

Hays County
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2014 14033729

Instrument Number: 2014-14033729

As

Recorded On: November 14, 2014

OPR RECORDINGS

Parties: YZAGUIRRE SALVADOR M

Billable Pages: 9

To KYLE CITY OF

Number of Pages: 10

Comment:

(Parties listed above are for Clerks reference only)

**** THIS IS NOT A BILL ****

OPR RECORDINGS	58.00
Total Recording:	58.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number: 2014-14033729

Receipt Number: 382221

Recorded Date/Time: November 14, 2014 11:23:52A

Book-Vol/Pg: BK-OPR VL-5069 PG-132

User / Station: A Sanchez - Cashering #1

TRI-TECH SURVEYING

ORIGINAL RETURNED TO CUSTOMER

SAN MARCOS TX 78666



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and
time stamped hereon and was recorded on the volume and page of the named records
of Hays County, Texas

Liz Q. Gonzalez

Liz Q. Gonzalez, County Clerk

Bk Vol Pg
14033729 OFR 5069 133

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Date: November 13, 2014

Grantor: SALVADOR M. YZAGUIRRE, acting by DEBORA Y. DiFIORE, Attorney-in-Fact, and spouse, LUCILLE C. YZAGUIRRE

Grantor's Mailing Address:

Post Office Box 524
Kyle, Texas 7878640

Grantee: CITY OF KYLE, a municipal corporation

Grantee's Mailing Address:

100 West Center Street
Kyle, Texas 78640

Consideration: Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Being 0.059 of an acre out of Lot E, BLAS M. TENORIO SUBDIVISION, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 1, page 69, Plat Records, Hays County Texas, and being more particularly described by metes and bounds in Exhibit "A" attached.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2015, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.



FIELD NOTE DESCRIPTION OF A SURVEY OF 0.059 ACRES OF LAND OUT OF LOT E,
BLAS M. TENORIO SUBDIVISION, HAYS COUNTY, TEXAS

BEING 0.059 ACRES OUT OF LOT E, OF THE BLAS M. TENORIO SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 1, PAGE 69, HAYS COUNTY PLAT RECORDS, AS CONVEYED TO SALVADOR YZAGUIRRE BY DEED RECORDED VOLUME 350, PAGE 199, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT;

BEGINNING at a ½" iron pipe found the northeast corner of the said Lot E, same being at the northwest corner of West Hays Street, the southeast corner of Zapata Street and being the southwest corner of Lot 4, Block 5, of the said Tenorio Subdivision, for the northeast corner of the tract herein described;

THENCE, leaving Zapata Street and Lot 4, Block 5, with the west line of West Hays Street, S 10°22'49" W, 49.87 feet to a 1" iron pipe found for the northwest corner of Lot 1, Block 6, of the said Tenorio Subdivision, same being the southwest corner of West Hays Street and the southeast corner of the tract herein described;

THENCE, leaving West Hays Street and Lot 1, Block 6, crossing Lot E, N 81°14'43" W, 49.91 feet to a ½" iron stake with a plastic cap marked "TRI-TECH SURVEYING" set in the west line of Lot E, same being the east line of the Lindsey Vereta tract as shown under Hays Central Appraisal District Property ID # 16959 for the southwest corner of tract herein described;

THENCE, with the common line of Lot E and the Vereta tract, N 09°48'52" E. 53.04 feet to a ½" iron pipe found at the northwest corner of Lot E, same being the southwest corner of Zapata Street and the southeast corner of Lot D, of the said Tenorio Subdivision, for the northwest corner of the tract herein described;

THENCE, leaving the Vereta tract and Lot D, with the south line of Zapata Street, S 77°36'46" E, 50.45 feet to the POINT OF BEGINNING, and containing 0.059 acres of land. Surveyed November 4, 2014.



