winter)

A permanent easement interest across a 0.501-acre tract of land situated in the John Albright, Sr. Survey, Abstract Number 16, Henderson County, Texas, being part of that called 406.130-acre tract described by deed to Jackie W. and Paula J. Winter, as recorded in Volume 2332, Page 231, Deed Records, Henderson County, Texas, and being further described in the survey plat for Parcel 650 attached hereto for the appraised value of \$9,755.

IPL Parcel 689 (Meadows Bailey) A permanent easement interest across a 5.588-acre tract of land situated in the Samuel Moss Survey, Abstract Number 477, Henderson County, Texas, and being more particularly described as a portion of that certain 150-acre tract referred to as Second Tract and conveyed to Shanda La Won Meadows by deed recorded in Volume 2259, Page 885, Deed Records, Henderson County, Texas, and being further described in the survey plat for Parcel 689 attached hereto for the appraised value of \$20,117.

IPL Parcel 961 (Taaffe) A permanent easement interest across a 3.928-acre tract of land situated in the Jonathan Ping Survey, Abstract Number 608, Henderson County, Texas, and being more particularly described as a portion of that certain 63.974-acre tract conveyed to Thomas J. and Marleny B. Taaffe by deed

recorded in Instrument Number 2010-0010805, of the Official Public Records, Henderson County, Texas, and being further described in the survey plat for Parcel 961 attached hereto for the negotiated purchase price of \$24,500.

IPL Parcel 1068 (Austin)

A permanent easement interest across a 1.592-acre tract of land situated in the M.B. McKeever Survey, Abstract Number 479, Henderson County, Texas, and being more particularly described as a portion of that certain 6.98-acre tract of land conveyed to Willis G. and Kathryn M. Austin by instrument recorded in Document Number 2012-00016244, Official Public Records, Henderson County, Texas, and being further described in the survey plat for Parcel 1068 attached hereto for the negotiated purchase price of \$25,201.

#### EXHIBIT "A" Property Description

Being 1.724-acres (75,114 square feet) of land situated in the Joaquin Rendon Survey, Abstract Number 1263, Tarrant County, Texas, and more particularly that certain 12.96 acre tract, conveyed to Allen Family Living Trust, as recorded in Instrument #D206039573, Official Public Records, Tarrant County, Texas, (O.P.R.T.C.T.), and being further described as follows:

**BEGINNING** at a 3/4 inch iron pipe found for the Northeast corner of said Allen Family tract, the Northwest corner of a tract of land as described by deed to Paul Wright and spouse, Staci Wright, as recorded in Instrument #D209173561, O.P.R.T.C.T. and on the South line of a tract of land as described by deed to Granville Keeton, as recorded in Volume 9413, Page 1049, Deed Records, Tarrant County, Texas (D.R.T.C.T.) (N: 6,896,246.830, E: 2,358,100.847 Grid);

- (1) **THENCE** S 0°35'38" E, along the East line of tract herein described, the East line of said Allen Family tract and the West line of said Wright tract, a distance of 150.00 feet to a set 5/8 inch iron rod with Transystems cap for the Southeast corner of tract herein described;
- (2) **THENCE** S 89°24'59" W, along the South line of tract herein described, a distance of 445.97 feet to a set 5/8 inch iron rod with Transystems cap for the Southwest corner of tract herein described;
- (3) **THENCE** N 36°44'25" W, along the West line of tract herein described, a distance of 185.78 feet to a set 5/8 inch iron rod with Transystems cap for the Northwest corner of tract herein described, on the North line of said Allen Family tract and the South line of a tract of land as described by deed to John Wasilchak, being Tract 1 and Tract 2, as recorded in Volume 2518, Page 719, D.R.T.C.T.;
- (4) THENCE N 89°24'59" E, along the North line of tract herein described, the North line of said Allen Family tract and the South line of said Wasilchak tract, at a distance of 185.78 feet passing a found 1/2 inch iron rod for the Southeast corner of said Wasilchak tract and the Southwest corner of said Keeton tract, continuing along the North line of tract herein described, the North line of said Allen Family tract and the South line of said Keeton tract, a total distance of 555.55 feet to the POINT OF BEGINNING, containing 1.724-acres (75,114 square feet) of land, more or less.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83)(2007) with all distances adjusted to surface by project combined scale factor of 0.9998802448.

