

3. In exercising its rights under this Easement, Grantee shall use reasonable efforts to minimize interference with the use of the golf course located on the Golf Course Tract and to maintain the integrity of the golf course facilities.

4. Grantor, its agents, employees, tenants, invitees, successors and assigns shall not erect or maintain any barriers, impediments or obstructions of any kind on the Golf Course Tract which would interfere with the flow of surface water through the surface water drainage facilities located thereon or unreasonably interfere with Grantee's exercise of its rights under this Easement.

5. The grants, covenants and conditions set forth herein shall be covenants running with the land and shall be binding upon and inure to the benefit of Grantor and Grantee and their respective mortgagees, successors and assigns.

6. If any term, covenant, condition or provision of this Easement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, covenants, conditions and provisions hereof shall remain in full force and effect and shall not be affected, impaired or invalidated thereby.

7. No right or remedy hereby conferred to Grantee is intended to be exclusive of any other right or remedy that Grantee may have, and each right or remedy herein shall be cumulative of any other right or remedy existing at law, in equity, by statute or within the Declaration.

IN WITNESS WHEREOF, Grantor has caused this Easement to be executed by its duly authorized officer on the date first above written.

GRANTOR

KINWEST DEVELOPMENT CORPORATION

BY: Ernest O. Perry, Jr.
Ernest O. Perry, Jr.
Vice President

GRANTEE

ACCEPTED:

HACKBERRY CREEK HOME OWNERS ASSOCIATION

BY: Richard W. Douglas
Name: Richard W. Douglas
Title: Vice President

STATE OF TEXAS |
|
COUNTY OF DALLAS |

This instrument was acknowledged before me on JUNE 20, 1983
by Ernest O. Perry, Jr., Vice President of Kinwest Development Corporation, a Texas corporation, on behalf of said corporation.

[Signature]
Notary Public



STATE OF TEXAS |
|
COUNTY OF DALLAS |

This instrument was acknowledged before me on JUNE 20, 1983
by Richard W. Douglas, VICE PRESIDENT of Hackberry Creek Home Owners Association, a Texas non-profit corporation, on behalf of said corporation.

[Signature]
Notary Public



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9-17-84

EXHIBIT "A"

THE GOLF COURSE TRACT

The Golf Course Tract is comprised of five (5) individual tracts of land in Dallas County, Texas hereinafter respectively described as Tract 1, Tract 2, Tract 3, Tract 4 and Tract 5, to-wit:

TRACT 1

Kinwest Sector 20 Golf Course

BEING a tract of land situated in the B.B.B. and C.R.R. Survey, Abstract No. 196 of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the most easterly corner of the B.B.B. and C.R.R. Survey, Abstract No. 196;

THENCE N 4°00'22" W for a distance of 4336.54 feet to a point in the center of intersection of Royal Lane and Kinwest Parkway, as recorded in Volume 81231, Page 2578, D.R.D.C.T.;

THENCE South 63°31'45" East a distance of 601.93 feet to the POINT OF BEGINNING; said point also being in the east right-of-way line of said Royal Lane (110 foot R.O.W.); said point also being the most southerly southwest corner of Phase I, Installment II of Kinwest Golf Course;

THENCE North 50°00'00" East, leaving said east line of Royal Lane and continuing along the south line of said Installment II for a distance of 409.49 feet;

THENCE North 34°01'26" East a distance of 669.55 feet to a point for corner;

THENCE North 51°00'00" West a distance of 190.00 feet to a point for corner;

THENCE North 04°00'00" East a distance of 175.00 feet to a point for corner;

THENCE North 58°00'00" East a distance of 297.00 feet to a point for corner;

THENCE North 32°00'00" West a distance of 110.00 feet to a point for corner;

THENCE North 58°00'00" East a distance of 118.00 feet to a point for corner;

THENCE South 32°00'00" East a distance of 110.00 feet to a point for corner;

THENCE South 14°37'33" West a distance of 170.97 feet to a point for corner;

THENCE South 67°18'15" East a distance of 85.76 feet to a point for corner;

