

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, SETTING A PUBLIC HEARING UNDER SEC. 372.009 OF THE TEXAS LOCAL GOVERNMENT CODE FOR THE CREATION OF THE IRON HORSE PUBLIC IMPROVEMENT DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS; AND AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF MESQUITE, TEXAS, REGARDING THE PUBLIC HEARING.

WHEREAS, the City of Mesquite, Texas (the "City"), is authorized under Chapter 372 of the Texas Local Government Code (the "Act"), to create a public improvement district ("PID") within its corporate limits; and

WHEREAS, on December 17, 2018, MM Mesquite 50, LLC, a Texas limited liability company (the "Petitioner"), the owner of a vast majority of approximately 56.241 acres within the corporate limits of the City, submitted and filed with the City Secretary of the City (the "City Secretary") a petition (the "Petition"), attached as Exhibit "A," requesting the establishment of a public improvement district for property within the corporate limits of the City; and

WHEREAS, the City Council of the City (the "City Council") will hold a public hearing in accordance with Section 372.009 of the Act regarding the establishment of a public improvement district in the corporate limits of the City in accordance with the Petition; and

WHEREAS, in order to hold a public hearing for the creation of a public improvement district, notice must be given in a newspaper of general circulation in the municipality in which the district is to be located before the 15th day before the date of the hearing, and written notice must be mailed to the current address of each owner, as reflected on the tax rolls, of property that would be subject to assessment under the proposed public improvement district; and

WHEREAS, both newspaper notice and mailed notice must contain the information required for notice as provided for in Section 372.009 of the Act; and

WHEREAS, the City Council has determined to hold a public hearing on February 4, 2019, on the creation of a public improvement district; and

WHEREAS, the City Council finds that the passage of this Resolution is in the best interest of the citizens of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That all of the above recitals are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein.

SECTION 2. That City Staff has reviewed the Petition and determined that the same complies with the requirements of the Act and the City Council accepts the Petition.

SECTION 3. That a public hearing is hereby called for February 4, 2019, at 7:00 p.m., in the City Council Chamber, at Mesquite City Hall, 757 North Galloway Avenue, Mesquite, Texas 75149, for the purpose of hearing public testimony with respect to the creation of a public improvement district.

SECTION 4. That at such time and place the City Council will hear testimony regarding the creation of the proposed public improvement district and consider the adoption of a resolution authorizing the creation of the public improvement district.

SECTION 5. That attached hereto as Exhibit "A" is the Petition for the Creation of a Public Improvement District within the corporate limits of the City of Mesquite, Texas, for the Iron Horse Public Improvement District.

SECTION 6. That attached hereto as Exhibit "B" is a form of the Notice of Public Hearing (the "Notice") the form and substance of which is hereby adopted and approved.

SECTION 7. That attached hereto as Exhibit "C" is a legal description of the approximately 56.241 acres of property to be included in the proposed public improvement district.

SECTION 8. That the City Secretary is hereby authorized and directed to cause said Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City, and to notify any affected landowners within the boundaries of the proposed public improvement district as required by law. The City Secretary shall provide notice before the 15th day before the February 4, 2019 hearing.

SECTION 9. That if any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision.

SECTION 10. That this Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 7th day of January 2019.

Stan Pickett
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED:



David L. Paschall
City Attorney

EXHIBIT “A”

Petition for the Creation of a Public Improvement District

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT
WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, TEXAS FOR
THE IRON HORSE PUBLIC IMPROVEMENT DISTRICT**

This petition ("Petition") is submitted and filed with the City Secretary of the City of Mesquite, Texas ("City"), by MM Mesquite 50, LLC, a Texas limited liability company, owner of a vast majority of the real property (the "Petitioner") located within the proposed boundaries of the District, as hereinafter defined. Acting pursuant to the provisions of Chapter 372, Texas Local Government Code, as amended (the "Act"), the Petitioner requests that the City create a public improvement district (the "District"), to include property located within the corporate limits of the City (the "Property"), more particularly described by a metes and bounds description in **Exhibit B** and depicted in **Exhibit A**. In support of this Petition, the Petitioner would present the following:

Section 1. General Nature of the Authorized Improvements. The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

Section 2. Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire, and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in the establishment administration and operation of the District, is \$10,200,000.00. The City will pay none of the costs of the proposed improvements from funds other than such assessments. The remaining costs of the proposed improvements will be paid from sources other than the City or assessments of property owners.

Section 3. Boundaries of the Proposed District. The District is proposed to include the Property.

D. Land
3:40pm

RECEIVED

DEC 17 2018

**CITY OF MESQUITE
CITY SECRETARY**

Section 4. Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Section 5. Proposed Apportionment of Costs between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvements, other than from assessments levied on the District and possible tax increment reinvestment zone revenue. The Petitioner may also pay certain costs of the improvements from other funds available to the Petitioner.

Section 6. Management of the District. The Petitioner proposes that the District be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

Section 7. The Petitioner Requests Establishment of the District. The person(s) signing this Petition request(s) the establishment of the District, is duly authorized, and has the corporate authority to execute and deliver the Petition.

Section 8. Advisory Board. The Petitioner proposes that the District be established and managed without the creation of an advisory board. If an advisory board is created, the Petitioner requests that a representative of the Petitioner be appointed to the advisory board.

Section 9. Landowner(s). This Petition has been signed by (1) the owners of taxable real property representing more than 50 percent of the appraised value of taxable real property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and (2) record owners of real property liable for assessment under the proposal who: (A) constitute more than 50 percent of all record owners of property that is liable for assessment under the proposal; or (B) own taxable real property that constitutes more than 50 percent of the area of all taxable real property that is liable for assessment under the proposal.

This Petition is hereby filed with the City Secretary of the City, or other officer performing the functions of the municipal secretary, in support of the creation of the District by the City Council of the City as herein provided. The undersigned request that the City Council of the City call a public hearing on the advisability of the Authorized Improvements, give notice thereof as provided by law and grant all matters requested in this Petition and grant such other relief, in law or in equity, to which Petitioner may show itself to be entitled.

RESPECTFULLY SUBMITTED, on this the 17 day of December, 2018.

