

ASSIGNMENT

This Assignment is entered into on this the 3 day of January, 2017, by and between Lucas Real Estate, LLC, a Texas limited liability company ("Assignor") and Our Country Homes, Inc., a Texas corporation ("Assignee").

1. **ASSIGNMENT.** For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns and transfers to Assignee all of Assignor's right, title and interest as the Declarant under that Declaration of Covenants, Conditions and Restrictions for Lucas Oak Brook Homeowners Association, Inc. recorded on December 12, 2014 with the Collin County Real Property Records as Document #20141223001397880 ("CCR's") regarding the Property described on Exhibit "A". Assignee hereby accepts the foregoing assignment and agrees to assume, fulfill, perform, and discharge all the various commitments, obligations, duties, and liabilities of Assignor as the Declarant under and by virtue of the CCR's.

2. **MODIFICATION; ENTIRE AGREEMENT.** This Assignment shall not be modified, except in writing executed by both parties hereto. This Assignment constitutes the entire agreement of the parties hereto with respect to the subject matter hereof and supersedes all prior and contemporaneous understandings and agreements between the parties.

3. **MULTIPLE COUNTERPARTS.** To facilitate execution, this Assignment may be executed in as many counterparts as may be convenient or required. It shall not be necessary that the signature or acknowledgment of, or on behalf of, each party, or that the signature of all persons required to bind any party, or the acknowledgment of such party, appear on each counterpart. All counterparts shall collectively constitute a single instrument. It shall not be necessary in making proof of this Assignment to produce or account for more than a single counterpart containing the respective signatures of, or on behalf of, and the respective acknowledgments of, each of the parties hereto. Any signature or acknowledgment page to any counterpart may be detached from such counterpart without impairing the legal effect of the signatures or acknowledgments thereon and thereafter attached to another counterpart identical thereto except having attached to it additional signature or acknowledgment pages.

4. **SUCCESSORS AND ASSIGNS.** This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, representatives, administrators, successors and assigns.

5. **FURTHER ACTS.** Assignor agrees that it will at any time and from time to time do, execute, acknowledge and deliver any and all such further acts, bills of sale, transfers, assignments, confirmations, assurances, documents, instruments and agreements as the Assignee shall reasonably request to effect the assignment, transfer and assurance unto the Assignee of the Assignor's rights in and to the Contract.

ASSIGNOR:

LUCAS REAL ESTATE, LLC.
a Texas limited liability company

By: TX COOLEY INVESTMENTS, INC
a Nevada corporation, its Managing Member

By: [Signature]
Printed Name: authorized signatory
Title: Allan Skerton

ASSIGNEE:

OUR COUNTRY HOMES, INC.
a Texas corporation

By: [Signature]
Dustin Austin, its President

ACKNOWLEDGMENT

THE STATE OF TEXAS

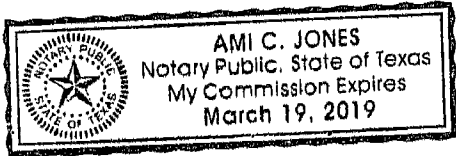
§
§
§

COUNTY OF COLLIN

This instrument was acknowledged before me on Jan 3 2017, by Alton Spanton of TX Cooley Investments, Inc., ~~Managing Member~~ *authorized signatory.* of Lucas Real Estate, LLC, on behalf of said entity.

Ami C Jones

Notary Public, State of Texas



ACKNOWLEDGMENT

THE STATE OF TEXAS

§
§
§

COUNTY OF COLLIN

This instrument was acknowledged before me on January 3rd, 2017, by Dustin Austin, President of Our Country Homes, Inc., on behalf of said entity.

