

LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED
ACTIVITIES

SUBTITLE B. COUNTY REGULATORY AUTHORITY

CHAPTER 232. COUNTY REGULATION OF SUBDIVISIONS

SUBCHAPTER A. SUBDIVISION PLATTING REQUIREMENTS IN GENERAL

Sec. 232.001. PLAT REQUIRED. (a) The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:

- (1) a subdivision of the tract, including an addition;
- (2) lots; or
- (3) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.

(a-1) A division of a tract under Subsection (a) includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

(b) To be recorded, the plat must:

- (1) describe the subdivision by metes and bounds;
- (2) locate the subdivision with respect to an original corner of the original survey of which it is a part; and
- (3) state the dimensions of the subdivision and of each lot, street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part.

(c) The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds.

(d) The plat must be filed and recorded with the county clerk of the county in which the tract is located.

(e) The plat is subject to the filing and recording provisions of Section 12.002, Property Code.



Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: April 30, 2021

Grantor: Council Creek South, Inc., a Texas corporation

Grantor's Mailing Address: P.O. Box 9500, Austin, Texas 78766-9500

Grantee: Underwater Land, LLC, a Texas limited liability company

Grantee's Mailing Address: P.O. Box 146, Burnet, Texas 78611

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

Property (including any improvements): According to the online records of the Burnet Central Appraisal District, 46.437 acres of submerged land, more or less, beneath the waters of Lake Buchanan, Texas, out of the Jeptha Boyce Survey No. 400, Abstract No. 57, Burnet County, Texas, being further identified as Burnet Central Appraisal District Property ID No. 47902 and Property Geographical ID No. B0057-0000-00301-000.

Reservations from Conveyance: None.

Exceptions to Conveyance: All liens, leases, easements, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, relating to the Property, to the extent, and only to the extent, that the same are still in force and effect, and either shown of record in the office of the County Clerk of Burnet County, Texas, or that may be apparent on, above, near or about the Property.

Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance, grants, sells and conveys to Grantee all of Grantor's right, title, and interest in and to the Property, if any, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in section 5.023 of the Texas Property Code (or its successor) are excluded.

For and in consideration of this deed to Grantee of all of Grantor's right, title, and interest in and to the Property, if any, Grantee acknowledges and assumes full liability and responsibility for the Property, its property taxes, and all other costs, expenses and liabilities related to or in any way arising from the Property, and does hereby release, indemnify and hold harmless Grantor and Grantor's heirs, successors, and assigns from and against any and all claims, demands, losses, costs, expenses, causes of action and damages, including attorneys' fees, related to or in any way arising from the Property.

Grantor:

Council Creek South, Inc., a Texas corporation

By: The Estate of HESSIE WILLIAMS OWEN, Deceased
Its: PresidentBy: [Signature] IND. EXEC.
Jack Edward Owen, Jr., Independent Executor**Grantee:**

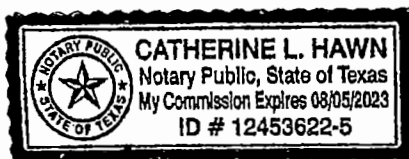
Underwater Land, LLC, a Texas limited liability company

By: [Signature]
Brad A. Beneski, Manager

STATE OF TEXAS

COUNTY OF MONTGOMERY

This instrument was acknowledged before me on the 30th day of April, 2021 by Jack Edward Owen, Jr., Independent Executor of The Estate of HESSIE WILLIAMS OWEN, Deceased, President of Council Creek South, Inc., a Texas corporation, on behalf of said corporation and in his fiduciary capacity as independent executor.

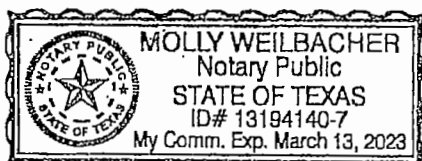


[Signature]
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF Burnet

This instrument was acknowledged before me on the 4th day of May, 2021 by Brad A. Beneski, Manager of Underwater, LLC, a Texas limited liability company, on behalf of said limited liability company.