MM Mesquite 50, LLC,
a Texas limited liability company

By: MMM Ventures, LLC,
a Texas limited liability company
Its Manager

By: 2M Ventures, LLC,
a Delaware limited liability company
Its Manager

By: Mehrdad Moayed
Name: Mehrdad Moayed
Its: Manager

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

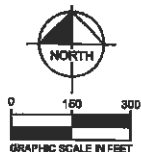
This instrument was acknowledged before me on the 17 day of December, 2018 by Mehrdad Moayed, Manager of 2M Ventures, LLC, as Manager of MMM Ventures, LLC, as Manager of MM Mesquite 50, LLC, a Texas limited liability company on behalf of said company.



T. Kollinger
Notary Public, State of Texas

EXHIBIT A

Property Depiction



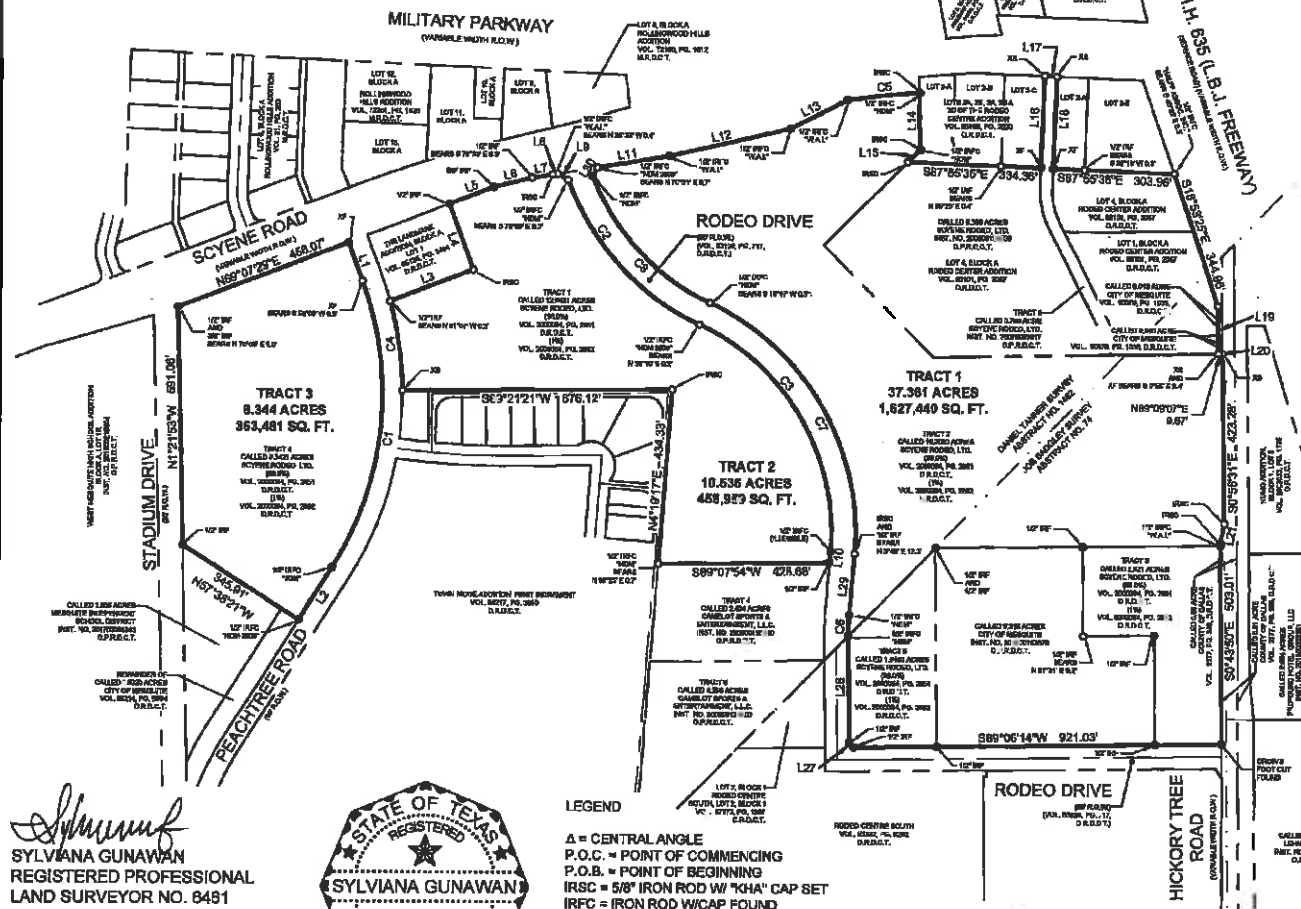
NOTES:

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 as established using City of Mesquite monuments GPS8, GPS9 and GPS11. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.999865901.

The surveyed properties are the same properties as the ones described as Tract 1, Tract 2 and Tract 3 in the deed recorded in Volume 2000084, Page 2851 and Volume 2000084, Page 2862 of the Deed Records of Dallas County, Texas and described in the deed recorded in Instrument No. 200800163878.

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	52°57'11"	802.28'	741.47'	S05°49'42"W	715.36'
C2	45°17'04"	630.00'	497.93'	S42°50'20"E	485.07'
C3	69°52'53"	570.00'	695.21'	S30°32'41"E	652.91'
C4	15°10'31"	882.28'	225.73'	N08°17'29"W	225.07'
C5	6°29'02"	1581.54'	180.11'	N84°04'48"E	180.01'
C6	5°15'38"	570.00'	52.33'	N01°58'23"E	52.32'
C7	89°52'23"	630.00'	768.28'	N30°32'41"W	721.56'
C8	44°08'54"	570.00'	439.20'	N43°24'25"W	428.42'

