

CITY OF ROCKWALL "THE NEW HORIZON"

March 29, 1982

Mr. Archie Underwood
502 Boydston
Rockwall, Texas 75087

Dear Mr. Underwood:

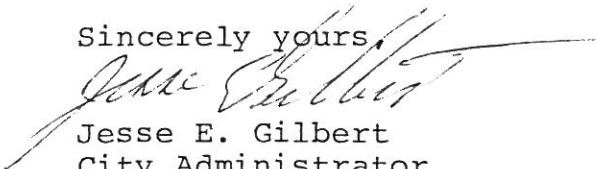
Over the past year the City has been in the process of revising its Zoning Ordinance and updating its Master Plan for the future development of Rockwall. As a part of this planning process, the City Council has become aware of the necessity to insure that the development which occurs along the Interstate, which is the gateway to Rockwall, develops in an orderly, well planned manner.

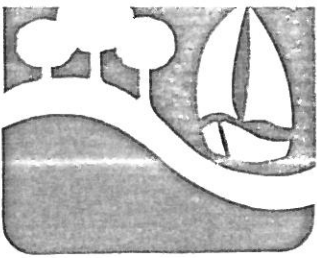
In light of these considerations, the City Council has asked the Planning and Zoning Commission to review the Light Industrial Zoning which exists on your property south of I-30, which is in close proximity to the Amanda Rochell Elementary School, and consider changing it to a higher classification of Commercial. The Council is concerned about the effect an industrial development would have on the surrounding property which is zoned commercially and residentially.

If, as a property owner in this tract, you would like to retain the flexibility of uses which are allowed in the Light Industrial Classification, you might want to request the Planning and Zoning Commission to consider a Planned Development zoning for this tract. Under a Planned Development zoning the property owner retains a flexibility of uses which is not normally allowed under a standard zoning classification. The City, in return, receives some additional control in that the property owner must submit a site plan and development is tied to that site plan. This is to insure that the type of uses which would not normally work together are designed in such a fashion so as not to create a detrimental effect to the other uses within the surrounding properties.

If you have any questions or concerns about this zoning, or if you have any questions concerning a planned development type zoning, please don't hesitate to call me or Julie Couch at (214) 722-3290.

Sincerely yours,


Jesse E. Gilbert
City Administrator



CITY OF ROCKWALL

"THE NEW HORIZON"

March 29, 1982

Mr. J. E. R. Chilton III
P. O. Box 2049
Dallas, Texas 75221

Dear Mr. Chilton:

Over the past year the City has been in the process of revising its Zoning Ordinance and updating its Master Plan for the future development of Rockwall. As a part of this planning process, the City Council has become aware of the necessity to insure that the development which occurs along the Interstate, which is the gateway to Rockwall, develops in an orderly, well planned manner.

In light of these considerations, the City Council has asked the Planning and Zoning Commission to review the Light Industrial zoning which exists on your property south of I-30, which is in close proximity to the Amanda Rochell Elementary School, and consider changing it to a higher classification of Commercial. The Council is concerned about the effect an industrial development would have on the surrounding property which is zoned commercially and residentially.

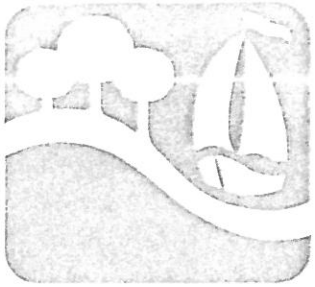
If, as a property owner in this tract, you would like to retain the flexibility of uses which are allowed in the Light Industrial Classification, you might want to request the Planning and Zoning Commission to consider a Planned Development zoning for this tract. Under a Planned Development zoning the property owner retains a flexibility of uses which is not normally allowed under a standard zoning classification. The City, in return, receives some additional control in that the property owner must submit a site plan and development is tied to that site plan. This is to insure that the type of uses which would not normally work together are designed in such a fashion so as not create a detrimental effect to the other uses within the surrounding properties.

If you have any questions or concerns about this zoning, or if you have any questions concerning a planned development type zoning,

Mr. J. E. R. Chilton III
Page 2
March 29, 1982

please don't hesitate to call me or Julie Couch at (214) 722-3290.

Sincerely yours,



CITY OF ROCKWALL "THE NEW HORIZON"

April 26, 1982

Mr. James R. Craig
Boyd, Virgil, Gary and McCall
16910 Dallas Parkway, Suite 1028
Dallas, Texas 75248

Dear Mr. Craig:

Per your request to Mr. Gilbert concerning the recommendation of the Planning and Zoning Commission on the rezoning of Mr. Chilton's Light Industrial Tract located on Interstate 30, the Planning and Zoning Commission's recommendation was to rezone this property to Commercial to bring it in line with the surrounding uses on Interstate 30.

