

20050331005

00338779

WARRANTY DEED

04235

00308

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 11, 2005

Grantor: SPATEX GROUP PARTNERSHIP, a partnership composed of BRIAN BEACH, GARY SHULTZ, CARLOS MONTERO and ORBIAMI CORPORATION, a Panamanian corporation also known as SPATEX GROUP, 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 LEGAL DESCRIPTION.

Reservations from and Exceptions to Conveyance:

RESTRICTIONS

NONE OF RECORD

EASEMENTS

EASEMENTS THAT AFFECT EACH INDIVIDUAL PROPERTY AS SHOWN ON PLAT RECORDED IN CABINET A, SLIDE 57, MAP RECORDS, ROCKWALL COUNTY, TEXAS.

EASEMENT EXECUTED BY SPATEX GROUP PARTNERSHIP TO THE CITY OF ROCKWALL, FILED JANUARY 25, 1996, RECORDED IN VOLUME 1082, PAGE 171, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS (AFFECTS LOT 8, TRACTS 3 & 4)

EASEMENT EXECUTED BY SPATEX GROUP PARTNERSHIP TO THE CITY OF ROCKWALL, FILED JANUARY 25, 1996, RECORDED IN VOLUME 1082, PAGE 179, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (AFFECTS LOT 8, TRACTS 3 & 4)

EASEMENT EXECUTED BY SPATEX GROUP PARTNER PARTNERSHIP TO THE CITY OF ROCKWALL, FILED JANUARY 25, 1996, RECORDED IN VOLUME 1082, PAGE 173, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS (AFFECTS LOT 7, TRACT3)

EASEMENT EXECUTED BY SPATEX GROUP PARTNERSHIP TO THE CITY OF ROCKWALL, FILED JANUARY 25, 1996, RECORDED IN VOLUME 1082, PAGE 181, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. (AFFECTS LOT 7, TRACT 3)

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.

It is the intent of the Grantor to convey all interest owned by SPATEX GROUP PARTNERSHIP and SPATEX GROUP, a Texas joint venture.

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

SPATEX GROUP PARTNERSHIP, a partnership composed of BRIAN BEACH, GARY SHULTZ, CARLOS MONTERO and ORBIAMI CORPORATION, also known as SPATEX GROUP, a Texas joint venture

BY:  _____
BRIAN BEACH, General Partner/Venturer

BY:  _____
GARY SHULTZ, General Partner/Venturer

[Handwritten Signature]

0338779

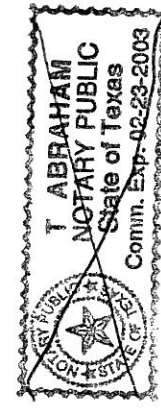
BY: CARLOS MONTERO, General Partner/Venturer

BY: ORBIAMI CORPORATION, a Panamanian Corporation, General Partner/Venturer

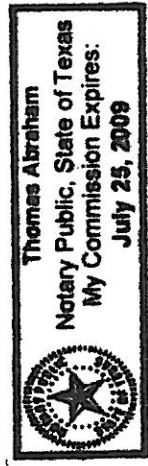
BY: Carlos Montero
NAME: Carlos Montero
TITLE: CPA

STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on September 19, 2005, by BRIAN BEACH, General Partner/Venturer of SPATEX GROUP PARTNERSHIP, a Texas general partnership also known as SPATEX GROUP, a Texas joint venture.

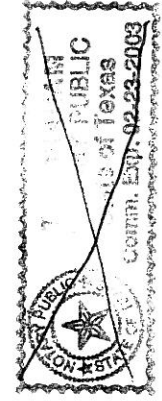


[Handwritten Signature]
Notary Public, State of Texas

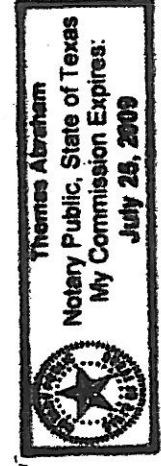


STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on September 19, 2005, by GARY SHULTZ, General Partner/Venturer of SPATEX GROUP PARTNERSHIP, a Texas general partnership also known as SPATEX GROUP, a Texas joint venture.

