

TEMPORARY CONSTRUCTION LICENSE

KNOW ALL MEN BY THESE PRESENTS:

That Fuel City Saginaw LLC, a Texas limited liability company, referred to as, "Grantor", in consideration of \$10.00 and other good and valuable consideration paid by the City of Saginaw, Texas, a municipal corporation of Tarrant County, Texas, does hereby grant to the City of Saginaw, Texas, its agents, contractors, successors and assigns, hereinafter referred to as "Grantee", a temporary construction license for the purpose of driveway reconstruction in, along, upon and across the property located in the County of Tarrant, State of Texas, more fully described in Exhibit "A" attached hereto and made a part hereof for any and all purposes.

For the consideration above recited and the mutual covenants and conditions herein contained the parties further agree as follows:

Following completion of work within the temporary construction license area described in Exhibit "A", if Grantee has removed or damaged improvements, herbage, or landscaping within said license area or otherwise on Grantor's property, Grantee shall at its expense restore properties injured by Grantee's activities to the substantially the same condition as existed previous to Grantee's entry upon the particular property.

This temporary construction license shall be in full force and effect at all times during the accomplishment and completion of the construction activities described above. Said temporary construction license shall terminate and the license land area shall revert to the Grantor, their heirs, and assigns, and all interest conveyed herein shall cease on the 31st day of December, 2025, or on the date of completion of construction of the highway facility activities described above, whichever occurs first.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this 9th day of FEBRUARY, 2023.

GRANTOR:

Fuel City Saginaw LLC, a Texas limited liability company

By: Mark Dietz

Name: Mark Dietz

Title: Vice President

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, on this day personally appeared MARK DIOTZ, a person either known to me or proved to me through legal identification to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the capacities represented and for the purposes and consideration therein expressed.

Given under my hand and seal of office this 9th day of FEBRUARY, 2023.

Jerrilyn Williams
Notary Public, State of Texas

(Seal and Expiration)

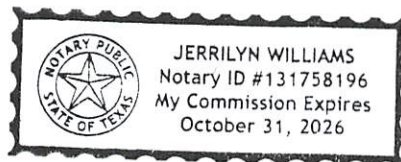


EXHIBIT "A"

Page 1 of 3
February 8, 2023

Legal Description
Temporary Construction License

BEING 900 square feet (0.0207 acres) of land, more or less, situated in Tarrant County, Texas, in the David Cook Survey, Abstract Number 345, and being a portion of that called 8.731 acre tract of land described by Special Warranty Deed executed September 30, 2016 to Fuel City Saginaw LLC, recorded in Document Number 216232245, Official Public Record, Tarrant County, Texas (O.P.R.T.C.T.), said Fuel City tract also being known as that called 8.538 acre Block 1, Lot 1, Triad Addition, according to the map or plat effective May 2, 1996, recorded in Cabinet A, Page 2958, O.P.R.T.C.T., and being further described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found being the southwest corner of said Lot 1 and the southeast corner of a called 7.292 acre tract described as Block 1, Lot 2 in said plat, in the south line of a 5 foot permanent right-of-way easement described to City of Saginaw, recorded in Document Number D217112653, O.P.R.T.C.T. from which a 1/2 inch iron rod with cap stamped DEOTTE found, being the northwest corner of said Lot 1 and the northeast corner of said Lot 2, in the south right-of-way line of Triad Boulevard, a private 60 foot right-of-way, also known as Block 6, Lot 1 of said plat, bears North 00° 37' 30" West, a distance of 548.56 feet;

THENCE North 89° 32' 30" East, along the common south line of said Lot 1 and the south line of said permanent right-of-way easement, a distance of 331.47 feet to a point;

THENCE North 00° 27' 30" West, across said Lot 1 and said permanent right-of-way easement, a distance of 14.00 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the **POINT OF BEGINNING** having surface coordinates of North 6,994,232.38 and East 2,323,634.01 and being the southwest corner of herein described tract;