LINE TABLE			LINE TABLE		
NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S20°53'09"E	101.76'	L16	N02°04'25"E	230.00'
L2	S32°21'32"W	158.02'	L17	S87°56'35"E	30.00'
L3	N88°07'28"E	223.14'	L18	S02°04'25"W	230.00'
L4	N20°52'31"W	173.70'	L19	S00°56'31"E	118.85'
L5	N63°13'04"E	119.28'	L20	N88°09'07"E	9.67'
L6	N78°14'53"E	100.05'	L21	S10°38'35"W	49.78'
L7	N80°34'32"E	51.37'	L22	N45°53'48"W	14.14'
L8	N80°29'37"E	13.20'	L23	N00°53'48"W	269.14'
L9	S59°23'16"E	30.09'	L24	N04°23'31"E	153.63'
L10	S04°23'31"W	26.99'	L25	N30°05'32"E	25.18'
L11	N80°29'37"E	182.12'			
L12	N78°53'31"E	310.18'			
L13	N82°46'41"E	180.34'			
L14	S00°51'41"E	141.60'			
L15	S44°53'46"W	43.40'			



LEGEND

Δ = CENTRAL ANGLE
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = IRON ROD W/CAP FOUND
IPF = IRON PIPE FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

Sylviana Gunawan
SYLVIANA GUNAWAN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 8481
5750 GENESIS COURT, SUITE 200
FRISCO, TEXAS 75034
PH. 972-335-3580
sylviana.gunawan@kimley-horn.com

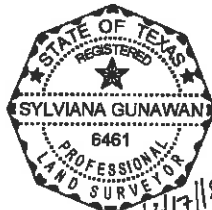


EXHIBIT "A" TRACT 1 - 37.361 ACRES TRACT 2 - 10.536 ACRES TRACT 3 - 8.344 ACRES

DANIEL TANNER SURVEY, ABSTRACT NO. 1402
AND
JOB BADGLEY SURVEY, ABSTRACT NO. 74
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

Kimley»Horn

5750 Genesis Court, Suite 200
Frisco, Texas 75034
FIRM # 10193822
Tel. No. (972) 335-9580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Printed by	Sheet No.
1" = 300'	LJS	KHA	12/5/2018	884040214	1 OF 1

EXHIBIT B

Metes and Bounds Description Approximately 56.241 acres

TRACT 1:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, and the Job Badgley Survey, Abstract No. 74, City of Mesquite, Dallas County, Texas and being all of a called 18.3003 acre tract of land described as Tract 2 and all of a called 2.821 acre tract of land described as Tract 3 and all of a called 1.9483 acre tract of land described as Tract 5 in General Warranty Deed to Scyene Rodeo, LTD., recorded in Volume 2000064, Page 2651 and Volume 2000064, Page 2662, of the Deed Records, Dallas County, Texas, and being all of a called 5.309 acre tract of land described in Special Warranty Deed to Scyene Rodeo, LTD., recorded in Instrument No. 200600158939, Official Public Records, Dallas County, Texas, and being all of a called 2.897 acre tract of land described as Tract 1 and all of a called 0.766 acre tract of land described as Tract II in Special Warranty Deed to Scyene Rodeo, LTD., recorded in Instrument No. 20070091617, Official Public Records, Dallas County, Texas, same being all of Lots 1 and 4, Block A of Rodeo Center Addition, according to the Final Plat thereof recorded in Volume 85101, Page 2067 of the Deed Records, Dallas County, Texas, and also being all of a called 5.315 acre tract of land described in Special Warranty Deed to City of Mesquite, as recorded in Instrument No. 200600163878 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the northerly northwest corner of said 18.3003 acre tract, common to the northeast corner of a right-of-way corner clip at the intersection of the southeast right-of-way line of Scyene Road (a variable width right-of-way) with the east right-of-way line of Rodeo Drive (a 60-foot right-of-way), from which a 1/2-inch iron rod with plastic cap stamped "NDM 2609" bears North 70°51' East, a distance of 0.7 feet

THENCE along said southeast right-of-way line of Scyene Road and the north line of said 18.3003 acre tract, the following courses and distances:

North 80°29'37" East, a distance of 182.12 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I." found for corner;

North 76°53'31" East, a distance of 310.18 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I." found for corner;

North 62°46'41" East, a distance of 160.34 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I." found at the beginning of a non-tangent curve to the right having a central angle of 6°29'02", a radius of 1591.54 feet, a chord bearing and distance of North 84°04'48" East, 180.01 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 180.11 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set on the west line of Lot 3A of Lots 2A, 2B, 3A, 3B

& 3C of the Rodeo Centre Addition, according to the Replat thereof recorded in Volume 85186, Page 2020 of the Deed Records, Dallas County, Texas;

THENCE departing said southeast right-of-way line of Scyene Road, along the west line of said Lot 3A, the following courses and distances:

South 0°51'41" East, a distance of 141.60 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 44°53'45" West, a distance of 43.40 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Lot 3A, common to the southerly northwest corner of said Lot 4;

THENCE along the south lines of said Lot 3A and Lots 3B and 3C of said Rodeo Centre Addition, according to the plat thereof recorded in Volume 85186, Page 2020, Deed Records, Dallas County, Texas, South 87°55'35" East, a distance of 334.36 feet to an "X" cut in concrete found for the southeast corner of said Lot 3C, common to an ell corner of said Lot 4;

THENCE along the east line of said Lot 3C and the west line of said Lot 4, North 2°04'25" East, a distance of 230.00 feet to an "X" cut in concrete set for the northerly northwest corner of said Lot 4, common to the northeast corner of said Lot 3C in said southeast right-of-way line of Scyene Road;

THENCE along said southeast right-of-way line of Scyene Road and the north line of said Lot 4, South 87°55'35" East, a distance of 30.00 feet to an "X" cut in concrete set for the northerly northeast corner of said Lot 4, common to the northwest corner of Lot 2A of said Rodeo Centre Addition;

THENCE departing said southeast right-of-way line of Scyene Road, and with along the east line of said Lot 4 and the west line of said Lot 2A, South 2°04'25" West, a distance of 230.00 feet to an "X" cut in concrete found for the southwest corner of said Lot 2A, common to an ell corner of said Lot 4;

THENCE along the north line of said Lot 4 and the south line lines of said Lot 2A and Lot 2B of said Rodeo Centre Addition, South 87°55'35" East, a distance of 303.96 feet to the southerly northeast corner of said lot 4, common to the southeast corner of said Lot 2B, in the west right-of-way line of Interstate Highway 635 (a variable width right-of-way) from which a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC. INC." found bears South 40°35' east, a distance of 0.3 feet;