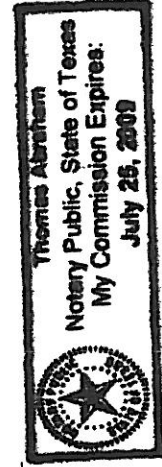


[Handwritten Signature]
Notary Public, State of Texas



STATE OF TEXAS
COUNTY OF ROCKWALL

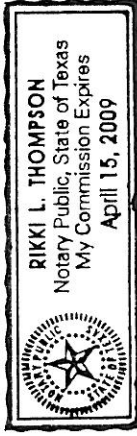
This instrument was acknowledged before me on September 22nd, 2005, by CARLOS MONTERO, General Partner/Venturer of SPATEX GROUP PARTNERSHIP, a Texas general partnership also known as SPATEX GROUP, a Texas joint venture.



[Handwritten Signature]
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF ROCKWALL

This instrument was acknowledged before me on September 28th, 2005, by
Allan M. Gesser as CRA of ORBIAMI
CORPORATION, General Partner/Venturer of SPATEX GROUP
PARTNERSHIP, a Texas general partnership also known as SPATEX GROUP, a
Texas joint venture.



Rikki L. Thompson
Notary Public, State of Texas

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

EXHIBIT "N-1"
LEGAL DESCRIPTION
A PORTION OF LOT 4"A"
ISAAC BROWN ADDITION

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207, ROCKWALL COUNTY, TEXAS AND BEING A PORTION OF LOT 4"A", ISAAC BROWN ADDITION AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 57, PLAT RECORDS, ROCKWALL COUNTY TEXAS (P.R.R.C.T.), AND BEING A PORTION OF SPATEX GROUP TRACT AS DESCRIBED IN THE DEED RECORDED IN VOLUME 550, PAGE 324, OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC." BEING THE NORTHERN CORNER OF SAID LOT 4"A" ALSO BEING IN THE SOUTHEASTERLY LINE OF THE PLAT OF GEORGE MOTON ESTATE AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 47B, P.R.R.C.T.;

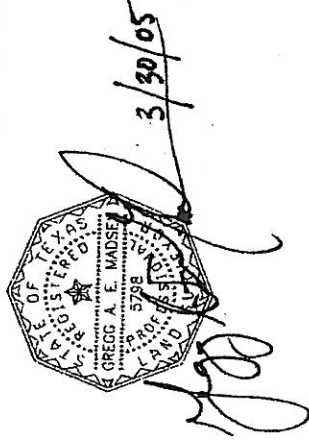
THENCE SOUTH 45 DEGREES 18 MINUTES 12 SECONDS EAST A DISTANCE OF 32.50 FEET ALONG THE NORTHEASTERN BOUNDARY OF SAID LOT 4"A" TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.";

THENCE SOUTH 43 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 105.87 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 532.50 FEET";