NOTE: Plat to accompany this legal description

I do certify on this 25th day of March, 2013, to Fidelity National Title Insurance Company and Tarrant Regional Water District, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements, if any, and shows the location of all visible easements and rights-of-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Fidelity National Title Insurance Company, with an effective date of February 21, 2013, issued date of March 4, 2013, GF # FT244122-4412201389 affecting the subject property and listed in Exhibit "A-1" attached hereto.

Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

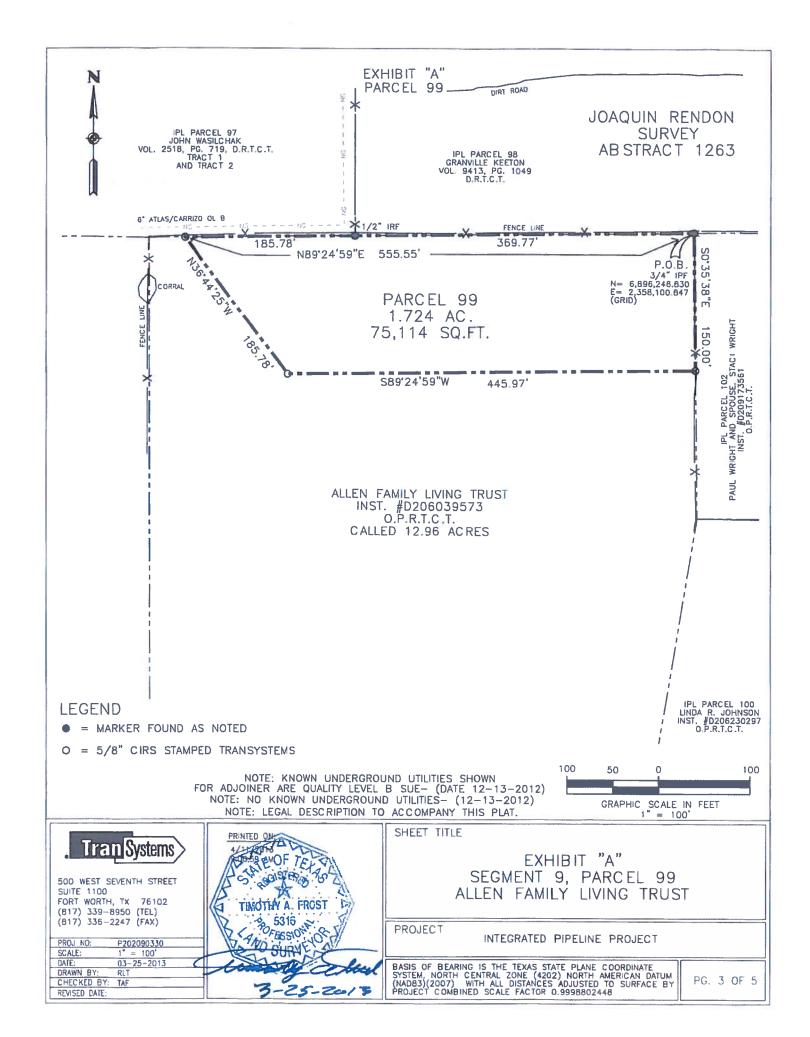
This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition III Survey.

Timothy A. Frost

Registered Professional Land Surveyor Texas Registration Number 5316

Dated:

3-25-2013



### Exhibit "A" Property Description

BEING a 0.501 acre (21,809 square foot) of land situated in the John Albright, Sr. Survey, Abstract Number 16, Henderson County, Texas, being part of that called 406.130 acre tract described by Warranty Deed with Vendor's Lien to Jackie W. Winter and wife Paula J. Winter as recorded in Volume 2332, Page 231, Deed Records, Henderson County, Texas (D.R.H.C.T.) and being further described as follows:

