

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROGRAM TO PROMOTE LOCAL ECONOMIC DEVELOPMENT AND STIMULATE BUSINESS AND COMMERCIAL ACTIVITY IN THE CITY; AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE A MASTER DEVELOPMENT AGREEMENT AND CHAPTER 380 AGREEMENT BETWEEN THE CITY OF MESQUITE, TEXAS, ALCOTT LOGISTICS PARTNERS, LP, A TEXAS LIMITED PARTNERSHIP (THE “DEVELOPER”) AND ALCOTT LOGISTICS STATION TRACT D, LP, A DELAWARE LIMITED PARTNERSHIP (THE “TRACT D/CPI DEVELOPER”) REGARDING: (I) THE DEVELOPMENT OF APPROXIMATELY 75.01 ACRES OF LAND OWNED BY THE CITY AND BEING GENERALLY LOCATED SOUTH OF E. SCYENE ROAD, WEST OF FAITHON P. LUCAS, SR., BOULEVARD, NORTH OF NEWSOM ROAD AND EAST OF CLAY MATHIS ROAD, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, (THE “PROPERTY”); (II) THE ACQUISITION BY THE TRACT D/CPI DEVELOPER OF APPROXIMATELY 32.34 ACRES OF THE PROPERTY; (III) THE GRANTING TO THE DEVELOPER OF OPTIONS TO PURCHASE AND DESIGNATE DEVELOPMENT ENTITIES TO TAKE TITLE TO AN APPROXIMATELY 17.37 ACRE TRACT AND AN APPROXIMATELY 18.01 ACRE TRACT LOCATED WITHIN THE PROPERTY; AND (IV) THE GRANTING TO THE DEVELOPER OF CERTAIN ECONOMIC DEVELOPMENT INCENTIVES, SAID DEVELOPMENT TO BE A MASTER PLANNED INDUSTRIAL DEVELOPMENT WITH COMMON AMENITIES, DESIGN STANDARDS, AND IN A MANNER CONSISTENT WITH THE OPERATION OF A CLASS A INDUSTRIAL BUSINESS PARK TO BE KNOWN AS “ALCOTT LOGISTICS STATION”; AUTHORIZING THE CITY MANAGER TO TAKE SUCH ACTIONS AND EXECUTE SUCH DOCUMENTS AS ARE NECESSARY OR ADVISABLE TO CONSUMMATE THE TRANSACTIONS CONTEMPLATED BY THE AGREEMENT; AUTHORIZING THE CITY MANAGER TO ADMINISTER THE AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, Chapter 380 of the Texas Local Government Code authorizes the City of Mesquite, Texas (the “City”), and other municipalities to establish and provide for the administration of programs that promote local economic development and stimulate business and commercial activity; and

WHEREAS, on April 5, 2021, by City Ordinance No. 4853 (“**Ordinance No. 4853**”), the City created Reinvestment Zone Number Fourteen, City of Mesquite, Texas (Alcott Logistics

Station), a tax increment reinvestment zone created pursuant to Chapter 311 of the Texas Tax Code (the “**Act**”) consisting of approximately 251.8175 acres of land generally located south of E. Scyene Road, west of the Mesquite Metro Airport, north of Berry Road and Newsom Road, and east of Smokey Mountain Trail, being within the corporate limits of the City of Mesquite, Dallas County, Texas, and being more particularly described in Ordinance No. 4853 (the “**TIRZ**”); and

WHEREAS, by City Ordinance No. 4853, the City established a Board of Directors for the TIRZ (the “**TIRZ Board**”); and

WHEREAS, the City created the TIRZ to promote development or redevelopment in such reinvestment zone, in accordance with the Act; and

WHEREAS, the City owns: (i) a tract of land consisting of approximately 50.67364 acres and being more particularly described by metes and bounds in Exhibit 1 attached hereto and made a part hereof for all purposes; and (ii) a tract of land consisting of approximately 23.03668 acres and being more particularly described by metes and bounds in Exhibit 2 attached hereto and made a part hereof for all purposes, both tracts being generally located south of E. Scyene Road, west of Faithon P. Lucas, Sr., Boulevard, north of Newsom Road and east of Clay Mathis Road, within the corporate limits of the City in Dallas County, Texas, (collectively the “**Property**”); and