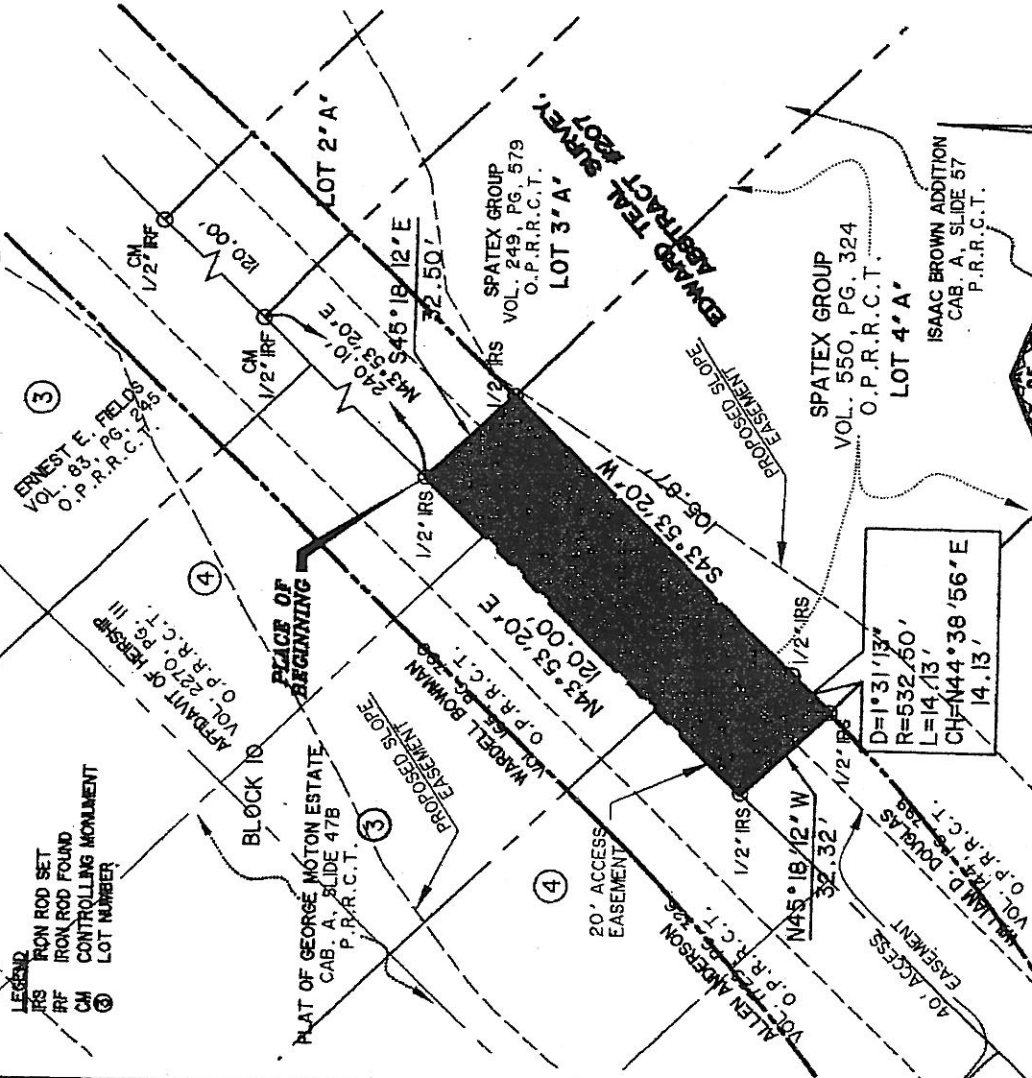
THENCE ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 1°31'13", A CHORD BEARING S 44°38'56" W, 14.13 FEET, AND AN ARC LENGTH OF 14.13 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.", BEING IN THE SOUTHWESTERLY LINE OF SAID LOT 4"A";

THENCE NORTH 45 DEGREES 18 MINUTES 12 SECONDS WEST A DISTANCE OF 32.32 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4"A" TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING THE NORTHWESTERLY CORNER OF SAID LOT 4"A" AND ALSO BEING THE SOUTHEASTERLY BOUNDARY OF SAID GEORGE MOTON ESTATE;

THENCE NORTH 43 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 120.00 FEET ALONG THE NORTHWESTERN BOUNDARY OF SAID LOT 4"A" ALSO BEING THE SOUTHEASTERLY BOUNDARY OF SAID GEORGE MOTON ESTATE TO THE PLACE OF BEGINNING AND CONTAINING 3,900 SQUARE FEET OF LAND.



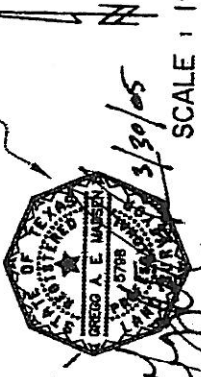
- LEGEND**
- IRS IRON ROD SET
 - RF IRON ROD FOUND
 - CM CONTROLLING MONUMENT
 - ③ LOT NUMBER



- 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.'

LOT 5 'A'

D=1°31'13"
R=532.50'
L=14.13'
CH=N44°38'56"E
14.13'



SCALE 1" = 40'

* EXHIBIT N-1 SHOWING *
VARIABLE R.O.W. DEDICATION
 3,900 SQUARE FEET OF LAND
 BEING A PORTION OF LOT 4 'A',
 ISAAC BROWN ADDITION, CITY OF ROCKWALL,
 ROCKWALL COUNTY, TEXAS.

WA#03049
 EXHIBIT-N-1.dwg
 03-30-2005
 12.16

WIA WIER & ASSOCIATES, INC.