BY

Kelly Kilber

Registered Professional Land Surveyor Number 2219

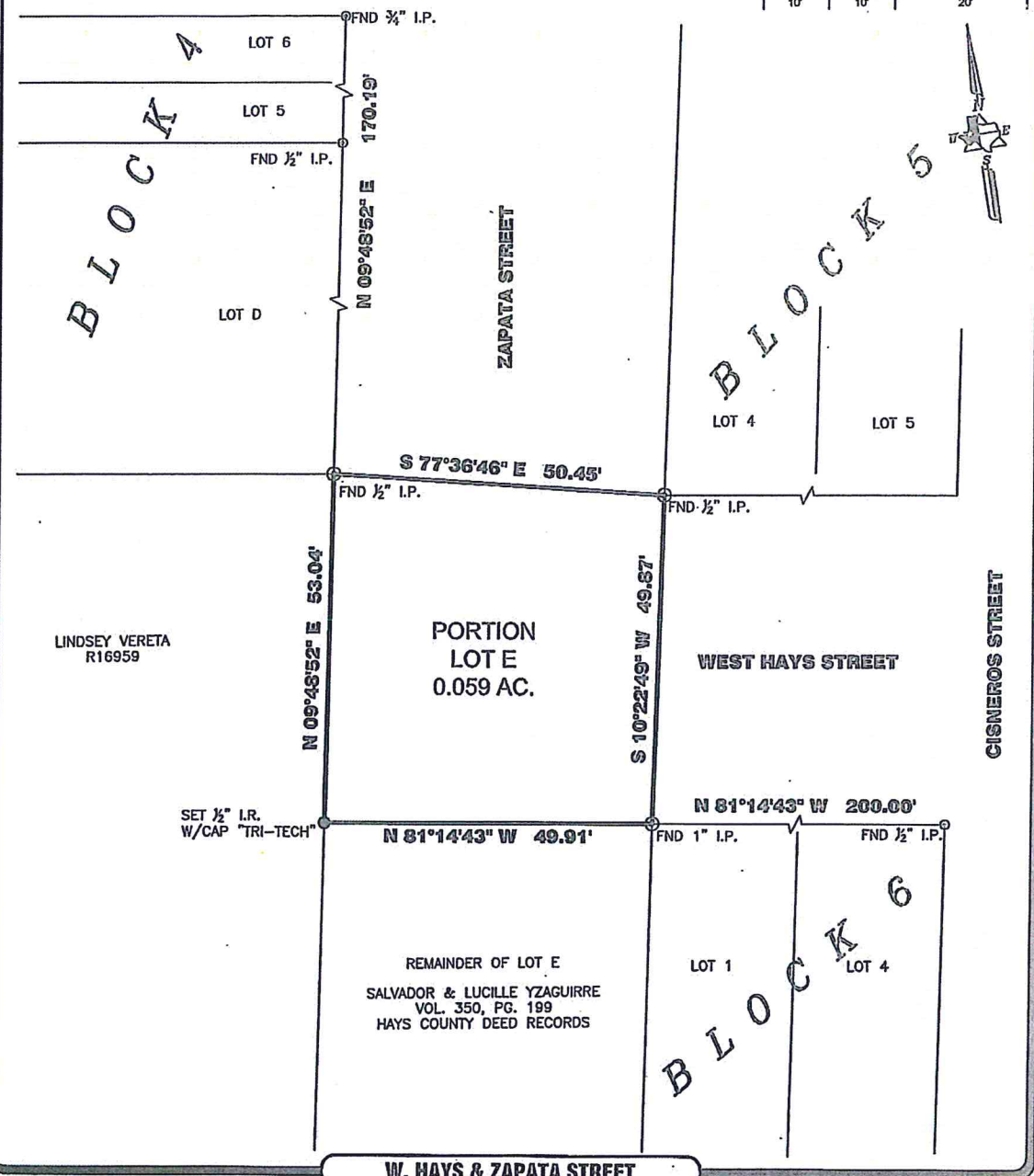
Exhibit "A"

*CITY ORDINANCES
 **RESTRICTIVE COVENANTS
 IRON FENCE — I —
 WOOD FENCE — // —
 OVERHEAD UTILITIES — U —
 DL = BUILDING LINE
 PL = PROPERTY LINE
 UE = UTILITY EASEMENT
 FNC = FENCE
 BUILDING LINE — — — — —
 ESMT LINE — — — — —
 I.R. = IRON ROD
 I.P. = IRON PIPE
 PUE = PUBLIC UTILITY ESMT.
 WLE = WATERLINE EASEMENT
 ROW = RIGHT OF WAY
 FND = FOUND

LEGEND
 CONCRETE
 COVERED
 ELECT. BOX
 A/C PAD
 FIRE HYDRANT
 LIGHT STANDARD
 UTILITY POLE
 MANHOLE
 WATER METER
 UTIL. PEDESTAL

SCALE 1"=20'

10' 10' 20'



Bk Vol Pg
 14033729 OPR 5069 136

W. HAYS & ZAPATA STREET

PROPERTY INFORMATION

LOT E BLOCK -

SUBDIVISION:
 BLAS M. TENORIO SUBDIVISION

RECORDING INFO:
 RECORDED UNDER VOL. 1, PG. 69-70
 PLAT RECORDS OF HAYS COUNTY, TEXAS.

