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

**TREE PRESERVATION DEDICATION
AND RESTRICTIVE COVENANT**

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

That **Bossy Boots Holdings, Ltd.**, a Texas limited partnership, ("Declarant"), whose address is 5910 North Central Expressway, Suite 1445, Dallas, Dallas County, Texas, 75206, being the owner in fee simple of certain real property located in the City of Allen, Collin County, Texas, said property being a 0.424 acre tract of land situated in the Catherine Parsons Survey, Abstract No. 711, Collin County, Texas, said tract being a part of Lot 1, Block C, Bray Central One, an addition to the City of Allen, Collin County, Texas, according to the plat recorded in Cabinet G, Slide 120, of the Plat Records of Collin County, Texas, and being more fully described by metes and bounds in Exhibit "A" and depicted in Exhibit "B," said exhibits being attached hereto and incorporated herein by reference ("the Property"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the City of Allen, Texas ("City"), the receipt and sufficiency of which is hereby acknowledged, hereby executes this Tree Preservation Dedication and Restrictive Covenant ("Dedication") and declares and dedicates the Property as an open area for the purpose of preserving existing trees and vegetation on the Property subject to the provisions of this Dedication. The Property shall be preserved and maintained by Declarant, its successor and assigns, as an open area. No use or development of the Property shall be allowed except as follows:

1. The installation, removal, repair, and/or maintenance of underground utilities, i.e. water sanitary sewer, storm sewer, drainage, etc., as may be authorized by City;
2. The dedication and construction of one public or private street or private drive that bisects the tree-line on the Property at a location approved by City; and
3. The construction of a public or private hike-and-bike trail or recreation improvement that bisects the tree-line on the Property at a location approved by City.

The Property shall be used in accordance with the following additional restrictions:

1. No living tree with a trunk with a caliper measure of two inches (2.0") or greater may be removed from the Property.

2. Excess brush and dead or decaying plant material may be removed from the Property to the extent reasonably necessary to reduce the amount of fuel that might be supplied to a brush fire that may affect the Property or adjacent properties.
3. No construction materials, equipment, debris, fill materials, or personal property of any kind, including, but not limited to, vehicles of any kind, may be placed, stored, or otherwise located, either permanently or temporarily, on the Property.
4. No re-grading involving cut and fill shall occur within thirty feet (30.0') of either side of the tree-line on the Property except as may be approved by City.

Each and all of the covenants, restrictions, conditions and provisions contained in this Dedication (whether affirmative or negative in nature) are made for the direct, mutual and reciprocal benefit of the City and constitute covenants running with the land, binding Declarant and each and every subsequent owner and/or occupant of the Property having any fee, leasehold, or other interest in any portion of the Property, any time and from time to time. This Dedication shall be perpetual and may not be amended or terminated without the prior approval of a majority of the City Council of the City of Allen, Texas, voting in a duly called meeting pursuant to the Texas Open Meetings Act, as amended. Declarant hereby declares that City is an intended beneficiary of this Dedication with the right to enforce the provisions contained herein as City may, in its sole discretion, determine, including the right to seek injunctive or other equitable relief to prevent any non-compliance with the provisions contained in this Dedication.

SIGNED this 2nd day of June, 2009.

Bossy Boots Holdings, Ltd., a Texas limited partnership, by and through its general partner, Bossy Boots Investments, Inc. a Texas corporation

By: [Signature]

Name: THEODORE M. JONES

Title: VICE PRES.

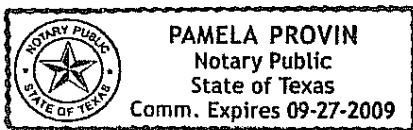
ACKNOWLEDGMENT

STATE OF TEXAS

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§
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COUNTY OF COLLIN

This instrument was acknowledged before me on the 2nd day of June, 2009, by Theodore M. Jones, Vice President of Bossy Boots Investments, Inc. a Texas corporation, general partner of Bossy Boots Holdings, Ltd., a Texas limited partnership, on behalf of said corporation and limited partnership.



