

WARRANTY DEED

STATE OF TEXAS JUN 15 76 964 * 5.50

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1-32-9263

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That KOGER PROPERTIES, INC., a Delaware corporation of Jacksonville, Florida, Grantor, in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash, and other good and valuable considerations paid and secured to be paid by GLENN W. CASEY, DORR EDWIN HAMPTON AND DONALD D. REYNOLDS, herein called Grantees, and upon the terms and conditions hereinafter set forth, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the said Grantee all that certain tract or parcel of real estate lying and being situated in the County of Travis, State of Texas, described as follows, to-wit:

A tract of land containing 35 acres, more or less, out of the George W. Davis Survey No. 15 and the J. M. Mitchell Survey No. 17 lying west of the proposed extension of Hart Lane. Said tract of land is described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any-wise belonging unto the said Grantees, their successors and assigns to WARRANT and FOREVER DEFEND, all and singular, the said premises unto the said Grantees, their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except those items to which this Deed is specifically made subject.

IT IS UNDERSTOOD AND AGREED that this conveyance is made subject to all restrictions, reservations, covenants and easements of record, and to taxes for the year 1975 and thereafter. It is specifically understood and agreed that this conveyance is made subject to and hereby imposes upon the land conveyed, the following covenants, conditions and restrictions:

DEED RECORDS
Travis County, Texas

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The erection of any improvement on said property which may be used or occupied as an office building or the use or occupancy of any improvement located on said property as and for an office building is hereby prohibited for a period of twenty-one (21) years. This restriction shall be a covenant which shall run with the title of said land, and shall bind the successors and assigns of Buyer (a sales and/or construction office used in connection with the construction and/or sale of residential units shall not be deemed to be an office building within the meaning of this restriction).

EXECUTED THIS 14TH day of JUNE, 1976.

ROGER PROPERTIES, INC., a Delaware corporation

(CORPORATE SEAL)

By [Signature]
Its President

ATTEST:

[Signature]
its Secretary

STATE OF FLORIDA
COUNTY OF DUVAL

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared W. F. E. KIENAST and W. LAWRENCE JENKINS of ROGER PROPERTIES, INC., a Delaware corporation, known to me to be the persons and officers whose names are subscribed to the foregoing instrument and acknowledged to me that the same was the act of said corporation, and that they executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 14TH day of JUNE, 1976.

NOTARY SEAL

[Signature]
Notary Public, State of Florida
at Large

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
My Commission Expires: MY COMMISSION EXPIRES FEB. 19, 1980

5481 1202 (Notary Seal)

METCALFE ENGINEERING CO., INC.

4800 SOUTH CONGRESS
PHONE 442-8383 — 474-1579
AUSTIN, TEXAS 78745

1-32-9265

FIELD NOTES OF A SURVEY OF 35.045 ACRES OF LAND, OF WHICH ABOUT 3.878 ACRES BEING A PORTION OF THE JAMES M. MITCHELL SURVEY #17, ABSTRACT #521, AND ABOUT 31.167 ACRES BEING A PORTION OF THE GEORGE W. DAVIS SURVEY #15, ABSTRACT #217, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING COMPOSED OF THE FOLLOWING TRACTS: BEING A PORTION OF A 6.132 ACRE TRACT OUT OF THE JAMES M. MITCHELL SURVEY #17 AS DESCRIBED IN A DEED FROM DON DeLANEY TO KOGER PROPERTIES, INC., AS RECORDED IN VOLUME 4386, PAGE 1061, TRAVIS COUNTY DEED RECORDS, AND BEING A PORTION OF A 79.90 ACRE TRACT OUT OF THE GEORGE W. DAVIS SURVEY #15 DESCRIBED IN A DEED FROM GRETCHEN McELROY ALLEY, ET VIR, ET AL, TO KOGER PROPERTIES, INC., AS RECORDED IN VOLUME 4387, PAGE 1477, TRAVIS COUNTY DEED RECORDS, AS SURVEYED FOR KOGER PROPERTIES, INC. BY METCALFE ENGINEERING COMPANY, INC., 4800 SOUTH CONGRESS, AUSTIN, TEXAS.

