

QTA
\$21.00
6/11/96
ed. 20187

WARRANTY DEED

DATE: June 11, 1996

GRANTOR: FERD B. ENGLISH

GRANTOR'S MAILING ADDRESS (including county): **DOCH 401629**

9534 Chelmsford
San Antonio, Texas 78239
in Bexar County

1233 524

GRANTEE: GARY KING

GRANTEE'S MAILING ADDRESS (including county):

800 Piedras
San Marcos, Texas 78666
in Hays County

CONSIDERATION: TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration to the Grantors in hand paid.

PROPERTY (including improvements):

Tract One: Ten (10) acres of land, more or less, out of the Robert Wilkins Survey (A-491), also known as Tract 19 of Rocky Ranch Acres, Section Two (2), an unrecorded subdivision, in Hays County, Texas, as more particularly described by metes and bounds on Exhibit "A" which is attached hereto. Tract Two: Eleven (11) acres of land, more or less, out of the Robert Wilkins Survey (A-491), also known as Tract 20 of Rocky Ranch Acres, Section Two (2), an unrecorded subdivision, in Hays County, Texas, as more particularly described by metes and bounds on Exhibit "B" which is attached hereto;

together with an easement described as the centerline of a 50 foot wide strip of land and a 50 foot radius cul-de-sac in the Ada Joles Survey A-784 and the Robert Wilkins Survey A-491, Hays County, Texas, being a portion of that 1028.18 acre tract of land described in a Deed from Robert L. Boyd, et ux, to Mary Anne Hood, Trustee, dated May 10, 1974 and recorded in Volume 267, page 571 of the Hays County Deed Records and being more particularly described by metes and bounds in Exhibit "C" which is attached hereto.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

1. Pipeline easement granted to The Texas Pipeline Company by D. E. Mitchell, as evidenced by instrument dated August 14, 1928, and of record in Volume 96, Pages 419-420, Hays County Deed Records.
2. Pipeline easement granted to Texas-New Mexico Pipe Line Company by C. C. Mitchell, et ux, as evidenced by instrument dated July 16, 1946, and of record in Volume 135, Pages 463-464, Hays County Deed Records.
3. Pipeline easement granted to The Texas Pipeline Company by Katie Mitchell, et vir, as evidenced by instrument dated April 15, 1947, and of record in Volume 138, Pages 535-536, Hays County Deed Records.
4. Utility easement by evidenced by two instruments to Texas Power and Light Company by C. C. Mitchell, et al., one being dated February 21, 1929, and of record in Volume 98, pages 184-185, Hays County Deed Records, and other being dated April 25, 1929, and of record in Volume 98, pages 309-310, Hays County Deed Records.

OFFICIAL PUBLIC RECORDS
Hays County, Texas

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5. An undivided one-sixteenth (1/16th) of all of the oil, gas, and other minerals to and under the land, together with the right of ingress and egress at all times for the purposes of taking said minerals, reserved by grantors in two deeds from Martha E. Aderman Wire and husband Henry Wire, to Robert L. Boyd and wife, Mareese J. Boyd, both deeds being dated September 1, 1970, and one being of record in Volume 239, pages 279-283, Hays County Deed Records, and the other being of record in Volume 239, pages 284-287, Hays County Deed Records.
6. Easement in favor of Pedernales Electric Cooperative, Inc., as evidenced by instrument dated June 8, 1981, and of record in Volume 361, pages 142-143, Hays County Deed Records.
7. Twenty-five foot (25') Road Easement along southeast side of the property as shown on a plat prepared by James E. Byrn and Associates May 20, 1980.
8. Lien reserved to secure the payment of annual assessment as contained in restrictions of record in Volume 356, pages 543-550, of the Deed Records of Hays County, Texas.
9. Restrictions as set out in instrument of record in Volume 356, pages 524-529, and Volume 356, pages 543-550, Hays County Deed Records.
10. Any and all other restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, SELLS, and CONVEYS to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

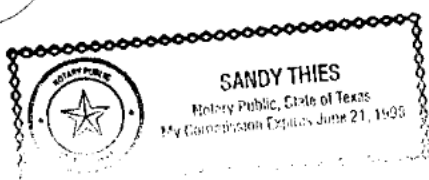

FERD B. ENGLISH

STATE OF TEXAS §

COUNTY OF Hays §

BEFORE ME, the undersigned authority, on this day personally appeared FERD B. ENGLISH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 11th day of June, 1996.




