

*Mary Louise Nicholson*  
MARY LOUISE NICHOLSON  
COUNTY CLERK

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**CPN 104129 Landing at Creekside Phase 2  
Parcel 01  
John Askew Survey, Abstract No. 16**

**THE STATE OF TEXAS §  
  §       KNOW ALL MEN BY THESE PRESENTS  
COUNTY OF TARRANT §**

**RIGHT-OF-WAY EASEMENT**

THAT CAL HEARTHSTONE LOT OPTION POOL 02, L.P., a Delaware limited partnership, hereinafter referred to as "Grantor", for and in consideration of Ten Dollars (\$10.00) and other valuable consideration paid by the City of Fort Worth, a municipal corporation of Tarrant County, Texas ("City"), receipt of which is hereby acknowledged, does **Grant, Bargain, and Convey** to said City, its successors and assigns, the use, passage in and along the Grantor's Property ("Property") situated in Tarrant County, Texas, hereinafter described in the attached **Exhibit "A"**. Grantor does hereby acknowledge and agree that this conveyance to City includes the right of the City to permit the public to use the Property as a public right-of-way. Grantor also hereby acknowledges and agrees that this conveyance to City includes the right of the City to construct and install sidewalks and to permit utilities to be situated within the Property as required by the City or by law. "Utilities" includes but are not limited to: water facilities, sewer facilities, gas facilities, electric facilities, telecommunication facilities, drainage facilities, and other utilities as defined by law.

It is intended by these presents to convey a **right-of-way** to the said City to maintain and construct the **right-of-way** improvements, with the usual rights of ingress and egress in the necessary use of such **right-of-way**, in and along said Property.

**TO HAVE AND TO HOLD** the above-described Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, unto the said City, its successors and assigns, forever. Grantor does hereby bind itself, its heirs, successors and assigns, to warrant and forever defend, all and singular, the said premises unto the said City, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

**[SIGNATURES APPEAR ON THE FOLLOWING PAGE]**



GRANTOR:

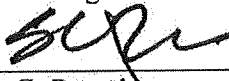
**Cal Hearthstone Lot Option Pool 02, L.P.**

a Delaware limited partnership

By: **Cal Hearthstone PBLO GP, LLC**  
a Delaware limited liability company  
its General Partner

By: **Cal Hearthstone Public Builder Lot Option, LLC,**  
a Delaware limited liability company,  
its Sole Member

By: **Hearthstone Professionals – CS, L.P,**  
a Delaware limited partnership  
its Member Manager

By:   
**Steven C. Porath**  
Authorized Person

ACKNOWLEDGMENT

THE STATE OF CALIFORNIA

§  
§  
§

COUNTY OF \_\_\_\_\_

~~BEFORE ME, the undersigned authority, a Notary Public in and for the State of California, on this day personally appeared **Steven C. Porath**, known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of **Cal Hearthstone Lot Option Pool 02, L.P.**, a Delaware limited partnership and that he/she executed the same as the act of said entities for the purposes and consideration therein expressed and in the capacity therein stated.~~

~~GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.~~

~~\_\_\_\_\_  
Notary Public in and for the State of California~~



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }  
County of Los Angeles }

On May 10, 2023 before me, Karen S. Hornback, Notary Public,  
*Date Here Insert Name and Title of the Officer*

personally appeared Steven C. Porath  
*Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Karen S. Hornback  
*Signature of Notary Public*

Place Notary Seal and/or Stamp Above

**OPTIONAL**

*Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer – Title(s): \_\_\_\_\_

Partner –  Limited  General

Individual  Attorney in Fact

Trustee  Guardian of Conservator

Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer – Title(s): \_\_\_\_\_

Partner –  Limited  General

Individual  Attorney in Fact

Trustee  Guardian of Conservator

Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

GRANTEE: CITY OF FORT WORTH

By: Dana Burghdoff  
Dana Burghdoff (May 18, 2023 15:53 CDT)  
**Dana Burghdoff**  
**Assistant City Manager**

APPROVED AS TO FORM AND LEGALITY:

By: Jeremy Anato Mensah  
**Jeremy Anato-Mensah**  
**Assistant City Attorney**

CONTRACT COMPLIANCE MANAGER:

By signing, I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.