In the letter which we sent to Mr. Chilton informing him of this proposed change, we mentioned that if he wanted to retain the flexibility of uses which are allowed in a Light Industrial classification, he might want to consider requesting a Planned Development zoning for his tract. Under a Planned Development zoning the property owner retains a flexibility of uses which is not normally allowed under standard zoning classifications. The City, in turn, receives additional control in that the developer must submit a site plan and development is tied to that site plan and any restrictions the Council feels are necessary. This is to insure that the type of uses which would not normally work together are designed in such a fashion so as not to create a detrimental effect to the other uses within the surrounding properties.

If Mr. Chilton wishes to pursue this rather than going with a straight Commercial zoning, he would need to contact us and submit a site plan for our review. If he does not at this time know what he wants to do with the property, he could submit an application for rezoning to Planned Development at any time in the future if the uses he proposes are not allowed under our existing Commercial District.

The case has already been heard by the Planning and Zoning Commission and they have recommended Commercial zoning. The City Council will hear the case on May 3rd at 7:30 P.M. in the Rockwall County District

Mr. James R. Craig
April 26, 1982
Page 2

Courtroom. If you have any further questions concerning this, please don't hesitate to give either myself or Jesse Gilbert a call.

Sincerely,

A handwritten signature in cursive script that reads "Julie Couch". The signature is written in dark ink and extends to the right with a long, thin horizontal stroke.

Julie Couch
Assistant to City Administrator

JC/mmp

LAW OFFICES
BOYD, VEIGEL, GAY & MCCALL

A PROFESSIONAL CORPORATION
SUITE 110

16910 DALLAS PARKWAY
DALLAS, TEXAS 75248

(214) 931-2750

April 29, 1982

JOHN O'KEEFE BARRY
BILL BOYD
ROLAND BOYD
JAMES R. CRAIG
LAWRENCE FISCHMAN
JOHN E. GAY
LEWIS L. ISAACKS
T. JAMES LANE
JERRY C. LEWIS
DAVID MCCALL
WM. J. ROBERTS
RICHARD L. ROBERTSON
JOHN R. STOOKSBERRY
EDWARD J. VEIGEL
OF COUNSEL
GRACE D. RUNGE

MCKINNEY OFFICE:
218 EAST LOUISIANA
P. O. DRAWER B
MCKINNEY, TEXAS 75069
(214) 542-0191
METRO: 214/424-3548

PLANO OFFICE:
1501 DOWNTOWN CENTER
PLANO, TEXAS 75074
(214) 424-8501

Ms. Julie Couch
Assistant to City Administrator
City of Rockwall
102 East Washington
Rockwall, Texas 75087

Re: J. E. R. Chilton, III; Interstate 30
property rezoning

Dear Ms. Couch:

Thank you for your April 26, 1982, letter.


When I talked to Jess Gilbert earlier, I had the impression that the recommendation by the Planning and Zoning Commission for rezoning of the Interstate 30 property to commercial zoning also expressly acknowledged that future requests for planned development zoning by affected owners would not be discouraged, in that the objective was to increase zoning control rather than to discourage development not permitted under commercial zoning. Jess promised to send me a copy of the rezoning proposal as adopted by the Planning and Zoning Commission. Although you did not enclose a copy of that rezoning proposal, I have the impression from your letter that the future submission of an application for planned development zoning would not be discouraged.

Mr. Chilton does not oppose rezoning of the property to commercial zoning, and is not at this time prepared to submit an application for planned development zoning. It may well be that plans for the property that evolve in the future will be consistent with commercial zoning; if not, Mr. Chilton will submit at that time an application for planned development zoning.

City of Rockwall
Page 2
April 29, 1982

Thank you for your assistance and attention.

Very truly yours,


James R. Craig

cc: Mr. J. E. R. Chilton, III, w/enc.

PUBLIC NOTICE

The City Council of the City of Rockwall, Texas, will hold a public hearing at 7:30 P.M., May 3, 1982, at the District Courtroom, Rockwall County Courthouse, Rockwall, Texas, to consider a change in zoning from "LI" Light Industrial to "C" Commercial on a tract of land located on the south side of Interstate 30 and containing 18.537 acres of land, being more particularly described as follows:

BEING a tract of land in the E. P. Gaines Chisum Survey, Abstract No 64, Rockwall County, Texas, and being a part of a 19.227 acre tract described as "Tract One" and "Tract Two" and conveyed to John C. Burnett and Ronald K. Skalberg, Trustees, from Kirby Albright by Deed dated December 22, 1971, and recorded in Volume 100, Page 392, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the South line of I.H. No. 30, and the Northwest corner of said Tract Two:

THENCE South $34^{\circ}34'56''$ East with the West line of said Tract Two, 1357.73 feet to an iron rod for a corner;