WHEREAS, the City purchased the Property in 1995; and

WHEREAS, the Property has remained undeveloped during the City’s ownership of the Property; and

WHEREAS, the Property is located within the TIRZ and needs significant development to attract businesses and economic activity to the Property; and

WHEREAS, on May 3, 2021, the TIRZ Board approved a project plan and reinvestment zone financing plan for the TIRZ and recommended approval of such project plan and reinvestment zone financing plan to the City Council for approval; and

WHEREAS, on May 3, 2021, by City Ordinance No. _____, the City Council approved a project plan and reinvestment zone financing plan for the TIRZ (such project plan and reinvestment zone financing plan, as hereafter amended, being hereinafter referred to as the “**TIRZ Project and Financing Plan**”); and

WHEREAS, the City Council has been presented with a proposed Master Development Agreement and Chapter 380 Agreement between the City, Alcott Logistics Partners, LP, a Texas limited partnership (the “**Developer**”) and Alcott Logistics Station Tract D, LP, a Delaware limited partnership (the “**Tract D/CPI Developer**”) regarding: (i) the development of the Property including, without limitation, the realignment of East Glen Boulevard and the construction and installation of park improvements, a trail system, a water line, drainage and other public improvements on the Property; (ii) the acquisition by the Tract D/CPI Developer of an approximately 32.34 acre tract located within the Property as more particularly described in Exhibit 3 attached hereto and incorporated herein by reference (“**Tract D**”); (iii) the granting to the Developer of the option to purchase and designate a Development Entity to take title to an approximately 17.37 acre tract located within the Property and being more particularly described in Exhibit 4 attached hereto and incorporated herein by reference (“**Tract B**”); (iv) the granting to

the Developer of the option to purchase and designate a Development Entity to take title to an approximately 18.01 acre tract located within the Property and being more particularly described in Exhibit 5 attached hereto and incorporated herein by reference (“**Tract C**”); and (v) the granting to the Developer of certain economic development incentives in connection with the development of the Property, the Property to be developed as a master planned industrial development with common amenities, design standards, and in a manner consistent with the operation of a Class A industrial business park to be known as “Alcott Logistics Station,” a copy of said agreement being attached hereto as Exhibit 6 and incorporated herein by reference (the “**Agreement**”); and

WHEREAS, capitalized terms used herein and not otherwise defined herein shall have the meanings given to such terms in the Agreement; and

WHEREAS, the City desires to have the Property developed under the TIRZ Project and Financing Plan and accordingly, (i) the sale of Tract D to the Tract D/CPI Developer; (ii) the granting of the options to the Developer to purchase Tract B and Tract C and designate Development Entities to take title to Tract B and Tract C; and (iii) the subsequent sale of Tract B and Tract C to such Development Entities, shall be pursuant to V.T.C.A., Local Government Code §272.001(b)(6); and

WHEREAS, the sale and development of Tract B, Tract C, and Tract D are necessary to implement the TIRZ Project and Financing Plan; and

WHEREAS, the sale of Tract D to the Tract D/CPI Developer, the granting of options to the Developer to purchase Tract B and Tract C and designate Development Entities to take title to Tract B and Tract C, and the subsequent sale of Tract B and Tract C to such Development Entities, all for the price(s) and upon such terms and conditions as more particularly set forth in the Agreement, and the granting to the Developer of the economic development incentives more fully set forth in the Agreement, are for the public purpose of creating new employment opportunities in the City, increasing the City’s ad valorem real and personal property tax base, promoting development, and stimulating business and commercial activity in the City, and

