

Republic Title of Texas Inc.  
GF# 052 00415 CR9

FF \$

2005- 0020453

PARTIAL RELEASE OF LIENS

Promissory Note (the "Note") dated May 20, 1985, in the original principal amount of \$6,374,449.30, made by Delta Weldon, Trustee, payable to the order of Curtis A. Baker and wife, Shirley A. Baker.

Current Holder of Note and Liens (the "Liens"):

Crow-Billingsley LBFM Investments, Ltd.

Holders' Mailing Address:

c/o Crow-Billingsley Investment Company  
4100 International Parkway, Suite 1100  
Carrollton, Texas 75007  
Attn: Henry Billingsley

The Note and Liens are described in the following Documents, Recorded or Filed as Described Below:

Deed of Trust from Delta Weldon, Trustee, to Joe M. Joplin, Trustee, dated May 20, 1985, filed May 21, 1985, recorded in Volume 2134, Page 658, Land Records of Collin County, Texas, securing payment of the Note, as assigned to Holder by Transfer of Lien dated February 28, 1988, filed March 3, 1988, recorded in Volume 2795, Page 755, Land Records of Collin County, Texas (as so assigned, the "Deed of Trust").

Property Subject to Liens That is Being Released Hereby (the "Released Property"):

1. The 40.338% undivided interest of Crow-Billingsley McKinney 380, Ltd., a Texas limited partnership ("CB McKinney") in and to the tract of land described on Exhibit A-1 attached hereto (the "CB McKinney Release Tract").
2. The 59.662% undivided interest of Trammell Crow Company No. 43, Ltd., a Texas limited partnership ("TCCO #43") in and to (a) the CB McKinney Release Tract and (b) the tracts of land described on Exhibit A-2 attached hereto (the "CB/TCCO Tracts").

The undersigned Holder hereby covenants and warrants that (a) the Holder is the legal and equitable holder and owner of the Note and Liens; (b) the Holder has not transferred, assigned, pledged, mortgaged or hypothecated the Note, the indebtedness evidenced thereby or any of the Liens and security interests in connection therewith to any other party; and (c) the undersigned is authorized to execute this Partial Release of Liens.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, the Holder has and does hereby RELEASE, DISCHARGE and

5870 04647

QUITCLAIM all its right, title, interest, and estate in and to the Released Property and does hereby declare the Released Property FULLY RELEASED and DISCHARGED from any and all liens (including, without limitation, the Liens and security interests described above) securing the Notes. It is expressly understood and agreed that (i) this is a PARTIAL RELEASE only, (ii) the same shall in no way release, affect, or impair the liens of the Deed of Trust against any property described in and covered by the Deed of Trust other than the Released Property, and (iii) in no event shall the 40.338% undivided interest of CB McKinney in and to CB/TCCO Tracts be deemed released or discharged hereby from the Deed of Trust or any other Liens securing the Note.

[END OF PAGE; SIGNATURE AND ACKNOWLEDGMENT PAGE FOLLOWS]

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EXECUTED this 4<sup>th</sup> day of March, 2005.

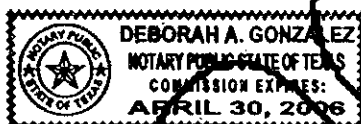
HOLDER:

CROW-BILLINGSLEY LBEM INVESTMENTS  
LTD., a Texas limited partnership

By: [Signature]  
Lucy Billingsley, General Partner

STATE OF TEXAS       )  
                                  )  
COUNTY OF DENTON    )

This instrument was acknowledged before me on the 4<sup>th</sup> day of March, 2005, by  
Lucy Billingsley, General Partner of CROW-BILLINGSLEY LBEM INVESTMENTS, LTD., a  
Texas limited partnership, on behalf of said limited partnership.



[Signature]  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**

Baker Botts L.L.P.  
2001 Ross Avenue  
Suite 600  
Dallas, Texas 75201  
Attn: Joel M. Overton, Jr.