THENCE along said west right-of-way line of Interstate Highway 635 and the east lines of said Lot 4 and aforesaid Lot 1, South 18°53'25" East, a distance of 344.96 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the intersection of said west right-of-way line of Interstate Highway with the west right-of-way line of Hickory Tree Road, (a variable width right-of-way);

THENCE departing said west right-of-way line of Interstate Highway 635, along the west right-of-way line of said Hickory Tree Road and the east lines of aforesaid 18.3003 acre tract and aforesaid 2.821 acre tract, the following courses and distances:

South 0°56'31" East, a distance of 118.85 feet to an "X" cut in concrete set for corner, from which a "X" cut in concrete found bears South 00°56' East, a distance of 2.4 feet;

North 89°09'07" East, a distance of 9.67 feet to an "X" cut in concrete set for corner;

South 0°56'31" East, a distance of 423.28 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;

South 10°39'35" West, a distance of 49.78 feet to 5/8-inch iron rod with plastic cap stamped "KHA";

South 0°43'50" East, a distance of 503.01 feet to crow's foot cut in concrete found for the southeast corner of said 2.821 acre tract, common to the intersection of the west right-of-way line of said Hickory Tree Road with the north right-of-way line of aforesaid Rodeo Drive;

THENCE departing said west right-of-way line of Hickory Tree Road, along the north right-of-way line of said Rodeo Drive and the south line of said 2.821 acre tract, the south line of aforesaid 5.315 acre tract, and the south line of aforesaid 1.9483 acre tract, South 89°06'14" West, a distance of 921.03 feet to a 1/2-inch iron rod found for the southerly southwest corner of said 1.9483 acre tract, common to the southeast corner of a right-of-way corner clip for said east right-of-way line of Rodeo Drive;

THENCE along the west line of said 1.9483 acre tract and along said corner clip, North 45°53'46" West, a distance of 14.14 feet to a 1/2-inch iron rod found for the northerly southwest corner of said 1.9483 acre tract, common to the northwest corner of said right-of-way corner clip;

THENCE continuing along the east right-of-way line of said Rodeo Drive and the west line of said 1.9483 acre tract, North 0°53'46" West, a distance of 269.14 feet to a 1/2-inch iron rod with plastic cap stamped "NDM" found for the northwest corner of said 1.9483 acre tract, and at the beginning of a non-tangent curve to the right having a central angle of 5°15'38", a radius of 570.00 feet, a chord bearing and distance of North 1°58'23" East, 52.32 feet;

THENCE continuing along the east right-of-way line of said Rodeo Drive and along the west line of said 18.3003 acre tract, the following courses and distances:

In a northeasterly direction, with said curve to the right, an arc distance of 52.33 feet to a 1/2-inch iron rod with plastic cap stamped "NDM" found;

North 4°23'31" East, a distance of 153.53 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set, from which a 1/2-inch iron rod found bears North 3°49' East, a distance of 12.3 feet and being at the beginning of a tangent curve to the left having a central angle of 69°52'23", a radius of 630.00 feet, a chord bearing and distance of North 30°32'41" West, 721.56 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 768.29 feet to a point for corner from which a 1/2-inch iron rod with plastic cap stamped "NMD" found bears South

19°47' West, a distance of 0.3 feet, and being at the beginning of a reverse curve to the right having a central angle of 44°08'54", a radius of 570.00 feet, a chord bearing and distance of North 43°24'25" West, 428.42 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 439.20 feet to a 1/2-inch iron rod with plastic cap stamped "NDM" found at the south corner of aforesaid right-of-way corner clip at the intersection of said west right-of-way line of Rodeo Drive and southeast right-of-way line of aforesaid Scyene Road;

THENCE continuing along the west line of said 18.3003 acre tract and along said right-of-way corner clip, North 30°05'32" East, a distance of 25.18 feet to the **POINT OF BEGINNING** and containing 37.361 acres (1,627,440 square feet) of land, more or less.

TRACT 2:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas and being all of a 12.9421 acre tract of land described as Tract 1 in General Warranty Deed to Scyene Rodeo, LTD., recorded in Volume 2000064, Page 2651 and Volume 2000064, Page 2662, of the Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the northerly northeast corner of said 1.9421 acre tract, common to the northwest corner of a right-of-way corner clip for the intersection of the southeast right-of-way line of Scyene Road (a variable width right-of-way) with the west right-of-way of Rodeo Drive (a 60-foot right-of-way), from which a 1/2-inch iron rod with plastic cap stamped "W.A.I." found bears North 28°33' West, a distance of 0.4'

THENCE departing the southeast right-of-way line of said Scyene Road, along the east line of said 12.9421 acre tract and said right-of-way corner clip, South 59°23'16" East, a distance of 30.09 feet to a point for corner from which a 1/2-inch iron rod with plastic cap stamped "NDM" bears South 79°55' east, a distance of 0.3 feet and being at the beginning of a non-tangent curve to the left having a central angle of 45°17'04", a radius of 630.00 feet, a chord bearing and distance of South 42°50'20" East, 485.07 feet;

THENCE along the east line of said 12.9421 acre tract and said west right-of-way line of Rodeo Drive, the following courses and distances:

In a southeasterly direction, with said curve to the left, an arc distance of 497.93 feet to a point for corner, from which a 1/2-inch iron rod with plastic cap stamped "NDM 2609." found bears North 38°10' East, a distance of 0.2 feet and being at the beginning of a reverse curve to the right having a central angle of 69°52'53", a radius of 570.00 feet, a chord bearing and distance of South 30°32'41" East, 652.91 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 695.21 feet to a 1/2-inch iron rod with illegible plastic cap found for corner;

South 4°23'31" West, a distance of 26.99 feet to a 1/2-inch iron rod found for the southeast corner of said 12.9421 acre tract, common to the northeast corner of a called 2.404 acre tract of land described in deed to Camelot Sports & Entertainment, L.L.C., recorded in instrument No. 200900125900, Official Public Records, Dallas County, Texas;