THENCE North $45^{\circ}00'35''$ East with the Southeast line of said Tract Two, 372.48 feet to an iron rod for a corner at the Southeast corner of said Tract Two and the center of a public road;

THENCE North $45^{\circ}27'06''$ West with the center of said public road and the Northeast line of said Tract Two, 291.82 feet to an iron rod for a corner at the Southwest corner of said Tract One;

THENCE North $45^{\circ}49'$ East continuing with said public road 470.81 feet to an iron rod for a corner at the Southeast corner of said Tract One;

THENCE North $20^{\circ}18'24''$ West with the Northeast line of said Tract One, 475.92 feet;

THENCE South $69^{\circ}41'36''$ West 150.00 feet to an iron rod for corner;

THENCE North $20^{\circ}18'24''$ West 200.84 feet to an iron rod for a corner on the South line of I.H. 30, said corner being on a curve to the right having a central angle of $0^{\circ}08'$ and a radius of 3969.72 feet;

THENCE in a Southwesterly direction with said curve and the South line of I.H. 30, a distance of 9.23 feet to a monument for a corner and the Point of Tangency of said curve;

THENCE South $71^{\circ}22'24''$ West with the South line of I.H. 30, a distance of 811.01 feet to the POINT OF BEGINNING, and containing 18.537 acres of land.

BEING a tract of land in the E. P. Gaines Chisum Survey, Abstract No 64, Rockwall County, Texas, and being a part of a 19.227 acre tract described as "Tract One" and "Tract Two" and conveyed to John C. Burnett and Ronald K. Skalberg, Trustees, from Kirby Albright by Deed dated December 22, 1971, and recorded in Volume 100, Page 392, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

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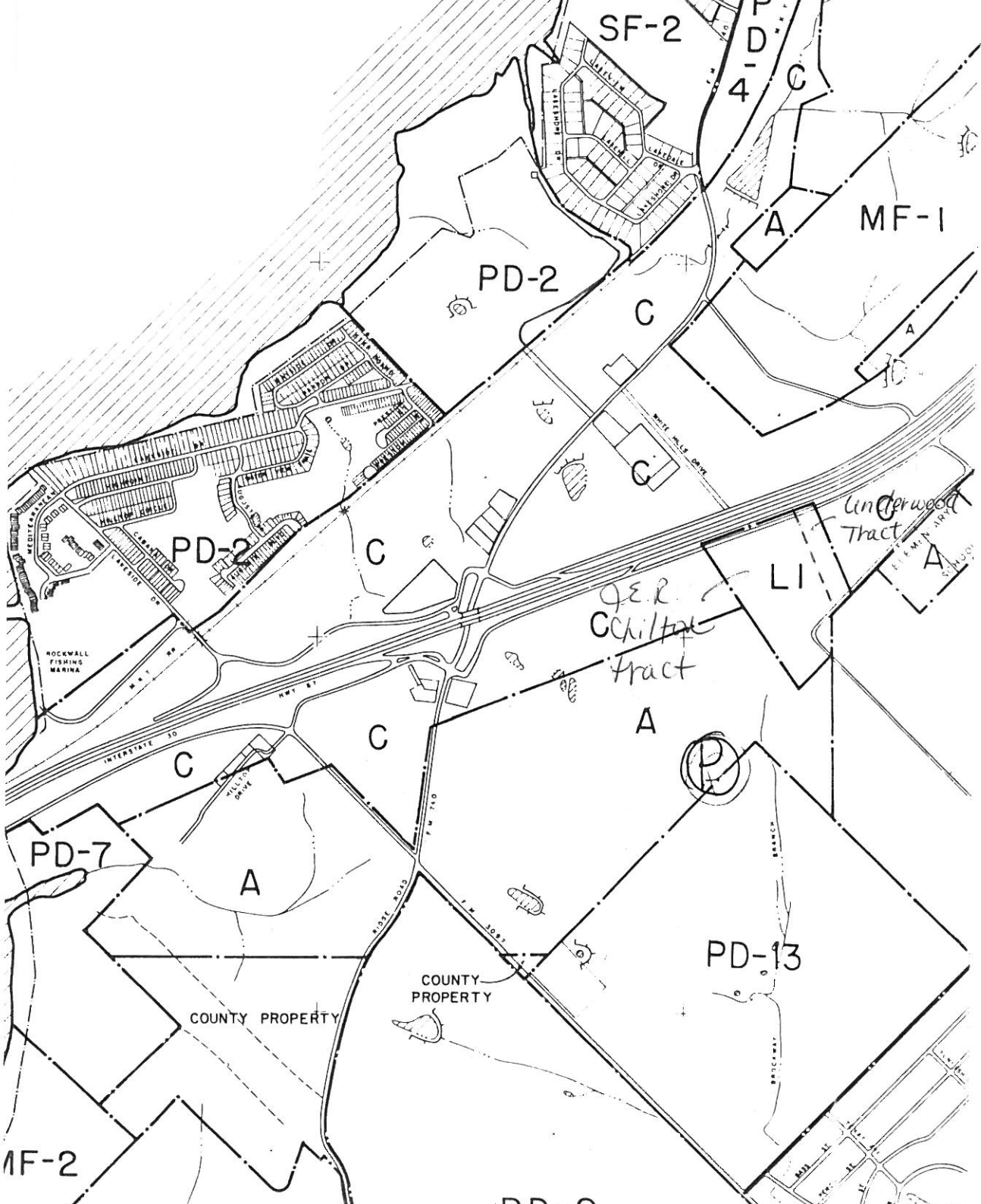
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SF-2

