

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: _____, 2020

Grantor: PLUM CREEK DEVELOPMENT PARTNERS, LTD., a Texas limited partnership

Grantee: CITY OF KYLE, a Texas Municipal corporation

Consideration:

Ten and NO/100 Dollars (\$10.00), together other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

All that certain 0.2754 acre tract, in the M.M. McCarver League No. 4, Abstract No. 10, Hays County, Texas, being more particularly described by metes and bounds and depicted in **EXHIBIT A** attached hereto and made a part hereof

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 2020, which Grantee assumes and agrees to pay, but not subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

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 when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

This Special Warranty Deed may be executed in multiple counterparts, each of which shall be declared an original.

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

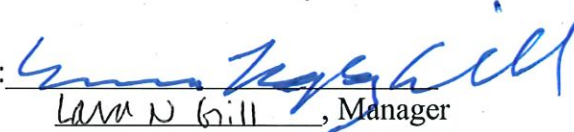
[signature and acknowledgement pages follow]

GRANTOR:

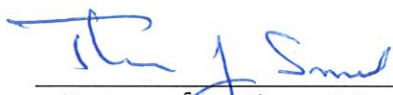
PLUM CREEK DEVELOPMENT PARTNERS, LTD.,
a Texas limited partnership

By: PCDP General Partner, LLC, a Texas limited
liability company, its general partner

By: 
Richard Nezey, Manager

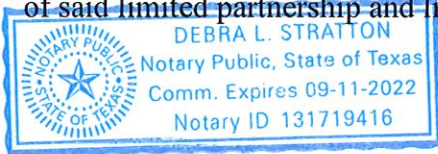
By: 
LAM N Gill, Manager

By: MountainCityLand, LLC,
a Texas limited liability company, its Manager

By: 
Thomas Smith, Manager

STATE OF TEXAS §
 §
COUNTY OF HAYS §

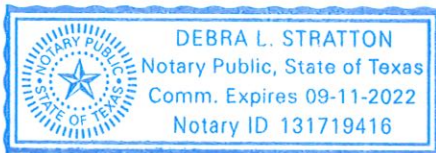
This instrument was acknowledged before me this 19th day of December, 2019, by Richard Negley Manager of PCDP General Partner, LLC, a Texas limited liability company, general partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited partnership and limited liability company.



Debra Stratton
Notary Public – State of Texas

STATE OF TEXAS §
 §
COUNTY OF HAYS §

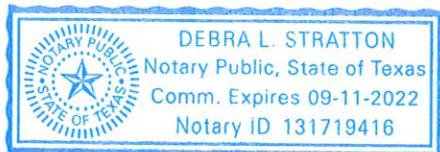
This instrument was acknowledged before me this 19th day of December, 2019, by Thomas Smith, Manager of PCDP General Partner, LLC, a Texas limited liability company, general partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited partnership and limited liability company.



Debra Stratton
Notary Public – State of Texas

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me this 17th day of December, 2019, by Lara Gil, Manager of MountainCityLand, LLC, a Texas limited liability company, the manager of PCDP General Partner, LLC, a Texas limited liability company, general partner of Plum Creek Development Partners, Ltd., a Texas limited partnership, on behalf of said limited partnership and limited liability companies.



Debra Stratton
Notary Public – State of Texas

ACCEPTED BY THE CITY OF KYLE, TEXAS (Grantee):

STATE OF TEXAS)

COUNTY OF HAYS)

This instrument was acknowledged before me on _____, 20__, by
_____, _____, City of Kyle, in his stated capacity on behalf of said city.