[Signature]
Notary Public, State of Texas

After Recording Return To:

Mr. Brad A. Beneski, Manager
Underwater Land, LLC
P.O. Box 146
Burnet, Texas 78611



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Janet Parker

Janet Parker, County Clerk

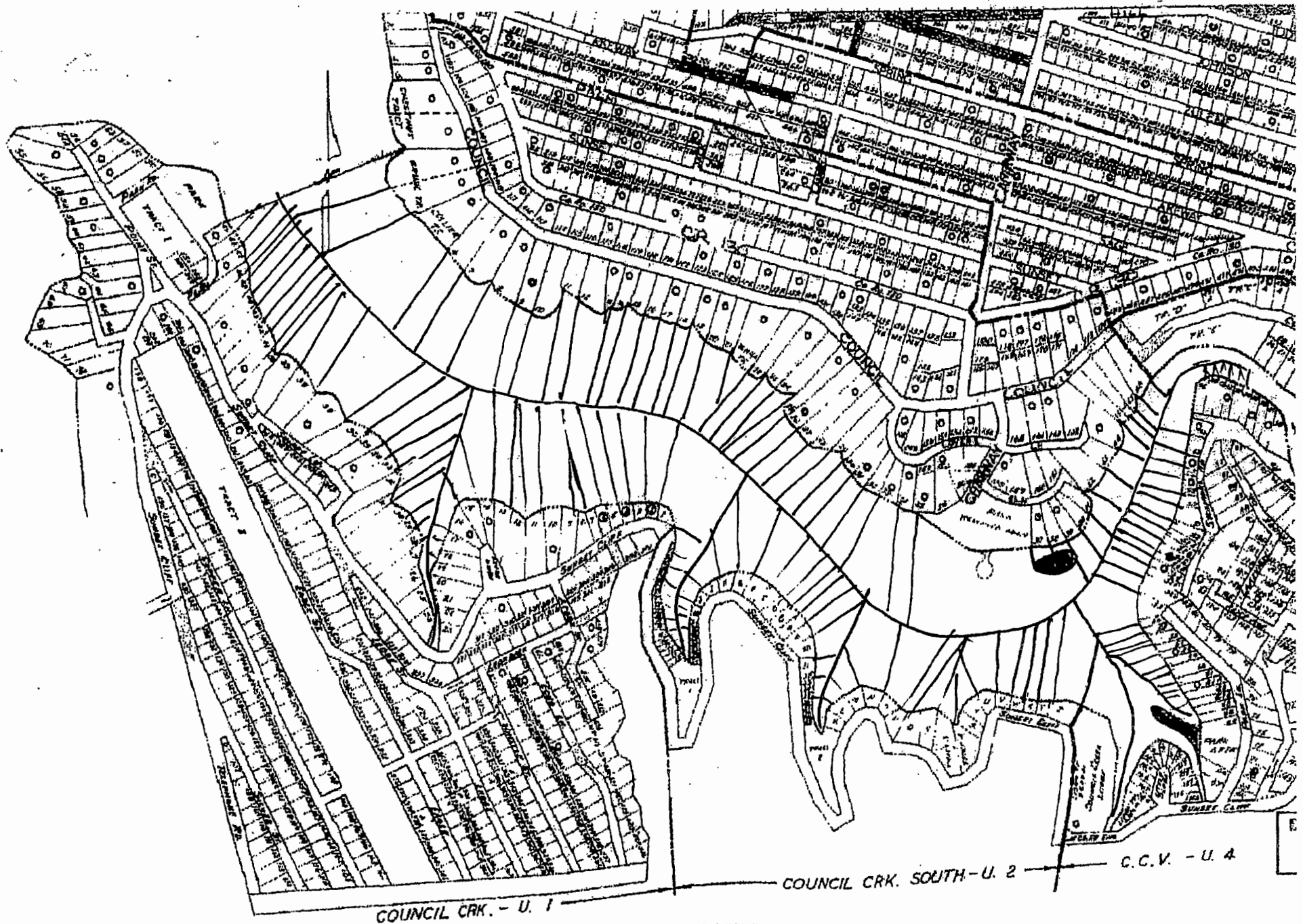
Burnet County Texas

5/4/2021 9:54:13 AM

FEE: \$34.00

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COUNCIL CRK. - U. 1

COUNCIL CRK. SOUTH - U. 2

C.C.V. - U. 4