Pamela Provin

Notary Public, State of Texas

My Commission expires: 9/27/09

AFTER RECORDING RETURN TO:

Peter G. Smith
Nichols, Jackson, Dillard, Hager & Smith, L.L.P.
500 N. Akard Street
Suite 1800
Dallas, Texas 75201

DESCRIPTION, of an 18,488 square foot (0.424 acre) tract of land situated in the Catherine Parsons Survey, Abstract No. 711, Collin County, Texas; said tract being part of Lot 1, Block C, Bray Central One, an addition to the City of Allen, Texas according to the plat recorded in Cabinet G, Slide 120 of the Plat Records of Collin County, Texas and part of that certain tract of land described as Tract 11 in Special Warranty Deed to Bossy Boots Holdings, Ltd. recorded in Volume 5398, Page 6447 of the Deed Records of Collin County, Texas; said 18,488 square foot tract being more particularly described as follows (bearing system for this survey based on a bearing of North 39 degrees, 18 minutes, 43 seconds East for the northwest right-of-way line of Watters Road according to the said plat of Bray Central One):

COMMENCING, at a point (nothing found or set) at the intersection of the said northwest line of Watters Road (a 110-foot wide right-of-way) and the northeast right-of-way line of Bray Central Drive (a variable width right-of-way, 110 feet wide at this point); said point being the southernmost corner of said Tract 11;

THENCE, along the said northwest line of Watters Road, the west right-of-way line of said Watters Road, the east line of said Lot 1 and the southeast and east lines of said Tract 11, the following two (2) calls:

North 39 degrees, 18 minutes, 43 seconds East, a distance of 865.18 feet to a 1/2-inch iron rod found at the beginning of a tangent curve to the left;

In a northwesterly direction, along said curve to the left, having a central angle of 39 degrees, 14 minutes, 58 seconds, a radius of 545.00 feet, a chord bearing and distance of North 19 degrees, 41 minutes, 14 seconds East, 366.08 feet, an arc distance of 373.34 feet to the POINT OF BEGINNING (nothing found or set);

THENCE, South 89 degrees, 41 minutes, 04 seconds West, departing the said west line of Watters Road, the said east line of Lot 1 and the said east line of Tract 11, a distance of 1250.02 feet to a point for corner (nothing found or set);

THENCE, North 66 degrees, 29 minutes, 59 seconds East, at a distance of 19.05 feet passing the north line of said Lot 1, continuing in all a total distance of 38.10 feet to a point for corner (nothing found or set);

THENCE, North 89 degrees, 41 minutes, 04 seconds East, a distance of 1214.95 feet to a point for corner (nothing found or set) in the said west line of Watters Road and the said east line of Tract 11;

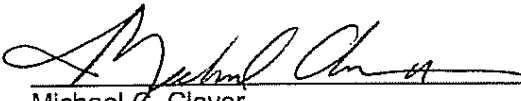
THENCE, South 00 degrees, 41 minutes, 17 seconds East, at a distance 7.50 feet passing the said north line of Lot 1, continuing in all a total distance of 7.86 feet to a 1/2-inch iron rod with "NELSON CORP" cap found at the beginning of a tangent curve to the right;

THENCE, in a southwesterly direction, along said curve to the right, having a central angle of 00 degrees, 45 minutes, 02 seconds, a radius of 545.00 feet, a chord bearing and distance of South 00 degrees, 18 minutes, 47 seconds East, 7.14 feet, an arc distance of 7.14 feet to the POINT OF BEGINNING;

CONTAINING, 18,488 square feet or 0.424 acres of land, more or less.

(A survey plat of even survey date herewith accompanies this description.)

The undersigned, Registered Professional Land Surveyor, hereby certifies that the foregoing description accurately sets out the metes and bounds of the easement tract described.