PD-2

MF-1

PD-2

LI

GER
Chilton
Tract

Underwood
Tract

PD-7

PD-13

MF-2

PD-9

ROCKWALL
FISHING
MARINA

COUNTY PROPERTY

COUNTY
PROPERTY

(P)

Owners South I-30-

✓ JER Chilton III

- 16.79 ac

P.O. Box 2049

Dallas TX 75221

✓ Archie Underwood

2.44 ac

592 Baydston

Rkw.

Peoples Estate
% Robert Peoples

26 ac

104 N Clark

Rkw.

Julian Jones Justice
6617 Northaven Rd.

30.63 ac

Dallas

M. H. Brown

11.66 ac

% M. H. Brown Jr.

Rt 4, Box 104


Grand Prairie, TX 75140

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

The Planning and Zoning Commission will hold a public hearing at
7:30 o'clock P.M., on the 8th day of April,
19 82 in the Rockwall City Hall, Rockwall Texas, on the request of
City of Rockwall for a change of zoning from
"LI" Light Industrial District Classification,
to "C" Commercial District Classification,
on the following described property:

See Attached Field Notes

As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 82-1.



City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 82-1

I am in favor of the request for the reasons listed below. _____

I am opposed to the request for the reasons listed below. _____

1.

2.

3.

Signature _____

Address _____

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,
City of Rockwall

BEFORE THE PLANNING AND ZONING COMMISSION
CITY OF ROCKWALL, TEXAS

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7:30 o'clock P.M., on the 8th day of April,
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City of Rockwall for a change of zoning from
"LI" Light Industrial District Classification,
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on the following described property:

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As an interested property owner, it is important that you attend this hearing or notify the commission of your feeling in regard to the matter by returning the form below. In replying, please refer to Case No. 82-1.

Julie Couch
City of Rockwall, Texas

The following form may be filled out and mailed to the City Planning and Zoning Commission, 102 East Washington, Rockwall, Texas 75087

Case No. 82-1

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

1. We have no objection

2.

3.

Signature Julian J. Jones, Trustee
Address _____

Check one item PLEASE and return the notice to this office IMMEDIATELY.

Thank you,
City of Rockwall

151/665

this property

THE STATE OF TEXAS §
§
COUNTY OF ROCKWALL §

WARRANTY DEED

25913

605

KNOW ALL MEN BY THESE PRESENTS, that, J. E. R. CHILTON, III, of the County of Dallas, State of Texas, hereinafter called "Grantor", for and in consideration of the sum of Two Hundred Forty-five Thousand Four Hundred Fourteen (\$245,414.00) Dollars, evidenced by that certain Promissory Note in said amount executed and delivered by the hereinbelow named grantee of even date herewith, bearing interest at the rate of 12% per annum from date hereof, payable to the order of Grantor, the payment of which note is secured by the vendor's lien herein retained and is additionally secured by a Deed of Trust of even date herewith to Robert C. Taylor, Trustee, has granted, sold and conveyed and by these presents does hereby grant, sell and convey unto LLOYDS BANK INTERNATIONAL (BAHAMAS) LIMITED, a corporation, Successor Trustee under that certain Trust Agreement (entitled "Deed of Settlement") dated the 24th day of July, 1979, executed by Norbrin, N.V. as Grantor and by Bankamerica Trust & Banking Corporation (Bahamas) Limited as the original Trustee, in which the issue of J.E.R. Chilton, III are named as beneficiaries, herein called "Grantee", all that certain tract of land lying and being situated in Rockwall County, Texas, and being fully described by metes and bounds in Exhibit "A" attached hereto and made a part hereof as if incorporated at this point in this instrument.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said Grantee, its successors and assigns against every person whosoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the vendor's lien, as well as the superior title in and to the above described premises, is

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they conveyed back to Chilton
10/1/979

606

retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof when this Deed shall become absolute.

EXECUTED, to be effective the 7th day of January, 1980.

