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WARRANTY DEED

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00305

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.

Date: SEPTEMBER 20, 2005

Grantor: CULPEPPER/SPATEX JOINT VENTURE, a Texas joint venture

Grantor's mailing address:
3225 RUSTIC MEADOW
BEDFORD, TARRANT COUNTY, TEXAS 76021

Grantee: CITY OF ROCKWALL

Grantee's mailing address:
205 W. RUSK
ROCKWALL, ROCKWALL COUNTY, TEXAS 75087

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

Property (including any improvements):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES FOR PROPERTY DESCRIPTION.

Reservations from and Exceptions to Conveyance:

RESTRICTIONS

NONE OF RECORD

EASEMENTS

EASEMENT EXECUTED BY CULPEPPER/SPATEX JV TO THE CITY OF ROCKWALL, FILED JANUARY 25, 1996, RECORDED IN VOLUME 1082, PAGE 175, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS.

EASEMENT EXECUTED BY CULPEPPER/SPATEX JV TO THE CITY OF ROCKWALL, FILED JANUARY 25, 1996, RECORDED IN VOLUME 1082, PAGE 183, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS.

VISIBLE AND APPARENT EASEMENTS ON OR ACROSS THE PROPERTY.

ANY PORTION OF THE PROPERTY HEREIN DESCRIBED WHICH FALLS WITHIN THE BOUNDARIES OF ANY ROAD OR ROADWAY.

RESERVATION

NONE OF RECORD

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, 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, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, 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 context requires, singular nouns and pronouns include the plural.

CULPEPPER/SPATEX JOINT VENTURE

BY: [Signature]
JOHN PATRICK, Joint Managing Joint
Venturer

BY: [Signature]
GARY M. SHULTZ, Joint Managing Joint
Venturer

STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on September 20, 2005, by JOHN PATRICK, Joint Managing Joint Venturer of CULPEPPER/SPATEX JOINT VENTURE, a Texas joint venture.

[Signature]
Notary Public, State of Texas *COLORADO*



00338487

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STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on September 22nd, 2005, by
GARY M. SHULTZ, Joint Managing Joint Venturer of CULPEPPER/SPATEX
JOINT VENTURE, a Texas joint venture.



Notary Public, State of Texas

AFTER RECORDING RETURN TO:
CITY OF ROCKWALL
205 W. RUSK
ROCKWALL, TEXAS 75087

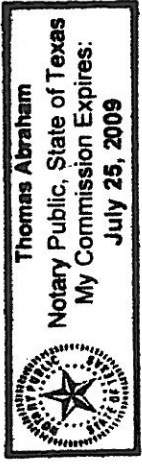
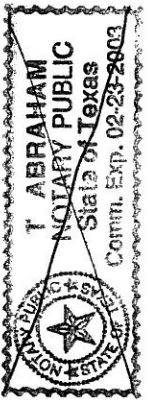


EXHIBIT "J-1"
LEGAL DESCRIPTION
PORTION OF LOTS 3, 4, BLOCK 4
AND LOTS 1, 3 AND 4, BLOCK 2
GEORGE MOTON ESTATE

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF LOTS 3 AND 4, BLOCK 4 AND A PORTION OF LOTS 1, 3 AND 4, BLOCK 2 OF PLAT OF GEORGE MOTON ESTATE, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 47B, PLAT RECORDS, ROCKWALL COUNTY, TEXAS, (P.R.C.T.), BEING A PORTION OF THE TRACT OF LAND DESCRIBED IN A DEED TO CULPEPPER/SPATEX RECORDED IN VOLUME 209, PAGE 475, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS, (O.P.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY MEITES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC." BEING IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF HORIZON ROAD AND BEING THE SOUTHEASTERLY CORNER OF SAID LOT 4, BLOCK 2;

THENCE S 43°53'20" W, ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 2 AND BLOCK 4, A DISTANCE OF 247.10 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC."; BEING THE SOUTHWESTERLY CORNER OF SAID LOT 3, BLOCK 4;

THENCE N 45°18'29" W, ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 4, A DISTANCE OF 32.50 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

THENCE N 43°53'20" E, 146.86 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