K W Metcalpe

Notary Public, State of Texas

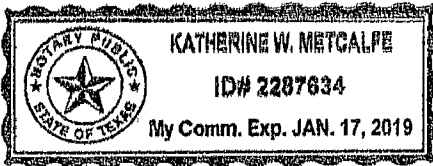


EXHIBIT "A" TO ASSIGNMENT

EXHIBIT A

**PHASE ONE
48.045 ACRES**

FIELD NOTES

BEING a 48.045 acre tract of land situated in the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, said 48.045 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for the northeast corner of said 87.1115 acre tract and the southeast corner of Lot 3, Trails End Addition, an addition to the City of Lucas, as recorded in Cabinet M, Page 107, Plat Records, Collin County, Texas, said corner being in the centerline of Stinson Road, a variable width right-of-way;

THENCE South 00 degrees 55 minutes 28 seconds East, with the east boundary line of said 47.1115 acre tract and the centerline of said Stinson Road, a distance of 1320.02 feet to an exterior ell corner of said 87.1115 acre tract from which a PK Nail found bears South 89 degrees 24 minutes 53 seconds West, a distance of 10.41 feet;

THENCE South 89 degrees 05 minutes 13 seconds West, with a south boundary line of said 47.1115 acre tract, passing a 1/2-inch iron pipe found for an interior ell corner of said 87.1115 acre tract at a distance of 679.10 feet and continuing a total distance of 887.62 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 00 degrees 54 minutes 24 seconds West, a distance of 420.16 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 89 degrees 05 minutes 36 seconds West, a distance of 511.39 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE North 43 degrees 07 minutes 27 seconds West, a distance of 279.79 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

THENCE South 88 degrees 48 minutes 36 seconds West, a distance of 416.39 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner in the common boundary line of a 59.030 acre tract and a 86.548 acre tract described in a boundary line agreement, as recorded in Instrument 20061020001510100 of said Deed Records;

THENCE North 01 degrees 00 minutes 32 seconds West, with the common agreed boundary line of last mentioned tracts, passing a 5/8-inch iron rod found at the southeast corner of Lot 13, Block A of The Belmont Addition to the City of Lucas as recorded in Cabinet 2013, Page 85 of said Plat Records, Collin County, Texas, and the southeast corner of same addition, at a distance of 270.52 feet, and continuing with the common boundary line of said Lot 13, said addition, and said 87.1115 acre tract, a total distance of 722.28 feet to a 5/8-inch iron rod found for the northwest corner of said 87.115 acre tract, and the

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Page 29 of 32

~~northeast corner of said Lot 13, at an interior ell corner of said Belmont Addition and being in the south line of Lot 12 Block A of same;~~

THENCE South 89 degrees 39 minutes 18 seconds East, with the common boundary line of said 87.1115 acre tract and said Lot 12 and Lot 11 and 10, Block A of said addition, respectively, a distance of 661.92 feet to a 3/4-inch iron rod found for an exterior ell corner of said addition and the southeast corner of said Lot 10, said point also being the southwest corner of Lot 2 of the aforementioned Trails End Addition;

THENCE North 89 degrees 38 minutes 54 seconds East, with the common boundary line of said Lots 2 and 3 of Trails End Addition and said 87.1115 acre tract, a distance of 1342.57 feet to the POINT OF BEGINNING AND CONTAINING 2,092,827 square feet or 48.045 acres of land.

PHASE TWO
44.089 ACRES

FIELD NOTES

BEING a 44.089 acre tract of land situated in the John Gray Survey, Abstract No. 349 and the James Lovelady Survey, Abstract No. 538, City of Lucas, Collin County, State of Texas, and being part of that certain part of 87.1115 acre tract of land (Tract 3) described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20111014001101190, Deed Records, Collin County, Texas, and all of that certain 5.00 acre tract of land described in deed to Lucas Real Estate, LLC, as recorded in Instrument 20140107000014490 of said Deed Records, said 44.089 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner in the a common boundary line of a 59.030 acre tract and a 86.548 acre tract described in a boundary line agreement, as recorded in Instrument 20061020001510100 of said Deed Records;

THENCE Easterly, with the southerly boundary lines of Oak Brook Estates, Phase One, a proposed addition to the City of Lucas, the following courses:

North 88 degrees 48 minutes 36 seconds East, a distance of 416.39 feet, to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

South 43 degrees 07 minutes 27 seconds East, a distance of 279.79 feet, to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