J. E. R. Chilton, III
J. E. R. CHILTON, III

THE STATE OF TEXAS I
COUNTY OF DALLAS I

BEFORE ME, the undersigned authority, on this day personally appeared J. E. R. CHILTON, III, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 31st day of March, 1980.

Mable Basswell
Notary Public, Dallas County, Texas

109/1020

150-WARRANTY DEED (WITH VENDOR'S LIEN)

TEXAS STANDARD FORM

679335303-DT-ST-bh Rockwall County, Texas.

The State of Texas,
County of Rockwall,

Know All Men by These Presents:

That WE: JOHN C. BURNETT and RONALD K. SKALBERG, TRUSTEES,

of the County of Dallas, State of Texas, for and in consideration
of the sum of TEN AND NO/100 (\$10.00) DOLLARS

and other good and valuable considerations,
/to us paid, and secured to be paid, by J. E. R. CHILTON, III,

receipt of which is hereby acknowledged;
And the assumption of and agreement to pay by the Grantee herein the unpaid balance owing on Note in the original principal sum of \$82,116.00, dated December 17, 1971, executed by Grantors herein, due and payable to the order of Kirby Albright, as therein provided; said note secured by Deed of Trust of even date therewith to A. L. Cross, Trustee, duly recorded in the Deed of Trust Records of Rockwall County, Texas, and secured by the vendor's lien retained in Deed, of even date therewith, executed by Kirby Albright to Grantors herein, duly recorded in the Deed Records of Rockwall County, Texas; and
The execution and delivery by the Grantee herein of one certain promissory note, of even date herewith, in the principal sum of \$79,109.56, due and payable to the order of Grantors herein, as therein provided, and said note, in addition to the vendor's lien herein retained, being further secured by Deed of Trust to F. Ward Steinbach, Trustee; which note shall be a charge against the real estate only, and no personal liability is to be incurred by the maker thereof;

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey, unto the said J. E. R. CHILTON, III, herein called Grantee,

of the County of Dallas, State of Texas all that certain lot, tract or parcel of land, lying and being situated in Rockwall County, Texas, being a tract of land containing 18.337 acres of land, SAVE AND EXCEPT a tract containing 0.69 of an acre of land, in the E. P. Gaines Chisum Survey, Abstract No. 64, fully described on EXHIBIT "A" hereto attached and made a part hereof;

The Grantee herein takes the herein on Note in original principal sum of \$82,116.00, dated December 17, 1971, executed by Kirby Albright, due and payable to the order of Kirby Albright and Loan Association, and fully described in Deed of Trust Records of Rockwall County, Texas, Volume 49, Page 848, Deed of Trust Records of Rockwall County, Texas, Volume 49, Page 848, subject to balance due on Note dated July 13, 1971, executed by Kirby Albright to The First State Bank, Rockwall, Texas, Trustee, of record in Volume 47, Page 848, County, Texas, and secured by the vendor's lien retained in Deed, of even date therewith, executed by James W. Schoenberger, Trustee, recorded in Vol. 97, Page 196, Deed of Trust Records of Rockwall County, Texas, Volume 97, Page 196.

It is expressly understood and agreed that the liens securing the indebtedness herein secured by the property originally

TO HAVE AND TO HOLD the above described premises and appurtenances thereto in anywise bel

heirs and assigns forever and we and assigns, unto the said Grantee, his heirs and assigns, against every person thereof.

But it is expressly agreed and described property, premises and improvements are fully paid according to its absolute.

WITNESS our hand and seal this 26th day of 1971

here presents:

for and in consideration

DOLLARS

the unpaid
, dated December
er of Kirby Albright,
ate therewith to
of Rockwall County,
n date therewith,
the Deed Records

n promissory
due and payable
note, in addition
eed of Trust to
st the real
maker thereof;

ll and Convey, unto the said

all that certain
kwall County, Texas,
ND EXCEPT a tract
m Survey, Abstract No.
part hereof;

The Grantee herein takes the herein conveyed property subject to balance due on Note in original principal sum of \$50,000.00, dated October 14, 1971, executed by Kirby Albright, due and payable to the order of Trinity Savings and Loan Association, and fully described in Deed of Trust recorded in Volume 49, Page 848, Deed of Trust Records of Dallas County, Texas;

And, subject to balance due on Note in the original principal sum of \$22,500.00, dated July 13, 1971, executed by Kirby Albright, due and payable to the order of The First State Bank, Rockwall, Texas, secured by Deed of Trust to N. Frank Smith, Trustee, of record in Volume 47, Page 357, Deed of Trust Records of Rockwall County, Texas, and secured by the vendor's lien retained in Deed, of even date therewith, executed by James W. Schollinberger, and wife, to Kirby Albright, recorded in Vol. 97, Page 196, Deed Records of Rockwall County, Texas.