COMMENCING at a found 5/8-iron rod on the westerly right of way line of Farm to Market Highway No. 3441, (70-foot wide right-of-way, Volume 294, Page 634, D.R.H.C.T.), said point being the southeast corner of that called 0.92 acre tract of land described by deed to Clayton Russell Speake and wife, Patsy Jan Speake, as recorded in Volume 1245, Page 599, D.R.H.C.T., being the easterly northeast corner for said 406.130 acre tract;

THENCE N 08°50'12" W, with said westerly right of way line and the easterly line of said 0.92 acre tract, a distance of 228.86 feet to the northeast corner of said 0.92 acre tract, being the southeast corner of that called 7.45 acre tract described by Warranty Deed with Vendor's Lien to Janelle A. Cole and Robert C. Cole recorded in Document Number 2010-00011124, Official Records, Henderson County, Texas (O.R.H.C.T.);

**THENCE** N 61°24'39" W with the northerly line of said 0.92 acre tract and the southerly line of said 7.45 acre tract, at 15.16 feet pass a found 2-inch iron pipe, continuing for a total distance of 113.57 feet to the most northerly corner of said 0.92 acre tract and an angle point in the southerly line for said 7.45 acre tract, being the northerly northeast corner for said 406.130 acre tract;

**THENCE** N 55°48'15" W with the northerly line of said 406.130 acre tract and the southerly line of said 7.45 acre tract, a distance of 420.21 feet to a set 1/2-inch iron rod with "PACHECO KOCH" cap for the **POINT OF BEGINNING** (N: 6,749,893.127, E: 2,736,673.644 Grid);

- 1) THENCE N 84°39'12" W, departing said line, a distance of 319.91 feet to a set PK nail with "PACHECO KOCH" washer in County Road 1300 (no deed of record found a variable width prescriptive roadway), the northeasterly line of said 406.130 acre tract, and the southeasterly line of that tract described by deed to TEXAS GENCO Services, L.P. recorded by Volume 2373, Page 511, D.R.H.C.T., and being the called northeast line of the John Albright Survey, Abstract No. 16, and the southeast line for the Peter Tumlinson Survey, Abstract No. 755, Henderson County Texas;
- 2) THENCE N 33°18'58" E, along the approximate centerline of said County Road No.1300, and the line common to said 406.130 acre tract and said TEXAS GENCO Services tract, a distance of 154.38 feet to a found railroad spike for the northwesterly corner of said 406.130 acre tract and the southwesterly corner of said 7.45 acre tract;
- 3) THENCE S 55°48'15" E, departing the approximate centerline of said County Road No. 1300, and with the line common to said 406.130 acre and 7.45 acre tracts, a distance of 282.57 feet to the POINT OF BEGINNING, containing 0.501 acres (21,809 square feet) of land, more or less.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83) (2007) with all distances adjusted to surface by project combined scale factor of 0.9999804020.

Plat of same date to accompany this description.

All 1/2-inch iron rods set have a yellow cap stamped "PACHECO KOCH"

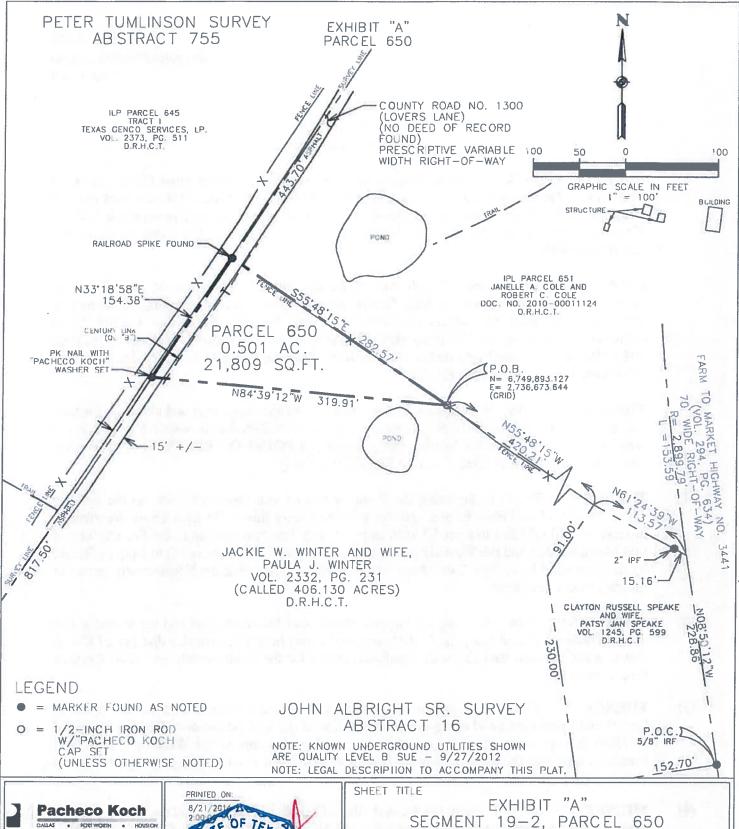
I hereby declare on this 5th day of August, 2014, to Fidelity National Title Insurance Company, Attorney's Title Company of Henderson County, and Tarrant Regional Water District, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements, if any, and shows the location of all visible easements and rights-of-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Fidelity National Title Insurance, with an effective date of January 27, 2014, issued date of February 3, 2014, GF # 13-278-DD, affecting the subject property and listed in Exhibit "A-1" attached hereto.

Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

Paul Hubert
Registered Professional Land Parveyor
Texas Registration Number 1942

Dated:



8350 N. CENTRAL EXPWY., SUITE 1000 DALLAS, TEXAS 75206 PH. 972.235.3031 FAX 972.235.9544 TX REG. ENGINEERING FIRM F-469 TX REG. SURVEYING FIRM LS-100080-00

PRCJ NO.	P202090330
SCALE.	1" = 100"
CATEL	8/21/2014
DRAWN BY:	CRK
CHECKED BY:	JP-4
REVISED DATE:	



EXHIBIT "A"

SEGMENT 19-2, PARCEL 650

JACKIE W. WINTER AND

WIFE, PAULA J. WINTER

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NADB3)(2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0,9999804020

PG. 3 OF 4

#### EXHIBIT "A" Property Description

Being 5.588 acres (243,412 square feet) of land situated in the Samuel Moss Survey, Abstract Number 477, Henderson County, Texas, and more particularly that certain 150 acre tract referred to as Second Tract and conveyed to Shanda La Won Meadows by deed recorded in Volume 2259, Page 885, Deed Records, Henderson County, Texas (D.R.H.C.T.) and being further described as follows:

COMMENCING at a found 1/2 inch iron rod for the Southeasterly corner of Tract 4 and the Northeasterly corner of Tract 5 of Shea Estates, a subdivision of record according to the map or plat thereof recorded in Cabinet D, Slide 159, Map Records, Henderson County Texas (M.R.H.C.T.), and conveyed to Betty Haney McNew by deed recorded in Volume 1476, Page 394, D.R.H.C.T., by deed recorded in Volume 1494, Page 29, D.R.H.C.T. and by deed recorded in Volume 1494, Page 24, D.R.H.C.T.;

**THENCE** S 01°10'16" W, along the Westerly line of said Meadows tract and along the Easterly line of Tracts 5 and 6 of said Shea Estates, a distance of 523.48 feet to a set 5/8 inch iron rod with TranSystems cap for the Northwesterly corner and **POINT OF BEGINNING** of the tract herein described (N: 6,743,312.515, E: 2,773,327.952 Grid);