By: Rebecca Diane Owen  
Rebecca Diane Owen (May 18, 2023 12:23 CDT)  
**Rebecca Diane Owen**  
**Planning Manager**

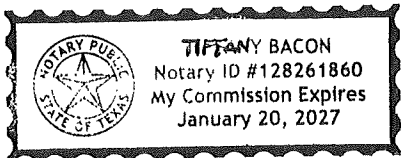
**ACKNOWLEDGEMENT**

THE STATE OF TEXAS           §  
  §  
COUNTY OF TARRANT       §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of TEXAS, on this day personally appeared **Dana Burghdoff, Assistant City Manager** of the **CITY OF FORT WORTH**, known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the **CITY OF FORT WORTH** and that she executed the same for the purposes and consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 18<sup>th</sup> day of May, 20 23.

Tiffany Bacon  
Notary Public in and for the State of TEXAS



**EXHIBIT "A"**  
**0.179 ACRES**  
**RIGHT-OF-WAY EASEMENT**

BEING A 0.179 ACRE TRACT OF LAND SITUATED IN THE JOHN ASKEW SURVEY, ABSTRACT NO. 16, CITY OF FORT WORTH, TARRANT COUNTY, TEXAS AND BEING PART OF AN 89.726 ACRE TRACT OF LAND CONVEYED TO CAL HEARTHSTONE LOT OPTION POOL 02, L.P., AS RECORDED IN COUNTY CLERK'S FILE NO. D221113526, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS. SAID 0.179 ACRE TRACT, WITH BEARING BASIS BEING GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** AT A 3/4 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 89.726 ACRE TRACT AND THE NORTHEAST CORNER OF A 10.39 ACRE TRACT OF LAND CONVEYED TO DWAYNE DAVIS AND WIFE, BARBARA A. DAVIS, AS RECORDED IN VOLUME 4180, PAGE 7, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF W.J. BOAZ ROAD, ALSO KNOWN AS COUNTY ROAD NO. 4123, FROM WHICH A PK NAIL FOUND FOR THE SOUTHEAST CORNER OF SAID 10.39 ACRE TRACT AND THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF EAGLE MOUNTAIN-SAGINAW I.S.D. SCHOOL SITE, AS RECORDED IN CABINET A, SLIDE 197, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS BEARS SOUTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, A DISTANCE OF 781.81 FEET;

THENCE, OVER AND ACROSS SAID 89.726 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 68 DEGREES 29 MINUTES 42 SECONDS EAST, A DISTANCE OF 1152.43 FEET TO THE **POINT OF BEGINNING**;

SOUTH 37 DEGREES 10 MINUTES 37 SECONDS EAST, A DISTANCE OF 50.00 FEET TO A POINT FOR CORNER;

SOUTH 52 DEGREES 49 MINUTES 23 SECONDS WEST, A DISTANCE OF 0.64 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 56 DEGREES 56 MINUTES 41 SECONDS, A RADIUS OF 5.00 FEET AND A LONG CHORD THAT BEARS SOUTH 24 DEGREES 21 MINUTES 03 SECONDS WEST, A DISTANCE OF 4.77 FEET;

ALONG SAID TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 4.97 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A REVERSE CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 293 DEGREES 53 MINUTES 19 SECONDS, A RADIUS OF 50.00 FEET AND A LONG CHORD THAT BEARS NORTH 37 DEGREES 10 MINUTES 39 SECONDS WEST, A DISTANCE OF 54.55 FEET;