It is expressly understood and agreed that this instrument shall not operate to spread the liens securing the indebtedness described herein to any security other than that which now secures each particular note, and each note shall remain secured only by the property originally securing same;

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, his

heirs and assigns forever and we do hereby bind ourselves, our successors and assigns, ~~Administrators and Administrators~~ to Warrant and Forever Defend, all and singular the said premises unto the said Grantee, his

heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements, until the above described note, and all interest thereon are fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

WITNESS our hand^s at Dallas, Texas,
this 26th day of July 19 73

John C. [Signature], Trustee
Ronald K. Skalberg, Trustee

1971,
Chilte

BEING a tract of
Texas, and being
and conveyed to
by Deed dated
Rockwall County
BEGINNING at a
west corner of
THENCE South 1
iron rod for
THENCE North
an iron rod to
public road;
THENCE North
of said Tract
said Tract On
THENCE North
a corner at
THENCE North
THENCE South
THENCE North
of I.H. No. 1
0'08' and
THENCE in a
a distance of
curve;
THENCE South
feet to the
SAVE AND EX
BEING a tra
County, Tex
H.E. Drane,
Rockwall Co
BEGINNING a
(U.S. 67) a
THENCE South
THENCE South
THENCE North
Highway No.
central an
THENCE are
Highway No
0.69 acres

To be attached to original Deed, dated July 26, 1971, executed by John C. Burnett, et al, Trustees to J. E. R. Chilton, III, conveying the hereinafter described property.

BEING a tract of land in the E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64, Rockwall County, Texas, and being a part of a 19.227 acre tract described as "Tract One" and "Tract Two" and conveyed to John C. Burnett and Ronald K. Skalberg, Trustees, from Kirby Albright by Deed dated December 22, 1971, and recorded in Volume 100, Page 392, Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the South line of I.H. No. 30, and the Northwest corner of said Tract Two;

THENCE South 34°34'58" East with the West line of said Tract Two, 1357.73 feet to an iron rod for a corner;

THENCE North 45°00'35" East with the Southeast line of said Tract Two, 372.48 feet to an iron rod for a corner at the Southeast corner of said Tract Two and the center of a public road;

THENCE North 45°27'06" West with the center of said public road and the Northeast corner of said Tract Two, 291.82 feet to an iron rod for a corner at the Southwest corner of said Tract One;

THENCE North 45°49' East continuing with said public road 470.81 feet to an iron rod for a corner at the Southeast corner of said Tract One;

THENCE North 20°18'24" West with the Northeast line of said Tract One, 475.92 feet;

THENCE South 69°41'36" West 150.00 feet to an iron rod for corner;

THENCE North 20°18'24" West 200.84 feet to an iron rod for a corner on the South line of I.H. No. 30, said corner being on a curve to the right having a central angle of 0°08' and a radius of 3969.72 feet;

THENCE in a Southwesterly direction with said curve and the South line of I.H. No. 30, a distance of 9.23 feet to a monument for a corner and the Point of Tangency of said curve;

THENCE South 71°22'24" West with the South line of I.H. No. 30, a distance of 811.01 feet to the POINT OF BEGINNING, and containing 18.537 acres of land;

SAVE AND EXCEPT the following described tract of land:

BEING a tract of land out of the E.P. GAINES CHISUM SURVEY, ABSTRACT NO. 64, Rockwall County, Texas, and being part of an 11.81 acre tract conveyed to Kirby Albright from M.E. Drane, by Deed and recorded in Volume 95, Page 413, of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the South line of Interstate Highway No. 30 (U.S. 67) a 300 foot ROW and the Northeast corner of said 11.81 acre tract;

THENCE South 20°18'24" East a distance of 200.00 feet to an iron rod for a corner;

THENCE South 69°41'36" West, a distance of 150.00 feet to an iron rod for a corner;

THENCE North 20°18'24" West a distance of 200.84 feet to the South ROW line of Interstate Highway No. 30 to an iron rod for a corner on a circular curve to the left having a central angle of 2°09'54" and a radius of 3969.72 feet;

THENCE around said curve in a Northeasterly direction and the South ROW line of Interstate Highway No. 30, a distance of 150.01 feet to the POINT OF BEGINNING, and containing 0.69 acres of land;

EXHIBIT "A"

SINGLE ACK

THE STATE OF TEXAS,
COUNTY OF Dallas

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, personally known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of _____, 1971.

(L. S.)

Notary Public
SINGLE ACK

THE STATE OF TEXAS,
COUNTY OF Dallas

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, personally known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of _____, 1971.

(L. S.)

Notary Public
CORPORATION

THE STATE OF TEXAS,
COUNTY OF _____

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, personally known to me to be the person whose name is subscribed to the foregoing instrument, and that he executed the same for the purposes and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of _____, 1971.