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

04236 00313

EXHIBIT "O-1"
LEGAL DESCRIPTION
A PORTION OF LOT 3 "A"
ISAAC BROWN ADDITION

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF LOT 3 "A", ISAAC BROWN ADDITION AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 57 PLAT RECORDS, ROCKWALL COUNTY TEXAS (P.R.R.C.T.), AND BEING A PORTION OF SPATEX GROUP TRACT AS DESCRIBED BY A DEED RECORDED IN VOLUME 249, PAGE 579 OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS (O.P.R.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

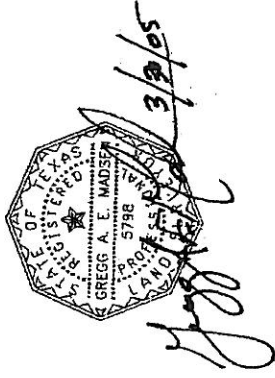
BEGINNING AT A 1/2" IRON ROD SET WITH A CAP STAMPED "WIER & ASSOC. INC." BEING THE NORTHERN MOST CORNER OF SAID LOT 3 "A" ALSO BEING IN THE SOUTHEASTERLY LINE OF THE GEORGE MOTON ESTATE AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 47B, P.R.R.C.T.;

THENCE SOUTH 45 DEGREES 18 MINUTES 12 SECONDS EAST A DISTANCE OF 32.50 FEET ALONG THE NORTHEASTERN BOUNDARY OF SAID LOT 3 "A" TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." IN THE NORTHEASTERLY LINE OF SAID LOT 3 "A";

THENCE SOUTH 43 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 120.00 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING IN THE SOUTHWESTERLY LINE OF SAID LOT 3 "A";

THENCE NORTH 45 DEGREES 18 MINUTES 12 SECONDS WEST A DISTANCE OF 32.50 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 3 "A" TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING THE SOUTHWESTERLY CORNER OF SAID LOT 3 "A" AND ALSO BEING IN THE SOUTHEASTERLY LINE OF SAID GEORGE MOTON ESTATE;

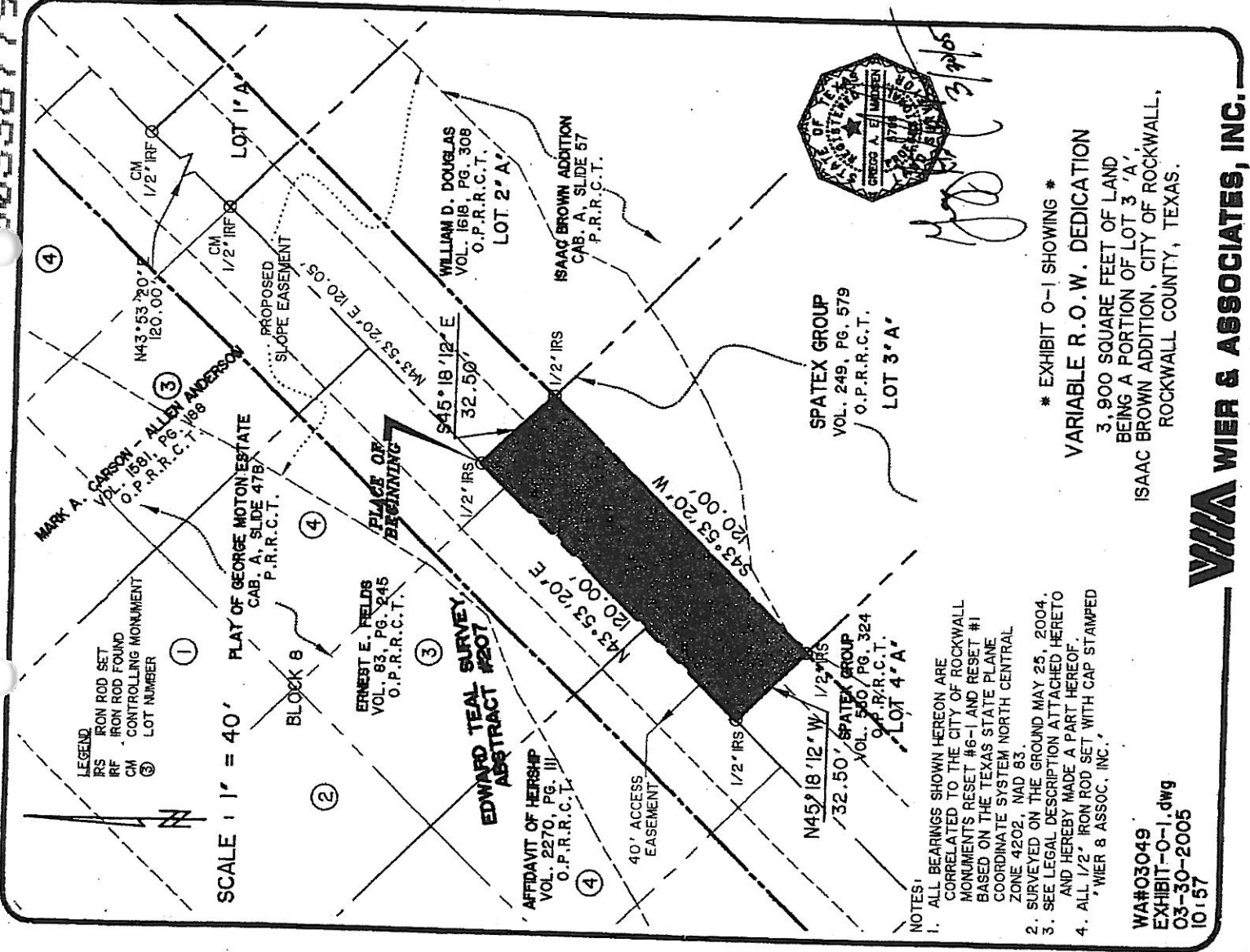
THENCE NORTH 43 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 120.00 FEET ALONG THE NORTHWESTERN BOUNDARY OF SAID LOT 3 "A" TO THE PLACE OF BEGINNING AND CONTAINING 3,900 SQUARE FEET OF LAND.