Return to: CR9  
Republic Title of Texas, Inc.  
2626 Howell St., 10th Floor  
Dallas, TX 75204

5870 04649

EXHIBIT "A-1"

LEGAL DESCRIPTION OF CB MCKINNEY RELEASE TRACT

Unofficial

5870 04650

LEGAL DESCRIPTION  
161.712 acres

BEING a tract of land situated in the M. Ashlock Survey, Abstract No. 20, and the George Crutchfield Survey, Abstract No. 204, Collin County, Texas and also being part of the 505.911 acre tract less the 1.993 acre tract (Save and Except tract) as conveyed to Trammel Crow Company No. 43, a Texas Limited Partnership as recorded in Volume 2308, Page 773 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for corner at the southeast corner of 24.770 acre tract conveyed to the City of McKinney as recorded in Volume 5157, Page 2774, D.R.C.O.T., said iron rod being in the north Right Of Way line of U.S. Highway No. 380, said iron rod being in the east line of said G. Crutchfield Survey and the west line of said M. Ashlock Survey;

THENCE North 00 degrees 28 minutes 01 seconds East following the east line of said 24.770 acre tract a distance of 1380.35 feet to a 1/2 inch iron rod set for corner;

THENCE North 00 degrees 53 minutes 14 seconds East following the east line of said 24.770 acre tract a distance of 67.91 feet to a 1/2 inch iron rod found for corner at the northeast corner of said 24.770 acre tract;

THENCE Due NORTH a distance of 842.55 feet to a point;

THENCE Due WEST a distance of 1787.63 feet to the POINT OF BEGINNING, a point in a Soil Conservation Lake;

THENCE through said lake the following:

N 06°10'59"E 106.13'

N 17°17'14"E 598.93'

N 59°27'35"E 427.38' to 1/2 inch iron rod set for corner in top of the Soil Conservation Dam;

THENCE down Searcy Branch the following calls:

N 36°32'16" E 192.36'

N 23°29'56" E 118.47'

N 16°56'48" W 121.14'

N 03°28'45" E 120.68'

N 33°40'12" E 70.93'

N 03°46'52" E 144.13'

N 61°45'26" W 88.38'

N 21°28'57" W 84.12'

N 33°15'43" W 83.64'

5870 04651

N 31°39'15" E 26.40'

N 66°52'54" E 25.49'

S 61°14'16" E 67.70'

N 27°01'54" E 82.77'

N 20°41'25" W 103.92' to a point in Wilson Creek;

THENCE down Wilson Creek the following calls:

N 50°28'15" E 67.04'

N 07°30'38" W 108.29'

N 25°36'33" E 194.23'

N 66°49'15" E 307.20'

N 77°44'30" E 257.61'

S 19°08'43" E 42.36'

S 03°34'58" E 44.66'

S 69°34'32" E 131.75'

S 66°59'21" E 276.92'

N 77°02'14" E 140.19'

N 72°30'16" E 229.66'

N 86°41'04" E 325.65'

S 00°58'16" W 359.77'

S 58°57'58" E 366.20'

S 72°16'47" E 338.81'

S 43°52'12" E 242.16'

S 41°33'28" E 302.15'

S 40°32'39" E 313.99'

S 49°17'28" E 302.27'

S 62°07'25" E 422.37'

S 18°17'02" E 349.15'

S 45°40'17" E 345.36'

5870 04652

S 56°23'40" E 151.28' to a point in Wilson Creek;

THENCE Due WEST a distance of 4711.97 feet to the POINT OF BEGINNING and containing  
7,044,175 square feet or 161.712 acres of land.

DAVID J. SURDUKAN  
R.P.L.S. NO. 4613

5870 04653

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EXHIBIT "A-2"

LEGAL DESCRIPTION OF CB/TCCO TRACTS

Unofficial



5870 04654

LEGAL DESCRIPTION  
161.712 acres

BEING a tract of land situated in the M. Ashlock Survey, Abstract No. 20, and the George Crutchfield Survey, Abstract No. 204, Collin County, Texas and also being part of the 505.911 acre tract less the 1.997 acre tract (Save and Except tract) as conveyed to Trammel Crow Company, No. 43, a Texas Limited Partnership as recorded in Volume 2308, Page 773 of the Deed Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found for corner at the southeast corner of 24.770 acre tract conveyed to the City of McKinney as recorded in Volume 5157, Page 2774, D.R.C.T., said iron rod being in the north Right Of Way line of U.S. Highway No. 380, said iron rod being in the east line of said G. Crutchfield Survey and the west line of said M. Ashlock Survey;

THENCE North 00 degrees 28 minutes 01 seconds East following the east line of said 24.770 acre tract a distance of 1380.35 feet to a 1/2 inch iron rod set for corner;

THENCE North 00 degrees 53 minutes 44 seconds East following the east line of said 24.770 acre tract a distance of 67.91 feet to a 1/2 inch iron rod found for corner at the northeast corner of said 24.770 acre tract;

THENCE Due NORTH a distance of 841.53 feet to a point;

THENCE Due WEST a distance of 1737.62 feet to the POINT OF BEGINNING, a point in a Soil Conservation Lake;

THENCE through said lake the following:

N 06°10'59"E 106.13'

N 17°17'14"E 598.93'