Notary Public - State of Texas

PREPARED IN THE LAW OFFICE OF:

AFTER RECORDING, RETURN TO:

H. C. Kyle, III
KYLE, WALKER & GOSSETT
P. O. Box 1708
San Marcos, Texas 78667

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Doc# 401629
Pages: 7
Date : 06-11-1996
Time : 10:54:25 A.M.
Filed & Recorded in
Official Records
of Hays County, TX.
MARGIE T VILLALPANDO
COUNTY CLERK
Rec. \$ 21.00

EXHIBIT "A"

DESCRIPTION OF A SURVEY MADE ON THE GROUND OF 10.00 ACRES OF LAND AREA IN THE ROBERT WILKINS SURVEY A-491, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT 1028.18 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM ROBERT L. BOYD, ET UX, TO MARY ANNE HOOD, TRUSTEE, DATED MAY 10, 1974 AND RECORDED IN VOLUME 267, PAGE 571 OF THE HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pipe found for the west corner of Lot 6 of Rocky Ranch Acres Subdivision, as recorded in Volume 1, Page 207 of the Hays County Plat Records in the northeast line of Hilliard Road as fenced, a roadway presently being used by the public and may be of record and described in Volume 94, Page 407 of the Hays County Deed Records;

THENCE crossing Hilliard Road S44°59'W 50.59 feet to an iron rod in the southwest line as fenced of Hilliard Road and the aforementioned 1028.18 acre Hood tract and being in the northeast line as fenced of that 1013.4 acre tract described in a deed from Charles H. Poulton to Joe Freeman dated April 11, 1960 and recorded in Volume 181, Page 442 of the Hays County Deed Records;

THENCE with the common line as fenced and used upon the ground of the Hood tract and the Freeman tract and the southwest line as fenced of Hilliard Road the following four courses:

1. N39°08'W 277.93 feet to an iron pipe found,
2. N45°01'W 432.52 feet to a fence post,
3. N55°20'W 408.74 feet to an iron rod, and
4. N55°30'W 396.70 feet to an iron rod;

THENCE entering the Hood 1028.18 acre tract the following two courses:

1. N45°04'15"E 365.71 feet to a "Y" chiselled in rock,
2. N45°00'26"E 4459.27 feet to an iron rod set for the PLACE OF BEGINNING of this tract;

THENCE leaving the PLACE OF BEGINNING as shown on that plat numbered 20078-80-a dated May 27, 1980 as prepared for Hood 235 Limited by James E. Byrn and Associates of San Marcos, Texas, N60°53'05"W 602.75 feet to an iron rod set for the west corner of this tract;

THENCE N45°00'26"E 584.67 feet to an iron rod set for the north corner of this tract;

THENCE S45°08'14"E 951.75 feet to a point for the east corner of this tract, pass at 925.67 feet an iron rod set;

THENCE with the southeast line of this tract the following three courses:

1. S39°12'W 173.42 feet to an angle point,
2. S25°56'35"W 125.71 feet to an angle point,
3. S17°36'07"W 7.91 feet to a point for the south corner of this tract;

THENCE N60°53'05"W 451.54 feet to the PLACE OF BEGINNING, pass at 25.51 feet an iron rod set. There are contained within these metes and bounds 10.00 acres of land area as surveyed on the ground during October 1980 by James E. Byrn and Associates of San Marcos, Texas.