- 1) **THENCE** North 00° 27' 30" West, across said Lot 1 and along the west line of herein described tract, a distance of 30.00 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the northwest corner of herein described tract;
- 2) **THENCE** North 89° 32' 30" East, continuing across said Lot 1 and along the north line of herein described tract, a distance of 30.00 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the northeast corner of herein described tract;
- 3) **THENCE** South 00° 27' 30" East, continuing across said Lot 1 and along the east line of herein described tract, a distance of 30.00 feet to a 5/8 inch iron rod with cap stamped "COBB FENDLEY & ASSOCIATES" set, being the southeast corner of herein described tract;
- 4) **THENCE** South 89° 32' 30" West, continuing across said Lot 1 and along the south line of herein described tract, a distance of 30.00 feet to the **POINT OF BEGINNING** and containing 900 square feet (0.0207 acres) of land, more or less.

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Note: Bearings shown herein are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based upon the North American Datum of 1983 (NAD 83), 2011 Adjustment, Epoch 2010.

Note: All distances and coordinates shown herein are U.S. Survey Feet adjusted to Surface, unless noted otherwise, using a Surface Adjustment Factor of 1.00012.
(Grid Northing & Grid Easting x 1.0001 = Surface) origin 0,0.

Note: This written description is accompanied by a survey plat which covers the identical parcel that is shown herein, signed and sealed on even date herewith and is hereby made a part of this document.

Note: Field surveys were performed in October of 2021. Monumentation was set in February of 2023.

I, Jeffery L. Fansler, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this written description and accompanying plat of even survey date represents an actual survey made on the ground under my supervision.

 2023-02-08

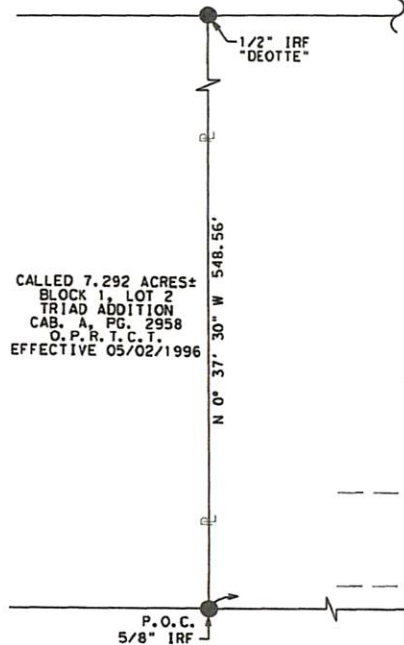
Jeffery L. Fansler
Texas Registered Professional Land Surveyor #4348
TBPELS Land Surveying Firm No. 10046700
Cobb, Fendley and Associates, Inc.
One Ridgmar Centre
6500 West Freeway, Suite 300
Fort Worth, Texas 76116
Phone: 817.445.1016 Fax: 817.445.1017



EXHIBIT "A" PAGE 3 OF 3

TRIAD BOULEVARD

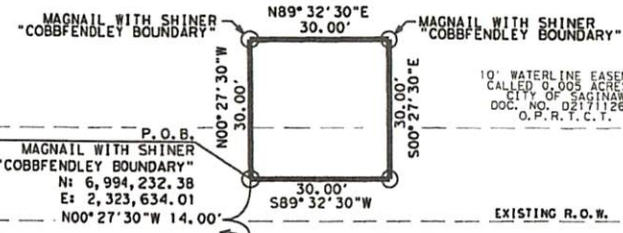
PRIVATE 60' R.O.W.
BLOCK 6, LOT 1 SAID PLAT



PID 06975712
SPECIAL WARRANTY DEED
CALLED 8.731 ACRES ±
FUEL CITY SAGINAW LLC
DOC. NO. D216232245
O.P.R.T.C.T.
EXECUTED 09/30/2016
A.K.A.
CALLED 8.538 ACRES ±
BLOCK 1, LOT 1
TRIAD ADDITION
CAB. A, PG. 2958
O.P.R.T.C.T.
EFFECTIVE 05/02/1996

DAVID COOK SURVEY
ABSTRACT NO. 345

TEMPORARY CONSTRUCTION LICENSE
900 SQ. FT.
(0.0207 ACRES)



EXISTING R.O.W.