THENCE N 38°11'14" E, 44.66 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

THENCE N 00°15'45"W, 47.93 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

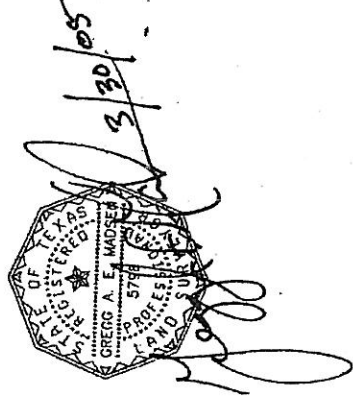
THENCE N 45°15'45"W, 17.34 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC." BEING THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 576.50 FEET:

ALONG SAID CURVE TO THE RIGHT WITH A DELTA ANGLE OF $7^{\circ}02'03''$, A CHORD BEARING OF $N 41^{\circ}41'31'' W$, 70.73 FEET, AND AN ARC LENGTH OF 70.78 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.", BEING THE BEGINNING OF A COMPOUND CURVE TO THE RIGHT WITH A RADIUS OF 510.50 FEET;

ALONG SAID CURVE TO THE RIGHT WITH A DELTA ANGLE OF $3^{\circ}52'32''$, A CHORD BEARING OF $N 36^{\circ}14'14'' W$, 34.52 FEET, AND AN ARC LENGTH OF 34.53 FEET TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC." IN THE NORTHWESTERLY LINE OF SAID LOT 1, BLOCK 4;

THENCE $N 44^{\circ}03'07'' E$, 12.18 FEET ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 TO A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC." BEING IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID HORIZON ROAD;

THENCE $S 45^{\circ}15'45'' E$, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID HORIZON ROAD, A DISTANCE OF 192.17 FEET TO THE PLACE OF BEGINNING AND CONTAINING 12,020 SQUARE FEET OF LAND.



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NOTES:
1. ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS RESET #6-1 AND RESET #1 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE 4202, NAD 83.
2. SURVEYED ON THE GROUND MAY 25, 2004.
3. SEE LEGAL DESCRIPTION ATTACHED HERETO AND HEREBY MADE A PART HEREOF.
4. ALL 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC."

SCALE 1" = 40'

LEGEND:
IRB IRON ROD SET
RF IRON ROD FOUND
CM CONTROLLING MONUMENT
③ LOT NUMBER



3/30/05

EDWARD TEAL SURVEY.
ABSTRACT #207

HORIZON ROAD
(VARIABLE WIDTH R.O.W.)

S45°15'45"E 192.17'

PLACE OF BEGINNING

PROPOSED SLOPE EASEMENT

M44°03'07"E 12.16'
1/2" IRS
D=3°52'32"
R=510.50
L=34.53
CH=N86°14'14"W 34.52
1/2" RS

D=7°02'03"
R=576.50
L=70.78
CH=N41°41'31"W 70.73
1/2" RS

PLAT OF GEORGE MOTON ESTATE
CAB. A SLIDE 47B
P.R.R.C.T.

N45°15'45"W 7.34'
1/2" RS

N47°53'51"W 17.93'
1/2" RS

CLEPPER/SPATEX
VOL. 209, PG. 475
O.P.R.R.C.T.

N69°11'41"E 14.66'
1/2" RS

N69°11'41"E 14.66'
1/2" RS

N43°53'20"E 146.86'
1/2" RS

N43°53'20"E 146.86'
1/2" RS

S43°53'20"W 247.10'
1/2" RS

S43°53'20"W 247.10'
1/2" RS

S43°53'20"W 247.10'
1/2" RS

S43°53'20"W 247.10'
1/2" RS

MARK A. CARSON -
ALLEN ANDERSON
VOL. 1891, PG. 188
O.P.R.R.C.T.

