

WARRANTY DEED

STATE OF TEXAS *

COUNTY OF WILLIAMSON *

Date: OCT. 30, 1990

Grantor: CAROLVILLE, LTD., a Texas Limited Partnership
1000 Bank of the Hills Tower
13809 Research Blvd.
Austin, Tx. 78750

Grantee: WILLIAMSON COUNTY, c/o MIKE HEILIGENSTEIN COUNTY COMMISSIONER

Address: 309 East Main Street
Round Rock, Tx. 78664

Consideration: TEN AND 00/100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, and for which no lien either express or implied, is herein retained.

Property (including any improvements):

7.38 acres of land out of the Samuel Daymon Survey A-170 and the John Dillard Survey A-179, in Williamson County, Texas, and being more fully described in Exhibit "A" attached hereto and made a part hereof.

Conveyance:

Grantor, for the consideration hereinbefore stated and subject to the reservations from and exceptions to conveyance and warranty stated herein, GRANTS, SELLS AND CONVEYS to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and hold it to Grantee, Grantee's successors or assigns forever; provided, however, that the herein described property is conveyed exclusively for parks and recreational purposes for public use by the citizens of Williamson County.

Reversion:

In the event that Breakaway Park, Section III, is not approved by the City of Austin and Williamson County as a final plat within one year from the date hereof, the property described herein shall absolutely revert, without necessity for suit or reentry, to Grantor and Grantor's successors and assigns.

Clear Title:

Grantor does not retain any liens or encumbrances, express or implied against the property other than as expressly set forth under the provisions hereof. Grantor shall ensure a clear title for the herein described property that is to be conveyed to Williamson County for parks and recreational purposes.

Conditions:

As a condition and by acceptance of this conveyance, Williamson County hereby dedicates the herein described property for park and recreational purposes for public use by the citizens of Williamson County, Texas, subject to the reservations, exceptions and restrictions set forth below, which reservations, exceptions and restrictions shall be construed as prior and superior to the dedication for park purposes described in this paragraph.

OFFICIAL RECORDS
WILLIAMSON COUNTY, TEXAS

c:\10\park.d
10.19.90

PHK

Reservations from and Exceptions to Conveyance and Warranty:

Grantors expressly reserve for a period of ten (10) years following the date of execution, unto themselves, their heirs, executors and assigns, the right to construct, reconstruct, repair, remove, replace, relocate and maintain utility lines of all kinds and descriptions, including, but not limited to, water, sewer, drainage, electric, telegraph, telephone, and telecommunications, over, under and across the herein described property, and connections with any of the foregoing to similar utilities on, under and across contiguous and adjacent property, provided that said lines and structures, and connections are first approved by Williamson County, as to: (a) whether such line, structure or connection constitutes an environmental or safety hazard in relation to the use of the herein described property for park and recreational purposes; and (b) if approved under (a), the location of said line, structure or connection. The reservation contained in this Paragraph is expressly subject to all powers given Williamson County, or other applicable laws, to restrain, restrict and control the placement of utilities in park and recreational areas.

The use of the herein described property for park and recreational purposes is expressly restricted and limited by the right of Williamson County, which right is herein conveyed by Grantors, to construct, reconstruct, repair, remove, replace, relocate, and maintain roads and streets and utility lines of all kinds and descriptions, including, but not limited to, water sewer, drainage, electric, telegraph, telephone, and telecommunications with any of the foregoing to similar utilities on, under, or across contiguous and adjacent property, provided that the location of said lines and structures, and connections, are first approved by Williamson County, as to: (a) whether such road, street, line, structure, or connection contributes to an environmental or safety hazard in relation to the use of the herein described property used for park and recreational purposes; and (b) is approved under (a), the location of said road, street, line, structure or connection.

Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part hereof.

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

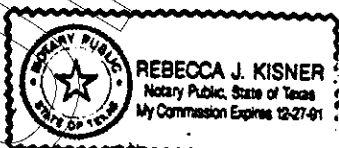
CAROLVILLE, LTD., a Texas
Limited Partnership

Philip H. Annis
PHILIP H. ANNIS
GENERAL PARTNER

STATE OF TEXAS *

COUNTY OF Williamson *

This instrument was acknowledged before me on Oct. 30, 1990 by PHILIP H. ANNIS, General Partner of CAROLVILLE, LTD., a Texas Limited Partnership.