ALONG SAID REVERSE CURVE TO THE RIGHT, AN ARC DISTANCE OF 256.47 FEET TO A POINT FOR CORNER AND THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 56 DEGREES 56 MINUTES 38 SECONDS, A RADIUS OF 5.00 FEET AND A LONG CHORD THAT BEARS NORTH 81 DEGREES 17 MINUTES 42 SECONDS EAST, A DISTANCE OF 4.77 FEET;

ALONG SAID REVERSE CURVE TO THE LEFT, AN ARC DISTANCE OF 4.97 FEET TO A POINT FOR CORNER;

NORTH 52 DEGREES 49 MINUTES 23 SECONDS EAST, A DISTANCE OF 0.64 FEET TO THE **POINT OF BEGINNING** AND CONTAINING A CALCULATED AREA OF 0.179 ACRES, OR 7,802 SQUARE FEET OF LAND.

A PARCEL PLAT OF EQUAL DATE HERewith ACCOMPANIES THIS PROPERTY DESCRIPTION.

*Michael J. Baitup*

Michael J. Baitup, R.P.L.S.  
Registered Professional Land Surveyor  
Texas Registration No. 4574  
LJA Surveying, Inc.  
6060 North Central Expressway, Suite 400  
Dallas, Texas 75206  
Phone 469-621-0710  
TXBPELS Firm # 10194382

October 4, 2022

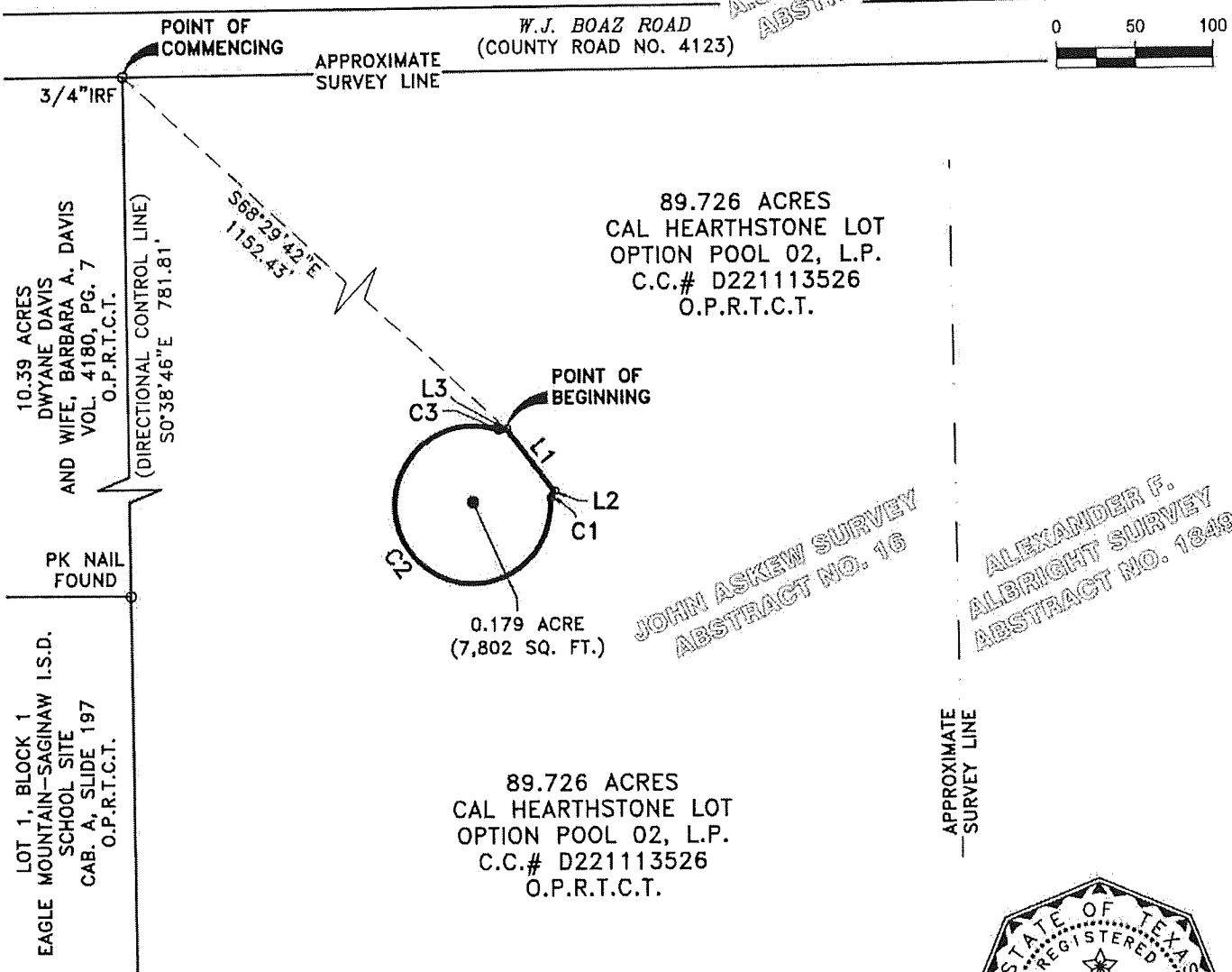
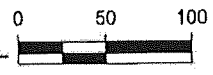