N45°18'29"W 32.50'
1/2" RS

N45°18'29"W 32.50'
1/2" RS

S43°53'20"N 85.08'
1/2" RS

S43°53'20"N 85.08'
1/2" RS

S43°53'20"N 85.08'
1/2" RS

S43°53'20"N 85.08'
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S43°53'20"N 85.08'
1/2" RS

S43°53'20"N 85.08'
1/2" RS

WA#03049
EXHIBIT-J-1.dwg
03-30-2005
9108

* EXHIBIT J-1 SHOWING *
VARIABLE R.O.W. DEDICATION
12,020 SQUARE FEET OF LAND
BEING A PORTION OF LOTS 1, 3, & 4, BLOCK 2, &
LOTS 3 & 4, BLOCK 4, GEORGE MOTON ESTATE
CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS.

VIA WIER & ASSOCIATES, INC.

County Clerk's Memo
Portions of this document not
reproducible when recorded

EXHIBIT "D-1"
LEGAL DESCRIPTION
PORTION OF LOTS 1, 2, 3 AND 4, BLOCK 16
PLAT OF GEORGE MOTON ESTATE

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF LOTS 1, 2, 3 AND 4, BLOCK 16, OF PLAT OF GEORGE MOTON ESTATE, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 47B, PLAT RECORDS, ROCKWALL COUNTY, TEXAS (P.R.C.T.), BEING A PORTION OF THE TRACT OF LAND DESCRIBED IN A DEED TO CULPPER/SPATEX RECORDED IN VOLUME 209, PAGE 481 OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ½" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.", BEING IN THE NORTHEASTERLY LINE OF SAID LOT 1 AND ALSO BEING IN THE SOUTHWESTERLY LINE OF LOT 2, BLOCK 14, OF SAID GEORGE MOTON ESTATE;

THENCE S 45°24'39" E, AT 8.58 FEET PASSING THE SOUTHEASTERLY CORNER OF SAID LOT 1 AND THE NORTHEASTERLY CORNER OF SAID LOT 4, CONTINUING IN ALL A DISTANCE OF 74.80 FEET TO A ½" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.", BEING IN A CURVE TO THE RIGHT HAVING A RADIUS OF 532.50 FEET;

THENCE LEAVING THE NORTHEASTERLY LINE OF SAID LOT 4 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 9°10'40", A CHORD BEARING S 76°46'54" W, 85.21 FEET AND AN ARC LENGTH OF 85.30 FEET TO A ½" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

THENCE S 81°22'15" W, 85.87 FEET TO A ½" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.", BEING IN THE SOUTHWESTERLY LINE OF SAID LOT 2 AND ALSO BEING IN THE NORTHEASTERLY LINE OF SAID LOT 1, BLOCK 18, OF SAID GEORGE MOTON ESTATE;

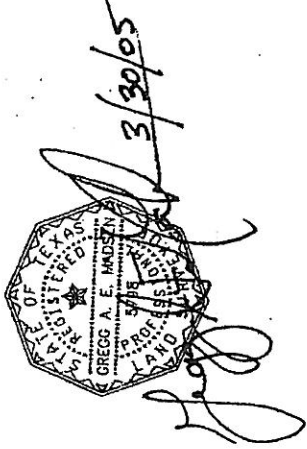
THENCE N 45°25'57" W ALONG THE COMMON LINE OF SAID BLOCKS 16 AND 18, 65.47 FEET TO A ½" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.", BEING THE NORTHWESTERLY CORNER OF SAID LOT 2;

THENCE N 44°03'07" E, 20.75 FEET TO A ½" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

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THENCE N 81°22'15" E, 108.58 FEET TO A 1/2" IRON ROD SET WITH A CAP
STAMPED "WIER & ASSOC. INC." BEING IN A CURVE TO THE LEFT
HAVING A RADIUS OF 467.50 FEET,

THENCE ALONG SAID CURVE TO THE LEFT HAVING A DELTA ANGLE OF
4°55'34", A CHORD BEARING OF N 78°54'27" E, 40.18 FEET, AND AN ARC
LENGTH OF 40.20 FEET TO THE PLACE OF BEGINNING AND CONTAINING
11,086 SQUARE FEET OF LAND.