WHEREAS, after holding a public hearing and upon full review and consideration of the Agreement and all matters attendant and related thereto, the City Council finds: (i) that the Agreement will assist in implementing a program whereby local economic development will be promoted, and business and commercial activity will be stimulated in the City; (ii) that the investment of public funds in the development of the Property will secure, among other public benefits, the public purpose of promoting state and local economic development and stimulating business and commercial activity in the City and will result in the development and diversification of the economy of the State of Texas and the development and expansion of commerce in the State of Texas; (iii) that the sale of Tract D to the Tract D/CPI Developer under the terms and subject to the conditions set forth in the Agreement is in the best interest of the City and will benefit the City and its citizens; (iv) that the granting of options to the Developer to purchase Tract B and Tract C and designate Development Entities to take title to Tract B and Tract C; and (v) the subsequent sale of Tract B and Tract C to such Development Entities for such price(s) and upon such terms and provisions as set forth in the Agreement are in the best interest of the City and will benefit the City and its citizens; and (v) that the economic development incentives set forth in the Agreement are in the best interest of the City and will benefit the City and its citizens.

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

SECTION 1. That the facts, findings, and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct and are incorporated and adopted as part of this resolution for all purposes.

SECTION 2. That the City Council finds that the Agreement, a copy of which is attached hereto as Exhibit 6 and incorporated herein by reference, is in the best interest of the City and will benefit the City and its citizens and will accomplish the public purpose of promoting local economic development and stimulating business and commercial activity in the City in accordance with Section 380.001 of the Texas Local Government Code.

SECTION 3. That the City Council hereby adopts an economic development program whereby, subject to the terms and conditions of the Agreement, the City will provide economic development incentives to the Developer and take other specified actions as more fully set forth in the Agreement in accordance with the terms and subject to the conditions outlined in the Agreement.

SECTION 4. That the City Council hereby approves the Agreement and hereby authorizes the City Manager to: (i) finalize and execute the Agreement; and (ii) take such actions and execute such documents as are necessary or advisable to consummate the transactions contemplated by the Agreement.

SECTION 5. That the City Council hereby approves the sale of Tract D to the Tract D/CPI Developer for such price and upon the terms and conditions more fully set forth in the Agreement and hereby authorizes the City Manager to: (i) execute a deed transferring Tract D to the Tract D/CPI Developer; and (ii) take such actions and execute such other documents as are necessary or advisable to complete the sale of Tract D to the Tract D/CPI Developer.

SECTION 6. That the City Council hereby approves the grant of options to the Developer to purchase Tract B and Tract C and designate Development Entities to take title to Tract B and Tract C for such price(s) and upon the terms and conditions more fully set forth in the Agreement and hereby authorizes the City Manager to: (i) execute a deed transferring Tract B to the Development Entity designated by the Developer to take title to Tract B; (ii) execute a deed transferring Tract C to the Development Entity designated by the Developer to take title to Tract C; and (iii) take such actions and execute such other documents as are necessary or advisable to complete the sale of Tract B and Tract C to the Development Entities designated by the Developer to take title to Tract B and Tract C.

SECTION 7. That the City Manager is further hereby authorized to administer the Agreement on behalf of the City including, without limitation, the City Manager is granted the authority to: (i) execute and record the Subordination Agreement and a release of the Performance Deed of Trust; (ii) take all actions and approve all matters that by the terms of the Agreement are to be taken or approved by the City Manager; (iii) provide any notices and estoppels required or permitted by the Agreement; (iv) approve amendments to the Agreement provided such amendments, together with all previous amendments approved by the City Manager, do not increase City expenditures under the Agreement in excess of \$50,000 or materially change any terms or provisions of the Agreement, as determined by the City Manager; (v) approve or deny

any matter in the Agreement that requires the consent of the City; (vi) approve or deny the waiver of performance of any covenant, duty, agreement, term, or condition of the Agreement; (vii) exercise any rights and remedies available to the City under the Agreement; and (viii) execute any releases, notices, estoppels, amendments, approvals, consents, denials and waivers authorized by this Section 7, provided, however, notwithstanding anything contained herein to the contrary, the authority of the City Manager pursuant to this Section 7 shall not include: (a) the authority to take any action or approve any matter that by the terms of the Agreement are to be taken or approved by the City Council; or (b) the authority to take any action that cannot be delegated by the City Council or that is within the City Council's legislative functions.