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County Clerk's Memo
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Wier & Associates, Inc.
 3/16/05

* EXHIBIT O-1 SHOWING *
VARIABLE R.O.W. DEDICATION
 3,900 SQUARE FEET OF LAND
 BEING A PORTION OF LOT 3 'A',
 ISAAC BROWN ADDITION, CITY OF ROCKWALL,
 ROCKWALL COUNTY, TEXAS.

WIA WIER & ASSOCIATES, INC.

WA#03049
 EXHIBIT-O-1.dwg
 03-30-2005
 10:57

EXHIBIT "R-1"
LEGAL DESCRIPTION
PORTION OF LOT 8 ISAAC BROWN ADDITION

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF LOT 8, ISAAC BROWN ADDITION AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 57 PLAT RECORDS, ROCKWALL COUNTY TEXAS (P.R.C.T.), AND BEING A PORTION OF SPATIX GROUP PARTNERSHIP TRACT AS DESCRIBED BY A DEED RECORDED IN VOLUME 550, PAGE 327, 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 FOUND BEING THE WESTERN MOST CORNER OF SAID LOT 8, ALSO BEING IN THE SOUTHEASTERLY LINE OF THE GEORGE MOTON ESTATE AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 47B, P.R.R.C.T.;

THENCE NORTH 43 DEGREES 53 MINUTES 20 SECONDS EAST A DISTANCE OF 192.16 FEET ALONG THE NORTHWESTERN BOUNDARY OF SAID LOT 8 TO A ½" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF HORIZON ROAD;

THENCE SOUTH 45 DEGREES 15 MINUTES 45 SECONDS EAST A DISTANCE OF 54.76 FEET ALONG THE NORTHEASTERN BOUNDARY OF SAID LOT 8 ALSO BEING IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID HORIZON ROAD TO A ½" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING THE MOST EASTERN CORNER OF SAID LOT 8;

THENCE SOUTH 43 DEGREES 52 MINUTES 54 SECONDS WEST A DISTANCE OF 23.89 FEET ALONG THE SOUTHEASTERLY LINE OF SAID LOT 8 TO A ½" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.";

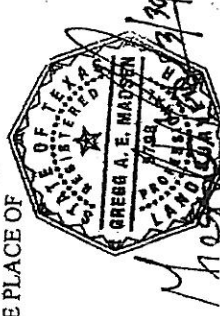
THENCE SOUTH 89 DEGREES 44 MINUTES 15 SECONDS WEST A DISTANCE OF 23.58 FEET TO A ½" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.";