Client: Hood 235 Limited
Date: November 11, 1980
Survey: Wilkins Survey A-491, Robert L. Boyd, et ux
County: Hays, Texas
Job No: 20078-80

JAMES E. BYRN
1810-C
James E. Byrn, R.P.S. #1810-C
Hays County Surveyor

TRACT 19

DESCRIPTION OF A SURVEY MADE ON THE GROUND OF 11.00 ACRES OF LAND AREA IN THE ROBERT WILKINS SURVEY A-491, HAYS COUNTY, TEXAS, BEING A PORTION OF THAT 1028.18 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM ROBERT L. BOYD, ET UX, TO MARY ANNE HOOD, TRUSTEE, DATED MAY 10, 1974 AND RECORDED IN VOLUME 267, PAGE 571 OF THE HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pipe found for the west corner of Lot 6 of Rocky Ranch Acres Subdivision, as recorded in Volume 1, Page 207 of the Hays County Plat Records in the northeast line of Hilliard Road as fenced, a roadway presently being used by the public and may be of record and described in Volume 94, Page 407 of the Hays County Deed Records;

THENCE crossing Hilliard Road S44°59'W 50.59 feet to an iron rod in the southwest line as fenced of Hilliard Road and the aforereferenced 1028.18 acre Hood tract and being in the northeast line as fenced of that 1013.4 acre tract described in a deed from Charles H. Poulton to Joe Freeman dated April 11, 1960 and recorded in Volume 181, Page 442 of the Hays County Deed Records;

THENCE with the common line as fenced and used upon the ground of the Hood tract and the Freeman tract and the southwest line as fenced of Hilliard Road the following four courses:

1. N39°08'W 277.93 feet to an iron pipe found,
2. N45°01'W 432.52 feet to a fence post,
3. N55°20'W 408.74 feet to an iron rod, and
4. N55°30'W 396.70 feet to an iron rod;

THENCE entering the Hood 1028.18 acre tract the following two courses:

1. N45°04'15"E 365.71 feet to a "Y" chiselled in rock,
2. N45°00'26"E 4459.27 feet to an iron rod set;

THENCE N60°53'05"W 602.75 feet to an iron rod set;

THENCE N45°00'26"E 584.67 feet to an iron rod set for the west corner and PLACE OF BEGINNING of this tract;

THENCE leaving the PLACE OF BEGINNING as shown on that plat numbered 20078-80-a dated May 27, 1980 as prepared for Hood 235 Limited by James E. Byrn and Associates of San Marcos, Texas, N45°00'26"E 502.76 feet to an iron rod set for the north corner of this tract;

THENCE S44°59'34"E 579.72 feet to an iron rod set for an interior corner of this tract;

THENCE N45°00'26"E 65.36 feet to an iron rod set for a salient corner of this tract;

THENCE S40°20'47"E 364.34 feet to a point for the east corner of this tract, pass at 314.34 feet an iron rod set;

THENCE with the southeast line of this tract the following three courses:

1. S42°25'W 149.18 feet to an angle point,
2. S80°39'46"W 137.66 feet to an angle point,
3. S28°20'51"W 287.39 feet to a point for the south corner of this tract;

THENCE N45°08'14"W 951.75 feet to the PLACE OF BEGINNING, pass at 26.08 feet an iron rod set. There are contained within these metes and bounds 11.00 acres of land area as surveyed on the ground during October 1980 by James E. Byrn and Associates of San Marcos, Texas.

