

700062106-W



DEED

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7 PGS

Georgetown Title Company, Inc.

SPECIAL WARRANTY DEED

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: July 10, 2007

GRANTOR: The W.D. Kelley Foundation, a Texas non-profit corporation

GRANTOR'S MAILING ADDRESS (including County): 707 Rock Street, Georgetown, Williamson County, Texas 78627

GRANTEE: City of Georgetown, a Texas home-rule municipal corporation

GRANTEE'S MAILING ADDRESS (including County): P.O. Box 409, Williamson County, Texas 78627

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration.

PROPERTY (including any improvements):

Being 0.761 of an acre tract of land, situated in the Francis A. Hudson Survey, Abstract No. 295 in Williamson County, Texas, said land being a portion of that certain tract of land called 34.1118 acres, and that certain tract of land, called 36.1651 acres, as conveyed to the W.D. Kelley Foundation by deed recorded as Document No. 2002001129 of the Official Records of Williamson County, Texas; and also being a portion of that certain tract of land, called 6.01 acres, as conveyed to the W.D. Kelley Foundation by deed recorded as Document No. 2006039850 of the Official Records of Williamson County, Texas; , surveyed on the ground in the month of May 2007, under the supervision of Brian F. Peterson, Registered Professional Land Surveyor, and being more particularly described by metes and

bounds in Exhibit "A" and by diagram in Exhibit "B", both attached hereto and made a part hereof (the "Property").

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY: This conveyance is made, delivered and accepted subject to any and all easements, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Property, to the extent, and only to the extent, that the same may still be in force and effect, and either shown of record in the office of the County Clerk of Williamson County, Texas, or apparent on the Property.

Grantor hereby reserves unto Grantor, its successors and assigns, and any subsequent owner(s) of all or any part of the real property more particularly described on Exhibit "C" attached hereto and made a part hereof for all purposes ("**Grantor's Remaining Property**"), an easement and right-of-way, in common with Grantee and the subsequent owner(s) of the Property, over and across the surface only of the Property (the "**Reserved Easement Areas**"), for the sole purposes of providing ingress and egress from the Grantor's Remaining Property to the adjacent public rights of way currently known as County Road 116 in Williamson County, Texas. Grantor shall not be permitted to install any improvements on the surface of the Reserved Easement Areas, except as expressly consented to by Grantee; provided that Grantor may pave the Reserved Easement Areas. In exercising the rights herein reserved, Grantor, its successors and assigns shall comply with all rules, regulations, ordinances and standards pertaining to driveways and access points in effect and applicable to Grantor's Remaining Property. It is the intention of Grantor and Grantee that the Reserved Easement Areas be more particularly defined by metes and bounds by mutual agreement of Grantor and Grantee once the actual driveways and access points to Grantor's Remaining Property are determined. At such time, the parties agree to file an instrument in the Official Public Records of Williamson County, Texas more particularly defining the Reserved Easement Area as agreed by the parties, to accommodate the actual-on-the-ground driveways and access points once constructed.

Grantee, its successors and assigns, and subsequent owner(s) of the Property shall be entitled to use the Reserved Easement Areas, in common with Grantor, and the subsequent owner(s) of Grantor's Remaining Property for any and all purposes and at all times, including without limitation the placement, construction, operation, repair and maintenance of utility lines, streets,

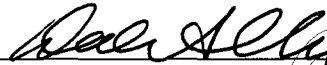
driveways, and landscaping in, under, across, over and along the Reserved Easement Areas; provided, however, that any such use shall not unreasonably interfere with the rights herein retained and reserved unto Grantor and the subsequent owner(s) of Grantor's Remaining Property.

Grantor, for the consideration and subject to the Reservations From and Exceptions to Conveyance and Warranty, GRANTS, GIVES, and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and hold it to Grantee and Grantee's heirs, successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns 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 and Exceptions to Conveyance and Warranty, when the claim is by, through, or under Grantor, but not otherwise.

Executed this 8th day of June, 2009, but effective July 10, 2007.

GRANTOR:

W.D. Kelley Foundation, a Texas Nonprofit Corporation

By: 

Printed Name: Dale Illig

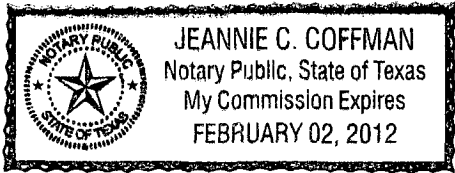
Title: President

Address:

W.D. Kelley Foundation
c/o Dale Illig, President
707 Rock Street
Georgetown, Texas ~~78627~~ 78626

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

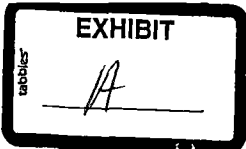
This instrument was acknowledged before me on this the 8th day of June, 2009, by Dale Illig, President of W.D. Kelley Foundation, a Texas non-profit corporation, on behalf of said corporation.