THENCE South 74°00'00" East a distance of 130.82 feet to a point for corner;

THENCE South 81°35'41" East a distance of 75.66 feet to a point for corner;

THENCE South 74°00'00" East, passing the southeast corner of said Installment II at 190.33 feet, in all 201.00 feet to the point of curvature of a curve to the right whose center bears South 85°45'00" West, having a radius of 720.00 feet and a central angle of 10°28'38";

THENCE along said curve to the right for an arc distance of 131.66 feet to a point for corner; said point being in the north line of Phase I, Installment I;

THENCE South 88°30'00" West along the north line of said Installment I a distance of 466.58 feet to a point for corner;

THENCE South 17°45'00" West a distance of 785.00 feet to a point for corner;

THENCE South 43°15'00" West a distance of 400.00 feet to a point for corner;

THENCE South 41°34'21" East a distance of 195.55 feet to a point for corner;

THENCE South 47°00'00" East a distance of 370.36 feet to a point for corner;

THENCE South 00°15'09" East a distance of 491.85 feet to a point for corner;

THENCE South 47°19'32" East a distance of 61.46 feet to a point for corner;

THENCE South 02°27'27" West a distance of 313.36 feet to a point for corner;

THENCE South 11°22'25" West a distance of 545.57 feet to a point for corner;

THENCE South 03°40'22" East a distance of 216.15 feet to a point for corner;

THENCE South 08°40'00" East a distance of 298.54 feet to a point for corner;

THENCE South 86°25'02" East a distance of 88.56 feet to the point of curvature of a curve to the left whose center bears South 68°55'27" East, having a radius of 800.00 feet and a central angle of 03°21'56";

THENCE along said curve to the left for an arc distance of 46.99 feet to a point for corner;

THENCE North 89°48'05" West, leaving said Installment I for a distance of 401.04 feet to a point in the east line of Royal Lane (110 foot R.O.W.); said point being the point of curvature of a curve to the right along said east line of Royal Lane; whose center bears North 77°11'11" East, having a radius of 1090.92 feet and a central angle of 06°56'00";

THENCE along said curve to the right for an arc distance of 132.01 feet to the point of tangency of said curve;

THENCE North 05°30'51" West a distance of 370.42 feet to the point of curvature of a curve to the right, having a radius of 1854.86 feet and a central angle of 12°00'00";

THENCE along said curve to the right for an arc distance of 388.48 feet to the point of tangency of said curve;

THENCE North 06°29'09" East a distance of 417.96 feet to the point of curvature of a curve to the left, having a radius of 1200.92 feet and a central angle of 35°00'00";

THENCE along said curve to the left for an arc distance of 733.60 feet to the point of tangency of said curve;

THENCE North 28°30'50" West a distance of 462.49 feet to the point of curvature of a curve to the left, having a radius of 771.20 feet and a central angle of 06°26'31";

THENCE along said curve to the left for an arc distance of 86.71 feet to the POINT OF BEGINNING;

CONTAINING 1,395,067.30 square feet or 32.026 acres of land, more or less.

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TRACT 2

Kinwest Sector 20 Golf Course

BEING a tract of land situated in the B.B.B. and C.R.R. Survey, Abstract No. 196, of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the most easterly southwest corner of the B.B.B. and C.R.R. Survey, Abstract No. 196;

THENCE N 4°00'22" W for a distance of 4336.54 feet to a point in the center of intersection of Royal Lane and Kinwest Parkway, as recorded in Volume 81231, Page 2578, D.R.T.C.T.;

THENCE North 68°46'24" East a distance of 2075.05 feet to the POINT OF BEGINNING;

THENCE South 86°30'00" East, a distance of 171.00 feet to a point for corner;

THENCE South 35°00'00" East a distance of 205.00 feet to a point for corner;

THENCE South 48°00'00" East a distance of 920.00 feet to a point for corner;

THENCE South 43°49'57" East a distance of 121.50 feet to a point for corner;

THENCE North 46°10'03" East a distance of 92.00 feet to a point for corner;