Beginning at an iron stake at the most westerly northwest corner of a 79.90 acre tract, a portion of the George W. Davis Survey #15, Abstract #217, in the City of Austin, Travis County, Texas, as described in a deed from Gretchen McElroy Alley, et vir, et al, to Koger Properties, Inc., as recorded in Volume 4387, Page 1477, Travis County Deed Records, said beginning iron stake being also at the northeast corner of a 25.10 acre tract, a portion of the said George W. Davis Survey #15, as described in a deed from Gretchen Alley, et al, to David B. Barrow as recorded in Volume 3304, Page 550, Travis County Deed Records, said beginning iron stake being also in the north line of the George W. Davis Survey #15 and in the south line of the James M. Mitchell Survey #17 and being also in the south line of the Stanley Wayne Casner, Jr. 23.82 acre tract, a portion of the James M. Mitchell Survey #17, as described in Volume 2407, Page 44, Travis County Deed Records, as fenced and used upon the ground;

THENCE with the north line of the said George W. Davis Survey #15, being also the north line of the said 79.90 acre tract and the south line of the said Casner 23.82 acre tract, and being also the south line of the James M. Mitchell Survey #17, as fenced and used upon the ground, courses numbered 1-5 inclusive, as follows:

- (1) S 58° 51' E 17.63 feet to a nail in the west face of a 14" Cedar;
- (2) S 59° 43' E 241.52 feet to a nail in a rock mound;
- (3) S 60° 28' E 238.10 feet to a nail in the south face of a 12"

Cedar:

- (4) S 58° 26' E 86.30 feet to a nail in a rock mound;
- (5) S 59° 21' E 360.36 feet to an iron stake at the southeast corner of the said Casner 23.82 acre tract, being also the southwest corner of a 6.132 acre tract, a portion of the James M. Mitchell Survey #17, as described in a deed from Don DeLaney to Koger Properties, Inc., in Volume 4386, Page 1061, Travis County Deed Records;

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(6) THENCE with a fence on the east line of the said Casner 23.82 acre tract, being also the west line of the said 6.132 acre tract, N 29° 53' E 208.87 feet to an iron stake at corner of fence for the northwest corner of the said 6.132 acre tract and the southwest corner of that 10.19 acre tract out of the James M. Mitchell Survey #17 described in a deed from Jim Cantwell, et ux, to Jack L. Burkett as recorded in Volume 1690, Page 454, Travis County Deed Records;

(7) THENCE with a fence on the north line of the said 6.132 acre tract, being also the south line of the said 10.19 acre tract, S 59° 20' E 418.41 feet to an iron stake at corner of fence at an angle point in the south line of the said 10.19 acre tract and in the north line of the said 6.132 acre tract;

(8) THENCE with the north line of the said 6.132 acre tract, being with the south line of the said 10.19 acre tract and with the south line of that 2.01 acre tract described as an Exception in the aforesaid deed to Jack L. Burkett in Volume 1690, Page 454, Travis County Deed Records, said 2.01 acre tract being also described in a deed from Jim Cantwell, et ux, to Jack McGraw as recorded in Volume 1405, Page 39 and in Volume 1448, Page 98, Travis County Deed Records, S 68° 33' E at 0.96 of one foot passing an iron stake at the southwest corner of the said 2.01 acre tract, in all 505.59 feet to an iron stake in the west line of Spicewood Springs Road for a corner of the said 6.132 acre tract, and from which iron stake an 8" Elm marked $\frac{7}{8}$ bears S 60° 36' W 52.5 feet and an 8" Live Oak marked $\frac{7}{8}$ bears N 55° 19' W 51.1 feet;

