

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.

FIRST AMENDMENT TO MEMORANDUM OF CONTRACT

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

THIS FIRST AMENDMENT TO MEMORANDUM OF CONTRACT (this “**First Amendment**”) is made and entered into as of the ____ day of February, 2016 (the “**Effective Date**”), by and between CYPRESS WATERS LAND B, LTD. and CYPRESS WATERS LAND C, LTD., Texas limited partnerships (“**Seller**”), and COPPELL INDEPENDENT SCHOOL DISTRICT (“**Buyer**”).

Seller's affiliate and Buyer executed that certain Memorandum of Contract (the “**Memorandum**”) dated November 21, 2008 and recorded on November 24, 2008, as Instrument No. 20080370217, Real Property Records of Dallas County, Texas, concerning a Purchase Option Contract (“**Contract**”) dated October 3, 2008, pursuant to which Seller's affiliate granted Buyer the option to purchase, and Seller's affiliate agreed to sell upon Buyer's exercise of such option, the property more particularly described on Exhibit A (“**Original Option Tract**”).

Buyer and Seller desire to replace the property described on Exhibit A with the property described on Exhibit B (“**Revised Option Tract**”).

The provisions of the Contract, as amended, are incorporated herein by reference with the same force and effect as though set forth in this First Amendment in full.

Further information concerning the terms and conditions of the Buyer's rights under the Contract may be obtained by contacting:

Robert E. Luna
Law Offices of Robert E. Luna, P.C.
4411 N. Central Expressway
Dallas, Texas 75205
Telephone: (214) 521-8000

This First Amendment is prepared for purposes of recordation only and in no way modifies the provisions of the Contract, as amended. In the event of any conflict between the provisions of this First Amendment and the provisions of the Contract, the provisions of the Contract, as amended, shall control.

IN WITNESS WHEREOF, Seller and Buyer have executed this First Amendment as of the date set forth above.

SELLER:

CYPRESS WATERS LAND B, LTD.,
a Texas limited partnership

By: _____
Name: _____
Title: _____

CYPRESS WATERS LAND C, LTD.,
a Texas limited partnership

By: _____
Name: _____
Title: _____

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2016, by _____, as _____ of Cypress Waters Land B, Ltd., a Texas limited partnership.

Notary Public, State of Texas
My commission expires: _____
Printed name of notary public: _____

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____, 2016, by _____, as _____ of Cypress Waters Land C, Ltd., a Texas limited partnership.

Notary Public, State of Texas
My commission expires: _____
Printed name of notary public: _____

BUYER:

COPPELL INDEPENDENT SCHOOL DISTRICT

By: _____
Name: _____
Its: _____

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on the _____ day of _____,
2016, by _____, as _____ of Coppell Independent School District, a
Texas _____.

Notary Public, State of Texas
My commission expires: _____
Printed name of notary public: _____

Prepared In The Law Office Of:

Law Offices of Robert E. Luna, P.C.
4411 N. Central Expressway
Dallas, Texas 75205

After Recording Return To:

Coppell Independent School District
Attn: Sid Grant
200 S. Denton Tap Road
Coppell, Texas 75019

Exhibit A

Legal Description of Original Option Tract

BEING a tract of land situated in the Granbury Hendricks Survey, Abstract No. 630, Samuel Layton Survey, Abstract No. 784 and also in the Nancy Cousey Survey, Abstract No. 318 and being in City Blocks 8466, 8467, 8470 and 8471, in the City of Dallas, Dallas County, Texas, and being a portion of that certain 490.6 acre tract of land described in deed to Dallas Power & Light Company recorded in Volume 4378, Page 372, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod with "KHA" cap set for corner on the West line of VALLEY RANCH PHASE IV, 6TH INSTALLMENT, an addition to the City of Irving, Dallas County, Texas, according to the plat thereof recorded in Volume 94197, Page 2086, Deed Records of Dallas County, Texas, said point being the most Easterly Northeast corner of that certain called 193,4876 acre tract of land described in Correction Warranty Deed recorded in cc# 20070084853, Real Property Records, Dallas County, Texas;

THENCE South 00 degrees 12 minutes 41 seconds East, along the West line of said VALLEY RANCH PHASE IV, 6TH INSTALLMENT, a distance of 809.16 feet to a "PK" nail found for corner;

THENCE South 00 degrees 46 minutes 21 seconds East, continuing along the West line of said VALLEY RANCH PHASE IV, 6TH INSTALLMENT, a distance of 995.17 feet to a point;

THENCE South 89 degrees 13 minutes 39 seconds West, a distance of 2,033.97 feet to a point for corner in lake, said corner being the POINT OF BEGINNING;

THENCE South 59 degrees 21 minutes 22 seconds West, a distance of 775.00 feet to a point for corner in lake;

THENCE North 30 degrees 38 minutes 38 seconds West, a distance of 1,124.13 feet to a point for corner in lake;

THENCE North 59 degrees 21 minutes 22 seconds East, a distance of 775.00 feet to a point for corner in lake;

THENCE South 30 degrees 38 minutes 38 seconds East, a distance of 1,124.13 feet to the POINT OF BEGINNING and containing 20.000 acres or 871,200 square feet of land, more or less.

Exhibit B

Legal Description of Revised Option Tract

LEGAL DESCRIPTION

BEING a tract of land situated in the Francis Jones Survey, Abstract No. 674, the Samuel Layton Survey, Abstract No. 784 and the Greenberry Hendricks Survey, Abstract No. 630, City of Dallas, Dallas County, Texas and being of a tract of land described in Special Warranty Deed to Cypress Waters Land A, Ltd., recorded in Instrument No. 20080370202, Official Public Records of Dallas County, Texas and part of a tract of land described in Special Warranty Deed to CW Shoreline Land, Ltd., recorded in Instrument No. 201200024638, Official Public Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a 5/8" Iron rod found at the northeast corner of a tract of land described in Deed to Ensearch Corporation, recorded in Volume 84064, Page 1370, Deed Records of Dallas County, Texas at the easternmost southeast corner of a tract of land described in Limited General Warranty Deed to Trammell Crow Company No. 43, Ltd., recorded in Instrument No. 200600072663, Official Public Records of Dallas County, Texas from said point, North Lake control monument No. 4 bears North 27°57'43" West, a distance of 7554.02 feet;

THENCE with the east line of said Trammell Crow Company No. 43, Ltd. tract, North 0°46'21" West, a distance of 2620.15 feet to a point for corner;

THENCE departing said east line, South 89°13'39" West, a distance of 991.65 feet to a 5/8" Iron rod with plastic cap stamped "KHA" set in the north line of a Transmission Easement, recorded in Volume 2001248, Page 11540, Deed Records of Dallas County, Texas for the **POINT OF BEGINNING**;

THENCE with said north line, South 59°21'20" West, a distance of 960.20 feet to a 5/8" Iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing said north line, the following courses and distances:

North 31°47'51" West, a distance of 898.70 feet to a 5/8" Iron rod with plastic cap stamped "KHA" set for corner;
North 58°26'32" East, a distance of 962.41 feet to a 5/8" Iron rod with plastic cap stamped "KHA" set for corner;
South 31°38'49" East, a distance of 914.00 feet to the **POINT OF BEGINNING** and containing 20.000 acres or 871,200 square feet of land.

MEMORANDUM OF CONTRACT