THENCE South 43°49'57" East a distance of 101.50 feet to a point for corner;

THENCE South 46°10'03" West a distance of 92.00 feet to a point for corner;

THENCE South 43°49'57" East a distance of 362.90 feet to a point for corner;

THENCE South 35°00'00" West a distance of 180.37 feet to a point for corner; said point also being a corner of Phase I, Installment III;

THENCE North 56°29'50" West along the north line of said Installment III for a distance of 655.95 feet;

THENCE North 49°06'03" West, passing the intersection of the northwest corner of Phase I, Installment III and the northeast line of Phase I, Installment I at 510.00 feet and in all 1030.25 feet;

THENCE North 17°45'00" East for a distance of 50.58 feet to the point of curvature of a curve to the left, having a radius of 780.00 feet and a central angle of 20°49'18";

THENCE along said curve to the left for an arc distance of 283.46 feet to the POINT OF BEGINNING;

CONTAINING 543,546.28 square feet or 12.478 acres of land, more or less.

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TRACT 3

Kinwest Sector 20 Golf Course

BEING a tract of land situated in the B.B.B. and C.R.R. Survey, Abstract No. 196, of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the most easterly southwest corner of the B.B.B. and C.R.R. Survey, Abstract No. 196;

THENCE N 4° 00' 22" W for a distance of 4336.54 feet to a point in the center of intersection of Royal Lane and Kinwest Parkway, as recorded in Volume 81231, Page 2578, D.R.D.C.T.;

THENCE South 82° 20' 47" East a distance of 3422.39 feet to the POINT OF BEGINNING;

THENCE South 77° 30' 00" East a distance of 200.68 feet to a point for corner;

THENCE South 51° 00' 00" East a distance of 85.00 feet to a point for corner;

THENCE South 22° 00' 00" East a distance of 250.00 feet to a point for corner;

THENCE South 88° 30' 00" East a distance of 320.00 feet to a point for corner;

THENCE North 06° 00' 00" East a distance of 120.00 feet to a point for corner;

THENCE North 13° 00' 00" West a distance of 560.00 feet to a point for corner;

THENCE North 20° 30' 00" East a distance of 735.00 feet to a point for corner;

THENCE North 12° 30' 00" East a distance of 360.00 feet to a point for corner;

THENCE North 80° 30' 00" East a distance of 350.00 feet to a point for corner;

THENCE East a distance of 170.00 feet to a point for corner;

THENCE South 73° 30' 00" East a distance of 205.00 feet to a point for corner;

THENCE South 54° 30' 00" East a distance of 490.00 feet to a point for corner;

THENCE South 39° 00' 00" East a distance of 175.52 feet to a point for corner;

THENCE South 60° 30' 00" West a distance of 258.71 feet to a point for corner;

THENCE North 29° 30' 00" West a distance of 152.26 feet to a point for corner;

THENCE North 70° 30' 00" West a distance of 458.29 feet to a point for corner;

THENCE South 85° 00' 00" West a distance of 365.00 feet to a point for corner;

THENCE South 09° 00' 00" West a distance of 845.00 feet to a point for corner;

THENCE South 12° 30' 00" East a distance of 620.00 feet to the point of curvature of a curve to the right whose center bears North 54° 49' 04" West, having a radius of 420.00 feet and a central angle of 36° 49' 04";

THENCE along said curve to the right for an arc distance of 269.89 feet to the point of tangency of said curve;

THENCE South 72° 00' 00" West a distance of 493.17 feet to the point of curvature of a curve to the right, having a radius of 701.22 feet and a central angle of 16° 30' 00";

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THENCE along said curve to the right and passing a point in the east line of Phase I, Installment III at an arc distance of 26.06 feet and in all an arc distance of 201.94 feet to the point of tangency thereof;

THENCE North 10°00'00" West along said east line of Installment III for a distance of 130.00 feet to a point for corner;

THENCE North 22°00'00" West a distance of 125.00 feet to a point for corner;

THENCE North 44°30'00" West a distance of 334.63 feet to a point for corner;

THENCE North 35°00'00" East, leaving said east line of Installment III for a distance of 278.99 feet to the POINT OF BEGINNING;

CONTAINING 1,141,516.05 square feet or 26.2065 acres of land, more or less.