CURVE	CENTRAL ANGLE	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	56°56'41"	5.00'	S24°21'03"W	4.77'	4.97'
C2	293°53'19"	50.00'	N37°10'39"W	54.55'	256.47'
C3	56°56'38"	5.00'	N81°17'42"E	4.77'	4.97'

LINE	BEARING	DISTANCE
L1	S37°10'37"E	50.00'
L2	S52°49'23"W	0.64'
L3	N52°49'23"E	0.64'

99.218 ACRES  
 COBURN FARM, LTD.  
 C.C.# D203387533  
 O.P.R.T.C.T.

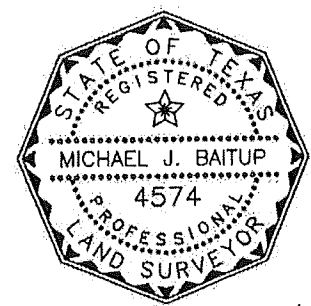
*A.S. ROBERTS SURVEY  
 ABSTRACT NO. 1262*



*JOHN ASKEW SURVEY  
 ABSTRACT NO. 16*

*ALEXANDER F. ALBRIGHT SURVEY  
 ABSTRACT NO. 1049*

APPROXIMATE SURVEY LINE



*Michael J. Baitup*

**LEGEND**

- IRF            IRON ROD FOUND
- O.P.R.T.C.T.    OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS

BEARING BASIS IS GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL ZONE, NAD83 (NAD83 (2011) EPOCH 2010), DETERMINED BY GPS OBSERVATIONS, CALCULATED FROM DALLAS CORS ARP (PID-DF8984) AND ARLINGTON RRP2 CORS ARP (PID-DF5387)

S:\MIX-LAND\0143\260 SURVEY\260 SURVEY\A\0143E\X07.dwg 10/14/2022

PAGE <b>3</b> OF <b>3</b>	DATE:	10/04/22	<b>EXHIBIT "A"</b> 0.179 ACRE RIGHT-OF-WAY EASEMENT IN THE JOHN ASKEW SURVEY, ABSTRACT NO. 16 CITY OF FORT WORTH, TARRANT COUNTY, TEXAS	<b>LJA Surveying, Inc.</b> 6060 North Central Expressway    Phone 469.621.0710 Suite 400 Dallas, Texas 75206                      T.B.P.E.L.S. Firm No. 10194382
	DRWN BY:	S.C.O.		
	CHKD BY:	M.J.B.		
	PROJ NO.	0163		