SECTION 8. That the sections, paragraphs, sentences, clauses and phrases of this resolution are severable and, if any phrase, clause, sentence, paragraph or section of this resolution should be declared invalid, illegal or unenforceable by the final judgment or decree of any court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the validity, legality or enforceability of any of the remaining phrases, clauses, sentences, paragraphs and sections of this resolution and such remaining provisions shall remain in full force and effect and shall be construed and enforced as if the invalid, illegal or unenforceable provision had never been included in this resolution.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 3rd day of May 2021.

Bruce Archer
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:



Sonja Land
City Secretary

David L. Paschall
City Attorney

TRACT 2:

Being all that certain tract or parcel of land situated in the City of Mesquite, Dallas County, Texas, out of the JAMES M. SEWELL SURVEY, ABSTRACT NO. 1358 and the THOMAS J. SEWELL SURVEY, ABSTRACT NO. 1359, and being part of that property conveyed to Phil L. Hudson by Catherine Yates Payne and husband Phillip M. Payne by Deed recorded in Volume 2329, Page 310 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod for corner in the Southerly line of Scyene Road (60 Foot R.O.W.) said point being the Northeast corner of a certain tract of land conveyed by Gertrude Kenney Hudson to Wilburn Leon Ladyman and Mildred B. Ladyman by Deed recorded in Volume 85007, Page 5277 of the Deed Records of Dallas County, Texas;

THENCE South 83 degrees 34 minutes 30 seconds East with said line of Scyene Road, a distance of 2744.65 feet to a 1/2 inch iron rod in the East line of said Hudson tract;

THENCE South 0 degrees 55 minutes 10 seconds West with the East line of said Hudson property, a distance of 660 feet to a 1/2 inch iron rod for the Northeast corner of that certain tract of land conveyed to the County of Dallas Texas, by Deed from Gertrude Kenney Hudson, a widow, recorded in Volume 75112, Page 1271 Deed Records of Dallas County, Texas, said Dallas County tract being known as East Glen Boulevard (100 foot R. O. W.);

THENCE North 89 degrees 45 minutes 51 seconds West with the North line of East Glen Boulevard, a distance of 2732.18 feet to a 1/2 inch iron rod at the Southeast corner of a tract of land conveyed to Wilburn Leon Ladyman and Mildred B. Ladyman by Deed recorded in Volume 85007, Page 5279 Deed Records of Dallas County, Texas;

THENCE North 0 degrees 55 minutes 10 seconds East, a distance of 955.93 feet to the PLACE OF BEGINNING and containing 50.67364 acres of land, more or less.

TRACT 3:

Being all that certain tract or parcel of land situated in the City of Mesquite, Dallas County, Texas, out of the JAMES M. SEWELL SURVEY, ABSTRACT NO. 1358 and the THOMAS J. SEWELL SURVEY, ABSTRACT NO. 1359, and being part of that property conveyed to Phil L. Hudson by Catherine Yates Payne and husband Phillip M. Payne by Deed recorded in Volume 2329, Page 310 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod for corner in the South line of a tract of land conveyed to the County of Dallas, Texas, by Gertrude Kenney Hudson, a widow, by Deed recorded in Volume 75112, Page 1271 of the Deed Records, Dallas County, Texas, said tract being known as East Glen Boulevard (100 foot R.O.W.), said point also being in the East line of a certain tract of land conveyed to Hollis Boone Memorial Post by Deed recorded in Volume 77211, Page 1265 Deed Records, Dallas County, Texas;

THENCE South 89 degrees 45 minutes 51 seconds East with the South line of East Glen Boulevard, a distance of 2931.36 feet to a 1/2 inch iron rod in the East line of said Hudson tract;