N 59°27'33"E 427.38' to 1/2 inch iron rod set for corner in top of the Soil Conservation Dam;

THENCE down Searcy Branch the following calls:

N 36°32'16" E 192.36'

N 33°29'56" E 118.47'

N 16°56'48" W 121.14'

N 03°28'45" E 120.68'

N 33°40'12" E 70.93'

N 03°46'52" E 144.13'

N 61°45'26" W 88.38'

N 21°28'57" W 84.12'

N 33°15'43" W 83.64'

5870 04655

N 31°39'15" E 26.40'

N 66°52'54" E 25.49'

S 61°14'16" E 67.70'

N 27°01'54" E 82.77'

N 20°41'25" W 103.92' to a point in Wilson Creek;

THENCE down Wilson Creek the following calls:

N 50°28'15" E 67.04'

N 07°30'38" W 108.29'

N 25°36'33" E 194.23'

N 66°49'15" E 307.20'

N 77°44'30" E 257.61'

S 19°08'43" E 42.36'

S 03°34'58" E 44.66'

S 69°34'32" E 131.75'

S 66°59'23" E 176.92'

N 77°02'14" E 140.19'

N 72°30'16" E 239.66'

N 86°41'04" E 325.65'

S 00°58'16" W 359.77'

S 68°57'08" E 366.20'

S 72°16'47" E 338.81'

S 43°52'12" E 242.16'

S 41°33'28" E 302.15'

S 40°32'39" E 313.99'

S 49°17'28" E 302.27'

S 62°07'25" E 422.37'

S 18°17'02" E 349.15'

S 45°40'17" E 345.36'

5870 04856

S 56°23'40" E 151.28' to a point in Wilson Creek;

THENCE Due WEST a distance of 4711.97 feet to the POINT OF BEGINNING and containing  
7,044,175 square feet or 161.712 acres of land.

DAVID J. SURDUKAN  
R.P.L.S. NO. 4613

5870 04657

LEGAL DESCRIPTION  
186.761 Acres

BEING a tract of land situated in the M. Ashlock Survey, Abstract No. 20, George Crutchfield Survey, Abstract No. 204, and the J.M. Feland Survey, Abstract No. 322, Collin County, Texas and also being part of the 505.911 acre tract less the 1.993 acre tract (Save and Except tract) as conveyed to Hammel Crow Company No. 43, a Texas Limited Partnership as recorded in Volume 2308, Page 773 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner at the southeast corner of 24.770 acre tract conveyed to the City of McKinney as recorded in Volume 8157, Page 3774, D.R.C.C.T.; said iron rod being in the north Right Of Way line of U.S. Highway No. 380, said iron rod being in the east line of said G. Crutchfield Survey and the west line of said M. Ashlock Survey;

THENCE North 00 degrees 28 minutes 01 seconds East following the east line of said 24.770 acre tract a distance of 1380.35 feet to a 1/2 inch iron rod set for corner;

THENCE North 00 degrees 53 minutes 44 seconds East following the east line of said 24.770 acre tract a distance of 67.91 feet to a 1/2 inch iron rod found for corner at the northeast corner of said 24.770 acre tract;

THENCE South 89 degrees 33 minutes 36 seconds West following the north line of said 24.770 acre tract a distance of 721.85 feet to a point in a small creek at the northwest corner of said 24.770 acre tract;

THENCE down the small creek following the west line of said 24.770 acre tract the following:

S 48°03'42" W 27.77'  
S 30°23'39" W 84.43'  
S 00°31'35" E 160.16'  
S 35°03'12" W 160.40'

to a point for corner;

THENCE Due West a distance of 756.61 feet to a point for corner in the east line of a 10.00 acre tract as conveyed to Darlene Frank and recorded in Volume 1095, Page 398, D.R.C.C.T.;

THENCE North 2 degrees 08 minutes 14 seconds East following the east line of said 10.00 acre tract a distance of 227.72 feet to a 5/8 inch iron rod found for corner at the northeast corner of said 10.00 acre tract;

THENCE North 87 degrees 51 minutes 31 seconds West following the north line of said 10.00 acre tract a distance of 373.75 feet to a point in a Soil Conservation Lake;

THENCE northeast through the Soil Conservation Lake the following calls:

5870 04658

N 20°43'31"E 406.20'  
N 06°10'59"E 612.64'

to a point;

THENCE Due EAST a distance of 4711.96 feet to a point in Wilson Creek;

THENCE down Wilson Creek the following calls:

S 56°23'40" E 211.53'  
S 22°08'21" E 250.11'  
S 50°54'37" E 145.82'  
S 76°43'57" E 120.27' to a point in Wilson Creek;