THENCE departing said west right-of-way line of Rodeo Drive and along the south line of said 12.9421 acre tract and the north line of said 2.404 acre tract, South 89°07'54" West, a distance of 428.68 feet to the south southwest corner of said 12.9421 acre tract, common to the northwest corner of said 2.404 acre tract, in the east right-of-way line of an 18-foot alley shown on the plat of Town Ridge Addition, First Increment, an addition to the City of Mesquite, Texas, according to the plat thereof recorded in Volume 84217, Page 3610, Deed Records, Dallas County, Texas, from which a 1/2-inch iron rod with plastic cap stamped "NDM 2609" bears North 88°25' East, a distance of 0.7 feet;

THENCE along said east right-of-way line of the 18-foot alley and the west line of said 12.9421 acre tract, North 4°19'17" East, a distance of 434.33 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said Town Ridge Addition, common to an ell corner of said Town Ridge Addition;

THENCE along the north right-of-way line of said 18-foot alley and the south line of said 12.9421 acre tract, South 89°21'21" West, a distance of 676.12 feet to an "X" cut in concrete set for the northerly southwest corner of said 12.9421 acre tract in the east right-of-way line of Peachtree Road (a 50-foot right-of-way) and at the beginning of a non-tangent curve to the left having a central angle of 15°10'31", a radius of 852.28 feet, a chord bearing and distance of North 8°17'29" West, 225.07 feet;

THENCE along said east right-of-way line of Peachtree Road and the west line of said 12.9421 acre tract and in a northwesterly direction with said curve to the left, an arc distance of 225.73 feet to the southerly northwest corner of said 12.9421 acre tract, common to the southwest corner of Lot 1, Block A, of The Landmark Addition, an addition to the City of Mesquite, Texas, according to the plat thereof recorded in Volume 85135, Page 3484, Deed Records, Dallas County, Texas from which a 1/2-inch iron rod found bears North 61°07' West, a distance of 0.3 feet;

THENCE departing said east right-of-way line of Peachtree Road and along the north line of said 12.9421 acre tract and the south line of said Lot 1, Block A, North 69°07'29" East, a distance of 223.14 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said Lot 1, Block A, common to an ell corner of said 12.9421 acre tract;

THENCE along the west line of said 12.9421 acre tract and the east line of said Lot 1, Block A, North 20°52'31" West, a distance of 173.70 feet to a 1/2-inch iron rod found for the northerly northwest corner of said 12.9421 acre tract, common to the northeast corner of said Lot 1, Block A, being on said southeast right-of-way line of Scyene Road;

THENCE along said southeast right-of-way line of Scyene Road and the north line of said 12.9421 acre tract, the following courses and distances:

North 69°13'04" East, a distance of 119.28 feet to a 5/8-inch iron rod found for corner;

North 76°14'53" East, a distance of 100.05 feet to a point for corner, from which a 1/2-inch iron rod found bears South 76°33' east, a distance of 0.3 feet;

North 80°34'32" East, a distance of 51.37 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 80°29'37" East, a distance of 13.20 feet to the **POINT OF BEGINNING** and containing 10.536 acres (458,959 square feet) of land, more or less.

TRACT 3:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas and being all of a called 8.3421 acre described as Tract 4 in General Warranty Deed to Scyene Rodeo, LTD., recorded in Volume 2000064, Page 2651 and Volume 2000064, Page 2662, of the Deed Records, Dallas County, Texas; and being more particularly described as follows:

BEGINNING at an "X" cut in concrete found at the intersection of the southeast right-of-way line of Scyene Road (a variable width right-of-way) with the west right-of-way line of Peachtree Road, (a 50-foot right-of-way) and being the northeast corner of said 8.3421 acre tract;

THENCE departing said southeast right-of-way line of Scyene Road and along said west right-of-way line of Peachtree Road and the east line of said 8.3421 acre tract, the following courses and distances:

South 20°53'09" East, a distance of 101.78 feet to a point for corner, from which an "X" cut in concrete found for witness bears South 54°09' West, a distance of 0.9' and at the beginning of a non-tangent curve to the right having a central angle of 52°57'11", a radius of 802.28 feet, a chord bearing and distance of South 5°49'42" West, 715.36 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 741.47 feet to a 1/2-inch iron rod with plastic cap stamped "JDM" found for corner;

South 32°21'32" West, a distance of 156.02 feet to a 1/2-inch iron rod with plastic cap stamped "NDM 2609" found for the southeast corner of said 8.3421 acre tract, common to the northeast corner of a called 1.9020 acre tract of land described in a deed to City of Mesquite, as recorded in Volume 86214, Page 5994 of the Deed records, Dallas County, Texas;

THENCE departing said west right-of-way line of Peachtree Road and along the southwest line of said 8.3421 acre tract, the northeast line of said 1.9020 acre tract and the northeast line of a called 1.506 acre tract of land described in a deed to Mesquite Independent School District, as recorded in Instrument No. 201700091343 of the Official Public Records, Dallas County, Texas, North 57°38'21" West, a distance of 345.91 feet to a 1/2-inch iron rod found for the southwest corner of said 8.3421 acre tract, common to

the northwest corner of said 1.506 acre tract, being on the east right-of-way line of Stadium Drive (a 60-foot wide right-of-way);

THENCE along said east right-of-way line of Stadium Drive and the west line of said 8.3421 acre tract, North 1°21'53" West, a distance of 591.06 feet to a 3/8-inch iron rod found for the intersection of said east right-of-way line of Stadium Drive with said southeast right-of-way line of Scyene Road and being the northwest corner of said 8.3421 acre tract, from which a 1/2-inch iron rod found for witness bears North 70°05' East, a distance of 1.0 feet;

THENCE with said southeast right-of-way line of Scyene Road and the northwest line of said 8.3421 acre tract, North 69°07'29" East, a distance of 456.07 feet to the **POINT OF BEGINNING** and containing 8.344 acres (363,481 square feet) of land, more or less.

EXHIBIT “B”

CITY OF MESQUITE, TEXAS NOTICE OF PUBLIC HEARING REGARDING THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT

Pursuant to Section 372.009(c) and (d) of the Texas Local Government Code, as amended (the “Act”), notice is hereby given that the City Council of the City of Mesquite, Texas (“City”), will hold a public hearing to accept public comments and discuss the petition (the “Petition”), filed by *MM Mesquite 50, LLC, a Texas limited liability company* (the “Petitioner”), requesting that the City create the Iron Horse Public Improvement District (the “District”) to include property owned by the Petitioner.