DRAWING INFORMATION

ADDRESS: W. HAYS & ZAPATA STREET

TT JOB NO: PRO-162-14

DRAWN BY: LP

BEARING BASE: NAD 83 TX SC 4204

FIELD DATE 11-04-14

SURVEYED FOR: CITY OF KYLE, TX.

TITLE CO: NA

G.F. # - G.F. DATE -

ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.

PROPERTY SUBJECT TO RECORDED RESTRICTIONS, REGULATIONS, & ORDINANCES, IF ANY.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AT THE REQUEST OF THE CITY OF KYLE, AND MAY NOT SHOW ALL ENCUMBRANCES OF RECORD. THE OWNER/BUILDER MUST VERIFY ALL BUILDING LINES, EASEMENTS, RESTRICTIONS AND ORDINANCES, IF ANY, THAT MAY AFFECT SUBJECT PROPERTY PRIOR TO STARTING CONSTRUCTION. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. SURVEYOR RECOMMENDED A CURRENT TITLE REPORT SHOULD HAVE BEEN OBTAINED.

OWNER/BUILDER MUST VERIFY MINIMUM PROPOSED FINISHED FLOOR REQUIREMENTS OF F.E.M.A. AND/OR LOCAL GOVERNMENT AUTHORITIES, INCLUDING APPLICABLE BENCHMARK DATUM AND ADJUSTMENT, PRIOR TO PLANNING AND/OR CONSTRUCTION.

ALL BUILDING LINES, RECORDED EASEMENTS, UNRECORDED EASEMENTS, BUILDING RESTRICTIONS (DEED RESTRICTIONS, ETC.) AND ZONING ORDINANCES, IF ANY, THAT AFFECT SUBJECT PROPERTY SHOULD BE VERIFIED.

THIS SURVEY DOES NOT ADDRESS ANY EAVES, GUTTERS OR OTHER OVERHANGING STRUCTURE FEATURES, WHICH MAY PROTRUDE OVER BOUNDARY, EASEMENT AND/OR BUILDING LINES, UNLESS OTHERWISE SHOWN HEREON.

A GROUND AND/OR AERIAL EASEMENT MAY EXIST ADJACENT TO ANY EXISTING UTILITY. OWNER AND BUILDERS SHOULD VERIFY WITH APPLICABLE UTILITY COMPANIES PRIOR TO PLANNING OR CONSTRUCTION.

REVISIONS

NO.	DATE	REASON	BY

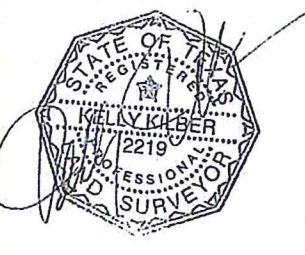
NOTES

CERTIFICATION

I, the undersigned registered professional land surveyor, do hereby state that the plat shown hereon represents a boundary survey made on the ground under my supervision of the tract or parcel of land, according to the map or plat thereof, indicated hereon. THIS SURVEY IS VALID FOR THIS TRANSACTION ONLY. © 2014, TRI-TECH SURVEYING COMPANY, L.P.

TRI-TECH SURVEYING COMPANY, L.P.
 Firm Reg. Number 10103729
 www.surveyingcompany.com

100 E. San Antonio St. Ste. 100 Phone: (512) 440-0222
 San Marcos, Texas 78666 Fax: (512) 440-0224

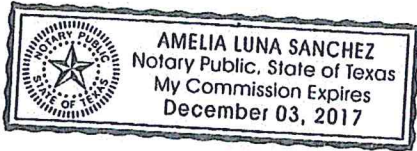


Surveyor Registration

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, when the claim is by, through or under Grantor, but not otherwise.

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

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.



SALVADOR M. YZAGUIRRE

By: Debora Y. DiFiore

DEBORA Y. DiFIORE, Attorney-in-Fact

Lucille C. Yzaguirre
LUCILLE C. YZAGUIRRE

STATE OF TEXAS)

COUNTY OF HAYS)

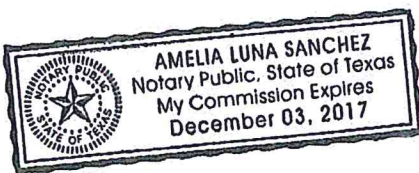
This instrument was acknowledged before me on November 13, 2014, by DEBORA Y. DiFIORE as Attorney-in-Fact on behalf of SALVADOR M. YZAGUIRRE.

Amelia Luna Sanchez
Notary Public, State of Texas

STATE OF TEXAS)

COUNTY OF HAYS)

This instrument was acknowledged before me on November 13, 2014, by LUCILLE C. YZAGUIRRE.



