

Parcel 11 1/2

Rockwall County  
Lisa Constant  
County Clerk

Rockwall, Texas 75087 (972) 882-0220



Instrument Number: 2008-00396138

Recorded On: April 03, 2008

As  
Recordings

Parties: MARSHALL JULIE CATHERINE  
To ROCKWALL CITY OF

Billable Pages: 5  
Number of Pages: 5

Comment: WD

( Parties listed above are for Clerks reference only )

**\*\* Examined and Charged as Follows: \*\***

Recordings	28.00
<b>Total Recording:</b>	<b>28.00</b>

\*\*\*\*\* DO NOT REMOVE THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 2008-00396138  
Receipt Number: 197997  
Recorded Date/Time: April 03, 2008 11:56:14A  
Book-Vol/Pg: BK-OR VL-5418 PG-54  
User / Station: F H - Cashier Station #4

**Record and Return To:**

AMERICAN TRINITY TITLE  
P.O. BOX 66  
Rockwall TX 75087



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Volume and Page of the named records in Rockwall County, Texas

Any provision herein which restricts the sale, rental or use of the described Real Estate because of color or race is invalid and unenforceable under Federal law

*Lisa Constant*  
Lisa Constant  
Rockwall County Clerk

**WARRANTY DEED**

**THE STATE OF TEXAS**

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**COUNTY OF ROCKWALL**

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**WHEREAS**, The City of Rockwall, Texas is authorized to purchase land and such other property rights deemed necessary or convenient for the construction, expansion, enlargement, extension, improvement, or operation of a portion of the proposed 205 Bypass ("Project"); and,

**WHEREAS**, the purchase of the hereinafter-described premises has been deemed necessary or convenient for the construction, expansion, enlargement, extension, improvement, or operation of the Project;

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:**

That, Julie Catherine Marshall, Ann Elizabeth Holley and Billy H. Athey, Jr., all of the County of Smith, Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Four Hundred Thousand and 00/100 Dollars (\$400,000.00) and other good and valuable consideration to Grantors in hand paid by The City of Rockwall, Texas, receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold and by these presents do Grant, Bargain, Sell and Convey unto The City of Rockwall, Texas all those certain tracts or parcels of land lying and being situated in the County of Rockwall, State of Texas, along with any improvements thereon, being more particularly in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the City or its contractors and assigns to take and use all other minerals and materials thereon, therein and thereunder.

**RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:**

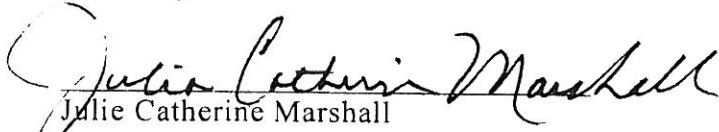
Easements and rights-of-way of record; all presently recorded restrictions, reservations, covenants, conditions, oil, gas or other mineral leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining

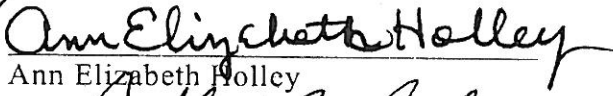
owners in any walls and fences situated on a common boundary; and any encroachments or overlapping of improvements.

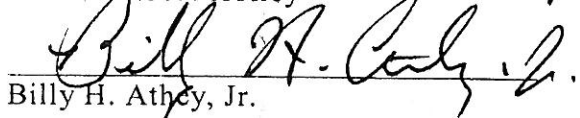
**TO HAVE AND TO HOLD** the premises herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto The City of Rockwall, Texas and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto The City of Rockwall, Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This deed is being delivered in lieu of condemnation.

**IN WITNESS WHEREOF**, this instrument is executed on this the 2<sup>nd</sup> day of April, 2008.

  
Julie Catherine Marshall

  
Ann Elizabeth Holley

  
Billy H. Athey, Jr.

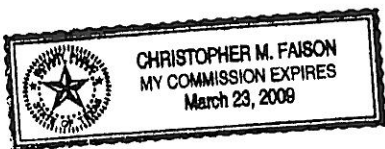
**ACKNOWLEDGMENT**

STATE OF TEXAS

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COUNTY OF ROCKWALL

This instrument was acknowledged before me on this the 2<sup>nd</sup> day of April, 2008 by Julie Catherine Marshall.



  
Notary Public, State of Texas

ACKNOWLEDGMENT

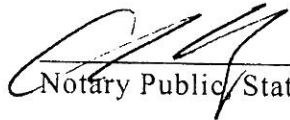
STATE OF TEXAS

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COUNTY OF Rockwall

This instrument was acknowledged before me on this the 2<sup>nd</sup> day of April, 2008 by Ann Elizabeth Holley.



  
Notary Public, State of Texas

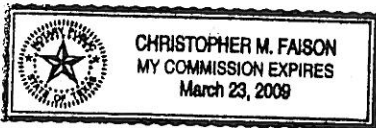
ACKNOWLEDGMENT

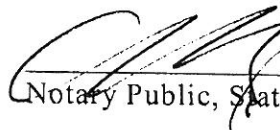
STATE OF TEXAS

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COUNTY OF Rockwall

This instrument was acknowledged before me on this the 2<sup>nd</sup> day of April, 2008 by Billy H. Athey, Jr.



  
Notary Public, State of Texas

## EXHIBIT A

Being a tract of land situated in the DAVID HARR SURVEY, ABSTRACT NO. 102, ROCKWALL COUNTY, TEXAS, and also being part of a 50 acre tract as conveyed to F. B. Athey, recorded in Volume 42, Page 91, Deed Records of Rockwall County, Texas and being more particularly described as follows:

BEGINNING at a point on the South line of the M. K. & T. Railroad, said point being on the West line of said F. B. Athey 50 acre tract, said point being a 1/2" rebar found for corner this survey;

THENCE North 88 degrees 41 minutes 46 seconds East along said South line a distance of Three Hundred Seventy and Eighty-nine hundredths feet (370.89') to a yellow-capped 1/2" rebar embossed CSC/4245 set this survey;

THENCE South 00 degrees 18 minutes 30 seconds West a distance of Seven Hundred Twenty-three and Twenty-eight hundredths feet (723.28') to a yellow-capped 1/2" rebar embossed CSC/4252 set this survey;

THENCE North 89 degrees 47 minutes 14 seconds West a distance of Three Hundred Seventy and Seventy-four hundredths feet (370.74') to a yellow-capped 1/2" rebar embossed CSC/4252 set this survey;

THENCE North 00 degrees 18 minutes 30 seconds East a distance of Seven Hundred Thirteen and Forty-six hundredths feet (713.46') to the point of beginning.

The above described tract of land is subject to a 25' Ingress - Egress Easement running parallel with and 25' South of the North line of this tract as well as any easements or rights-of-way of record.

The above described tract of land contains 266.328.159 square feet or 6.114 acres, more or less.

Inst # 00396138

Filed for Record in: Rockwall County  
On: Apr 03, 2008 at 11:56A