Time and Place of the Hearing. The public hearing will start at 7:00 p.m. on February 4, 2019 in the City Council Chamber at Mesquite City Hall, 757 North Galloway Avenue, Mesquite, Texas 75149.

General Nature of the Proposed Authorized Improvements. The general nature of the proposed public improvements (collectively, the “Authorized Improvements”) may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the District; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) - (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the property within the District.

Estimated Cost of the Authorized Improvements. The estimated cost to design, acquire and construct the Authorized Improvements is not to exceed \$10,200,000.00.

Proposed District Boundaries. The District is proposed to include approximately 56.241 acres of land generally located *north of Rodeo Drive, south of Scyene Road, (also known as Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard in the City of Mesquite, Dallas County, Texas*, located within the corporate limits of the City and as more particularly described by a metes and bounds description available at the office of the City Secretary, 1515 North Galloway, Mesquite, Texas 75149, and available for public inspection.

Proposed Method of Assessment. The City shall levy assessments on each parcel within the District in a manner that results in imposing equal shares of the costs on property similarly benefited. All assessments may be paid in full at any time (including interest and principal), and certain assessments may be paid in annual installments (including interest and principal). If an assessment is allowed to be paid in installments, then the installments must be paid in amounts necessary to meet annual costs for those Authorized Improvements financed by the assessment, and must continue for a period necessary to retire the indebtedness of those Authorized Improvements (including interest).

Proposed Apportionment of Cost between the District and the City. The City will not be obligated to provide any funds to finance the Authorized Improvements, except for assessments levied on real property within the District and possible tax reinvestment zone revenue. All of the costs of the Authorized Improvements will be paid from assessments and from other sources of funds, if any, available to the Petitioner.

During the public hearing, any interested person may speak for or against the establishment of the District and the advisability of the improvements to be made for the benefit of the property within the District.

EXHIBIT "C"

Metes and Bounds Description Approximately 56.241 Acres

TRACT 1:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, and the Job Badgley Survey, Abstract No. 74, City of Mesquite, Dallas County, Texas and being all of a called 18.3003 acre tract of land described as Tract 2 and all of a called 2.821 acre tract of land described as Tract 3 and all of a called 1.9483 acre tract of land described as Tract 5 in General Warranty Deed to Scyene Rodeo, LTD., recorded in Volume 2000064, Page 2651 and Volume 2000064, Page 2662, of the Deed Records, Dallas County, Texas, and being all of a called 5.309 acre tract of land described in Special Warranty Deed to Scyene Rodeo, LTD., recorded in Instrument No. 200600158939, Official Public Records, Dallas County, Texas, and being all of a called 2.897 acre tract of land described as Tract 1 and all of a called 0.766 acre tract of land described as Tract II in Special Warranty Deed to Scyene Rodeo, LTD., recorded in Instrument No. 20070091617, Official Public Records, Dallas County, Texas, same being all of Lots 1 and 4, Block A of Rodeo Center Addition, according to the Final Plat thereof recorded in Volume 85101, Page 2067 of the Deed Records, Dallas County, Texas, and also being all of a called 5.315 acre tract of land described in Special Warranty Deed to City of Mesquite, as recorded in Instrument No. 200600163878 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the northerly northwest corner of said 18.3003 acre tract, common to the northeast corner of a right-of-way corner clip at the intersection of the southeast right-of-way line of Scyene Road (a variable width right-of-way) with the east right-of-way line of Rodeo Drive (a 60-foot right-of-way), from which a 1/2-inch iron rod with plastic cap stamped "NDM 2609" bears North 70°51' East, a distance of 0.7 feet

THENCE along said southeast right-of-way line of Scyene Road and the north line of said 18.3003 acre tract, the following courses and distances:

North 80°29'37" East, a distance of 182.12 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I." found for corner;

North 76°53'31" East, a distance of 310.18 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I." found for corner;

North 62°46'41" East, a distance of 160.34 feet to a 1/2-inch iron rod with plastic cap stamped "W.A.I." found at the beginning of a non-tangent curve to the right having a central angle of 6°29'02", a radius of 1591.54 feet, a chord bearing and distance of North 84°04'48" East, 180.01 feet;

In a northeasterly direction, with said curve to the right, an arc distance of 180.11 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set on the west line of Lot 3A of Lots 2A, 2B, 3A, 3B & 3C of the Rodeo Centre Addition, according to the Replat thereof recorded in Volume 85186, Page 2020 of the Deed Records, Dallas County, Texas;

THENCE departing said southeast right-of-way line of Scyene Road, along the west line of said Lot 3A, the following courses and distances:

South 0°51'41" East, a distance of 141.60 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

South 44°53'45" West, a distance of 43.40 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the southwest corner of said Lot 3A, common to the southerly northwest corner of said Lot 4;

THENCE along the south lines of said Lot 3A and Lots 3B and 3C of said Rodeo Centre Addition, according to the plat thereof recorded in Volume 85186, Page 2020, Deed Records, Dallas County, Texas, South 87°55'35" East, a distance of 334.36 feet to an "X" cut in concrete found for the southeast corner of said Lot 3C, common to an ell corner of said Lot 4;

THENCE along the east line of said Lot 3C and the west line of said Lot 4, North 2°04'25" East, a distance of 230.00 feet to an "X" cut in concrete set for the northerly northwest corner of said Lot 4, common to the northeast corner of said Lot 3C in said southeast right-of-way line of Scyene Road;

THENCE along said southeast right-of-way line of Scyene Road and the north line of said Lot 4, South 87°55'35" East, a distance of 30.00 feet to an "X" cut in concrete set for the northerly northeast corner of said Lot 4, common to the northwest corner of Lot 2A of said Rodeo Centre Addition;

THENCE departing said southeast right-of-way line of Scyene Road, and with along the east line of said Lot 4 and the west line of said Lot 2A, South 2°04'25" West, a distance of 230.00 feet to an "X" cut in concrete found for the southwest corner of said Lot 2A, common to an ell corner of said Lot 4;

