

Independence Title/GF# 2253921 -SMA/LBA

Special Warranty Deed with Vendor's Lien

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.

Date: May 24, 2023

Grantor: PENN-COLLIER-KYLE, LTD.

Grantor's Mailing Address:

P.O. Box 2459
San Marcos, TX 78667

Grantee: TGS02-KYLE LLC

Grantee's Mailing Address:

10215 James Ryan Way
Austin, TX 78730

Consideration: Cash and a note of even date executed by Grantee and payable to the order of FIRST LOCKHART NATIONAL BANK in the principal amount of Six Hundred Eleven Thousand Two Hundred Fifty and 00/100 Dollars (\$611,250.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of FIRST LOCKHART NATIONAL BANK and by a first-lien deed of trust of even date from Grantee to MARK W. SHEFFIELD, Trustee.

FIRST LOCKHART NATIONAL BANK, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of FIRST LOCKHART NATIONAL BANK and are transferred to FIRST LOCKHART NATIONAL BANK without recourse against Grantor.

Property (including any improvements):

Lot 1, PANTHER PARK SECTION TWO, a subdivision in Hays County, Texas, according to the map or plat thereof, recorded in Volume 11, Page 304, Plat Records, Hays County, Texas.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty: Liens described as part of the Consideration; validly existing easements, rights-of-way, and prescriptive rights of record; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for 2023, 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.

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.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

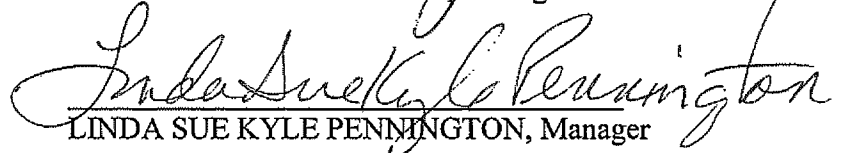
When the context requires, singular nouns and pronouns include the plural.

PENN-COLLIER-KYLE, LTD.

By: PENNINGTON MANAGEMENT, LLC,
General Partner

By:


WILLIAM C. PENNINGTON, Manager

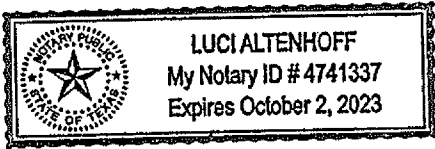

LINDA SUE KYLE PENNINGTON, Manager

STATE OF TEXAS

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COUNTY OF HAYS

This instrument was acknowledged before me on the 24th day of May, 2023, by WILLIAM C. PENNINGTON, Manager of PENNINGTON MANAGEMENT, LLC, on behalf of said limited liability company in its capacity as General Partner of PENN-COLLIER-KYLE, LTD., on behalf of said limited partnership.



Lucien Altenhoff

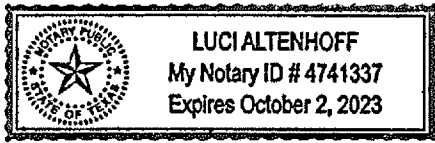
NOTARY PUBLIC, State of Texas

STATE OF TEXAS

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COUNTY OF HAYS

This instrument was acknowledged before me on the 24th day of May, 2023, by LINDA SUE KYLE PENNINGTON, Manager of PENNINGTON MANAGEMENT, LLC, on behalf of said limited liability company in its capacity as General Partner of PENN-COLLIER-KYLE, LTD., on behalf of said limited partnership.



Lucien Altenhoff

NOTARY PUBLIC, State of Texas

**THE STATE OF TEXAS
COUNTY OF HAYS**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

23018638 DEED
05/25/2023 02:31:41 PM Total Fees: \$34.00

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays County, Texas