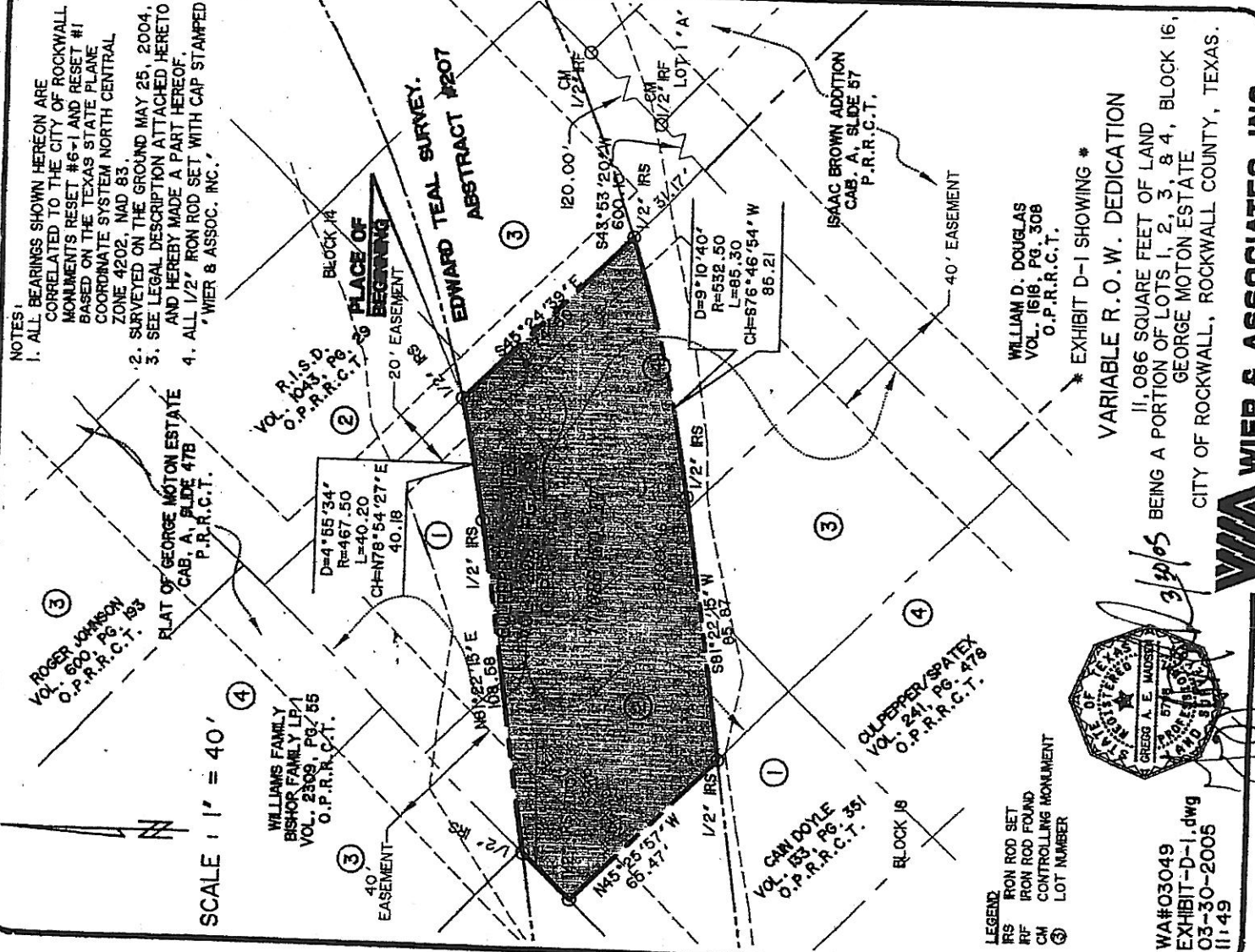
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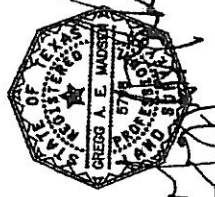
00313



NOTES:
 1. ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS RESET #6-1 AND RESET #1 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE 4202, NAD 83.
 2. SURVEYED ON THE GROUND MAY 25, 2004, AND HEREBY MADE A PART HEREOF.
 3. SEE LEGAL DESCRIPTION ATTACHED HERETO AND HEREBY MADE A PART HEREOF.
 4. ALL 1/2' IRON ROD SET WITH CAP STAMPED 'WIER & ASSOC. INC.'