THENCE South 0 degrees 55 minutes 10 seconds West with the East line of said Hudson tract, a distance of 720 feet to a "P.K." nail for corner in Newsome Road (variable width R.O.W.) said point being in the common line of the James M. Sewell Survey and the R. W. Rowe Survey, being the Southeast corner of said Hudson tract;

THENCE North 89 degrees 43 minutes 15 seconds West with said survey line, a distance of 825.94 feet to a "P.K." nail for corner at the intersection of said Survey line with the Northerly line of a tract of land conveyed to the County of Dallas, September 14, 1939, said tract being known as the Old Terrell Interurban R.O.W.;

THENCE North 77 degrees 33 minutes 40 seconds West with the North line of said Dallas County Tract a distance of 2146.54 feet to a 1/2 inch iron rod at the Southeast corner of said Hollis Boone Memorial Post tract;

THENCE North 0 degrees 55 minutes 10 seconds East with the East line of said Boone tract, a distance of 263.19 feet to the PLACE OF BEGINNING and containing 37.41726 gross acres of land, less 0.40058 acres in Newsome Road, leaving 37.01663 Net Acres of land.

SAVE AND EXCEPT that certain fourteen (14) acre tract of real property legally described as follows:

BEING all that certain tract or parcel of land situated in the City of Mesquite, Dallas County, Texas, out of the James M. Sewell Survey, Abstract No. 1358 and the Thomas J. Sewell Survey, Abstract No. 1359, and being part of that property conveyed to Phil L.

Hudson by Catherine Yates Payne and husband, Phillip M. Payne by Deed recorded in Volume 2329, Page 310, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod for corner in the South line of a tract of land conveyed to the County of Dallas, Texas, by Gertrude Kenney Hudson, a widow, by Deed recorded in Volume 75112, Page 1271, of the Deed Records of Dallas County, Texas, said tract being known as East Glen Boulevard (a 100' RCW), said point also being in the East line of a certain tract of land conveyed to Hollis Boone Memorial Post of Deed recorded in Volume 77211, Page 1253, Deed Records of Dallas County, Texas;

THENCE: S 89°45'51" E, with the South line of East Glen Boulevard, a distance of 1447.54 feet to a point for corner;

THENCE: S 00°55'10" W, a distance of 577.46 feet to a point for corner in the Northerly line of a tract of land conveyed to the County of Dallas, September 14, 1939, said tract being known as the Old Terrell Interurban RCW;

THENCE: N 77°33'40" W, with the North line of said Dallas County tract, a distance of 1477.19 feet to a point for corner, being the Southeast corner of said Hollis Boone Memorial Post tract;

THENCE: N 00°55'10" E, with the East line of said Boone tract, a distance of 265.19 feet to the PLACE OF BEGINNING and containing 14.000 acres of land, more or less.

**LEGAL DESCRIPTION
TRACT D**

BEING an 32.34 acre tract of land situated in the Thomas J. Sewell Survey, Abstract Number 1359 in the City of Mesquite, Dallas County, Texas, and being part of a called 50.67364 acre tract of land described as "Tract 2" and part of a called 23.03668 acre tract of land described as "Tract 3" in General Warranty Deed to City of Mesquite, as recorded in Volume 95083, Page 253 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and part of a called 6.73 acre tract of land described as "Tract 1" in Quitclaim Deed to City of Mesquite, as recorded in Instrument Number 202100054586 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at the northeast corner of said 50.67364 acre tract and the northwest corner of a called 11.004 acre tract of land described as "Tract One" in Special Warranty Deed to Wintergreen/HS Partners, LTD., as recorded in Instrument Number 202000358596, O.P.R.D.C.T., said corner being on the south right-of-way line of E. Scyene Road (a 60-foot wide right-of-way), from which a 5/8-inch found iron rod with cap stamped "KHA" bears South 84 degrees 32 minutes 03 seconds East, a distance of North 83 degrees 16 minutes 20 seconds West, a distance of 0.51 of a foot;

THENCE South 00 degrees 00 minutes 46 seconds East, with the east line of said 50.67364 acre tract and the west line of said 11.004 acre tract, a distance of 40.18 feet to a corner (not monumented) for the **POINT OF BEGINNING**;