- (1) THENCE S 76°30'54" E, departing the Westerly line of said Meadows tract and the Easterly line of Tract 6 of said Shea Estates and along the Northerly line of the tract herein described, a distance of 1,614.90 feet to a set 5/8 inch iron rod with TranSystems cap in the Easterly line of said Meadows tract and the Westerly line of that certain tract of land conveyed to Greg E. Frazier by deed recorded in Volume 2409, Page 591, D.R.H.C.T. and being the Northeasterly corner of the tract herein described;
- (2) THENCE S 01°10'16" W, along the Easterly line of said Meadows tract and the Westerly line of said Frazier tract, and along the Easterly line of the tract herein described, a distance of 154.96 feet to a set 5/8 inch iron rod with TranSystems cap for the Southeasterly corner of the tract herein described;
- (3) THENCE N 76°28'03" W, departing the Easterly line of said Meadows tract and the Westerly line of said Frazier tract and along the Southerly line of the tract herein described, a distance of 1,615.20 feet to a set 5/8 inch iron rod with TranSystems cap in the Westerly line of said Meadows tract and the Easterly line of Tract 6 of said Shea Estates, being the Southwesterly corner of the tract herein described;
- (4) THENCE N 01°10'16" E, along the Westerly line of said Meadows tract and the Easterly line of Tract 6 of said Shea Estates, a distance of 153.59 feet to the POINT OF BEGINNING, containing 5.588 acres (243,412 square feet) of land, more or less.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83)(2007) with all distances adjusted to surface by project combined scale factor of 0.9999804020.

NOTE: Plat to accompany this legal description.

I do certify on this 22nd day of April, 2013, to Attorney's Title Company of Henderson County, Fidelity National Title Insurance Company and Tarrant Regional Water District, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements, if any, and shows the location of all visible easements and rightsof-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Fidelity National Title Insurance Company, with an effective date of February 1, 2013, issued date of February 11, 2013, GF # 12-710-DD affecting the subject property and listed in Exhibit "A-1" attached hereto.

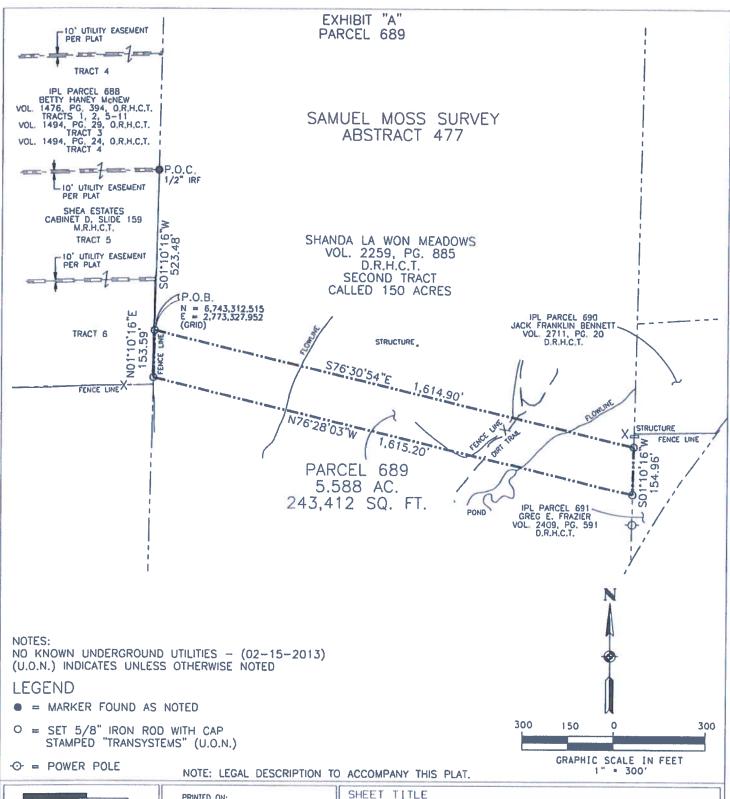
Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

Richard R. Dorr

Registered Professional Land Surveyor Texas Registration Number 4780

Dated: 04/22/13



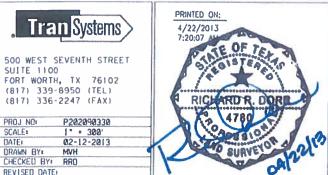


EXHIBIT "A"
SEGMENT 19-2, PARCEL 689
SHANDA LA WON MEADOWS

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NAD83)(2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.9999804020

PG. 3 OF 4

#### EXHIBIT "A" Property Description

Being 3.928 acres (171,100 square feet) of land situated in the Jonathan Ping Survey, Abstract Number 608, Henderson County, Texas and more particularly that certain 63.974 acre tract conveyed to Thomas J. Taaffe and Marleny B. Taaffe by deed recorded in Instrument Number 2010-0010805, of the Official Public Records, Henderson County, Texas (O.P.,R.H.C.T.), and being further described as follows:

COMMENCING at a found PK nail for the Southeasterly corner of said Taaffe tract and being the point of intersection of the Westerly line of Key Ranch Road, No Deed of Record found (variable width right-of-way) and the Northerly line of Joe Andrews Road, No Deed of Record found (variable width right-of-way)

**THENCE** N 01°40'47" W, along the Easterly line of said Taaffe tract and the Westerly line of said Key Ranch Road, a distance of 456.54 feet to a set 5/8 inch iron rod with TranSystems cap for the Southeasterly corner and **POINT OF BEGINNING** of the tract herein described (N: 6,758,874.272, E: 2,708,041.837 Grid);

- (1) THENCE N 79°21'54" W, departing the Easterly line of said Taaffe tract and the Westerly line of said Key Ranch Road, and along the Southerly line of the tract herein described, a distance of 657.95 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (2) THENCE N 78°04'47" W, continuing along the Southerly line of the tract herein described, a distance of 483.96 feet to a set 5/8 inch iron rod with TranSystems cap for the Southwesterly corner of the tract herein described, being in the Westerly line of said Taaffe tract and the Easterly line of that certain tract of land conveyed by deed to Haskell Henry and wife, Patricia Henry, Roy G. Heien and Robert W. Heien recorded in Volume 2490, Page 572, Deed Records, Henderson County, Texas (D.R.H.C.T.);
- (3) THENCE N 00°42'59" W, along the Westerly line of said Taaffe tract and the Easterly line of said Henry tract, and the Westerly line of the tract herein described, a distance of 153.72 feet to a set 5/8 inch iron rod with TranSystems cap for the Northwesterly corner of the tract herein described;
- (4) THENCE S 78°04'47" E, departing the Westerly line of said Taaffe tract and the Easterly line of said Henry tract, and along the Northerly line of the tract herein described, a distance of 515.91 feet to a set 5/8 inch iron rod with TranSystems cap for an angle point;
- (5) THENCE S 79°21'54" E, continuing along the Northerly line of the tract herein described, a distance of 623.52 feet to a set 5/8 inch iron rod with TranSystems cap for the Northeasterly corner of the tract herein described, being in the Easterly line of said Taaffe tract and the Westerly line of said Key Ranch Road;

(6) THENCE S 01°40'47'E, along the Easterly line of said Taaffe tract and the Westerly line of said Key Ranch Road, and the Easterly line of the tract herein described, a distance of 153.53 feet to the POINT OF BEGINNING, containing 3.928 acres (171,100 square feet) of land, more or less.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83)(2007) with all distances adjusted to surface by project combined scale factor of 0.9999460030.

NOTE: Plat to accompany this legal description.

I do certify on this 12th day of October, 2012, to Attorney's Title Co. of Henderson County, Fidelity National Title Insurance Company and Tarrant Regional Water District, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements, if any, and shows the location of all visible easements and rights-of-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Fidelity National Title Insurance Company, with an effective date of June 13, 2012, issued date of June 19, 2012, GF # 12-371-DD affecting the subject property and listed in Exhibit "A-I" attached hereto.

Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

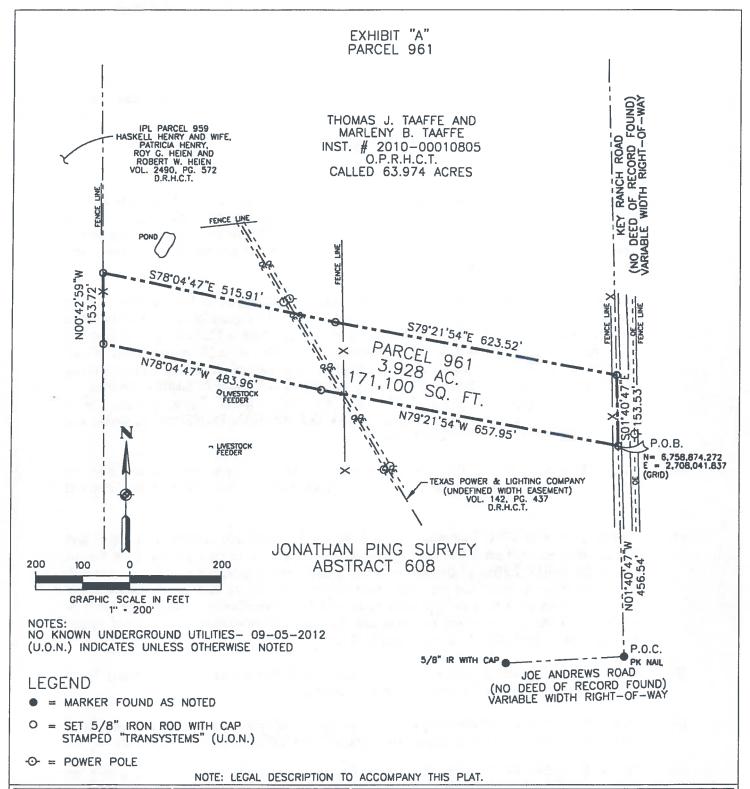
Richard R. Dorr

Registered Professional Land Surveyor

Texas Registration Number 4780

Dated:

10/12/12





500 WEST SEVENTH STREET SUITE 1100 FORT WORTH, TX 76102 (817) 339-8950 (TEL) (817) 336-2247 (FAX)

PROJ NO: P202090330
SCALE: 1' = 200'
DATE: 08-29-2012
DRAWN BY: SMD
CHECKEO BY: RRD
REVISED DATE:



#### SHEET TITLE

EXHIBIT "A"
SEGMENT 17, PARCEL 961
THOMAS J. TAAFFE AND
MARLENY B. TAAFFE

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NAD83)(2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.9999450030

PG. 3 OF 4

#### EXHIBIT "A" Property Description

Being a 1.592 acre (69,354 square feet) tract of land situated in the M.B. McKeever Survey, Abstract Number 479, Henderson County, Texas and more particularly that certain 6.98 acre tract of land conveyed to Willis G. Austin and Kathryn M. Austin by instrument recorded in Document Number 2012-00016244, Official Public Records, Henderson County, Texas and being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod set in the Southwesterly line of said Austin tract and the Northeasterly line of the Farm-to-Market Road 10 (F.M. 10) right-of-way (a variable width public right-of-way, no recording information found), from which a 1/2-inch iron rod found in the Northeasterly line of said F.M. 10 right-of-way for the West most Northwest corner of said Austin tract and the Southwest corner of a tract of land situated in said McKeever Survey conveyed to The Stauffer Family Trust, Larry R Stauffer and Sarah P. Stauffer, Trustees by instrument recorded in Volume 2874, Page 66, said Official Public Records bears N 23°52'39" W, a distance of 520.13 feet, (said POINT OF BEGINNING having coordinates of N: 6,737,453.464, E: 2,799,430.684 GRID);

- (1) THENCE N 76°40'14" E, departing the common line of said Austin tract and said F.M. 10 right-of-way, over and across said Austin tract, a distance of 371.29 feet to a 5/8-inch iron rod set;
- (2) THENCE N 72°42'47" E, continuing over and across said Austin tract, a distance of 120.22 feet to a 5/8-inch iron rod set in the east most east line of said Austin tract and the West line of County Road 4613 (16 feet, plus or minus in width, no recording information found), from which a 1/2-inch iron rod found for the south most Northeast corner of said Austin tract and the Southeast corner of a tract of land situated in said McKeever Survey conveyed to Mark A McNew by instrument recorded in Instrument Number 2011-00012853, said Official Public Records bears N 02°05'26" W, a distance of 0.15 feet;
- (3) THENCE S 02°05'26" E, with the common line of said Austin tract and said County Road 4613, a distance of 155.44 feet to a 5/8-inch iron rod set;
- (4) THENCE S 72°42'47" W, departing the common line of said Austin tract and said County Road 4613, over and across said Austin tract, a distance of 84.66 feet to a 5/8-inch iron rod set;
- (5) THENCE S 76°40'14" W, continuing over and across said Austin tract, at 39.53 feet, pass the Northeast corner of a tract of land situated in said McKeever Survey conveyed to Gene Sheppard and Doris Sheppard (henceforth referred to as Sheppard Tract I) by instrument recorded in Volume 2288, Page 677, Deed Records, Henderson County and at 118.47 feet, pass the Northwest corner of said Sheppard Tract I and the Northeast corner of a tract of land situated in said McKeever Survey conveyed to Gene Sheppard and wife Doris Sheppard (henceforth referred to as Sheppard Tract II) by instrument recorded in Volume 1346, Page 107, said Deed Records, in all a distance of 348.55 feet to a 5/8-inch iron rod set in the common line of said Austin tract and said F.M. 10 right-of-way for the Northwest corner of said Sheppard Tract II;