SCALE 1" = 40'

LEGEND
 IRS IRON ROD SET
 IRF IRON ROD FOUND
 CM CONTROLLING MONUMENT
 ③ LOT NUMBER



WA#03049
 EXHIBIT-D-1.dwg
 03-30-2005
 11:49

* EXHIBIT D-1 SHOWING *
 VARIABLE R.O.W. DEDICATION

II, 086 SQUARE FEET OF LAND BEING A PORTION OF LOTS 1, 2, 3, & 4, BLOCK 16, GEORGE MOTON ESTATE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS.

WIA WIER & ASSOCIATES, INC.

County Clerk's Memo
 Portions of this document not
 reproducible when recorded

EXHIBIT "B-1"
 LEGAL DESCRIPTION
 PORTION OF LOTS 2, 3, AND 4, BLOCK 17
 GEORGE MOTON ESTATE

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207, ROCKWALL COUNTY, TEXAS, BEING A PORTION OF LOTS 2, 3, AND 4, BLOCK 17 OF GEORGE MOTON ESTATE, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 47B, PLAT RECORDS ROCKWALL COUNTY, TEXAS (P.R.C.T.), BEING A PORTION OF THE TRACT OF LAND DESCRIBED IN A DEED TO CULPEPPER/SPATEX RECORDED IN VOLUME 209, PAGE 475, OFFICIAL PUBLIC RECORD, ROCKWALL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

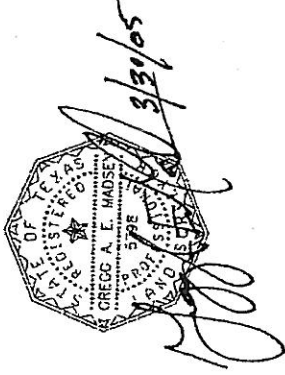
BEGINNING AT A 1/2 INCH IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC." BEING IN THE SOUTHWESTERLY LINE OF SAID LOT 3, FROM WHICH THE SOUTHWESTERLY CORNER OF SAID LOT 3 BEARS S 47°11'26" E, 15.55 FEET;

THENCE N 47°11'26" W, ALONG THE SOUTHWESTERLY LINE OF SAID LOTS 3 AND 2, 83.13 FEET TO A 1/2 INCH IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