Rebecca J. Kisner
Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

LAW OFFICES OF DALE ILLIG, PC
P. O. BOX 965
GEORGETOWN, TX. 78627-0965

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10.19.90

AKC

October 3, 1990

Exhibit 'A' Page 1 of 2

Carolville, Ltd.
to
Williamson County
Parkland for Breakaway
Park Section 3 (Proposed)

FIELD NOTES for 7.38 acres of land out of the Samuel Daymon Survey A-170 and the John Dillard Survey A-179 in Williamson County, Texas, said land being out of that certain 123.02 acre tract as conveyed to Carolville, Ltd by deed recorded in Volume 1910, Page 929-940, Williamson County Deed Records, being more particularly described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ -inch steel pin found at the northwest corner of the proposed Lot 60, Breakaway Park Section 3, a proposed subdivision, for the northeast corner of this described tract; said steel pin bearing for reference N47°10'50"W 426.69 feet from a $\frac{1}{2}$ -inch steel pin found at the northwest corner of Lot 37, Breakaway Park Section 2, a subdivision recorded in Book D, Page 82 of the Williamson County Plat Records;

THENCE with the boundary of proposed Breakaway Park Section 3 the following 6 courses:

- 1) S5°58'30"E 520.24 feet to a $\frac{1}{2}$ -inch steel pin found for angle point;
- 2) S19°13'00"E 233.00 feet to a $\frac{1}{2}$ -inch steel pin found for the southeast corner of this described tract;
- 3) S68°53'00"W 249.00 feet to a $\frac{1}{2}$ -inch steel pin found at the beginning of a curve which is part of the cul-de-sac right-of-way line of proposed Chitina Court;
- 4) around said curve to the left a chord which bears S68°53'00"W 100.00 feet, said curve having an arc length of 118.21 feet, a radius of 60 feet and an internal angle of 112°53'07", to a $\frac{1}{2}$ -inch steel pin found at end of curve;
- 5) S68°53'00"W 75.00 feet to a $\frac{1}{2}$ -inch steel pin found for angle point;
- 6) S24°00'00"W 59.00 feet to a $\frac{1}{2}$ -inch steel pin set for the most southern corner of this described tract;

THENCE N66°00'00"W 252.61 feet to a $\frac{1}{2}$ -inch steel pin set for the most western corner of this described tract;

THENCE N24°19'11"E 852.91 feet to a $\frac{1}{2}$ -inch steel pin set for the northwest corner of this described tract;

THENCE N69°08'00"E 180.00 feet to the point of BEGINNING, containing 7.38 acres.

Surveyed by: Stuart Watson
Stuart Watson, RPLS 4550

City of Austin Grid-- G44
Basis of Bearings-- Breakaway Park Section 2 Subdivision Plat
Date of Survey-- October 3, 1990

FIELD NOTES REVIEWED
By Mike Fitch Date 10/22/90
Engineering Support Section
Department of Public Works
and Transportation