Michael C. Clover Date 05/26/09
Registered Professional Land Surveyor No. 5225
Pacheco Koch Consulting Engineers, Inc.
8350 N. Central Expwy, #1000, Dallas TX 75206
(972) 235-3031
TX Reg. Surveying Firm LS-100080-00

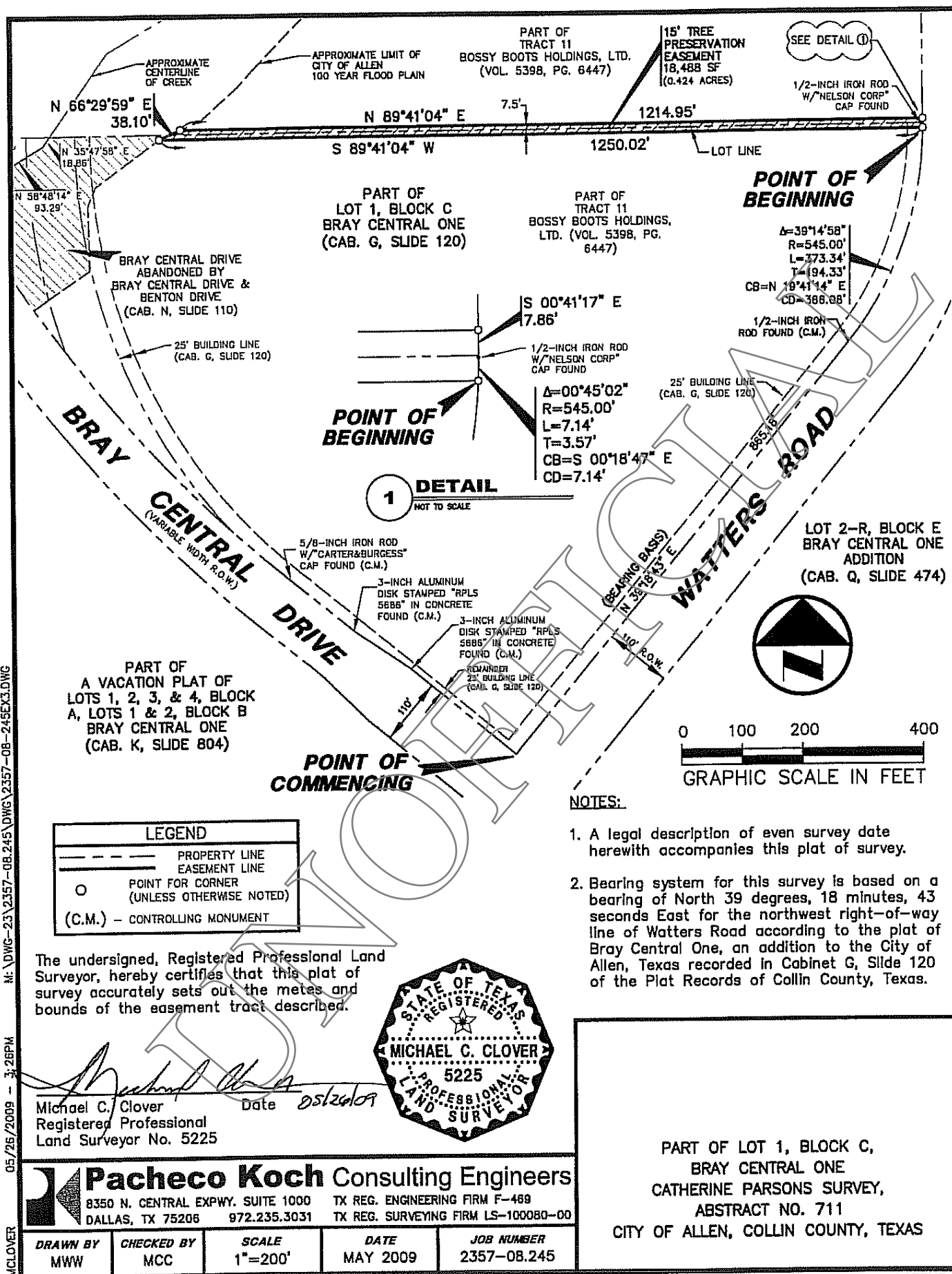


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05/26/2009 - 3:26PM

MCLOVER



UNOFFICIAL



**Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
07/08/2009 01:46:03 PM
\$40.00 BNOP
20090708000855790**

Stacey Kemp