N 89° 32' 30" E 331.47'

5' PERMANENT R.O.W. EASEMENT
CITY OF SAGINAW
DOC. NO. D217112653, O.P.R.T.C.T.

10' WATERLINE EASEMENT
CALLED 0.005 ACRES ±
CITY OF SAGINAW
DOC. NO. D217112652
O.P.R.T.C.T.

EXISTING R.O.W.

INDUSTRIAL AVENUE

VARIABLE WIDTH R.O.W.
NO DEED OF RECORD FOUND

JOHN HIBBINS SURVEY
ABSTRACT NO. 638

LEGEND

- = DESCRIBED ACQUISITION
- = EXISTING ROW
- - - = RIGHT-OF-WAY PARCEL
- = PROPERTY LINE
- = EASEMENT
- = APPROX. SURVEY LINE
- = PROPOSED BASELINE
- ↪ = FEE HOOK

O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS

P.O.C. = POINT OF COMMENCING

P.O.B. = POINT OF BEGINNING

DOC. NO. = DOCUMENT NUMBER

VOL. = VOLUME

PG. = PAGE

CAB. = CABINET

R.O.W. = RIGHT-OF-WAY

IRF = IRON ROD FOUND

△ = X-CUT SET (UNLESS OTHERWISE NOTED)

○ = SET 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED
"COBB FENDLEY & ASSOCIATES" OR AS OTHERWISE NOTED

● = MONUMENT FOUND (AS NOTED)

NOTES:

1. BEARINGS SHOWN HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), AND ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983 (NAD83), 2011 ADJUSTMENT, EPOCH 2010.
2. ALL DISTANCES AND COORDINATES SHOWN HEREIN ARE U.S. SURVEY FEET ADJUSTED TO SURFACE, UNLESS NOTED OTHERWISE, USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.
(GRID NORTHING & GRID EASTING X 1.00012 = SURFACE) ORIGIN 0,0.
3. THIS SURVEY PLAT IS ACCOMPANIED BY A WRITTEN DESCRIPTION WHICH COVERS THE IDENTICAL PARCEL THAT IS SHOWN HEREIN, SIGNED AND SEALED ON EVEN DATE HERewith AND IS HEREBY MADE A PART OF THIS DOCUMENT.
4. FIELD SURVEYS WERE PERFORMED IN OCTOBER OF 2021. MONUMENTATION WAS SET IN FEBRUARY OF 2023.

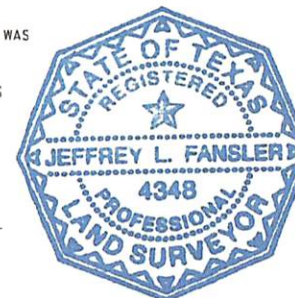
I HEREBY CERTIFY THAT THIS PLAT HEREIN AND ACCOMPANYING LEGAL DESCRIPTION OF EVEN SURVEY DATE REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

Jeffrey L. Fansler 2023-02-08

JEFFREY L. FANSLER, RPLS NO. 4348

COBB, FENDLEY & ASSOCIATES, INC.