(L. S.)

Notary Public

THE STATE OF TEXAS,
COUNTY OF _____

I HEREBY CERTIFY that the foregoing instrument was duly recorded by me on the _____ day of _____, 1971, in Vol. _____, page _____, of the Deed Records of the County of _____, State of Texas.

WITNESS MY HAND and the Seal of the Office of the Notary Public for the State of Texas, this _____ day of _____, 1971.

(L. S.)

139
486

NOTICE

Approved by the State Bar of Texas, Inc. on the 10th day of June, 1935.
To insure the proper filing of this instrument with the proper recording or filing
official every instrument of this nature should be "recorded" and not "filed."

196643

19040

WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS
COUNTY OF ROCKWALL

KNOW ALL MEN BY THESE PRESENTS:

That I, J.E.H. CHILTON, III,

of the County of Rockwall and State of Texas for and

in consideration of the sum of TEN AND NO/100 (\$10.00)----- DOLLARS

and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by grantee of his one certain promissory note of even date herewith in the principal sum of \$37,450.00 the sum of \$17,850.00 representing part of the purchase of the hereinafter described property of said note and the balance of said note representing part of the purchase price of other real property purchased by grantee herein this date, payable to the order of The First State Bank, Rockwall, Texas, at its office in Rockwall, Rockwall County, Texas, as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in event of default and for attorney's fee,

the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to T. A. Norman, Trustee have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto ARCHIE HARBERT UNDERWOOD

of the County of Collin and State of Texas, all of the following described real property in Rockwall County, Texas, to-wit:

PLAT 1240
P. 64, Rock
County, Tex

BEING PART
of the above
TRINCE: South
of 100 feet
TRINCE: North
of 100 feet
TRINCE: South
of 475.00 feet

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is a tract or parcel of land situated in the E. F. Gaines Chisum Survey, Abstract No. 44, Rockwall County, Texas, and being part of an 11.81 acre tract conveyed to Kirby Albright from M. E. Drane by deed recorded in Volume 95, Page 413, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner in the center of a public road and the East corner of the above mentioned 11.81 acre tract;
THENCE: South 45° 49' 00" West with the center of said road a distance of 164.04 feet to an iron rod for a corner;
THENCE: North 20° 18' 24" West passing an iron rod set at 21.87 feet, continuing a total distance of 342.32 feet to an iron rod for a corner;
THENCE: North 69° 41' 36" East a distance of 150.00 feet to an iron rod found for a corner;
THENCE: South 20° 18' 24" East passing an iron rod at 454.05 feet, continuing a total distance of 475.92 feet to the Point of Beginning and Containing 1.73 Acres of Land.

The conveyance evidenced by this deed is made subject to any and all easements, restrictions, covenants, conditions, and reservations of record, if any, applicable to the herein conveyed property or any part thereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, his heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to **WARRANT AND FOREVER DEFEND** all and singular the said premises unto the said grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the **VENDOR'S LIEN**, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

The First State Bank, Rockwall, Texas, at the instance and request of the grantee herein, having advanced and paid in cash to the grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinbefore described \$37,450.00 note, the sum of \$17,850.00 of said note representing part of the purchase price of the hereinbefore described real property and the balance of said note representing part of the purchase price of other real property purchased by grantee this date, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said The First State Bank, Rockwall, Texas, and the same are hereby transferred and assigned to said The First State Bank, Rockwall, Texas.

EXECUTED this 26th day of December

A. D. 1978

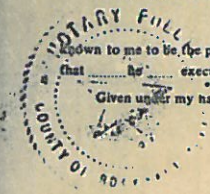
J. R. CHILTON, III

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(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF Rockwall

Before me, the undersigned authority, on this day personally appeared J. E. R. CHILTON, III



known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 29th day of December, 1978

Steph M...
Notary Public in and for Rockwall County, Texas.

(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A. D. 19 _____

Notary Public in and for _____ County, Texas

FILED FOR RECORD
RECORDED
JUNE WIMPEE, CLERK OF THE COUNTY COURT, ROCKWALL COUNTY, TEXAS
BY: *June Wimpee*
DAY OF *January* 1979 3:40 P.M.
DAY OF *January* 1979 3:50 P.M.

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DEED RECORDS - VOL. 139

NOTICE

Prepared by the State Bar of Texas for use by Lawyers only.
To select the proper form, fill in blank spaces, strike out form provisions or insert special terms constitutes the practice of law. No "standard form" can meet all requirements.

