

**PETITION FOR CONSENT TO INCLUDE ADDITIONAL LAND  
INTO WALDEN POND FRESH WATER SUPPLY DISTRICT  
OF KAUFMAN COUNTY**

STATE OF TEXAS                   §  
  §  
COUNTY OF KAUFMAN         §

TO THE HONORABLE MAYOR AND  
CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

The undersigned Petitioner, MM FORNEY 92, LLC, a Texas limited liability company, being the owner of all of, and therefore, a majority in value of the land hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of Kaufman County, Texas, acting pursuant to the provisions of the Section 42.0425, Texas Local Government Code, as amended, respectfully petition for consent to include additional land in a fresh water supply district. In support of this petition, Petitioner shows as follows:

I.

The District, to which the land hereinafter described is sought to be annexed, exists under the terms and provisions of Article XVI, Section 59 and Article III, Section 52 of the Constitution of Texas, and Chapters 49, 53, and for limited purposes 51, Texas Water Code, as amended. Petitioner is the sole owner of the land sought to be annexed to the District, as indicated by the tax rolls of the central appraisal district of Kaufman County, Texas.

II.

The land sought to be added to the District contains 93.15 acres of land, more or less, and lies wholly within Kaufman County, Texas. No part of said area is within the limits of any incorporated city or town. Under the provisions of Section 42.001, Local Government Code, as amended, said area is within the extraterritorial jurisdiction of the City of Dallas and is not within such jurisdiction of any other city. All of the territory to be annexed may properly be annexed to the District.

III.

The land sought to be added to the area of the District is described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes. The lienholder for the land consented to the addition of lands to the District, as evidenced by the Certificate of Lienholder's Consent, which is attached hereto as Exhibit "B", and incorporated herein for all purposes.

#### IV.

The general nature of the work proposed to be done in the area sought to be annexed shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

- (1) provide a water supply for municipal, domestic and commercial purposes;
- (2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state;
- (3) gather, conduct, divert and control local storm water or other harmful excesses of water in the area; and
- (4) the construction, operation and maintenance of roads serving the District.

#### V.

The area of the District is urban in nature, is within the growing environs of the City of Dallas, and is in close proximity to populous and developed sections of Kaufman County. There is a necessity for the improvements described above because the land sought to be added to the District is not supplied with adequate water, sanitary sewer, drainage or road facilities, nor is it presently economically feasible for such facilities to be added to said land. The health and welfare of the present and future inhabitants of the District, the land sought to be added to the District, and of the territories adjacent thereto require the installation and acquisition of adequate water, sanitary sewer, drainage and road facilities for the land sought to be added to the District.

#### VI.

A public necessity exists for the addition of said lands to the District to promote and protect the purity and sanitary condition of the State's waters and the public health and welfare of the community, by and through the construction, extension, improvement, maintenance and operation of water, sanitary sewer, drainage and road facilities.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City of Dallas give its consent to the annexation of the aforesaid land into said District.

*[Remainder of Page Intentionally Blank]*

IN WITNESS WHEREFORE, Petitioner has executed this Petition on this the 4 day of November, 2020.

Landowner

MM Forney 92, LLC,  
a Texas limited liability company

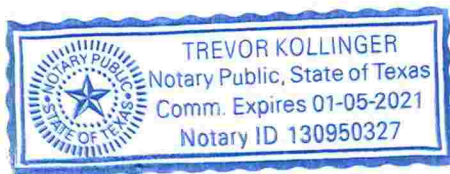
By: MMM Ventures, LLC,  
a Texas limited liability company  
Its Manager

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

By: [Signature]  
Name: Mehrdad Moayed  
Its: Manager

STATE OF TEXAS       §  
                                  §  
COUNTY OF DALLAS   §

This instrument was acknowledged before me on the 5 day of November, 2020, by Mehrdad Moayed, Manager of 2M Ventures, LLC, as Manager of MMM Ventures, LLC, as Manager of MM Forney 92, LLC, a Texas limited liability company on behalf of said company.



(SEAL)

[Signature]  
Notary Public, State of Texas

## **EXHIBIT "A"**

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LOCATED IN THE SAMUEL SMITH SURVEY, ABSTRACT NO. 450, KAUFMAN COUNTY, TEXAS, BEING ALL OF TRACT 1, TRACT 2 AND A PORTION OF TRACT 3 AS DESCRIBED IN DEED TO FORNEY LAND AND CATTLE CO. LLC., RECORDED IN VOLUME 4990, PAGE 468, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER NEAR THE CENTER OF REEDER LANE IN THE APPARENT NORTHEAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO NORTH AMERICAN WIRELESS, LTD., RECORDED IN VOLUME 3541, PAGE 194, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS AND IN THE RECOGNIZED SOUTHWEST LINE OF SAID FORNEY LAND AND CATTLE TRACT 3, SAID POINT BEING THE WEST CORNER OF HEREIN DESCRIBED TRACT AND THE APPARENT SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO GOOD LUCK EXXON, INC., RECORDED IN VOLUME 6336, PAGE 384, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE NORTH 45 DEGREES 50 MINUTES 46 SECONDS EAST, ALONG THE APPARENT SOUTHEAST LINE OF SAID EXXON TRACT, PASSING A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED BG&A RPLS 5569 FOR WITNESS AT 20.00 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 583.20 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID FORNEY LAND AND CATTLE TRACT 1 AND THE APPARENT EAST CORNER OF SAID EXXON TRACT;