Client: Hood 235 Limited
Date: November 11, 1980
Survey: Wilkins A-491, Robert
County: Hays, Texas
Job No: 20078-80



Byrn, R.P.S. 1810-C
Hays County Surveyor

TRACT 20

EXHIBIT "B"

~~EXHIBIT B~~ page 1

DESCRIPTION OF THE CENTERLINE OF A 50 FOOT WIDE STRIP OF LAND AND A 50 FOOT RADIUS CUL-DE-SAC IN THE ADA JOLES SURVEY A-784 AND THE ROBERT WILKINS SURVEY A-491, HAY COUNTY, TEXAS, BEING A PORTION OF THAT 1028.18 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM ROBERT L. BOYD, ET UX, TO MARY ANNE HOOD, TRUSTEE, DATED MAY 10, 1974 AND RECORDED IN VOLUME 267, PAGE 571 OF THE HAYS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pipe found for the west corner of Lot 6 of Rocky Ranch Acres Subdivision, as recorded in Volume 1, Page 207 of the Hays County Plat Records in the northeast line of Hilliard Road, as fenced, a roadway presently being used by the public and may be of record and described in Volume 94, Page 407 of the Hays County Deed Records

THENCE crossing Hilliard Road S44°59'W 50.59 feet to an iron rod in the southwest line, as fenced, of Hilliard Road and the aforereferenced 1028.18 acre Hood tract and being in the northeast line, as fenced, of that 1013.4 acre tract described in a deed from Charles H. Poulton to Joe Freeman dated April 11, 1960 and recorded in Volume 181, Page 442 of the Hays County Deed Records;

THENCE with the common line, as fenced and used upon the ground, of the Hood tract and the Freeman tract and the southwest line, as fenced, of Hilliard Road the following three courses;

1. N39°08'W 277.93 feet to an iron pipe found,
2. N45°01'W 432.52 feet to a fence post, and
3. N55°20'W 27.53 feet to an iron rod;

THENCE entering the Hood tract and crossing Hilliard Road N31°01'E 50.0 feet to a point in the northeast line, as fenced, of Hilliard Road for the southwest terminus and PLACE OF BEGINNING of this tract;

THENCE leaving the PLACE OF BEGINNING as shown on that plat numbered 20078-80-a as prepared for Hood 235 Limited by James E. Byrn and Associates of San Marcos, Texas, with the centerline of a strip of land being 50 feet in width the following sixteen courses:

1. N31°01'E 172.59 feet to a point,
2. N37°16'36"E 212.05 feet to a point,
3. N46°09'E 164.45 feet to a point,
4. N58°02'E 154.61 feet to a point,
5. N51°30'E 257.12 feet to a point,
6. N45°06'32"E 2726.36 feet to a point,
7. N33°07'40"E 671.85 feet to a point,
8. N30°51'21"E 201.36 feet to a point,
9. N36°45'38"E 124.55 feet to a point,
10. N28°07'25"E 105.09 feet to a point,
11. N17°36'07"E 250.88 feet to a point,
12. N25°56'38"E 125.71 feet to a point,
13. N39°12'E 173.42 feet to a point,
14. N28°20'51"E 287.39 feet to a point,
15. N80°39'46"E 137.66 feet to a point;
16. N42°25'E 149.18 feet to a point for the radius point of a 50 foot radius cul-de-sac to be included with the herein described 50 foot strip, from said point the north corner of the aforereferenced Rocky Ranch Acres Subdivision bears the following two courses: 1) N43°16'05"E 755.39 feet, and 2) S43°55'28"E 1168.66 feet. There are contained within these

EXHIBIT "C"

metes and bounds the description of the centerline of a 50 foot wide strip of land and a 50 foot radius cul-de-sac, as prepared from measurements made on the ground during May - October 1980 by James E. Byrn and Associates of San Marcos, Texas.

James E. Byrn, R.P.S. #1810-C
Hays County Surveyor

County of Hays, Texas
This survey was filed on the 11th day of June 1986 and was duly recorded in the Volume of Hays County, Texas, as changed by me.

JUN 11 1986

Myra Wilk
Myra Wilk

Client: Hood 235
Date: December 2, 1980
Survey: Wilkins A-491, Robert; Joles A-784, Ada
County: Hays, Texas
Job No: 20078-80-a

ROAD EASEMENT

EXHIBIT "C"