Jeannie Coffman
Notary Public, State of Texas

AFTER RECORDING, RETURN TO GRANTEE:
Georgetown Utility Systems
Attn: Terri Glasby Calhoun
300-1 Industrial Avenue
Georgetown, Texas 78726

Unofficial Document



LEGAL DESCRIPTION FOR A PROPOSED RIGHT-OF-WAY

BEING 0.761 of an acre of land, situated in the Francis A. Hudson Survey, Abstract No. 295, in Williamson County, Texas, said land being a portion of that certain tract of land, called 34.1118 acres, and that certain tract of land, called 36.1651 acres, as conveyed to W. D. Kelley Foundation by deed as recorded as Document No. 2002001129 of the Official Public Records of Williamson County, Texas, also being a portion of that certain tract of land, called 6.01 acres, as conveyed to W. D. Kelley Foundation by deed recorded as Document No. 2006039850 of the Official Public Records of Williamson County, Texas. Surveyed on the ground in the month of May, 2007, under the supervision of Brian F. Peterson, Registered Professional Land Surveyor, and being more particularly described as follows;

BEGINNING at an iron pin found on the west line of County Road No. 116, marking the Northeast corner above-reverenced 6.01 acres W.D. Kelley Foundation tract, being the Southeast corner of that certain tract of land, called 6.000 acres, as conveyed to Samuel V. Fox and wife, Margaret E. Fox, by deed as recorded in Volume 720, Page 285, of the Deed Records of Williamson County, Texas, for the Northeast corner hereof;

THENCE, along the said West line of County Road No. 116, being the East line of the said 6.01 acre W.D. Kelley Foundation tract, S 21°36'45" E, 350.88 feet to an iron pin found, marking the Southeast corner of the above-referenced 6.01 W.D. Kelley Foundation tract, being the Northeast corner of the above-referenced 36.1651 acre W.D. Kelley Foundation Tract, and continuing along the East line of the said 36.1651 acre W. D. Kelley Foundation tract, S 21°20'15" E, 99.89 feet to an iron pin found and S 21°11'15" E, 187.22 feet to an iron pin found marking the Southeast corner of the said 36.1651 acre W. D. Kelley Foundation tract, being the Northeast corner of the above-referenced 34.1118 acre W. D. Kelley Foundation Tract, and continuing along the East line of the said 34.1118 acre W. D. Kelley Foundation Tract, S 21°18' E, 314.49 feet to an iron pin found marking the Northeast corner of that certain tract of land, called 3.83 acres, as conveyed to the City of Georgetown, a municipal corporation located in Williamson County, Texas, by deed recorded as Document No. 2006043525 of the Official Public Records of Williamson County, Texas, for the Southeast corner hereof;

THENCE, along the North line of the said 3.83 acre City of Georgetown tract, S 68°56' W, 38.06 feet to an iron pin set for the Southwest corner hereof;

THENCE, N 20°55'45" W passing the North line of the said 34.1118 acre W. D. Kelley Foundation tract, being the South line of the said 36.1651 acre W. D. Kelley Foundation tract, at 601.14 feet pass an iron pin set on the said North line of the 36.1651 acre W. D. Kelley Foundation tract, being the South line of the said 6.01 acre W. D. Kelley Foundation tract for a total distance of 952.16 feet, in all, to an iron pin set on the North line of the said 6.01 acre W.D. Kelley Foundation tract, being the South line of the said 6.000 acre Fox tract, for the Northwest corner hereof;

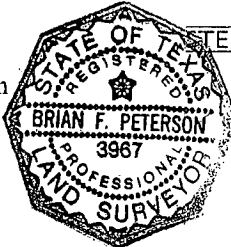
THENCE, N 68°17'30" E, 30.29 feet to the Place of BEGINNING and containing 0.761 of an acre of land.

STATE OF TEXAS }
KNOW ALL MEN BY THESE
PRESENTS:
COUNTY OF WILLIAMSON }

I, Brian F. Peterson, Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground of the property legally described hereon and is correct.

To certify which, witness my hand and seal at Georgetown, Williamson County, Texas, this the 22nd day of May, 2007, A.D.