THENCE along the north line of said Lot 4 and the south line lines of said Lot 2A and Lot 2B of said Rodeo Centre Addition, South 87°55'35" East, a distance of 303.96 feet to the southerly northeast corner of said lot 4, common to the southeast corner of said Lot 2B, in the west right-of-way line of Interstate Highway 635 (a variable width right-of-way) from which a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC. INC." found bears South 40°35' east, a distance of 0.3 feet;

THENCE along said west right-of-way line of Interstate Highway 635 and the east lines of said Lot 4 and aforesaid Lot 1, South 18°53'25" East, a distance of 344.96 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set at the intersection of said west right-of-way line of Interstate Highway with the west right-of-way line of Hickory Tree Road, (a variable width right-of-way);

THENCE departing said west right-of-way line of Interstate Highway 635, along the west right-of-way line of said Hickory Tree Road and the east lines of aforesaid 18.3003 acre tract and aforesaid 2.821 acre tract, the following courses and distances:

South 0°56'31" East, a distance of 118.85 feet to an "X" cut in concrete set for corner, from which a "X" cut in concrete found bears South 00°56' East, a distance of 2.4 feet;

North 89°09'07" East, a distance of 9.67 feet to an "X" cut in concrete set for corner;

South 0°56'31" East, a distance of 423.28 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set;

South 10°39'35" West, a distance of 49.78 feet to 5/8-inch iron rod with plastic cap stamped "KHA";

South 0°43'50" East, a distance of 503.01 feet to crow's foot cut in concrete found for the southeast corner of said 2.821 acre tract, common to the intersection of the west right-of-way line of said Hickory Tree Road with the north right-of-way line of aforesaid Rodeo Drive;

THENCE departing said west right-of-way line of Hickory Tree Road, along the north right-of-way line of said Rodeo Drive and the south line of said 2.821 acre tract, the south line of aforesaid 5.315 acre tract, and the south line of aforesaid 1.9483 acre tract, South 89°06'14" West, a distance of 921.03 feet to a 1/2-inch iron rod found for the southerly southwest corner of said 1.9483 acre tract, common to the southeast corner of a right-of-way corner clip for said east right-of-way line of Rodeo Drive;

THENCE along the west line of said 1.9483 acre tract and along said corner clip, North 45°53'46" West, a distance of 14.14 feet to a 1/2-inch iron rod found for the northerly southwest corner of said 1.9483 acre tract, common to the northwest corner of said right-of-way corner clip;

THENCE continuing along the east right-of-way line of said Rodeo Drive and the west line of said 1.9483 acre tract, North 0°53'46" West, a distance of 269.14 feet to a 1/2-inch iron rod with plastic cap stamped "NDM" found for the northwest corner of said 1.9483 acre tract, and at the beginning of a non-tangent curve to the right having a central angle of 5°15'38", a radius of 570.00 feet, a chord bearing and distance of North 1°58'23" East, 52.32 feet;

THENCE continuing along the east right-of-way line of said Rodeo Drive and along the west line of said 18.3003 acre tract, the following courses and distances:

In a northeasterly direction, with said curve to the right, an arc distance of 52.33 feet to a 1/2-inch iron rod with plastic cap stamped "NDM" found;

North 4°23'31" East, a distance of 153.53 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set, from which a 1/2-inch iron rod found bears North 3°49' East, a distance of 12.3 feet and being at the beginning of a tangent curve to the left having a central angle of 69°52'23", a radius of 630.00 feet, a chord bearing and distance of North 30°32'41" West, 721.56 feet;

In a northwesterly direction, with said curve to the left, an arc distance of 768.29 feet to a point for corner from which a 1/2-inch iron rod with plastic cap stamped "NMD" found bears South 19°47' West, a distance of 0.3 feet, and being at the beginning of a reverse curve to the right having a central angle of 44°08'54", a radius of 570.00 feet, a chord bearing and distance of North 43°24'25" West, 428.42 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 439.20 feet to a 1/2-inch iron rod with plastic cap stamped "NDM" found at the south corner of aforesaid right-of-way corner clip at the intersection of said west right-of-way line of Rodeo Drive and southeast right-of-way line of aforesaid Scylene Road;

THENCE continuing along the west line of said 18.3003 acre tract and along said right-of-way corner clip, North 30°05'32" East, a distance of 25.18 feet to the **POINT OF BEGINNING** and containing 37.361 acres (1,627,440 square feet) of land, more or less.

TRACT 2:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas and being all of a 12.9421 acre tract of land described as Tract 1 in General Warranty Deed to Scylene Rodeo, LTD., recorded in Volume 2000064, Page 2651 and Volume 2000064, Page 2662, of the Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the northerly northeast corner of said 1.9421 acre tract, common to the northwest corner of a right -of-way corner clip for the intersection of the southeast right-of-way line of Scylene Road (a variable width right-of-way) with the west right-of-way of Rodeo Drive (a 60-foot right-of-way), from which a 1/2-inch iron rod with plastic cap stamped "W.A.I." found bears North 28°33' West, a distance of 0.4'

THENCE departing the southeast right-of-way line of said Scylene Road, along the east line of said 12.9421 acre tract and said right-of-way corner clip, South 59°23'16" East, a distance of 30.09 feet to a point for corner from which a 1/2-inch iron rod with plastic cap stamped "NDM" bears South 79°55' east, a distance of 0.3 feet and being at the beginning of a non-tangent curve to the left having a central angle of 45°17'04", a radius of 630.00 feet, a chord bearing and distance of South 42°50'20" East, 485.07 feet;

THENCE along the east line of said 12.9421 acre tract and said west right-of-way line of Rodeo Drive, the following courses and distances:

In a southeasterly direction, with said curve to the left, an arc distance of 497.93 feet to a point for corner, from which a 1/2-inch iron rod with plastic cap stamped "NDM 2609." found bears North 38°10' East, a distance of 0.2 feet and being at the beginning of a reverse curve to the right having a central angle of 69°52'53", a radius of 570.00 feet, a chord bearing and distance of South 30°32'41" East, 652.91 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 695.21 feet to a 1/2-inch iron rod with illegible plastic cap found for corner;

South 4°23'31" West, a distance of 26.99 feet to a 1/2-inch iron rod found for the southeast corner of said 12.9421 acre tract, common to the northeast corner of a called 2.404 acre tract of land described in deed to Camelot Sports & Entertainment, L.L.C., recorded in instrument No. 200900125900, Official Public Records, Dallas County, Texas;