THENCE North 00 degrees 07 minutes 01 seconds West a distance of 446.21 feet to a wood fence post for corner;

THENCE South 88 degrees 39 minutes 36 seconds East a distance of 525.97 feet to a 3/8 inch iron rod found for corner;

THENCE South 00 degrees 35 minutes 03 seconds West a distance of 1173.06 feet to a point;

THENCE Due West a distance of 2463.88 feet to a point;

THENCE Due South a distance of 986.96 feet to a point in the north ROW line of said U.S. Highway No. 380 the following calls:

S 44°12'36" W 139.35'  
S 89°48'04" W 87.79'  
N 84°54'42" W 140.44'  
S 89°48'23" W 200.00'  
S 85°10'18" W 160.88'  
S 89°43'20" W 190.55'  
N 59°16'37" W 116.60'  
S 89°43'23" W 150.00'  
S 47°56'19" W 67.52'  
S 85°52'22" W 99.05'  
S 89°48'23" W 111.51' to the POINT OF BEGINNING and containing

8 135,316 square feet or 3.06761 acres of land.

DAVID J. SURDUKAN  
R.P.L.S. NO. 4613

5870 04659

LEGAL DESCRIPTION

126.271 acres

BEING a tract of land situated in the M. Ashlock Survey, Abstract No. 20, and the J.M. Feland Survey, Abstract No. 322, Collin County, Texas and also being part of the 505.911 acre tract less the 1.993 acre tract (Save and Except tract) as conveyed to Trammel Crow Company No. 43, a Texas Limited Partnership as recorded in Volume 2308, Page 773 of the Deed Records of Collin County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a capped 1/2 inch iron rod found for corner at the southeast corner of 24.770 acre tract conveyed to the City of McKinney as recorded in Volume 5157, Page 2774, D.R.C.C.T. said iron rod being in the north Right Of Way line of U.S. Highway No. 380;

THENCE along the north ROW line of said U.S. Highway No. 380 the following calls;

N 89°48'23" E 111.51'  
N 85°52'22" E 99.05'  
N 47°56'19" E 67.52'  
N 89°48'23" E 150.00'  
S 59°16'37" E 116.60'  
N 89°48'20" E 190.55'  
N 85°10'18" E 160.88'  
N 89°48'23" E 310.00'  
S 84°54'42" E 140.44'  
N 89°48'04" E 87.79'  
N 44°12'36" E 159.36'

to the POINT OF BEGINNING;

THENCE Due NORTH a distance of 986.36 feet to a point;

THENCE Due EAST a distance of 2463.88 feet to a point;

THENCE North 00 degrees 35 minutes 03 seconds East a distance of 312.91 feet to a point in Wilson Creek;

THENCE down Wilson Creek the following calls:

S 61°44'23" E 67.32'  
N 79°46'52" E 188.61'  
N 55°54'08" E 322.37'  
S 75°29'19" E 464.32'  
S 48°36'43" E 267.37'  
S 28°32'26" E 424.11'  
S 09°33'36" W 222.82'  
S 35°20'07" E 262.00'

THENCE South 00 degrees 38 minutes 44 seconds West a distance of 855.12 feet to a point in the north ROW line of U.S. Highway No. 380;

THENCE along the north ROW line of said U.S. Highway No. 380 the following calls:

5870 04660

S 88°59'24" W 367.64'  
N 89°53'42" W 219.86'  
N 87°39'49" W 220.16'  
N 85°25'56" W 219.87'  
N 82°47'40" W 346.16'  
N 82°05'04" W 1250.00'  
N 81°51'35" W 310.37'  
N 82°04'31" W 178.01'  
N 83°31'10" W 415.32'  
N 86°56'40" W 333.18'  
N 43°51'21" W 143.62' to the POINT OF BEGINNING and containing

5,500,352 square feet or 126.271 acres of land.

DAVID J. SURDYKAN  
R.P.L.S. NO. 461

5870 04661

Unofficial

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW (COUNTY OF COLLIN)  
(THE STATE OF TEXAS)  
I hereby certify that this instrument was FILED in the File Number Sequence on the date and the time stamped hereon by me, and was duly RECORDED, in the Official Public Records of Real Property of Collin County, Texas on:

MAR 07 2005

Brenda Taylor



Filed for Record in:  
Collin County, McKinney TX  
Honorable Brenda Taylor  
Collin County Clerk

On Mar 07 2005  
At 3:11pm

Doc/Num : 2005- 0028453

Recording/Type: PR 44.00  
Receipt #: 9412