TBPELS LAND SURVEYING FIRM NO. 10046700



GRID

SCALE: 1"=40'

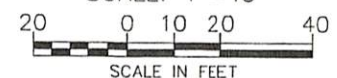


EXHIBIT "A"

Page 1 of 3
February 8, 2023

Legal Description
Temporary Construction License

BEING 2,249 square feet (0.0516 acres) of land, more or less, situated in Tarrant County, Texas, in the David Cook Survey, Abstract Number 345, and being a portion of that called 8.731 acre tract of land described by Special Warranty Deed executed September 30, 2016 to Fuel City Saginaw LLC, recorded in Document Number D216232245, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.), said Fuel City tract also being known as that called 8.538 acre Block 1, Lot 1, Triad Addition, according to the map or plat effective May 2, 1996, recorded in Cabinet A, Page 2958, O.P.R.T.C.T., and being further described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found being the southwest corner of said Lot 1 and the southeast corner of a called 7.292 acre tract described as Block 1, Lot 2 in said plat, in the south line of a 5 foot permanent right-of-way easement described to City of Saginaw, recorded in Document Number D217112653, O.P.R.T.C.T. from which a 1/2 inch iron rod with cap stamped DEOTTE found, being the northwest corner of said Lot 1 and the northeast corner of said Lot 2, in the south right-of-way line of Triad Boulevard, a private 60 foot right-of-way, also known as Block 6, Lot 1 of said plat, bears North 00° 37' 30" West, a distance of 548.56 feet;

THENCE North 89° 32' 30" East, along the common south line of said Lot 1 and the south line of said permanent right-of-way easement, a distance of 512.80 feet to a point;

THENCE North 00° 27' 30" West, across said Lot 1 and said permanent right-of-way easement, a distance of 14.00 feet to a 5/8 inch iron rod with cap stamped "COBB FENDLEY & ASSOCIATES" set, being the **POINT OF BEGINNING** having surface coordinates of North 6,994,233.84 and East 2,323,815.34 and being the southwest corner of herein described tract;

- 1) **THENCE** North 00° 27' 30" West, across said Lot 1 and along the west line of herein described tract, a distance of 29.99 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the northwest corner of herein described tract;
- 2) **THENCE** North 89° 32' 30" East, continuing across said Lot 1 and along the north line of herein described tract, a distance of 75.00 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the northeast corner of herein described tract;
- 3) **THENCE** South 00° 27' 30" East, continuing across said Lot 1 and along the east line of herein described tract, a distance of 29.99 feet to a 5/8 inch iron rod with cap stamped "COBB FENDLEY & ASSOCIATES" set, being the southeast corner of herein described tract;
- 4) **THENCE** South 89° 32' 30" West, continuing across said Lot 1 and along the south line of herein described tract, a distance of 75.00 feet to the **POINT OF BEGINNING** and containing 2,249 square feet (0.0516 acres) of land, more or less.

EXHIBIT "A"

Page 2 of 3
February 8, 2023

Legal Description
Temporary Construction License

Note: Bearings shown herein are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based upon the North American Datum of 1983 (NAD 83), 2011 Adjustment, Epoch 2010.

Note: All distances and coordinates shown herein are U.S. Survey Feet adjusted to Surface, unless noted otherwise, using a Surface Adjustment Factor of 1.00012.
(Grid Northing & Grid Easting x 1.00012 = Surface) origin 0,0.

Note: This written description is accompanied by a survey plat which covers the identical parcel that is shown herein, signed and sealed on even date herewith and is hereby made a part of this document.

Note: Field surveys were performed in October of 2021. Monumentation was set in February of 2023.

I, Jeffrey L. Fansler, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this written description and accompanying plat of even survey date represents an actual survey made on the ground under my supervision.

