



September 9, 2015

Mr. Joseph Dunn
Deputy City Manager
City of Bryan, Texas
PO Box 100
Bryan, TX 77805

Re: Bryan/Traditions, LP

Dear Joey,

Per our agreement with the City of Bryan, we are requesting to have BCDI contribute property into Bryan/Traditions, LP. In this instance, the Contributed Property is 10.76 acres out of the J.H. Jones Survey, A-26, Bryan, Brazos County, Texas, as described in the attachment hereto.

Sincerely,

TRADITIONS ACQUISITION
PARTNERSHIP GP, LLC,
a Texas limited liability company,
General Partner of Bryan/Traditions, L.P.

By: 
Name: David R. Segers
Title: Vice President

ACKNOWLEDGED AND AGREED:
BRYAN COMMERCE AND DEVELOPMENT, INCORPORATED,
a Texas local government corporation

By: _____
Name: _____
Title: _____
Date: _____

Property Description

**METES AND BOUNDS DESCRIPTION
OF A
10.76 ACRE TRACT
J. H. JONES SURVEY, A-26
BRYAN, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OF LAND LYING AND BEING SITUATED IN THE J. H. JONES SURVEY, ABSTRACT NO. 26, BRYAN, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF THE REMAINDER OF A CALLED 323.56 ACRE TRACT AS DESCRIBED BY A DEED TO BRYAN COMMERCE AND DEVELOPMENT, INC. RECORDED IN VOLUME 4023, PAGE 91 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF A CALLED 73.428 ACRE TRACT AS DESCRIBED BY A DEED TO STEPHANIE SINGLETON RECORDED IN VOLUME 4000, PAGE 299 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE NORTH CORNER OF THE TRADITIONS SUBDIVISION, PHASE 21A, ACCORDING TO THE PLAT RECORDED IN VOLUME 10892, PAGE 173 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, FOR REFERENCE A ½ INCH IRON ROD FOUND ON THE SOUTHWEST LINE OF SAID 73.428 ACRE TRACT MARKING THE EAST CORNER OF SAID PHASE 21A BEARS; S 47° 20' 08" E FOR A DISTANCE OF 650.10 FEET;

THENCE: S 42° 39' 52" W ALONG THE COMMON LINE OF SAID REMAINDER OF 323.56 ACRE TRACT AND SAID PHASE 21A FOR A DISTANCE OF 849.14 FEET TO THE WEST CORNER OF SAID PHASE 21A ON THE SOUTHWEST LINE OF ATLAS PEAR DRIVE (60' R.O.W.);

THENCE: THROUGH SAID REMAINDER OF 323.56 ACRE TRACT AND ALONG THE EXTENSION OF THE SOUTHWEST LINE OF ATLAS PEAR DRIVE FOR THE FOLLOWING CALLS:

N 47° 20' 08" W FOR A DISTANCE OF 436.59 FEET TO THE BEGINNING OF A COUNTERCLOCKWISE CURVE HAVING A RADIUS OF 402.50 FEET;

ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08° 01' 36" FOR AN ARC DISTANCE OF 56.39 FEET CHORD BEARS: N 51° 20' 56" W – 56.34 FEET) TO THE END OF SAID CURVE;

N 55° 21' 44" W FOR A DISTANCE OF 59.13 FEET TO THE WEST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 42° 39' 38" E CONTINUING THROUGH SAID REMAINDER OF 323.56 ACRE TRACT FOR A DISTANCE OF 861.30 FEET TO THE COMMON LINE OF SAID REMAINDER OF 323.56 ACRE TRACT AND SAID 73.428 ACRE TRACT FOR THE NORTH CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 47° 20' 22" E ALONG THE COMMON LINE OF SAID REMAINDER OF 323.56 ACRE TRACT AND SAID 73.428 ACRE TRACT FOR A DISTANCE OF 551.40 FEET TO THE **POINT OF BEGINNING** CONTAINING 10.76 ACRES OF LAND, MORE OR LESS. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

C:/WORK/MAB/TRA29.MAB

REVISED 09-01-15

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.

GENERAL WARRANTY DEED

STATE OF TEXAS §
 § **KNOW ALL PERSONS BY THESE PRESENTS:**
COUNTY OF BRAZOS §

THAT BRYAN COMMERCE AND DEVELOPMENT INCORPORATED, a Texas local government corporation (the "**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, paid by BRYAN/TRADITIONS, LP, a Texas limited partnership (the "**Grantee**"), has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee all of that certain real property located in Brazos County, Texas (the "**Land**") described on **Exhibit "A"** which is attached hereto and incorporated herein by reference for all purposes, together with all of Grantor's right, title and interest in and to (i) any improvements currently located thereon; and (ii) the rights, easements, interests, benefits, privileges, and appurtenances pertaining to the Land (said Land, improvements, easements, interests, benefits, privileges, rights and appurtenances being herein collectively referred to as the "**Property**").