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TRACT 4

Kinwest Sector 20 Golf Course

BEING a tract of land situated in the B.B.B. and C.R.R. Survey, Abstract No. 196, of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the most easterly southwest corner of the B.B.B. and C.R.R. Survey, Abstract No. 196;

THENCE N 4°00'22" W for a distance of 4336.54 feet to a point in the center of intersection of Royal Lane and Kinwest Parkway, as recorded in Volume 81231, Page 2578, D.R.D.C.T.;

THENCE North 85°28'20" East a distance of 5558.03 feet to the POINT OF BEGINNING;

THENCE South 22°00'00" East for a distance of 158.81 feet to a point for corner;

THENCE South 19°00'00" West a distance of 325.00 feet to a point for corner;

THENCE South 01°00'00" West a distance of 325.00 feet to a point for corner;

THENCE South 17°00'00" East a distance of 310.00 feet to a point for corner;

THENCE South 55°00'00" East a distance of 292.26 feet to a point for corner;

THENCE South 23°00'00" East for a distance of 239.92 feet to a point for corner;

THENCE South 12°42'36" West a distance of 348.49 feet to a point for corner;

THENCE South 21°00'00" West a distance of 365.00 feet to a point for corner;

THENCE South 03°00'00" East a distance of 210.00 feet to a point for corner;

THENCE South a distance of 511.11 feet to a point for corner;

THENCE South 52°30'00" West a distance of 87.21 feet to a point for corner;

THENCE North 29°00'00" West a distance of 515.00 feet to a point for corner;

THENCE North 06°00'00" East a distance of 100.00 feet to a point for corner;

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THENCE North 11°00'00" West a distance of 220.00 feet to a point for corner;

THENCE North 11°00'00" East a distance of 155.00 feet to a point for corner;

THENCE North 47°00'00" West a distance of 290.00 feet to a point for corner;

THENCE North 04°00'00" East a distance of 330.00 feet to a point for corner;

THENCE North 02°30'00" West a distance of 1,255.00 feet to a point for corner;

THENCE North 60°30'00" East a distance of 447.31 feet to the POINT OF BEGINNING;

CONTAINING 1,151,305.51 square feet or 26.4303 acres of land, more or less.

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TRACT 5

Kinwest Sector 20 Golf Course

BEING a tract of land situated in the B.B.B. and C.R.R. Survey, Abstract No. 196, of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the most easterly southwest corner of the B.B.B. and C.R.R. Survey, Abstract No. 196;

THENCE 4°00'22" W for a distance of 4336.54 feet to a point in the center of intersection of Royal Lane and Kinwest Parkway, as recorded in Volume 81231, Page 2578, D.R.D.C.T.;

THENCE South 29°04'04" East a distance of 3068.19 feet to the POINT OF BEGINNING; said point also being in the south line of Phase I, Installment I;

THENCE North 82°12'50" East along the said south line of Installment I, and passing the intersection of the south line of Installment I and the southwest corner of Phase I, Installment III, at 295.72 feet and in all 456.77 feet to a point for corner;

THENCE North 72°04'11" East, continuing along the south line of said Installment III for a distance of 274.31 feet;

THENCE North 54°00'00" East a distance of 338.83 feet to a point for corner;

THENCE North 68°00'00" East a distance of 150.00 feet to a point for corner;

THENCE North 82°00'00" East a distance of 170.00 feet to a point for corner;

THENCE North 88°00'00" East a distance of 420.00 feet to a point for corner;

THENCE South 75°00'00" East a distance of 160.00 feet to a point for corner;

THENCE South 63°15'00" East a distance of 80.71 feet to the point of curvature of a curve to the left having a radius of 200.00 feet and a central angle of 83°45'00";

THENCE along said curve to the left an arc distance of 292.34 feet to the point of tangency thereof;

