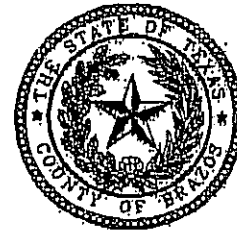


Kristeen Roe, RTA, CTA
Brazos County Tax Assessor/Collector
300 E. Wm J Bryan Pkwy
Bryan, TX 77803
979-361-4470
979-361-4487 - Fax



September 7, 2007

Rhonda Cumbie
College Station ISD

RE: Interest due per Sec. 42.43, Texas Property Tax Code
Multiple properties - CA NEW PLAN TEXAS LP

Dear Ms. Cumbie:

The Brazos County Tax Office has processed supplemental information on the accounts referenced above, as approved by the Appraisal Review Board. The accounts were the subject of an agreed judgment which created refunds that are subject to Sec. 42.43 of the Texas Property Tax Code.

Under this section of the code, the property owner is entitled to interest on the refund at 8% per annum for the number of days calculated from the original delinquency date of the tax year and the date of the ARB action. Refunds made more than 60 days after the date of the judgment accrue interest at 12%.

The attached calculations show the refund amounts that have been processed by the Brazos County Tax Office, and the additional 42.43 interest due the property owner from the College Station Independent School District. The interest due on the refunds for these properties is **\$2,886.05**.

Please make the remittance to the property owner and forward it to the tax office. This office will forward the payment to the taxpayer along with the other taxing jurisdiction remittances. We have included a copy of the agreed judgment and a copy of Sec. 42.43 of the Tax Code.

Respectfully,

A handwritten signature in cursive script that reads "Kristeen Roe".

Kristeen Roe, RTA, CTA
Tax Assessor/Collector
Brazos County

Enc

DC **RECEIVED**
 At _____ o'clock _____ M
 MAY 30 2007
 MARC HAMLIN, DIST CLERK
 Brazos County, Texas
 By _____ Deputy

CAUSE NO. 04-002373-CV-85

NEW PLAN EXCEL REALTY TRUST, INC. §
 VS. §
 BRAZOS COUNTY APPRAISAL DISTRICT §

IN THE DISTRICT COURT OF
 BRAZOS COUNTY, TEXAS
 85TH JUDICIAL DISTRICT

AGREED FINAL JUDGMENT

On this day, Plaintiff, NEW PLAN EXCEL REALTY TRUST, INC. and Defendant, BRAZOS COUNTY APPRAISAL DISTRICT, appeared by and through their attorneys of record and announced to the Court that they had reached a final settlement regarding the appraised value of the property which is the subject of this cause and which is more fully described in Plaintiff's Original Petition. The Court finds that the property made the basis of this suit is described in the records of the Brazos County Appraisal District as R25422, R25421, R25428, R86751, R25435, R45348, R87546, R50989, R50990, R105317, and R106682.

The parties have agreed that the appraised value of the property as of January 1, 2004 shall be as follows:

<u>Account Number</u>	<u>Value</u>
R25422	\$4,000,000
R25421	\$3,375,000
R25428	\$ 586,370
R86751	\$ 265,060

DC **FILED**
 At _____ o'clock _____ M
 JUN 11 2007
 MARC HAMLIN, DIST CLERK
 Brazos County, Texas
 By _____ Deputy

R25435	\$ 705,800
R45348	\$4,500,000
R87546	\$ 100,000
R50989	\$ 230,020
R50990	\$ 969,980
R105317	\$5,744,650
R106682	\$6,230,760

The Court having reviewed the pleadings on file herein and having reviewed the terms of the settlement is of the belief that it should be in all ways approved, accordingly.

IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. The appraised value placed by the BRAZOS COUNTY APPRAISAL DISTRICT and the Brazos County Appraisal Review Board upon Plaintiff's property, described in Plaintiff's Original Petition is hereby cancelled and set aside.

2. The Court hereby fixes the appraised value for Plaintiff's property as of January 1, 2004 as follows:

<u>Account Number</u>	<u>Value</u>
R25422	\$4,000,000
R25421	\$3,375,000
R25428	\$ 586,370
R86751	\$ 265,060
R25435	\$ 705,800
R45348	\$4,500,000
R87546	\$ 100,000
R50989	\$ 230,020
R50990	\$ 969,980
R105317	\$5,744,650
R106682	\$6,230,760

3. The BRAZOS COUNTY APPRAISAL DISTRICT shall correct the 2004 appraisal roll in conformity with this judgment to reflect the above appraised value for the subject property;

4. The BRAZOS COUNTY APPRAISAL DISTRICT shall certify said corrections to the taxing units in which the subject property is taxable in conformity with the post-appeal procedures provided by Chapter 42, Texas Property Tax Code.

5. All costs of Court are taxed against the party incurring same; and

6. All relief not expressly granted herein is hereby DENIED.

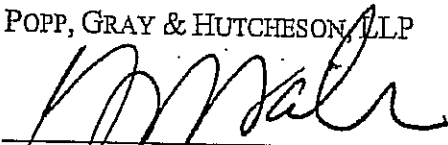
Signed on the 6th day of June, 2007.

ORIGINAL SIGNED BY
J.D. LANGLEY

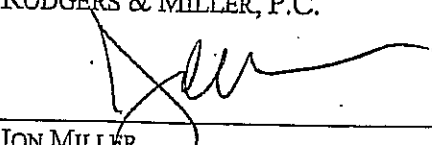
JUDGE PRESIDING

AGREED AS TO FORM AND SUBSTANCE:

POPP, GRAY & HUTCHESON, LLP


GILBERT DAVILA
Attorney for Plaintiff

RODGERS & MILLER, P.C.


JON MILLER
Attorney for Defendant