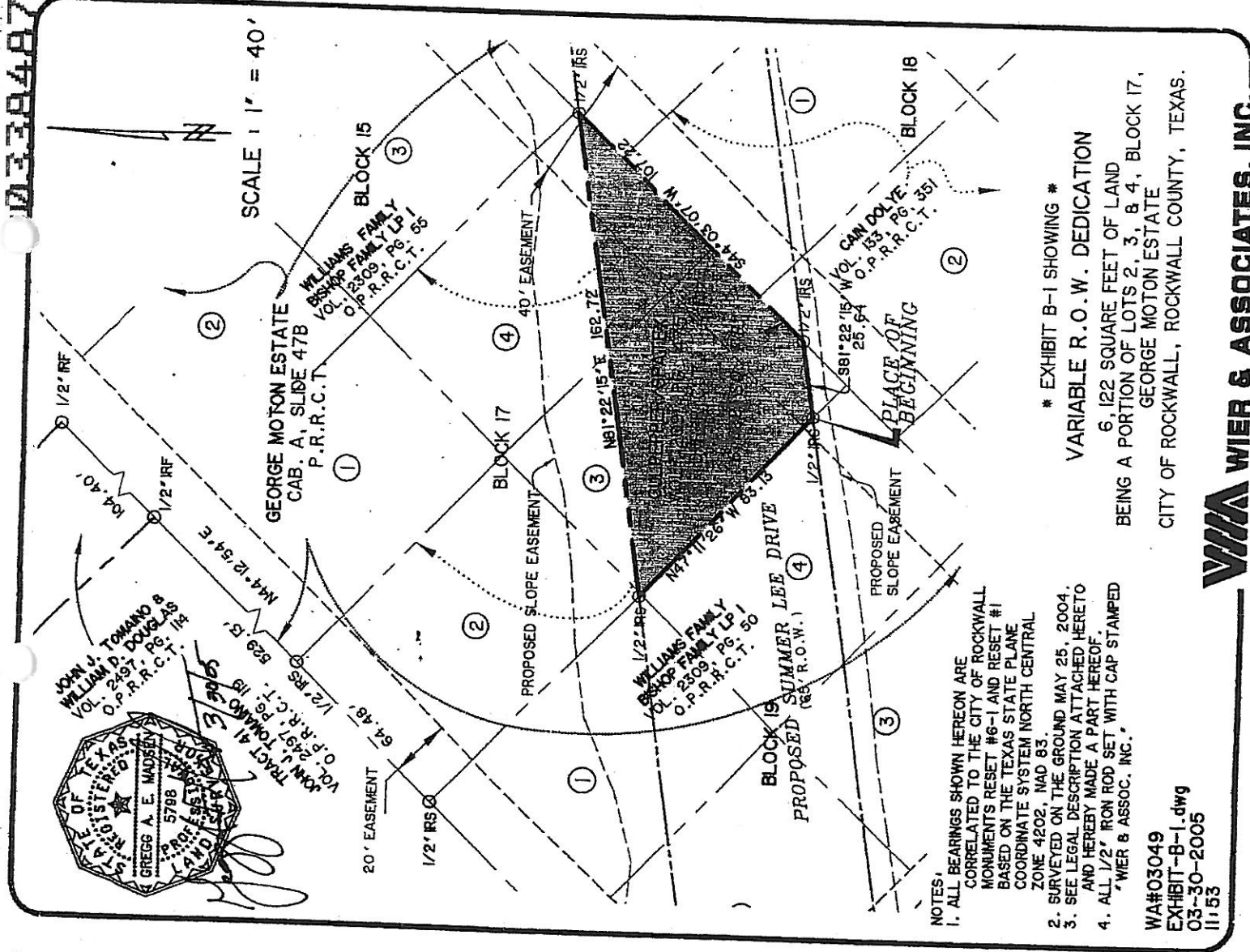
THENCE N 81°22'15" E LEAVING THE SOUTHWESTERLY LINE OF SAID LOT 2, 162.72 FEET TO A 1/2 INCH IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC."; BEING IN THE SOUTHEASTERLY LINE OF SAID LOT 4;

THENCE S 44°03'07" W, ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 3 AND 4, 107.22 FEET TO A 1/2 INCH IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC.";

THENCE S 81°22'15" W, 25.64 FEET TO THE PLACE OF BEGINNING AND CONTAINING 6,122 SQUARE FEET OF LAND.



0338487



- NOTES:
1. ALL BEARINGS SHOWN HEREON ARE CORRELATED TO THE CITY OF ROCKWALL MONUMENTS RESET #6-1 AND RESET #1 BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NORTH CENTRAL ZONE 4202, NAD 83.
 2. SURVEYED ON THE GROUND MAY 25, 2004.
 3. SEE LEGAL DESCRIPTION ATTACHED HERETO AND HEREBY MADE A PART HEREOF.
 4. ALL 1/2' IRON ROD SET WITH CAP STAMPED 'WIER & ASSOC., INC.'

WA#03049
 EXHIBIT-B-1.dwg
 03-30-2005
 11:53

* EXHIBIT B-1 SHOWING *
VARIABLE R.O.W. DEDICATION
 6,122 SQUARE FEET OF LAND
 BEING A PORTION OF LOTS 2, 3, 6, 4, BLOCK 17,
 GEORGE MOTON ESTATE
 CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS.

VIA WIER & ASSOCIATES, INC.

County Clerk's Memo
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OR

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Filed for Record in:
Rockwall County

On: Oct 03, 2005 at 04:51P

As a
Recording

Document Number: 00338487

Amount 36.00

Receipt Number - 146058

By,
Francine

STATE OF TEXAS

COUNTY OF ROCKWALL

I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the named records of:
Rockwall County

as stamped hereon by me.

Oct 03, 2005

Honorable Paulette Burks, County Clerk
Rockwall County

This Document has been received by this Office for
Recording into the Official Public Records. We do
hereby swear that we do not discriminate due to
Race, Creed, Color, Sex or National Origin.