 2023-02-08

Jeffrey L. Fansler
Texas Registered Professional Land Surveyor #4348
TBPELS Land Surveying Firm No. 10046700
Cobb, Fendley and Associates, Inc.
One Ridgmar Centre
6500 West Freeway, Suite 300
Fort Worth, Texas 76116
Phone: 817.445.1016 Fax: 817.445.1017

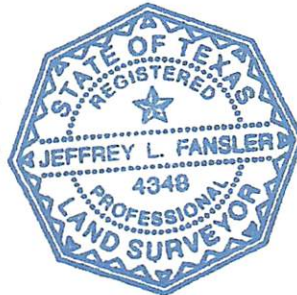


EXHIBIT "A"

PAGE 3 OF 3

TRIAD BOULEVARD

PRIVATE 60' R.O.W.
BLOCK 6, LOT 1 SAID PLAT

1/2" IRF
"DEOTTE"

548.56'

NOO° 37' 30" W

CALLED 7.292 ACRES ±
BLOCK 1, LOT 2
TRIAD ADDITION
CAB. A, PG. 2958
O.P.R.T.C.T.
EFFECTIVE 05/02/1996

P.O.C.
5/8" IRF

5' PERMANENT R.O.W. EASEMENT
CITY OF SAGINAW
DOC. NO. D217112653, O.P.R.T.C.T.

PID 06975712
SPECIAL WARRANTY DEED
CALLED 8.731 ACRES ±
FUEL CITY SAGINAW LLC
DOC. NO. D216232245
O.P.R.T.C.T.
EXECUTED 09/30/2016
A.R.A.
CALLED 8.538 ACRES ±
BLOCK 1, LOT 1
TRIAD ADDITION
CAB. A, PG. 2958
O.P.R.T.C.T.
EFFECTIVE 05/02/1996

DAVID COOK SURVEY
ABSTRACT NO. 345

10' WATERLINE EASEMENT
CALLED 0.005 ACRES ±
CITY OF SAGINAW
DOC. NO. D217112652
O.P.R.T.C.T.

TEMPORARY CONSTRUCTION LICENSE
2,249 SQ. FT.
(0.0516 ACRES)

MAGNAIL WITH SHINER
"COBB FENDLEY BOUNDARY"

20' SANITARY SEWER EASEMENT
CALLED 26,580 SQ. FT. ±
CITY OF SAGINAW
VOL. 5559, PG. 590
O.P.R.T.C.T.
EXECUTED 05/22/1973

25' BUILDING LINE PER PLAT
5' UTILITY EASEMENT PER PLAT

F.M. 156
(BLUE MOUND ROAD)
VARIABLE WIDTH R.O.W.

25' BUILDING LINE PER PLAT

EXISTING R.O.W.
N 89° 32' 30" E 512.80'

NOO° 27' 30" W
14.00'

S89° 32' 30" W 75.00'

P.O.B.
N: 6,994,233.84
E: 2,323,815.34

EXISTING R.O.W.

25' X 25'
P.O.S.E. PER PLAT

INDUSTRIAL AVENUE

VARIABLE WIDTH R.O.W.
NO DEED OF RECORD FOUND

CALLED 2.001 ACRES ±
BLOCK A, LOT 1A
RANCHO NORTH INDUSTRIAL
PARK UNIT NO. 1
CAB. B, PG. 751
O.P.R.T.C.T.
EFFECTIVE 08/20/1992

JOHN HIBBINS SURVEY
ABSTRACT NO. 638

QUICK CLAIM DEED
CALLED 2.0755 ACRES ±
QT SOUTH, LLC
DOC. NO. D220101248
O.P.R.T.C.T.
EXECUTED 05/02/2020
A.K.A.
CALLED 2.001 ACRES ±
BLOCK A, LOT 1B
RANCHO NORTH INDUSTRIAL
UNIT NO. 1
CAB. B, PG. 751
O.P.R.T.C.T.
EFFECTIVE 08/20/1992

LEGEND

- = DESCRIBED ACQUISITION
- = EXISTING ROW
- - - = RIGHT-OF-WAY PARCEL
- = PROPERTY LINE
- - - = EASEMENT
- - - = APPROX. SURVEY LINE
- - - = PROPOSED BASELINE
- = FEE HOOK

O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS
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IRF = IRON ROD FOUND