THENCE departing said west right-of-way line of Rodeo Drive and along the south line of said 12.9421 acre tract and the north line of said 2.404 acre tract, South 89°07'54" West, a distance of 428.68 feet to the south southwest corner of said 12.9421 acre tract, common to the northwest corner of said 2.404 acre tract, in the east right-of-way line of an 18-foot alley shown on the plat of Town Ridge Addition, First Increment, an addition to the City of Mesquite, Texas, according to the plat thereof recorded in Volume 84217, Page 3610, Deed Records, Dallas County, Texas, from which a 1/2-inch iron rod with plastic cap stamped "NDM 2609" bears North 88°25' East, a distance of 0.7 feet;

THENCE along said east right-of-way line of the 18-foot alley and the west line of said 12.9421 acre tract, North 4°19'17" East, a distance of 434.33 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the northeast corner of said Town Ridge Addition, common to an ell corner of said Town Ridge Addition;

THENCE along the north right-of-way line of said 18-foot alley and the south line of said 12.9421 acre tract, South 89°21'21" West, a distance of 676.12 feet to an "X" cut in concrete set for the northerly southwest corner of said 12.9421 acre tract in the east right-of-way line of Peachtree Road (a 50-foot right-of-way) and at the beginning of a non-tangent curve to the left having a central angle of 15°10'31", a radius of 852.28 feet, a chord bearing and distance of North 8°17'29" West, 225.07 feet;

THENCE along said east right-of-way line of Peachtree Road and the west line of said 12.9421 acre tract and in a northwesterly direction with said curve to the left, an arc distance of 225.73 feet to the southerly northwest corner of said 12.9421 acre tract, common to the southwest corner of Lot 1, Block A, of The Landmark Addition, an addition to the City of Mesquite, Texas, according to the plat thereof recorded in

Volume 85135, Page 3484, Deed Records, Dallas County, Texas from which a 1/2-inch iron rod found bears North 61°07' West, a distance of 0.3 feet;

THENCE departing said east right-of-way line of Peachtree Road and along the north line of said 12.9421 acre tract and the south line of said Lot 1, Block A, North 69°07'29" East, a distance of 223.14 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for the southeast corner of said Lot 1, Block A, common to an ell corner of said 12.9421 acre tract;

THENCE along the west line of said 12.9421 acre tract and the east line of said Lot 1, Block A, North 20°52'31" West, a distance of 173.70 feet to a 1/2-inch iron rod found for the northerly northwest corner of said 12.9421 acre tract, common to the northeast corner of said Lot 1, Block A, being on said southeast right-of-way line of Scyene Road;

THENCE along said southeast right-of-way line of Scyene Road and the north line of said 12.9421 acre tract, the following courses and distances:

North 69°13'04" East, a distance of 119.28 feet to a 5/8-inch iron rod found for corner;

North 76°14'53" East, a distance of 100.05 feet to a point for corner, from which a 1/2-inch iron rod found bears South 76°33' east, a distance of 0.3 feet;

North 80°34'32" East, a distance of 51.37 feet to a 5/8-inch iron rod with plastic cap stamped "KHA" set for corner;

North 80°29'37" East, a distance of 13.20 feet to the **POINT OF BEGINNING** and containing 10.536 acres (458,959 square feet) of land, more or less.

TRACT 3:

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas and being all of a called 8.3421 acre described as Tract 4 in General Warranty Deed to Scyene Rodeo, LTD., recorded in Volume 2000064, Page 2651 and Volume 2000064, Page 2662, of the Deed Records, Dallas County, Texas; and being more particularly described as follows:

BEGINNING at an "X" cut in concrete found at the intersection of the southeast right-of-way line of Scyene Road (a variable width right-of-way) with the west right-of-way line of Peachtree Road, (a 50-foot right-of-way) and being the northeast corner of said 8.3421 acre tract;

THENCE departing said southeast right-of-way line of Scyene Road and along said west right-of-way line of Peachtree Road and the east line of said 8.3421 acre tract, the following courses and distances:

South 20°53'09" East, a distance of 101.78 feet to a point for corner, from which an "X" cut in concrete found for witness bears South 54°09' West, a distance of 0.9' and at the beginning of a non-tangent curve to the right having a central angle of 52°57'11", a radius of 802.28 feet, a chord bearing and distance of South 5°49'42" West, 715.36 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 741.47 feet to a 1/2-inch iron rod with plastic cap stamped "JDM" found for corner;

South 32°21'32" West, a distance of 156.02 feet to a 1/2-inch iron rod with plastic cap stamped "NDM 2609" found for the southeast corner of said 8.3421 acre tract, common to the northeast corner of a called 1.9020 acre tract of land described in a deed to City of Mesquite, as recorded in Volume 86214, Page 5994 of the Deed records, Dallas County, Texas;

THENCE departing said west right-of-way line of Peachtree Road and along the southwest line of said 8.3421 acre tract, the northeast line of said 1.9020 acre tract and the northeast line of a called 1.506 acre tract of land described in a deed to Mesquite Independent School District, as recorded in Instrument No. 201700091343 of the Official Public Records, Dallas County, Texas, North 57°38'21" West, a distance of 345.91 feet to a 1/2-inch iron rod found for the southwest corner of said 8.3421 acre tract, common to the northwest corner of said 1.506 acre tract, being on the east right-of-way line of Stadium Drive (a 60-foot wide right-of-way);

THENCE along said east right-of-way line of Stadium Drive and the west line of said 8.3421 acre tract, North 1°21'53" West, a distance of 591.06 feet to a 3/8-inch iron rod found for the intersection of said east right-of-way line of Stadium Drive with said southeast right-of-way line of Scylene Road and being the northwest corner of said 8.3421 acre tract, from which a 1/2-inch iron rod found for witness bears North 70°05' East, a distance of 1.0 feet;

THENCE with said southeast right-of-way line of Scylene Road and the northwest line of said 8.3421 acre tract, North 69°07'29" East, a distance of 456.07 feet to the **POINT OF BEGINNING** and containing 8.344 acres (363,481 square feet) of land, more or less.