[Handwritten Signature]
Brian F. Peterson
Registered Professional Land Surveyor, No. 3967
State of Texas



TEGGER BIZZELL
1978 S. Austin Ave
Georgetown, TX 78626
(512) 930-9412

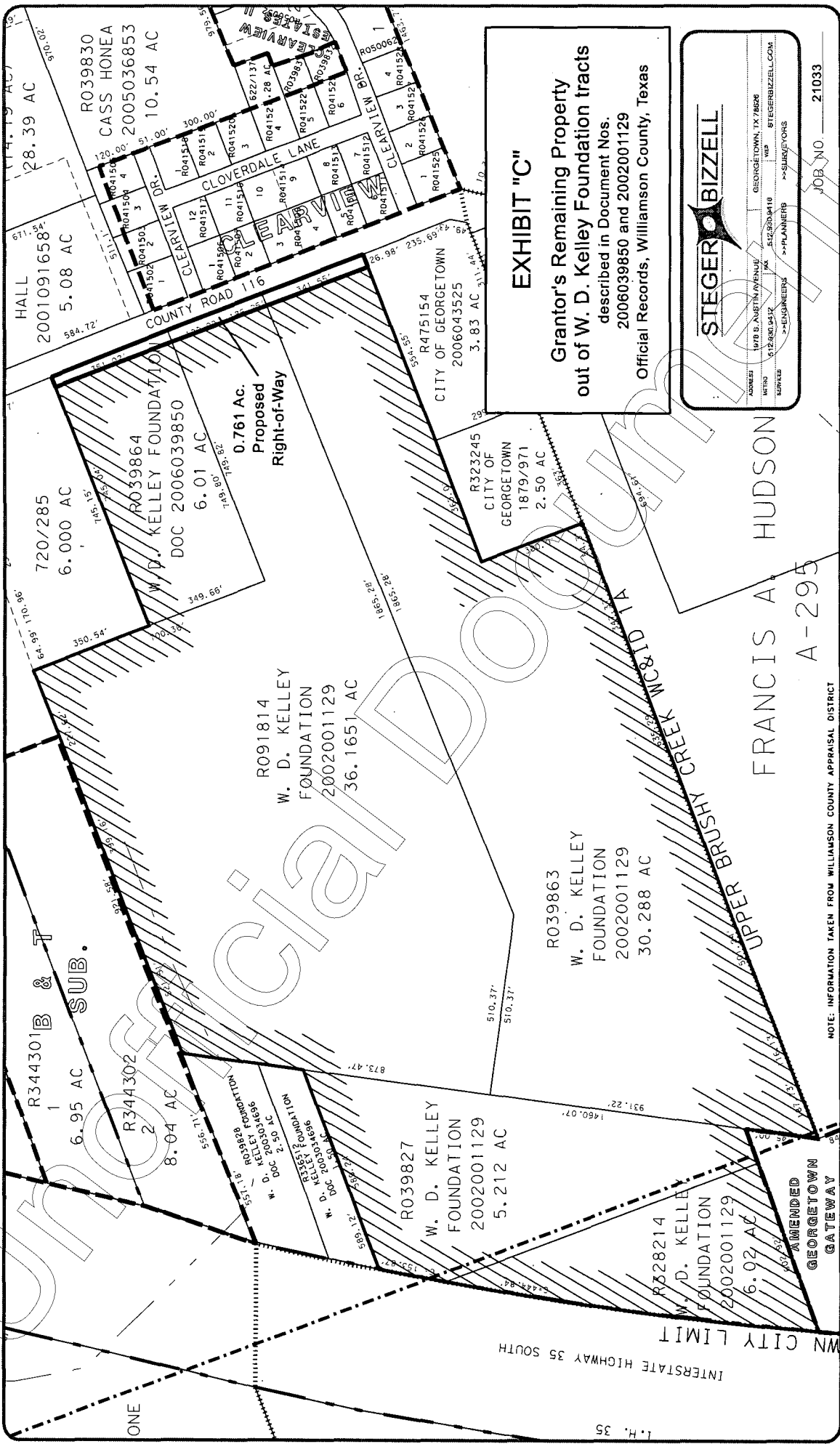


EXHIBIT "C"
 Grantor's Remaining Property
 out of W. D. Kelley Foundation tracts
 described in Document Nos.
 2006039850 and 2002001129
 Official Records, Williamson County, Texas

STEGER BIZELL
 ADDRESS: 1470 S. ANSTINE AVENUE, GEORGETOWN, TX 75626
 PHONE: 409.262.4242 FAX: 409.262.4242
 SERVICES: ENGINEERS PLANNERS SURVEYORS
 STEGERBIZELL.COM

JOB NO. 21033

RECORDERS MEMORANDUM
 All or parts of the text on this page was not
 clearly legible for satisfactory recordation.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2009053424

Nancy E. Rister

07/22/2009 04:20 PM

MARIA \$40.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

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