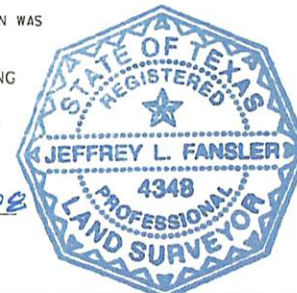
- △ = X-CUT SET (UNLESS OTHERWISE NOTED)
- = SET 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "COBB FENDLEY & ASSOCIATES" OR AS OTHERWISE NOTED
- = MONUMENT FOUND (AS NOTED)

NOTES:

1. BEARINGS SHOWN HEREIN ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), AND ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983 (NAD83), 2011 ADJUSTMENT, EPOCH 2010.
2. ALL DISTANCES AND COORDINATES SHOWN HEREIN ARE U.S. SURVEY FEET ADJUSTED TO SURFACE, UNLESS NOTED OTHERWISE, USING A SURFACE ADJUSTMENT FACTOR OF 1.00012.
(GRID NORTHING & GRID EASTING X 1.00012 = SURFACE) ORIGIN 0,0.
3. THIS SURVEY PLAT IS ACCOMPANIED BY A WRITTEN DESCRIPTION WHICH COVERS THE IDENTICAL PARCEL THAT IS SHOWN HEREIN, SIGNED AND SEALED ON EVEN DATE HERewith AND IS HEREBY MADE A PART OF THIS DOCUMENT.
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I HEREBY CERTIFY THAT THIS PLAT HEREIN AND ACCOMPANYING LEGAL DESCRIPTION OF EVEN SURVEY DATE REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

Jeffrey L. Fansler 2023-02-08
JEFFREY L. FANSLER, RPLS NO. 4348
COBB, FENDLEY & ASSOCIATES, INC.
TBPELS LAND SURVEYING FIRM NO. 10046700



GRID

SCALE: 1"=60'

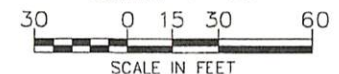


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COMMENCING at the northeast corner of said Lot 1 at the intersection of Farm to Market 156 (FM 156), also known as Blue Mound Road, a variable width right-of-way, and Triad Boulevard, a private 60 foot right-of-way, also known as Block 6, Lot 1 of said plat, from which a Magnail in concrete found bears North 34° 21' 31" West, a distance of 0.57 feet, and a 1/2 inch iron rod with cap stamped DEOTTE found, being the northwest corner of said Lot 1 and the northeast corner of said Lot 2, in said south right-of-way line of Triad Boulevard bears South 89° 14' 05" West, a distance of 691.28 feet;

THENCE South 00° 34' 11" East, along the common east line of said Lot 1 and said west right-of-way line of FM 156, a distance of 232.48 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the **POINT OF BEGINNING** having surface coordinates of North 6,994,541.03 and East 2,323,990.21 and being the northeast corner of herein described tract;

- 1) **THENCE** South 00° 34' 11" East, along the common east line of said Lot, said west right-of-way line of FM 156, and the east line of herein described tract, a distance of 30.00 feet to a 5/8 inch iron rod with cap stamped "COBB FENDLEY & ASSOCIATES" set, being the southeast corner of herein described tract;
- 2) **THENCE** South 89° 25' 49" West, across said Lot 1 and along the south line of herein described tract, a distance of 30.00 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the southwest corner of herein described tract;
- 3) **THENCE** North 00° 34' 11" West, continuing across said Lot 1 and along the west line of herein described tract, a distance of 30.00 feet to a Magnail with shiner stamped "COBBFENDLEY BOUNDARY" set, being the northwest corner of herein described tract;
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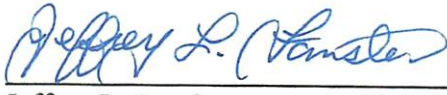
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 2023-02-08

Jeffrey L. Fansler
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6500 West Freeway, Suite 300
Fort Worth, Texas 76116
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