THENCE SOUTH 43 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 2.10 FEET TO A ½" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.";

THENCE SOUTH 49 DEGREES 36 MINUTES 26 SECONDS WEST A DISTANCE OF 53.57 FEET TO A ½" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.";

THENCE SOUTH 43 DEGREES 53 MINUTES 20 SECONDS WEST A DISTANCE OF 96.10 FEET TO A ½" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING IN THE SOUTHWESTERLY LINE OF SAID LOT 8;

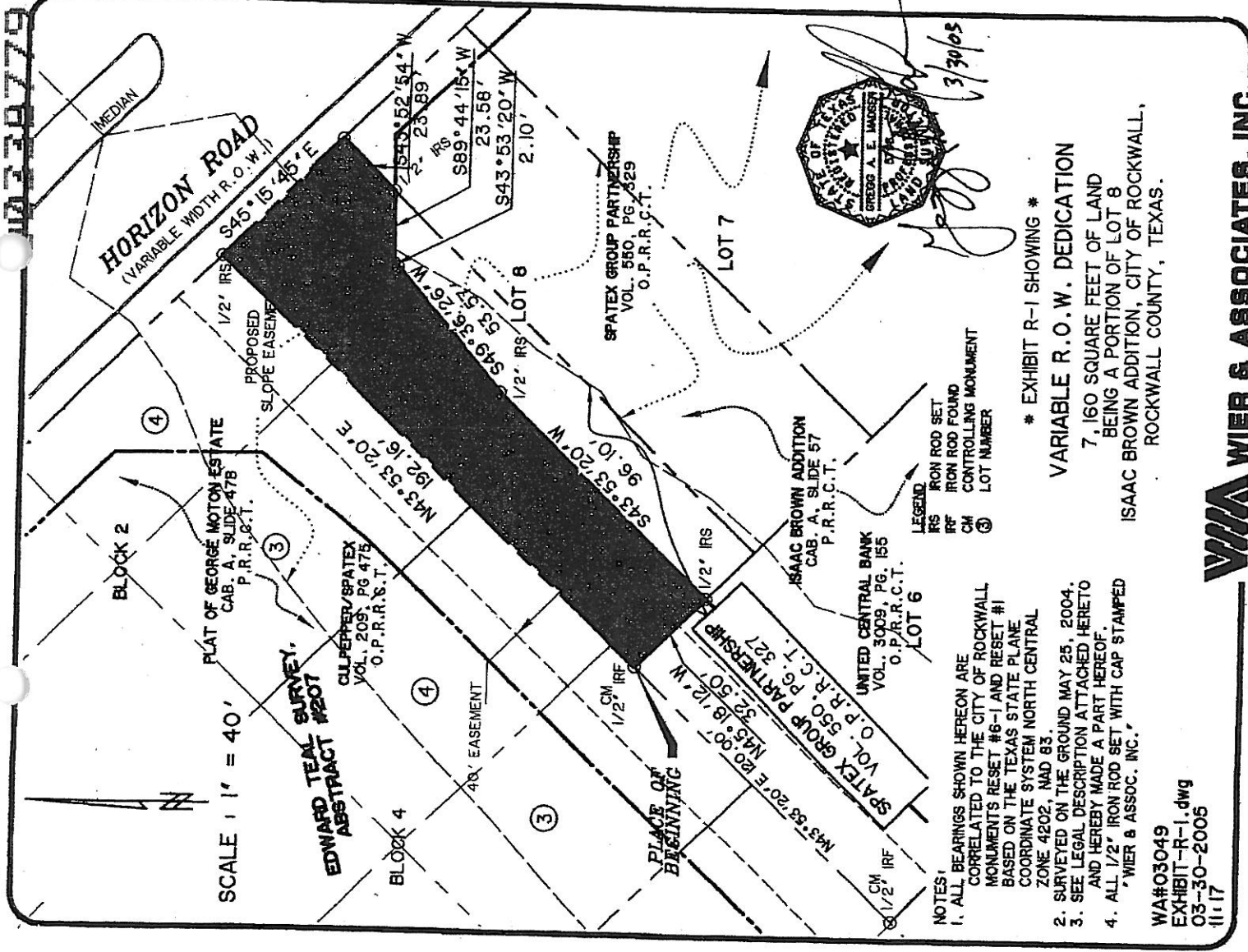
THENCE NORTH 45 DEGREES 18 MINUTES 12 SECONDS WEST A DISTANCE OF 32.50 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 8 TO THE PLACE OF BEGINNING, AND CONTAINING 7,160 SQUARE FEET OF LAND.