This conveyance is made subject to those exceptions and encumbrances set forth on **Exhibit B** attached hereto and made a part hereof for all purposes (said exceptions and encumbrances being called the "**Permitted Exceptions**").

TO HAVE AND TO HOLD the Property unto Grantee, and Grantee's successors and assigns forever, and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT and FOREVER DEFEND, all and singular the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Grantor warrants payment of all taxes through and including the calendar year prior to the current calendar year. Taxes for the current calendar year have been prorated as of the date hereof and are expressly assumed by Grantee.

EXECUTED this ____ day of _____, 2015.

GRANTOR:

BRYAN COMMERCE AND DEVELOPMENT,
INCORPORATED, a Texas local government
corporation

By: _____
Jason Bienski, President

ATTEST:

MARY LYNNE STRATTA, City Secretary

APPROVED AS TO FORM:

JANIS HAMPTON, City Attorney

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was ACKNOWLEDGED before me on the ____ day of _____, 2015, by Jason Bienski, President of BRYAN COMMERCE AND DEVELOPMENT, INCORPORATED, on behalf of said corporation.

NOTARY PUBLIC, STATE OF TEXAS

ACCEPTED BY GRANTEE:

BRYAN/TRADITIONS, LP, a Texas limited partnership

By: Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, its General Partner

By: _____
W. Spencer Clements, Jr.,
Vice President

THE STATE OF TEXAS §

COUNTY OF BRAZOS §

This instrument was ACKNOWLEDGED before me on the ____ day of _____, 2015, by W. Spencer Clements, Jr., Vice President of Traditions Acquisition Partnership GP, LLC, a Texas limited liability company, the general partner of BRYAN/TRADITIONS, LP, a Texas limited partnership, acting for and on behalf of said limited partnership.

NOTARY PUBLIC, STATE OF TEXAS

After Recording Return To:

West, Webb, Allbritton & Gentry, P.C.
Attn: Michael H. Gentry
1515 Emerald Plaza
College Station, Texas 77845

EXHIBIT "A"
LEGAL DESCRIPTION OF LAND

**METES AND BOUNDS DESCRIPTION
OF A
10.76 ACRE TRACT
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BRYAN, BRAZOS COUNTY, TEXAS**

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BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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REVISED 09-01-15

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Easement:
From: Bryan Commerce & Development, Inc.
To: City of Bryan
Dated: October 4, 2012
Recorded: Volume 10954, Page 248, Official Records, Brazos County, Texas

2. Private Drainage & Slope Control Easement
From: Bryan Commerce & Development, Inc.
To: Brownstone Ventures, LLC
Dated: December 12, 2014
Recorded: Volume 12432, Page 294, Official Records, Brazos County, Texas

Assigned:
To: Legacy Texas Apartments, LLC
Dated: February 12, 2015
Recorded: Volume 12523, Page 178, Official Records, Brazos County, Texas

3. Correction Mineral Deed:
By: Mason Lee Cashion
To: Shelley J. Cashion, Trustee
Dated: January 1, 2000
Recorded: Volume 4021, Page 30, Official Records, Brazos County, Texas

4. Mineral Reservation in Deed:
By: Cashion Family Limited Partnership, et al
To: Bryan Commerce and Development, Incorporated
Dated: January 5, 2001
Recorded: Volume 4023, Page 91, Official Records, Brazos County, Texas

5. Mineral Reservation in Deed:
By: Lou Burgess Cashion
To: Ethyl Walton Burgess Family Limited Partnership
Dated: March 15, 1999
Recorded: Volume 3481, Page 81, Official Records, Brazos County, Texas

6. Mineral Reservation in Deed:
By: Cashion Family Limited Partnership, et al
To: Bryan Commerce and Development, Incorporated
Dated: January 5, 2001
Recorded: Volume 4023, Page 71, Official Records, Brazos County, Texas

Waiver of Surface Use:
By: Ethyl Walton Burgess Family Trust
To: Bryan Commerce and Development, Incorporated
Dated: January 5, 2001
Recorded: Volume 4023, Page 118, Official Records, Brazos County, Texas

7. Oil and Gas Lease, and all terms, conditions and stipulations therein:
Lessor: Ethyl Walton Burgess Family Trust
Lessee: PetroEdge Energy III, LLC
Dated: September 24, 2013
Recorded: Volume 11662, Page 256, Official Records, Brazos County, Texas