Amelia Luna Sanchez
Notary Public, State of Texas

STATUTORY DURABLE POWER OF ATTORNEY
OF
SALVADOR M. YZAGUIRRE

NOTICE: THE POWERS GRANTED BY THIS DOCUMENT ARE BROAD AND SWEEPING. THEY ARE EXPLAINED IN THE DURABLE POWER OF ATTORNEY ACT, SUBTITLE P, TITLE 2, ESTATES CODE. IF YOU HAVE ANY QUESTIONS ABOUT THESE POWERS, OBTAIN COMPETENT LEGAL ADVICE. THIS DOCUMENT DOES NOT AUTHORIZE ANYONE TO MAKE MEDICAL AND OTHER HEALTH-CARE DECISIONS FOR YOU. YOU MAY REVOKE THIS POWER OF ATTORNEY IF YOU LATER WISH TO DO SO.

You should select someone you trust to serve as your agent (attorney in fact). Unless you specify otherwise, generally the agent's (attorney in fact's) authority will continue until:

- (1) you die or revoke the power of attorney;
- (2) your agent (attorney in fact) resigns or is unable to act for you; or
- (3) a guardian is appointed for your estate.

I, SALVADOR M. YZAGUIRRE, 2001 Goforth Road, Kyle, Texas, 78640, appoint DEBORA Y. DiFIORE, 4700 Frontier Trail, Austin, Texas, 78745, as my agent (attorney in fact) to act for me in any lawful way with respect to all of the following powers that I have initialed below.

TO GRANT ALL OF THE FOLLOWING POWERS, INITIAL THE LINE IN FRONT OF (N) AND IGNORE THE LINES IN FRONT OF THE OTHER POWERS LISTED IN (A) THROUGH (M).

TO GRANT A POWER, YOU MUST INITIAL THE LINE IN FRONT OF THE POWER YOU ARE GRANTING.

TO WITHHOLD A POWER, DO NOT INITIAL THE LINE IN FRONT OF THE POWER. YOU MAY, BUT DO NOT NEED TO, CROSS OUT EACH POWER WITHHELD.

- ____ (A) Real property transactions;
- ____ (B) Tangible personal property transactions;
- ____ (C) Stock and bond transactions;
- ____ (D) Commodity and option transactions;
- ____ (E) Banking and other financial institution transactions;
- ____ (F) Business operating transactions;

- ☐ (G) Insurance and annuity transactions;
- ☐ (H) Estate, trust, and other beneficiary transactions;
- ☐ (I) Claims and litigation;
- ☐ (J) Personal and family maintenance;
- ☐ (K) Benefits from social security, Medicare, Medicaid, or other governmental programs or civil or military service;
- ☐ (L) Retirement plan transactions;
- ☐ (M) Tax matters;

Smz

(N) ALL OF THE POWERS LISTED IN (A) THROUGH (M). YOU DO NOT HAVE TO INITIAL THE LINE IN FRONT OF ANY OTHER POWER IF YOU INITIAL LINE (N).

UNLESS YOU DIRECT OTHERWISE, THIS POWER OF ATTORNEY IS EFFECTIVE IMMEDIATELY AND WILL CONTINUE UNTIL IT IS REVOKED.

CHOOSE ONE OF THE FOLLOWING ALTERNATIVES BY CROSSING OUT THE ALTERNATIVE NOT CHOSEN:

- (A) This power of attorney is not affected by my subsequent disability or incapacity.
- (B) This power of attorney becomes effective upon my disability or incapacity.

YOU SHOULD CHOOSE ALTERNATIVE (A) IF THIS POWER OF ATTORNEY IS TO BECOME EFFECTIVE ON THE DATE IT IS EXECUTED.

IF NEITHER (A) NOR (B) IS CROSSED OUT, IT WILL BE ASSUMED THAT YOU CHOSE ALTERNATIVE (A).

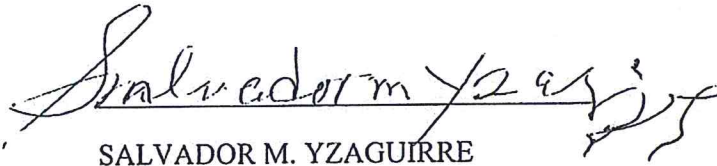
If Alternative (B) is chosen and a definition of my disability or incapacity is not contained in this power of attorney, I shall be considered disabled or incapacitated for purposes of this power of attorney if a physician certifies in writing at a date later than the date this power of attorney is executed that, based on the physician's medical examination of me, I am mentally incapable of managing my financial affairs. I authorize the physician who examines me for this purpose to disclose my physical or mental condition to another person for purposes of this power of attorney. A third party who accepts this power of attorney is fully protected from any action taken under this power of attorney that is based on the determination made by a physician of my disability or incapacity.