(6) THENCE N 23°52'39" W, with the common line of said Austin tract and said F.M. 10 right-of-way, a distance of 152.58 feet to the POINT OF BEGINNING and containing 1.592 acres (69,354 square feet) of land, more or less.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83)(2007) with all distances adjusted to surface by project combined scale factor of 0.9999804020.

NOTE: Plat to accompany this legal description.

NOTE: All 5/8-inch iron rods set have a yellow cap stamped "SAM INC."

I do certify on this 23rd day of June, 2014, to Attorney's Title Company of Henderson County, Fidelity National Title Insurance Company and Tarrant Regional Water District, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements, if any, and shows the location of all visible easements and rights-of-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Fidelity National Title Insurance Company, with an effective date of April 16, 2014, issued date of May 7, 2014 GF # 14-230-DD affecting the subject property and listed in Exhibit "A-1" attached hereto.

Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.

S. Kevin Wendell

Registered Professional Land Surveyor
Texas Registration Number 5500

Dated: June 23, 2014



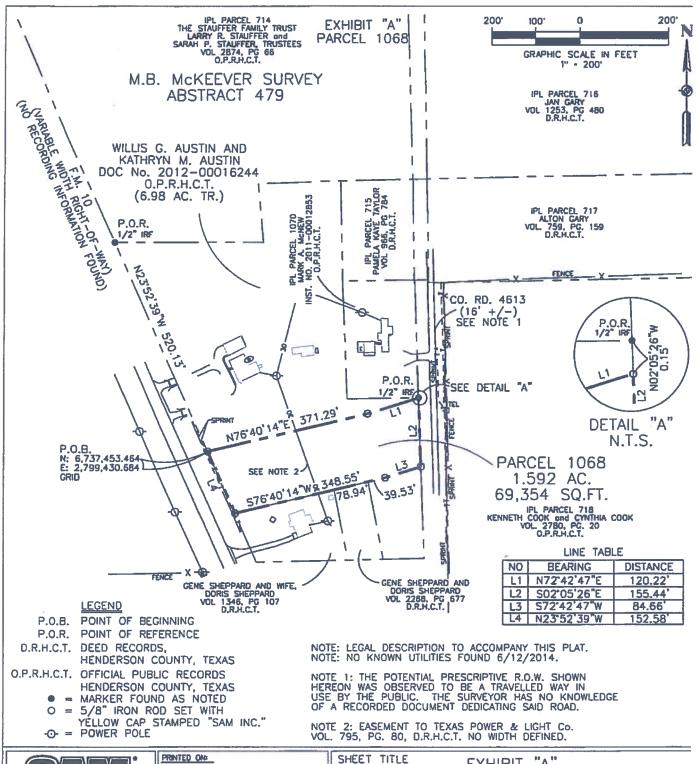






EXHIBIT "A" SEGMENT 19-2, PARCEL 1068 WILLIS G. AUSTIN AND

KATHRYN M. AUSTIN

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE
SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM
(NAD831/2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY
PROJECT COMBINED SCALE FACTOR 0.9999804020

In addition, R. Steve Christian is granted authority to execute all documents necessary to complete these transactions and to pay all reasonable and necessary closing and related costs incurred with these acquisitions. Director Lane seconded the motion and the vote in favor was unanimous.

14.

There were no future agenda items approved.

15.

The next board meeting was scheduled for May 19, 2015.

16.

There being no further business before the Board of Directors, the meeting was adjourned.

President

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