THENCE NORTH 43 DEGREES 51 MINUTES 28 SECONDS WEST, ALONG THE APPARENT NORTHEAST LINE OF SAID EXXON TRACT AND THE RECOGNIZED SOUTHWEST LINE OF SAID FORNEY LAND AND CATTLE TRACT 1, A DISTANCE OF 380.72 FEET TO A 3/8 INCH IRON ROD FOUND FOR CORNER IN THE RECOGNIZED SOUTHEAST LINE OF FM HIGHWAY 548, SAID POINT BEING THE RECOGNIZED WEST CORNER OF SAID FORNEY LAND AND CATTLE TRACT 1 AND THE APPARENT NORTH CORNER OF SAID EXXON TRACT;

THENCE NORTH 45 DEGREES 09 MINUTES 53 SECONDS EAST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID FM HIGHWAY 548 AND THE RECOGNIZED NORTHWEST LINE OF SAID FORNEY LAND AND CATTLE TRACTS, A DISTANCE OF 850.44 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER, SAID POINT BEING THE RECOGNIZED NORTH CORNER OF SAID FORNEY LAND AND CATTLE TRACT 3 AND THE APPARENT WEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO RACHAEL RENEE COOK-MERRITT, RECORDED IN VOLUME 5459, PAGE 16, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS;

THENCE SOUTH 44 DEGREES 50 MINUTES 07 SECONDS EAST, ALONG THE APPARENT SOUTHWEST LINE OF SAID COOK-MERRITT TRACT AND THE RECOGNIZED NORTHEAST LINE OF SAID FORNEY LAND AND CATTLE TRACT 3, A

DISTANCE OF 2944.06 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO ELIAS RIVERA, RECORDED IN VOLUME 274, PAGE 135, DEED RECORDS, KAUFMAN COUNTY, TEXAS, SAID POINT BEING THE RECOGNIZED EAST CORNER OF SAID FORNEY LAND AND CATTLE TRACT 3 AND THE APPARENT SOUTH CORNER OF SAID COOK-MERRITT TRACT;

THENCE SOUTH 46 DEGREES 16 MINUTES 46 SECONDS WEST, ALONG THE RECOGNIZED SOUTHEAST LINE OF SAID FORNEY LAND AND CATTLE TRACT 3, A DISTANCE OF 1478.27 FEET TO A 3/8 INCH IRON ROD FOUND FOR CORNER IN THE APPARENT NORTHWEST LINE OF A TRACT OF LAND DESCRIBED IN DEED TO CHRISTINA MENDEZ, RECORDED IN VOLUME 6334, PAGE 231, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS AND IN THE NORTHEAST EDGE OF SAID REEDER LANE, SAID POINT BEING THE RECOGNIZED SOUTH CORNER OF SAID FORNEY LAND AND CATTLE TRACT 3, FROM WHICH A 60D NAIL FOUND FOR REFERENCE BEARS SOUTH 46 DEGREES 16 MINUTES 46 SECONDS WEST - 21.88 FEET;

THENCE NORTH 43 DEGREES 58 MINUTES 59 SECONDS WEST, ALONG THE RECOGNIZED SOUTHWEST LINE OF SAID FORNEY LAND AND CATTLE TRACT 3, THE NORTHEAST EDGE AND WITHIN SAID REEDER LANE AND THE APPARENT NORTHWEST LINE OF THE "RESIDUE" OF A TRACT OF LAND DESCRIBED IN DEED TO MEADOW RIDGE FARM, LP., RECORDED IN VOLUME 3528, PAGE 128, OFFICIAL PUBLIC RECORDS, KAUFMAN COUNTY, TEXAS, A DISTANCE OF 2552.54 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4,057,454.867 SQ. FT. OR 93.15 ACRES OF LAND.

**EXHIBIT "B"**

**CERTIFICATE OF LIENHOLDER'S CONSENT**

THE STATE OF TEXAS       §  
   §  
COUNTY OF DALLAS       §

The undersigned being the holder of a lien on all or a portion of the land that is proposed to be included in Walden Pond Fresh Water Supply District of Kaufman County (the "District") as described in the Petition for Consent to Include Additional Land Into Walden Pond Fresh Water Supply District of Kaufman County (the "Petition") and to which this Certificate is attached, hereby consents to the Petition and the addition of the land described in Exhibit "A" of the Petition to the District.

LIENHOLDER:

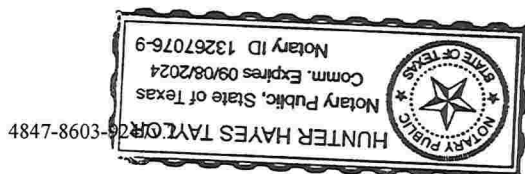
CGS HOLDINGS, L.P.,  
a Delaware limited partnership

By: CGS Investments, L.L.C.,  
a Delaware limited liability company  
Its General Partner

By: [Signature]  
Name: C. Gregory Shamoun  
Its: Manager

THE STATE OF TEXAS       §  
   §  
COUNTY OF DALLAS       §

This instrument was acknowledged before me on November 5, 2020 by C. Gregory Shamoun, as Manager of CGS Investments, L.L.C., a Delaware limited liability company, as General Partner of CGS Holdings, L.P. a Delaware limited partnership on behalf thereof.



[Signature]