Notary Public, State of Texas

My commission expires: _____

AFTER RECORDING RETURN TO:

City of Kyle
Attn: City Secretary
P. O. Box 40
Kyle, Texas 78640

EXHIBIT A

[attached]

"EXHIBIT A"

DESCRIPTION OF 0.2754 OF ONE ACRE OF LAND IN THE M.M. McCARVER LEAGUE NO. 4, ABSTRACT NO. 10, HAYS COUNTY, TEXAS; BEING A PORTION OF THE REMAINDER OF A CERTAIN CALLED 983.99 ACRE TRACT DESIGNATED AS TRACT 2 OF EXHIBIT "A" AND DESCRIBED IN THE DEED WITHOUT WARRANTY TO MOUNTAIN PLUM, LTD. OF RECORD IN VOLUME 2297, PAGE 139, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID 0.2754 OF ONE ACRE OF LAND, AS SURVEYED BY LANDDEV CONSULTING, LLC, AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod with a plastic cap stamped "BCG" (Grid Coordinates: N= 13,923,095.76, E= 2,322,384.89) found in the north right-of-way line of Kohler's Crossing (County Road 171), a variable-width right-of-way, in the north line of a certain called 1.171 acre tract designated as Tract 1, being a portion of a certain called 2.163 acre tract described in the Special Warranty Deed Dedication of Right-of-Way to the City of Kyle, Texas, of record in Volume 3220, Page 508, Official Public Records of Hays County, Texas, at the southerly southeast corner of a certain called 324.250 acre tract designated as Tract 1 and described in the deed to Lennar Homes of Texas Land and Construction, LTD. of record in Instrument No. 16029226, Official Public Records of Hays County, Texas, for the southwest corner and **POINT OF BEGINNING** of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BCG" found at an angle point in the north right-of-way line of said Kohler's Crossing, and the north line of the said 1.171 acre tract, same being the south line of the said 324.250 acre tract bears S 87°20'02" W, a distance of 283.51 feet;

THENCE N 00°28'58" W, leaving the north right-of-way line of said Kohler's Crossing, and the north line of the said 1.171 acre tract, crossing the said 983.99 acre tract, with an east line of the said 324.250 acre tract, and with the west line of the tract described herein, a distance of 513.85 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set for the northwest corner of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BCG" found at an angle point in the east line of the said 324.250 acre tract bears N 00°28'58" W, a distance of 201.30 feet;

THENCE leaving the east line of the said 324.250 acre tract, continuing across the said 983.99 acre tract, with the north and east lines of the tract described herein, the following four (4) courses and distances:

1. N 89°31'00" E, distance of 36.81 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set for the northeast corner of the tract described herein,
2. S 00°29'00" E, a distance of 50.00 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set for a point of non-tangent curvature of the tract described herein,
3. With the arc of a curve to the left, having a radius of 15.00 feet, an arc distance of 23.56 feet, and a chord which bears S 44°31'00" W, a distance of 21.21 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set for a point-of-tangency, and
4. S 00°29'00" E, a distance of 448.07 feet to a ½-inch iron rod with a plastic cap stamped "LANDDEV" set in the north right-of-way line of said Kohler's Crossing, and the north line of the said 1.171 acre tract, for the southeast corner of the tract described herein, from which a ½-inch iron rod with a plastic cap stamped "BCG" found at an angle point in the north right-of-way line of said Kohler's Crossing and the north line of the said 1.171 acre tract bears N 87°27'51" E, a distance of 5.27 feet;

THENCE S 87°27'51" W, with the north right-of-way line of said Kohler's Crossing and the north line of the said 1.171 acre tract, with the south line of the tract described herein, a distance of 21.83 feet to the **POINT OF BEGINNING** and containing 0.2754 of one acre of land, more or less.

BEARING BASIS: Texas Coordinate System, South Central Zone, NAD83, Grid.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Ernesto Navarrete, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the parcel of land described herein is based upon a survey performed upon the ground under my direct supervision during the months of August and November 2019.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 11th day of November 2019 A.D.