WA 330779

04235 00317

County Clerk's Memo
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* EXHIBIT R-1 SHOWING *

VARIABLE R.O.W. DEDICATION

7,160 SQUARE FEET OF LAND
BEING A PORTION OF LOT 8
ISAAC BROWN ADDITION, CITY OF ROCKWALL,
ROCKWALL COUNTY, TEXAS.

VIA WIER & ASSOCIATES, INC.

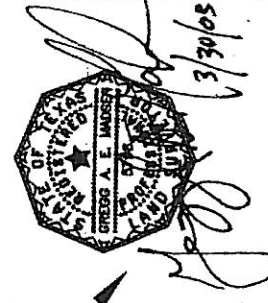


EXHIBIT "S-1"
LEGAL DESCRIPTION
A PORTION OF LOT 8 & ALL OF 7
ISAAC BROWN ADDITION

BEING A TRACT OF LAND LOCATED IN THE EDWARD TEAL SURVEY, ABSTRACT NO. 207, ROCKWALL COUNTY, TEXAS, AND BEING A PORTION OF LOT 8 AND PORTION OF LOT 7, ISAAC BROWN ADDITION AS SHOWN ON THE PLAT RECORDED IN CABINET A, SLIDE 57, PLAT RECORDS OF ROCKWALL COUNTY TEXAS (P.R.C.T.), AND BEING A PORTION OF SPATEX GROUP TRACT AS RECORDED BY DEED IN VOLUME 550, PAGE 329 OFFICIAL PUBLIC RECORD, ROCKWALL COUNTY, TEXAS (O.P.R.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF HORIZON ROAD AND BEING THE SOUTHEASTERLY CORNER OF THE NORTH 1/2 OF LOT 8 RECORDED BY DEED IN VOLUME 550, PAGE 327, (O.P.R.C.T.);

THENCE S 45°15'45" E ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID HORIZON ROAD, 162.30 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.", BEING THE NORTHEASTERLY CORNER OF LOT 6, OF SAID ISAAC BROWN ADDITION AND BEING THE SOUTHEASTERLY CORNER OF SAID LOT 7;

THENCE S 43°53'20" W LEAVING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID HORIZON ROAD AND ALONG THE COMMON LINE OF SAID LOT 6 AND LOT 7, 8.89 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING IN A CURVE TO THE RIGHT HAVING A RADIUS OF 565.50 FEET;

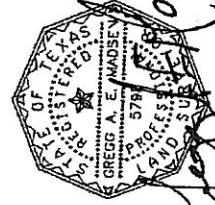
THENCE LEAVING THE COMMON LINE OF SAID LOT 6 AND LOT 7 AND ALONG SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 4°57'03", A CHORD BEARING N 47°44'17" W, 48.85 FEET, AND AN ARC LENGTH OF 48.86 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.";

THENCE N 45°15'45" W, 99.72 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC.";

THENCE S 89°44'15" W, 19.15 FEET TO A 1/2" IRON ROD SET WITH CAP STAMPED "WIER & ASSOC. INC." BEING IN THE SOUTHEASTERLY LINE OF THE SAID NORTH 1/2 OF LOT 8;