TF 6864

19042

WARRANTY DEED WITH VENDOR'S LIEN

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THE STATE OF TEXAS
COUNTY OF ROCKWALL

}

KNOW ALL MEN BY THESE PRESENTS:

That we, John Sellon, III, Martin E. Edwards and George E. Miller,

of the County of Rockwall and State of Texas, for and

in consideration of the sum of TEN AND NO/100 (\$10.00)-----DOLLARS

and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of

which is hereby acknowledged, and the further consideration of the execution and delivery by grantee of his one certain promissory note of even date herewith in the principal sum of \$37,450.00, the sum of \$19,600.00 of said note representing part of the purchase price of the herein-after described property and the balance of said note representing part of the purchase price of other real property purchased by grantee herein this date, payable to the order of The First State Bank, Rockwall, Texas, at its office in Rockwall, Rockwall County, Texas, as therein provided and bearing interest at the rates therein specified and providing for acceleration of maturity in event of default and for attorney's fees,

the payment of which note is secured by the first mortgage herein retained and is additionally secured by a deed of trust of even date herewith to be hereinafter made.

Trustee
Law C. M. ... and by these presents do GRANT, SELL AND CONVEY unto
AR ...

of the County of ... and State of Texas, all of the following described real
property in ... County, Texas, to wit:

489
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BEING a tract of land out of the E. P. Gaines Chisum Survey, Abstract No. 64, Rockwall County, Texas, and being part of an 11.81 acre tract conveyed to Kirby Albright from N. E. Draw by deed and recorded in Volume 95, Page 413, of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the South line of Interstate Highway No. 30 (U.S. 67) a 300 foot R.O.W. and the Northeast corner of said 11.81 acre tract;
THENCE South 20° 18' 24" East, a distance of 200 feet to an iron rod for a corner;
THENCE South 69° 41' 36" West a distance of 150.00 feet to an iron rod for a corner;
THENCE North 20° 18' 24" West a distance of 200.84 feet to the South R.O.W. line of Interstate Highway No. 30 to an iron rod for a corner on a circular curve to the left having a center angle of 2° 09' 54" and a radius of 3969.72 feet;
THENCE around said curve in a Northeasterly direction and the South R.O.W. line of Interstate 30 a distance of 150.01 feet to the point of beginning and containing 0.69 acres of land.

The conveyance evidenced by this deed is made subject to any and all easements, restrictions, covenants, conditions, and reservations of record, if any, applicable to the herein described property or any part thereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, his heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDORS LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

The First State Bank, Rockwall, Texas, at the instance and request of the grantee herein, having advanced and paid in cash to the grantor herein that portion of the purchase price of the herein described property as is evidenced by the hereinbefore described \$37,450.00 note, the sum of \$19,600.00 of said note representing part of the purchase price of the hereinbefore described property and the balance of said note representing part of the purchase price of other real property purchased by grantee this date, the Vendor's Lien, together with the Superior Title to said property, is retained herein for the benefit of said The First State Bank, Rockwall, Texas, and the same are hereby TRANSFERRED AND ASSIGNED to said The First State Bank, Rockwall, Texas.

EXECUTED this 26th day of December, A.D. 1978.

John Shelton, III
JOHN SHELTON, III
MARLYN E. EDWARDS
GEORGE E. MILLER

THE STATE OF TEXAS
COUNTY OF Rock

Before me, the undersigned authority, on this day personally appeared George E. Miller, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.
Given under my hand and seal of office this 26th day of December, 1978.

THE STATE OF TEXAS
COUNTY OF

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.
Given under my hand and seal of office this _____ day of _____, 1978.

FILED FOR RECORD
CORDED
COUNTY CLERK

INDEX RECORDS - 1975 - 1979

(Acknowledgment)

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THE STATE OF TEXAS }
COUNTY OF Rockwall

Before me, the undersigned authority, on this day personally appeared John Sellon, III, Martin E. Edwards and George B. Miller,

known to me to be the person whose name are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the 29th day of December, A. D. 1975

Notary Public in and for Rockwall County, Texas.

(Acknowledgment)

THE STATE OF TEXAS }
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A. D. 19____

Notary Public in and for _____ County, Texas.

FILED FOR RECORD 5/11 DAY OF January 1979 @ 4:30 P. M.
RECORDED 5/11 DAY OF January 1979 @ 3:00 P. M.
JANE WIMPEE, CLERK OF THE COUNTY COURT, ROCKWALL COUNTY, TEXAS
JANE WIMPEE

ACTION RECORD

ord
82-25

CASE NAME: Underside, Clubhouse Zoning

CASE NO.: 82-1

Planning and Zoning
Commission

City Council

Date

Approved.

Disapproved

Approved

Disapproved

Preliminary Plat

Final Plat

Zoning

_____ ✓

4-8-82

_____ ✓

5-3-82

Changes:

property was changed to "C" with no objections
from the property owners. Case was initiated by City Council
to bring property in compliance w/ surrounding property