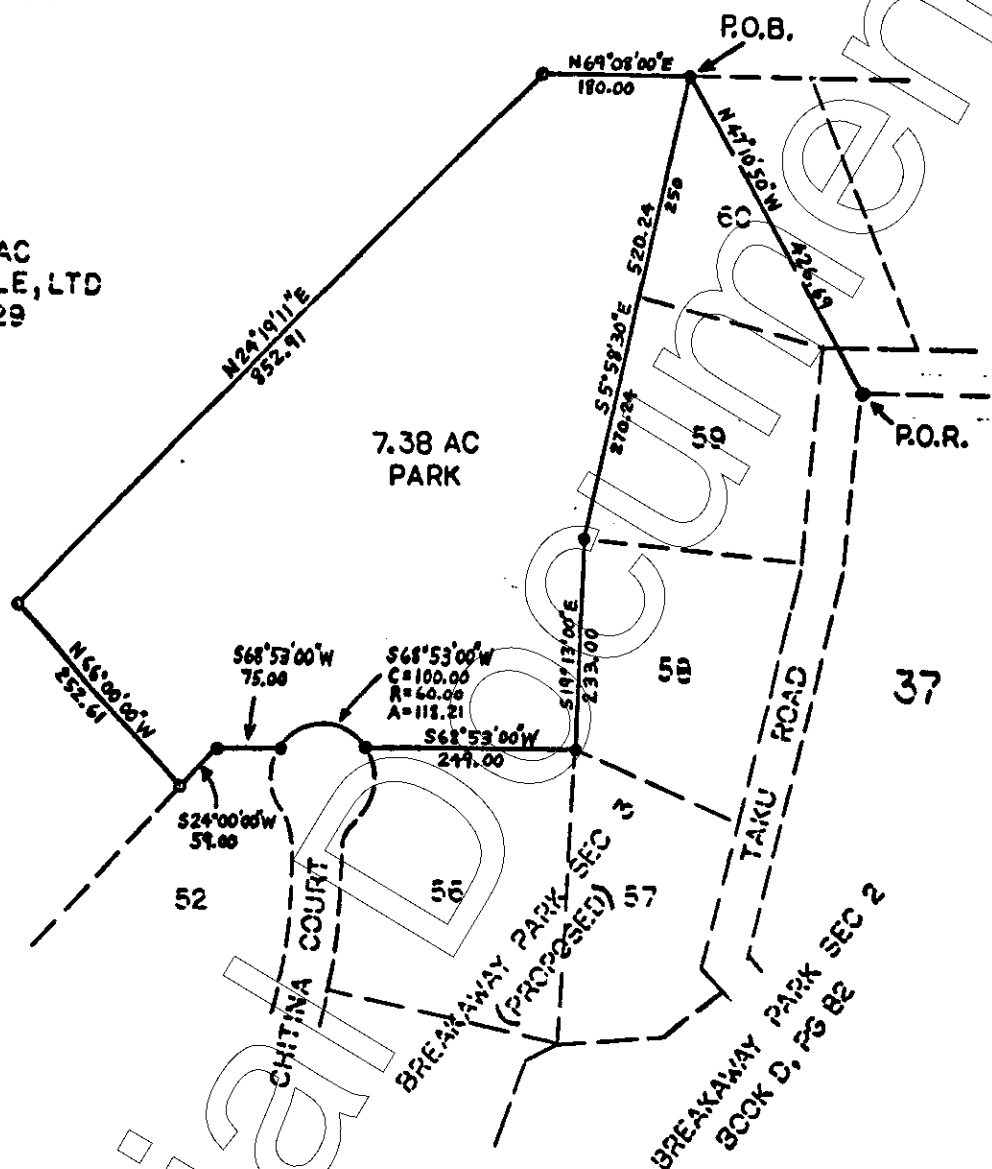
SCALE 1"=200'

LEGEND

- Steel pin set
- Steel pin found

123.02 AC
CAROLVILLE, LTD
1910/929

7.38 AC
PARK



October 3, 1990

MAP OF 7.38 ACRE PARK TO BE DEEDED TO WILLIAMSON COUNTY
IN CONJUNCTION WITH BREAKAWAY PARK SECTION 3 SUBDIVISION (PROPOSED)

SURVEYED BY: Stuart Watson
Stuart Watson, RPLS 4550



PARK LAND ACCEPTANCE
BY
WILLIAMSON COUNTY
GEORGETOWN, TEXAS

Williamson County - Georgetown, Texas, by its signature of its duly authorized representative hereto, does accept the grant of park land as hereinabove described, subject to all provisions and conditions contained herein.

EXECUTED this 19th day of November 1990.

WILLIAMSON COUNTY

BY: Don Wilson, COUNTY JUDGE
GEORGETOWN, TEXAS 78626

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

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This instrument was acknowledged before me on the ____ day of _____, 1990, by Don Wilson, Williamson County Judge, Georgetown, Texas 78626.

NOTARY PUBLIC, STATE OF TEXAS

PREPARED IN THE OFFICE OF:

LAW OFFICES OF DALE HILLIG, PC
P. O. BOX 965
GEORGETOWN, TX. 78627-0965

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

NOV 20 1990



James H. Ruffalo
COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

FILED FOR RECORD
WILLIAMSON COUNTY, TEXAS
1990 NOV 19 PM 3:19
James H. Ruffalo
COUNTY CLERK

Consider and if appropriate, take action to enter into contract and accept deed with TU Electric, re: radio broadcast tower.

Moved: Raymond Rister

Seconded: Wesley Foust

Motion: To authorize the County Attorney, Billy Ray Stubblefield to continue working on the proposed contract or deed with TU Electric and when he has the contract in order that the proposal be presented back to the Court.

Vote: Motion carried 5 - 0

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Consider accepting warranty deed from Carrollville Ltd. and authorize filing in Deed Records.

Moved: Mike Heiligenstein

Seconded: Wesley Foust

Motion: To accept the warranty deed from Carrollville Ltd. and authorize it to be filed in the Deed Records in the County Clerk's Office.

Vote: Motion carried 4 - 1 - Judge Wilson Voted No.

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