

WARRANTY DEED

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9351

THE STATE OF TEXAS §
COUNTY OF KERR §

KNOW ALL MEN BY THESE PRESENTS:

That KERRVILLE SOUTH, INC., a Texas corporation, acting herein by and through its duly authorized attorney in fact, G. E. Lehmann, specially thereto constituted by power of attorney in a resolution granting general authority to said attorney in fact, G. E. Lehmann, to convey land pursuant to Article 5.08, Texas Business Corporation Act, adopted and passed by the Board of Directors of said corporation on the 8th day of October 1971, and recorded in Volume 158, Page 460, Deed Records of Kerr County, Texas, as by reference thereto will more fully appear, hereinafter referred to as Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to it in hand paid by MORRIS W. HARRIS and wife, GLORIA M. HARRIS, of the County of Kerr, State of Texas, hereinafter referred to as Grantees, the receipt of which is hereby acknowledged and confessed, and for which no lien expressed or implied, does or shall exist, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY, unto the above named Grantees, all that certain tract or parcel of land, lying and being situated in the County of Kerr, State of Texas, and more particularly described as follows, to-wit:

All that certain tract or parcel of land, lying and being situated in the County of Kerr, State of Texas, comprising 8.72 acres of land out of Original Survey No. 146, William C. Francis, Abstract No. 137, being a part of that 959 acres of land out of said Survey No. 146, which was conveyed from Clyde MaMahon and W. D. Caldwell to G. E. Lehmann and Gordon H. Monroe by deed dated September 27, 1966, of record in Volume 125 at Page 558 of the Deed Records of Kerr County, Texas, subject tract being more particularly described by metes and bounds as follows, to-wit:

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BEGINNING at an iron stake and fence corner, the North corner of that 5.717 acre tract which was conveyed from G. E. Lehmann and Gordon H. Monroe to Morris W. Harris by deed dated January 24, 1968 of record in Volume 131 at Page 667 of the Deed Records of Kerr County, Texas, said corner being in the South line of 60 foot wide Ranchero Road and being located approximately 2509 feet N. 45° 00' E. and 339.1 feet S. 55° 26' E. from the South corner of Original Survey No. 145, Thomas L. Waddel;

THENCE with the South line of said Ranchero Drive, N. 73° 09' E. 431.1 feet to an iron stake the North corner of this tract;

THENCE S. 17° 21' E. 1059.7 feet to an iron stake in fence the NE line of that 14 acre tract which was conveyed from G. E. Lehmann and Gordon H. Monroe to Morris W. Harris and wife, Gloria S. Harris, by deed dated October 21, 1966, and recorded in Volume 126 at Page 137 of the Deed Records of Kerr County, Texas;

THENCE with fence N. 67° 32' W. 561.0 feet to a fence corner post, a re-entrant corner of aforesaid 5.717 acre tract;

THENCE with the NE line of said 5.717 acre tract N. 17° 21' W. 703.8 feet to the PLACE OF BEGINNING.

Surveyed on the ground and field notes written by Louis Domingues, Registered Professional Engineer No. 1633, Registered Public Surveyor No. 222, Licensed State Land Surveyor and County Surveyor of Kerr County, Texas, July 17, 1973.

SAVE AND EXCEPT from the land hereinabove described the undivided one-half (1/2) non-participating royalty interest reserved by V. P. Tippett and Ergeal B. Tippett in the oil, gas and other minerals of the land above described, and being the interest in the customary one-eighth (1/8th) royalty provided in oil, gas and other mineral leases, but with no interest in the bonus or any rentals paid under any such leases being reserved, and the right to execute oil, gas and other mineral leases being conveyed by V. P. Tippett and Ergeal B. Tippett to their grantees, their heirs and assigns, which said rights are hereby conveyed by Grantor herein to Grantee in this instrument, said undivided one-half (1/2) non-participating royalty interest being more fully described in that certain Correction Deed dated May 9, 1962, from V. P. Tippett and wife, Ergeal B. Tippett, to Herman A. Swan, et al, recorded in Volume 124, page 100, Deed Records of Kerr County, Texas, to which instrument and its record reference is here made for all purposes.

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This deed is subject to the covenants hereby made by Grantees and made and accepted subject to the restrictions and conditions upon the premises herein conveyed as follows, to-wit:

FIRST. That these covenants are to run with the land and shall be binding upon the Grantees and all persons claiming under them until January 1, 1990.

SECOND. That the above described property herein conveyed shall be used for residential purposes only; said property shall not be used for business purposes of any character nor have any commercial or manufacturing purpose.

THIRD. No swine shall ever be permitted to be placed or kept on the above described property.

FOURTH. No abandonment of a truck, trailer, bus or any vehicle or object will be allowed on this property unless it is not visible from the public road.

Such covenants, restrictions and conditions are to be binding upon and be observed by the said Grantees herein, as well as their heirs, executors, administrators and assigns, and to run in favor and be enforceable by injunction and any other remedy provided by law, all of which remedies are to be cumulative by Grantor, or its designees in writing.

Further, this conveyance is made and accepted subject to any and all utility easements and rights-of-way, if any, affecting the hereinabove described property that are valid, existing and properly of record and/or on the ground.

TO HAVE AND TO HOLD the above described premises together with all and singular the rights and appurtenances thereto in anywise belonging unto the above named Grantees, their heirs and assigns forever; and Grantor herein hereby binds itself, its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the above named Grantees, their, heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

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IN WITNESS WHEREOF, the said corporation has caused these presents to be signed by its attorney in fact, this the 1st day of August, A.D. 1974.

KERRVILLE SOUTH, INC

By

G. E. Lehmann
G. E. Lehmann
Its Attorney in Fact

THE STATE OF TEXAS §
COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared G. E. Lehmann, known to me to be the person whose name is subscribed to the foregoing instrument as attorney in fact of Kerrville South, Inc., the party thereto, and acknowledged to me that he executed the same in the capacity therein stated as attorney in fact for the said Kerrville South, Inc., and that the said Kerrville South, Inc., executed the same by and through him, as the act of such corporation and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 1st day of August, A.D. 1974.



Betty Malachuk
Notary Public in and for
Kerr County, Texas

My commission expires June 1, 1975.

FILED FOR RECORD

at 4:45 o'clock P. M.,

AUG 8 1974

Emmie M. Muenker
Clerk County Court, Kerr County, Texas

Lynette J. Miller, Deputy

Filed for record August 8, 1974 at 4:45 o'clock P. M.
Recorded August 13, 1974
EMMIE M. MUENKER, Clerk

By *Margaret Muenker* Deputy