I agree that any third party who receives a copy of this document may act under it. Revocation of the durable power of attorney is not effective as to a third party until the third party receives actual notice of the revocation. I agree to indemnify the third party for any claims that arise against the third party because of reliance on this power of attorney.

Ad
03-31-2014

If the agent named by me dies, becomes legally disabled, resigns, or refuses to act, I name the following person to serve as my successor agent: SALENA E. YZAGUIRRE, 2108 Wordsworth, Austin, Texas, 78704.

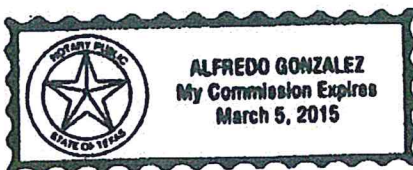
Signed this 31 day of MARCH, 2014.

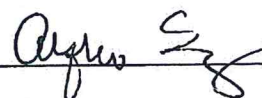

SALVADOR M. YZAGUIRRE

STATE OF TEXAS

COUNTY OF TEXAS/ TRAVIS

This document was acknowledged before me on this the 31 day of MARCH, 2014, by SALVADOR M. YZAGUIRRE.




Notary Public, State of Texas

IMPORTANT INFORMATION FOR AGENT (ATTORNEY IN FACT)

Agent's Duties

When you accept the authority granted under this power of attorney, you establish a "fiduciary" relationship with the principal. This is a special legal relationship that imposes on you legal duties that continue until you resign or the power of attorney is terminated or revoked by the principal or by operation of law. A fiduciary duty generally includes the duty to:

Statutory Durable Power of Attorney

- (1) act in good faith;
- (2) do nothing beyond the authority granted in this power of attorney;
- (3) act loyally for the principal's benefit;
- (4) avoid conflicts that would impair your ability to act in the principal's best interest;
and
- (5) disclose your identity as an agent or attorney in fact when you act for the principal by writing or printing the name of the principal and signing your own name as "agent" or "attorney in fact" in the following manner:

(Principal's Name) by (Your Signature) as Agent (or as Attorney in Fact)

In addition, the Durable Power of Attorney Act (Subtitle P, Title 2, Estates Code) requires you to:

- (1) maintain records of each action taken or decision made on behalf of the principal;
- (2) maintain all records until delivered to the principal, released by the principal, or discharged by a court; and
- (3) if requested by the principal, provide an accounting to the principal that, unless otherwise directed by the principal or otherwise provided in the Special Instructions, must include:
 - (A) the property belonging to the principal that has come to your knowledge or into your possession;
 - (B) each action taken or decision made by you as agent or attorney in fact;
 - (C) a complete account of receipts, disbursements, and other actions of you as agent or attorney in fact that includes the source and nature of each receipt, disbursement, or action, with receipts of principal and income shown separately;
 - (D) a listing of all property over which you have exercised control that includes an adequate description of each asset and the asset's current value, if known to you;
 - (E) the cash balance on hand and the name and location of the depository at which the cash balance is kept;
 - (F) each known liability;

- (G) any other information and facts known to you as necessary for a full and definite understanding of the exact condition of the property belonging to the principal; and
- (H) all documentation regarding the principal's property.

Termination of Agent's Authority

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. An event that terminates this power of attorney or your authority to act under this power of attorney includes:

- (1) the principal's death;
- (2) the principal's revocation of this power of attorney or your authority;
- (3) the occurrence of a termination event stated in this power of attorney;
- (4) if you are married to the principal, the dissolution of your marriage by court decree of divorce or annulment;
- (5) the appointment and qualification of a permanent guardian of the principal's estate; or
- (6) if ordered by a court, the suspension of this power of attorney on the appointment and qualification of a temporary guardian until the date the term of the temporary guardian expires.

Liability of Agent

The authority granted to you under this power of attorney is specified in the Durable Power of Attorney Act (Subtitle P, Title 2, Estates Code). If you violate the Durable Power of Attorney Act or act beyond the authority granted, you may be liable for any damages caused by the violation or subject to prosecution for misapplication of property by a fiduciary under Chapter 32 of the Texas Penal Code.

THE ATTORNEY IN FACT OR AGENT, BY ACCEPTING OR ACTING UNDER THE APPOINTMENT, ASSUMES THE FIDUCIARY AND OTHER LEGAL RESPONSIBILITIES OF AN AGENT.