THENCE North 33°00'00" East a distance of 160.71 feet to a point for corner;

THENCE North 04°00'00" West a distance of 925.95 feet to the point of curvature of a non-tangent curve to the left, whose center bears North 15°04'14" West, having a radius of 751.22 feet and a central angle of 02°55'46";

THENCE leaving said east line of Installment III along said curve to the left for an arc distance of 38.41 feet to the point of tangency of said curve;

THENCE North 72°00'00" East a distance of 374.40 feet to a point for corner;

THENCE South 28°00'00" East a distance of 235.28 feet to a point for corner;

THENCE South 11°30'00" East a distance of 290.00 feet to a point for corner;

THENCE South 23°00'00" East a distance of 300.00 feet to a point for corner;

THENCE South 03°00'00" East a distance of 250.00 feet to a point for corner;

THENCE South 32°30'00" West a distance of 670.00 feet to a point for corner;

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THENCE South 65°00'00" East a distance of 360.00 feet to a point for corner;
THENCE East a distance of 245.00 feet to a point for corner;
THENCE North 66°00'00" East a distance of 225.00 feet to a point for corner;
THENCE South 77°30'00" East a distance of 215.00 feet to a point for corner;
THENCE North 37°00'00" East a distance of 240.00 feet to a point for corner;
THENCE North 10°00'00" West a distance of 300.00 feet to a point for corner;
THENCE North 17°00'00" East a distance of 95.00 feet to a point for corner;
THENCE North 62°30'00" East for a distance of 226.46 feet to a point for corner;
THENCE South 29°00'00" East a distance of 828.53 feet to the point of curvature
of a curve to the right whose center bears North 31°33'56" West, having a radius
of 1854.86 feet and a central angle of 04°16'58";
THENCE along said curve to the right for an arc distance of 138.65 feet to the
point of tangency thereof;
THENCE South 62°43'02" West a distance of 1041.12 feet to a point for corner;
THENCE North 68°59'19" West for a distance of 71.84 feet to a point for corner;
THENCE North 67°04'25" West for a distance of 66.99 feet to a point for corner;
THENCE North 55°21'55" West for a distance of 109.12 feet to a point for corner;
THENCE North 53°57'25" West for a distance of 277.34 feet to a point for corner;
THENCE North 32°19'37" West for a distance of 91.89 feet to a point for corner;
THENCE North 56°00'40" West for a distance of 327.27 feet to a point for corner;
THENCE North 58°08'30" West for a distance of 181.06 feet to a point for corner;
THENCE North 58°34'50" West for a distance of 63.45 feet to a point for corner;
THENCE North 29°07'40" West for a distance of 47.50 feet to a point for corner;
THENCE North 54°57'40" West for a distance of 54.39 feet to a point for corner;
THENCE North 63°57'40" West for a distance of 201.32 feet to a point for corner;
THENCE North 85°53'57" West for a distance of 334.46 feet to a point for corner;
THENCE North 79°09'05" West for a distance of 233.06 feet to a point for corner;
THENCE South 81°49'40" West for a distance of 176.88 feet to a point for corner;
THENCE South 61°46'20" West for a distance of 122.01 feet to a point for corner;
THENCE South 78°24'55" West for a distance of 93.98 feet to a point for corner;
THENCE South 70°59'45" West for a distance of 329.75 feet to a point for corner;
THENCE South 42°53'03" West for a distance of 156.64 feet to a point for corner;
THENCE South 56°32'48" West for a distance of 125.77 feet to a point for corner;

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THENCE North 89°10'25" West for a distance of 398.04 feet to a point for corner;

THENCE North 72°49'12" West for a distance of 188.54 feet to the point of curvature of a non-tangent curve to the right, whose center bears South 71°12'49" East, having a radius of 700.00 feet and a central angle of 08°38'20";

THENCE along said curve to the right for an arc distance of 105.55 feet to the POINT OF BEGINNING;

CONTAINING 2,183,728.3 square feet or 50.1315 acres of land, more or less.

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