THENCE South 00 degrees 00 minutes 46 seconds East, with the east line of said 50.67364 acre tract, the east line of the aforementioned 23.03668 acre tract, the east line of the aforementioned 6.73 acre tract, and the west line of said 11.004 acre tract, a distance of 1,416.70 feet to a corner (not monumented), said corner being on the south line of said 23.03668 acre tract and the north right-of-way line of Newsome Road (a variable width right-of-way);

THENCE South 89 degrees 20 minutes 49 seconds West, with the south line of said 23.03668 acre tract and the north right-of-way line of said Newsome Road, a distance of 919.27 feet to corner (not monumented), said corner being on the southwest line of said 23.03668 acre tract and the northeast line of a called 42,901 square foot tract of land described in Special Warranty Deed to City of Mesquite, Texas, as recorded in Volume 2001166, Page 93, D.R.D.C.T.;

THENCE North 78 degrees 29 minutes 36 seconds West, departing said north right-of-way line, and with the south line of said 23.03668 acre tract and the northeast line of said 42,901 square foot tract, a distance of 32.12 feet to corner (not monumented);

THENCE North 00 degrees 41 minutes 47 seconds West, departing said north and south lines, and over and across said 23.03668 acre tract, the aforementioned 6.73 acer tract, and the aforementioned 50.67364 acre tract, a distance of 1,513.58 feet to a corner (not monumented);

THENCE South 84 degrees 32 minutes 03 seconds East, over and across said 50.67364 acre tract, a distance of 973.19 feet to the **POINT OF BEGINNING AND CONTAINING** 32.34 acres (1,408,765 square feet) of land, more or less.

**LEGAL DESCRIPTION
TRACT B**

BEING an 17.37 acre tract of land situated in the Thomas J. Sewell Survey, Abstract Number 1359 in the City of Mesquite, Dallas County, Texas, and being part of a called 50.67364 acre tract of land described as "Tract 2" in General Warranty Deed to City of Mesquite, as recorded in Volume 95083, Page 253 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8-inch found iron rod with cap stamped "KHA" for the northeast corner of a called 1.417 acre tract of land described in Special Warranty Deed with Vendor's Lien to MCR Logistics, as recorded in Instrument Number 201700126943, of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and the northwest corner of said 50.67364 acre tract, said corner being on the south right-of-way line of Scylene Road (a 60-foot wide right-of-way);

THENCE South 00 degrees 00 minutes 33 seconds West, departing said south right-of-way line and with the west line of said 50.67364 acre tract and the east line of 2.997 acre tract, a distance of 40.18 feet to the **POINT OF BEGINNING**;

THENCE South 84 degrees 32 minutes 03 seconds East, over and across said 50.67364 acre tract, a distance of 874.66 feet to a corner (not monumented);

THENCE South 00 degrees 41 minutes 47 seconds East, over and across said 50.67364 acre tract, a distance of 817.18 feet to a corner (not monumented), said corner being on the south line of said 50.67364 acre tract and the north right-of-way line of Eastglen Boulevard (a 100-foot wide right-of-way);

THENCE South 89 degrees 18 minutes 13 seconds West, with the south line of said 50.67364 acre tract and the north right-of-way line of said Eastglen Boulevard, a distance of 880.82 feet to a 1/2-inch found iron rod with cap stamped "TXHS" for the southwest corner of said 50.67364 acre tract and the southeast corner of a called 2.997 acre tract of land described in Warranty Deed with Vendor's Lien to Sudi Corporation, as recorded in Instrument Number 201600284293, O.P.R.D.C.T.;

THENCE North 00 degrees 00 minutes 33 seconds East, departing said south line and with the west line of said 50.67364 acre tract and the east line of 2.997 acre tract, a distance of 911.13 feet to the **POINT OF BEGINNING AND CONTAINING** 17.37 acres (756,552 square feet) of land, more or less.