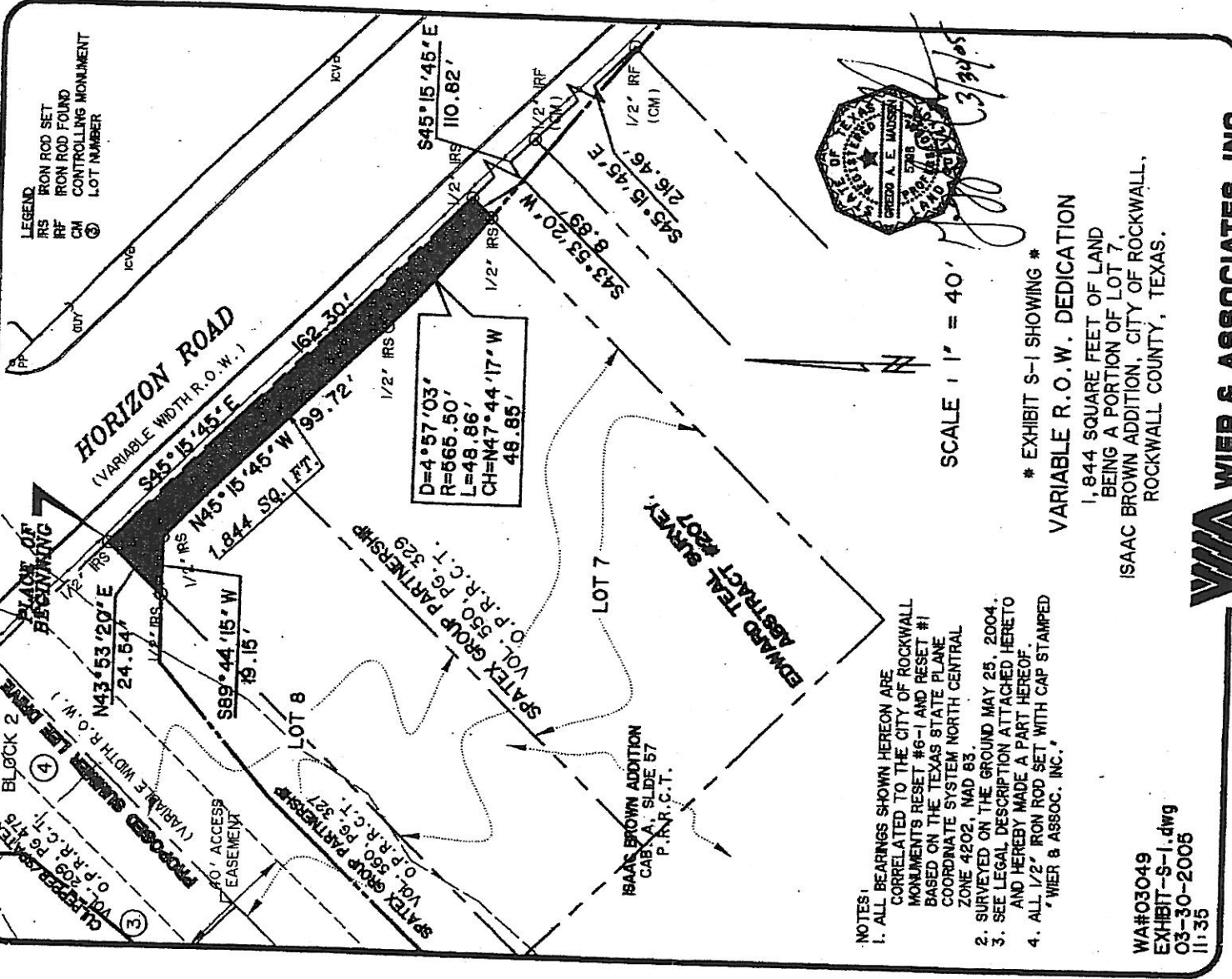
00338779

THENCE N 43°53'20" E ALONG THE SOUTHEASTERLY LINE OF SAID NORTH
1/2 OF LOT 8, 24.54 FEET TO THE PLACE OF BEGINNING AND CONTAINING
1,844 SQUARE FEET OF LAND.


3/30/05

04235 00319

00338779



- 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'



* EXHIBIT S-1 SHOWING *
VARIABLE R.O.W. DEDICATION
 1,844 SQUARE FEET OF LAND
 BEING A PORTION OF LOT 7,
 ISAAC BROWN ADDITION, CITY OF ROCKWALL,
 ROCKWALL COUNTY, TEXAS.

WA#03049
 EXHIBIT-S-1.dwg
 03-30-2005
 11:35

VIA WIER & ASSOCIATES, INC.

County Clerk's Memo
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0 4 2 3 5 0 0 3 2 0

00338779

OR

04235

00321

Filed for Record in:
Rockwall County

On: Oct 05, 2005 at 03:03P

As a
Recordings

Document Numbers 00338779

Amount 40.00

Receipt Number - 146233

By,
Francine

STATE OF TEXAS

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.

COUNTY OF ROCKWALL

Oct 05, 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.