LANDDEV CONSULTING, LLC
5508 Highway 290 West, Suite 150
Austin, Texas 78735


Ernesto Navarrete
Registered Professional Land Surveyor
No. 6642 – State of Texas



**M.M. McCARVER
LEAGUE NO. 4,
ABSTRACT 10**

(324.250 ACRES)
TRACT 1
SPECIAL WARRANTY DEED WITH
VENDOR'S LIEN
LENNAR HOMES OF TEXAS LAND AND
CONSTRUCTION, LTD.
INSTRUMENT NO. 16029226,
O.P.R.H.C.TX

LEGEND

- ⊙ 1/2" IRON ROD W/ PLASTIC CAP
STAMPED "LANDDEV" SET
- ⊙ 1/2" IRON ROD WITH CAP FOUND
AS NOTED

() RECORD INFORMATION

O.P.R.H.C.TX OFFICIAL PUBLIC RECORDS
HAYS COUNTY, TEXAS

**POINT OF BEGINNING
GRID COORDINATES:**
N: 13923095.76
E: 2322384.89

(N 87°19'58" E 283.45')
(S 87°20'02" W 283.51')

KOHLER'S CROSSING
(C.R. 171)
(R.O.W. VARIES)

**AREA OF DETAIL
(THIS SHEET)**

(2.163 ACRES) (TRACT 1 - 1.171 AC.)
DEDICATION OF RIGHT-OF-WAY
CITY OF KYLE, TEXAS,
VOL. 3220, PG. 508, O.P.R.H.C.TX.

FILE NO. 1373

LANDDEV

CONSULTING, L.L.C.
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
TOLL FREE NO. 1.817.410.1

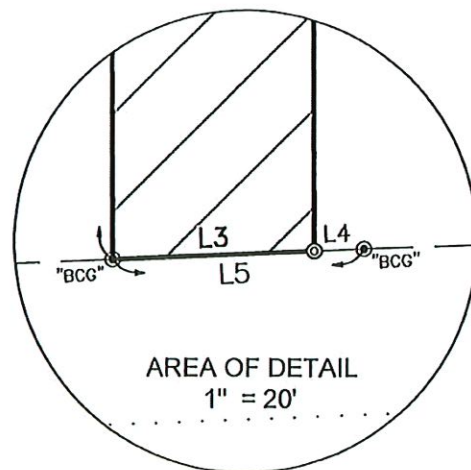
SURVEY SKETCH to Accompany Description:

**0.2754 OF ONE ACRE OF LAND IN THE
M.M. McCARVER LEAGUE No. 4,
ABSTRACT No. 10
HAYS COUNTY, TEXAS**

0' 100 200
GRAPHIC SCALE: 1" = 100'

REMAINDER (983.99 AC.)
TRACT 2 OF EXHIBIT "A"
DEED WITHOUT WARRANTY
TO MOUNTAIN PLUM, LTD.
VOL. 2297, PG. 139
O.P.R.H.C.TX

0.2754 ACRE
(11,999 SQ. FT.)



"BCG"

N 00°28'58" W 201.30'

(N 00°28'58" W 715.15'
(N 00°29'00" W 715.18')

N 00°28'58" W 513.85'

S 00°29'00" E 448.07'

L1

L2

L3

L4

"BCG"

"BCG"

"BCG"

"BCG"

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	15.00'	23.56'	S 44°31'00" W	21.21'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°31'00" E	36.81'
L2	S 00°29'00" E	50.00'
L3	S 87°27'51" W	21.83'
L4	N 87°27'51" E	5.27'
L5	N 87°27'51" E (N 87°19'58" E)	27.11' (27.10')

NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, GRID.
2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS, TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 0.999902.

FILE NO. 1373

LAND DEV

CONSULTING, LLC
5508 HIGHWAY 290 WEST, SUITE 150
AUSTIN, TX 78735
OFFICE: 512.872.6696
TOLLS FREE NO. 18194181

SURVEY SKETCH to Accompany Description:

0.2754 OF ONE ACRE OF LAND IN THE
M.M. McCARVER LEAGUE No. 4,
ABSTRACT No. 10
HAYS COUNTY, TEXAS