**LEGAL DESCRIPTION
TRACT C**

BEING an 18.01 acre tract of land situated in the Thomas J. Sewell Survey, Abstract Number 1359 in the City of Mesquite, Dallas County, Texas, and being part of a called 50.67364 acre tract of land described as "Tract 2" and part of a called 23.03668 acre tract of land described as "Tract 3" in General Warranty Deed to City of Mesquite, as recorded in Volume 95083, Page 253 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and part of a called 6.73 acre tract of land described as "Tract 1" in Quitclaim Deed to City of Mesquite, as recorded in Instrument Number 202100054586 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described as follows:

COMMENCING at the northeast corner of said 50.67364 acre tract and the northwest corner of a called 11.004 acre tract of land described as "Tract One" in Special Warranty Deed to Wintergreen/HS Partners, LTD., as recorded in Instrument Number 202000358596, O.P.R.D.C.T., said corner being on the south right-of-way line of Scylene Road (a 60-foot wide right-of-way), from which a 5/8-inch found iron rod with cap stamped "KHA" bears South 84 degrees 32 minutes 03 seconds East, a distance of North 83 degrees 16 minutes 20 seconds West, a distance of 0.51 of a foot;

THENCE North 84 degrees 32 minutes 03 seconds West, with the north line of said 50.67364 acre tract and the south right-of-way line of said E. Scylene Road, a distance of 973.67 feet to a corner (not monumented);

THENCE South 00 degrees 41 minutes 47 seconds East, departing said north and south lines, and over and across said 50.67364 acre tract, a distance of 40.23 feet to a corner (not monumented) for the **POINT OF BEGINNING**;

THENCE South 00 degrees 41 minutes 47 seconds East, over and across said 50.67364 acre tract, the aforementioned 23.03668 acre tract, and the aforementioned 6.73 acre tract, a distance of 1,513.58 feet to a corner (not monumented), said corner being on the south line of said 23.03668 acre tract and the north line of a called 42,901 square foot tract of land described in Special Warranty Deed to City of Mesquite, Texas, as recorded in Volume 2001166, Page 93, D.R.D.C.T.;

THENCE North 78 degrees 29 minutes 36 seconds West, with the south line of said 23.03668 acre tract and the northeast line of said 42,901 square foot tract, a distance of 544.42 feet to the northwest corner (not monumented) of said 42,901 square foot tract, said corner being on the east line of Lot 1 of Calvary First Baptist Church Addition, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Instrument Number 201000184580, O.P.R.D.C.T.;

THENCE North 00 degrees 05 minutes 20 seconds West, with the east line of said Lot 1, a distance of 577.61 feet to the northeast corner (not monumented) of said Lot 1, said corner being on the south line of the aforementioned 6.73 acre tract;

THENCE South 89 degrees 18 minutes 13 seconds West, with the north line of said Lot 1 and the south line of said 6.73 acre tract, a distance of 276.25 feet to the point of curvature (not monumented) of a non-tangent circular curve to the left, having a radius of 300.00 feet, whose chord bears North 43 degrees 56 minutes 38 seconds East, a distance of 421.62 feet;

THENCE Northeasterly, departing said north and south lines, over and across said 6.73 acre tract and the aforementioned 50.67364 acre tract, and with said curve, through a central angle of 89 degrees 17 minutes 21 seconds, an arc distance of 467.52 feet to a corner (not monumented);

THENCE North 00 degrees 41 minutes 47 seconds West, over and across said 50.67364 acre tract, a distance of 575.55 feet to a corner (not monumented);

THENCE South 84 degrees 32 minutes 03 seconds East, over and across said 50.67364 acre tract, a distance of 508.94 feet to the **POINT OF BEGINNING AND CONTAINING** 18.01 acres (784,706 square feet) of land, more or less.

EXHIBIT 6

**MASTER DEVELOPMENT AGREEMENT AND CHAPTER 380 AGREEMENT
BETWEEN THE CITY OF MESQUITE, TEXAS, AND ALCOTT LOGISTICS
PARTNERS, LP**

(to be attached)