(9) THENCE with a curving north line of proposed Hart Lane, an arc distance of 35.70 feet, said curve having a radius of 22.73 feet and a chord of which bears S 43° 01' W 32.15 feet to an iron stake at point of tangency;

(10) THENCE with a north line of proposed Hart Lane S 88° 00' W 83.56 feet to an iron stake at point of curve;

(11) THENCE with a curving northwest line of proposed Hart Lane, an arc distance of 519.82 feet, said curve having a radius of 517.37 feet and a chord of which bears S 59° 13' W 498.23 feet to an iron stake at point of tangency;

(12) THENCE S 30° 26' W 650.10 feet to an iron stake in the south line of the said Roger Properties 79.90 acre tract, said iron stake being at the northwest corner of Hart Lane and the northeast corner of Lot #1 Block "P" as shown on a map or plat of Northwest Hills, Northwest Oaks III, a subdivision of record in Plat Book 55, Page 76, Travis County Plat Records;

THENCE with a fence along the south line of the said 79.90 acre tract, being also with the north line of Block "P" and with the north end of Chimney Corners and with the north end of Lot 1, Block "Q" as shown on

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said plat of Northwest Hills, Northwest Oaks III, courses numbered 13-21, inclusive, as follows:

- (13) N 59° 30' W 99.98 feet to an iron stake at the northwest corner of Lot 1, Block "P", and the northeast corner of Lot 2, Block "P";
- (14) N 59° 34' W 90.10 feet to an iron stake at the northwest corner of Lot 2 and the northeast corner of Lot 3, Block "P";
- (15) N 59° 52' W 179.88 feet to an iron stake at the northwest corner of Lot 4 and the northeast corner of Lot 5, Block "P";
- (16) N 59° 50' W 100.19 feet to an iron stake at the northwest corner of Lot 5 and the northeast corner of Lot 6 of Block "P";
- (17) N 59° 46' W 90.00 feet to an iron stake at the northwest corner of Lot 6 and the northeast corner of Lot 7 of Block "P";
- (18) N 59° 56' W 179.94 feet to an iron stake at the northwest corner of Lot 8 and the northeast corner of Lot 9, Block "P";
- (19) N 59° 58' W 398.20 feet to an iron stake at the northwest corner of Lot 12 and the northeast corner of Lot 13 of Block "P";
- (20) N 59° 58' W 214.88 feet to an iron stake at the northwest corner of Lot 17 of Block "P" and the northeast corner of Chimney Corners as shown on said recorded plat;

(21) N 59° 51' W 180.09 feet to a steel pin at the southwest corner of the said Koger Properties, Inc. 79.90 acre tract, for the northwest corner of Lot 1, Block "Q" of said Northwest Hills, Northwest Oaks III, being also in the east line of Lot 2, Block "G" of Northwest Hills, Northwest Oaks II, a subdivision of record in Plat Book 58, Page 11, Travis County Plat Records, said steel pin being also at the southeast corner of the aforesaid David B. Barrow 25.10 acre tract;

(22) THENCE with the west line of the said 79.90 acre tract, being also the east line of the David B. Barrow 25.10 acre tract, being also the east line of Block "G" of said Northwest Hills, Northwest Oaks II, N 29° 50' E at 744.79 feet passing an iron stake at the northeast corner of Lot 9, Block "G" of Northwest Hills, Northwest Oaks II, in all 883.86 feet to the place of the beginning, containing 35.045 acres of land.

Surveyed July, 1972 and resurveyed May 29, 1976.

Plan 8046 & 8657
PB 516, p 22



METCALFE ENGINEERING COMPANY, INC.
By: *George L. Sanders*
George L. Sanders
Registered Public Surveyor #1838

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the date and at the time stamped herein by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, as Stamped herein by me, on

JUN 15 1976

EXHIBIT "A"

PAGE 3



Carrie Sharples
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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FILED
JUN 15 4 31 PM '76

Carrie Sharples
COUNTY CLERK
TRAVIS COUNTY, TEXAS

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