North 89 degrees 05 minutes 36 seconds East, a distance of 511.39 feet, to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

South 00 degrees 54 minutes 24 seconds East, a distance of 420.16 feet, to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner;

North 89 degrees 05 minutes 13 seconds East, a distance of 208.52 feet, to a 1/2-inch iron pipe found for an interior ell corner of said 87.1115 acre tract;

THENCE South 00 degrees 31 minutes 30 seconds East, with an easterly boundary line of said 87.1115 acre tract, a distance of 645.34 feet to a 5/8-inch iron rod with yellow cap stamped "RPLS 3963" set for corner at the intersection of the projected north line of said 5.00 acre tract to Lucas Real Estate, LLC, with last mentioned easterly line;

THENCE North 88 degrees 57 minutes 31 seconds East, at 1.52 feet, passing a 5/8-inch iron rod with cap stamped "DCA" found for the northwest corner of said 5.00 acre tract and the southwest corner of a 5.000 acre tract of land described in deed to Lee G. Bauer and Betty A. Bauer, as

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

recorded in Volume 1939, Page 668 of said Deed Records, and continuing with the common boundary line of said 5.00 acre Lucas Real Estate tract and said 5.000 acre Bauer tract, a total distance of 680.33 feet to a PK Nail set for the southeast corner of said 5.000 acre Bauer tract and the northeast corner of said 5.00 acre Lucas Real Estate tract, said corner being in Stinson Road, an undedicated public road;

THENCE South 00 degrees 39 minutes 29 seconds East, with the east boundary line of said 5.00 acre Lucas Real Estate tract, and in Stinson Road, a distance of 320.20 feet to a PK Nail set for the southeast corner of said 5.00 acre Lucas Real Estate tract and the northeast corner of a 46.14 acre tract of land described in deed to Cowtown Meadows, LLC, as recorded in Instrument 20120224000211850 of said Deed Records;

THENCE South 88 degrees 57 minutes 31 seconds West, with the common boundary line of said 5.00 acre tract and said 46.14 acre tract, a distance of 681.90 feet to a point for corner at the southwest corner of said 5.00 acre tract and an exterior ell corner of said 46.14 acre tract, said corner being in an east boundary line of a 220.733 acre tract of land described in deed to DR Horton – Texas, Ltd, as recorded in Instrument 20110830000915300 of said Deed Records, from which a 5/8-inch iron rod with cap stamped “DCA” found for reference bears South 75 degrees 58 minutes 38 seconds East a distance of 0.34 feet;

THENCE North 00 degrees 05 minutes 04 seconds West, with the common boundary line of said 5.00 acre tract and said 220.733 acre tract, a distance of 106.44 feet to a 1/2-inch iron rod found for the most southern southeast corner of said 87.1115 acre tract and an exterior ell corner of said 220.733 acre tract;

THENCE South 89 degrees 03 minutes 30 seconds West, with a common boundary line of said 87.1115 acre tract and said 220.733 acre tract, a distance of 1308.18 feet to a 1/2-inch iron rod with cap stamped “5439” found for the southwest corner of said 87.1115 acre tract and an interior ell corner of said 220.733 acre tract;

THENCE North 01 degrees 12 minutes 35 seconds West, with a common boundary line of said 87.1115 acre tract and said 220.733 acre tract, a distance of 862.05 feet to a 5/8-inch iron rod with cap stamped “5439” found in the common boundary line of said 59.030 acre tract and said 86.548 acre tract described in said boundary line agreement;

THENCE South 88 degrees 39 minutes 49 seconds West, with the common agreed boundary line of said 59.030 acre tract and said 86.548 acre tract, a distance of 4.72 feet to a point for corner;

THENCE North 01 degrees 00 minutes 32 seconds West, with the common agreed boundary line of said 59.030 acre tract and said 86.548 acre tract, a distance of 623.18 feet to the POINT OF BEGINNING AND CONTAINING 1,920,526 square feet or 44.089 acres of land.

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Page 32 of 32



Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
01/23/2017 03:06:08 PM
\$50.00 SCAPELA
20170123000099720

Stacey Kemp