

After recording, please return to:

Williamson County
3151 SE Inner Loop, Suite B
Georgetown, TX 78626

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.

CORRECTION SPECIAL WARRANTY DEED

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

Date: January 2, 2017

Grantor: TACK DEVELOPMENT, LTD., a Texas limited partnership

Grantee: WILLIAMSON COUNTY, a political subdivision of the State of Texas

Grantee's Mailing Address (including county):

3151 SE Inner Loop, Suite B
Georgetown, TX 78626
Williamson County, Texas

Consideration:

The sum of Ten and No/100 Dollars (\$10.00) and other good and valuable cash consideration in hand paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, and for the payment of which no lien, express or implied, is retained against the Property.

Property (including any improvements):

THAT PART OF THE J.H. NEILY SURVEY ABSTRACT No. 485 AND THE N.D. WALLING SURVEY ABSTRACT No. 685, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT 26.1085-ACRE TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD. BY DEED RECORDED IN DOCUMENT No. 2003031858, BEING A PART OF THAT 11.18-ACRE TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD. BY DEED RECORDED IN DOCUMENT No. 2006027467, BEING A PART OF THAT 6.043-ACRE TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD. BY DEED RECORDED IN DOCUMENT NO. 199969583, AND ALL OF A 864 SQ FT TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD. BY DEED RECORDED IN DOCUMENT No. 2017093878, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON

COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Reservations from and Exceptions to Conveyance and Warranty:

Grantor specifically excepts from this conveyance all of the water, wastewater, and drainage utility facilities and infrastructure in, on, or under the Property (the "MUD Facilities") and expressly reserves for Grantor and Grantor's successors and assigns a non-exclusive easement over, under, and across the Property for the purposes of construction, installation, operation, maintenance, inspection, repair, upgrade, replacement, relocation, and removal of the MUD Facilities and related appurtenances and providing access and making connections thereto (the "Reserved Easement"), which Reserved Easement Grantor hereby assigns, transfers, sets over, and conveys to Williamson County Water, Sewer, Irrigation, and Drainage District No. 3 (the "MUD").

This conveyance is expressly made and accepted subject to all matters on the ground that a true and correct survey would reveal and all valid and subsisting easements, restrictions, reservations, covenants, conditions, and other matters relating to the Property to the extent that the same are valid and enforceable against the Property, as same are shown by instruments filed for record in the office of the County Clerk of Williamson County, Texas.

Conveyance and Warranty:

Grantor, for the consideration and subject to the reservations from and exceptions to the conveyance and warranty set forth above, has GRANTED, SOLD, AND CONVEYED and does hereby GRANT, SELL, AND CONVEY to Grantee the Property, together with all and singular the improvements located thereon and all rights and appurtenances pertaining thereto, including all right, title, and interest of Grantor in and to adjacent streets, alleys, rights-of-way, roadways, strips, gores, and easements, TO HAVE AND TO HOLD the Property to Grantee, Grantee's heirs, executors, administrators, legal representatives, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, legal representatives, successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, legal representatives, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor but not otherwise, and except as to the Reservations from and Exceptions to Conveyance and Warranty set forth above.

Whenever the content of this Correction Special Warranty Deed so requires, the singular shall include the plural, the plural shall include the singular and any gender shall include all other genders.

THIS CORRECTION SPECIAL WARRANTY DEED IS MADE BY GRANTOR AND ACCEPTED BY GRANTEE AS A CORRECTION DEED IN SUBSTITUTION OF THAT CERTAIN SPECIAL WARRANTY DEED DATED JANUARY 2, 2017 AND RECORDED UNDER DOCUMENT NO. 2017094788, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (THE "ORIGINAL DEED"), TO CORRECT THE LEGAL DESCRIPTION OF THE PROPERTY IN THE ORIGINAL DEED BY EXCEPTING THE MUD FACILITIES FROM THE CONVEYANCE AND RESERVING THE RESERVED EASEMENT. GRANTOR

AND GRANTEE HEREBY CONFIRM AND AGREE THAT THE PROPERTY DOES NOT INCLUDE THE MUD FACILITIES AND IS SUBJECT TO THE RESERVED EASEMENT, AND THAT GRANTOR DID NOT INTEND TO CONVEY IN THE ORIGINAL DEED, AND DOES NOT CONVEY IN THIS CORRECTION SPECIAL WARRANTY DEED, ANY INTERESTS OF GRANTOR IN OR TO THE MUD FACILITIES. BY ITS SIGNATURE BELOW GRANTEE RELEASES, AND QUITCLAIMS UNTO THE MUD, ALL OF GRANTEE'S RIGHT, TITLE, AND INTEREST IN AND TO THE MUD FACILITIES.

Other than the stated corrections, this Correction Special Warranty Deed is intended to restate in all respects the Original Deed, and the effective date of this Correction Special Warranty Deed relates back to the effective date of the Original Deed.

* * * * *

IN WITNESS WHEREOF, this Correction Special Warranty Deed is executed on the date(s) set forth below, to be effective as of January 2, 2017.

GRANTOR:

TACK DEVELOPMENT, LTD., a Texas Limited Partnership

By: Commerce Texas Properties, Inc., a Texas corporation, General Partner

By: _____
Timothy Timmerman, President

STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on _____, 2018, by Timothy Timmerman, as President of Commerce Texas Properties, Inc., a Texas corporation, General Partner of Tack Development, Ltd., a Texas limited partnership, on behalf of said corporation and limited partnership.

Notary Public, State of Texas

GRANTEE:

WILLIAMSON COUNTY, a political subdivision of the State of Texas

By: _____
Dan A. Gattis, Williamson County Judge

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on _____, 2018, by Dan A. Gattis, as County Judge of Williamson County, a political subdivision of the State of Texas, on behalf of said political subdivision.

Notary Public, State of Texas

EXHIBIT "A"

1.707 Acres

THAT PART OF THE J. H. NEILEY SURVEY ABSTRACT No. 485 AND THE N. D. WALLING SURVEY ABSTRACT No. 685, IN WILLIAMSON COUNTY, TEXAS, BEING A PART OF THAT 26.1086-ACRE TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD BY DEED RECORDED IN DOCUMENT No. 2003031858, BEING A PART OF THAT 11.18-ACRE TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD BY DEED RECORDED IN DOCUMENT No. 2006027467, BEING A PART OF THAT 6.043-ACRE TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD BY DEED RECORDED IN DOCUMENT No. 199969583 AND ALL OF A 864 SQ FT TRACT OF LAND CONVEYED TO TACK DEVELOPMENT, LTD. BY DEED RECORDED IN DOCUMENT No. _____, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE at 1/2" iron rod set at the northeast corner of said 6.043-Acre Tract, same being the southeast corner of 1.976-Acre Tract of land conveyed to Tack Development, LTD. by deed recorded in Document No. 2003031850 of the official Public Records of Williamson County, Texas, and on the east line of State Highway 130;

THENCE S.25°04'59"W. with the east line of said 6.043-Acre Tract and the west line of said State Highway 130 a distance of 302.27 feet to a 1/2" iron rod set at the Point of Beginning;

THENCE continue S.25°04'59"W. along said line a distance of 140.00 feet to a 1/2" iron rod set;

THENCE in part across said 6.043-Acre Tract, said 11.18-Acre Tract and said 26.1086-Acre Tract the following five courses:

1. N.19°54'09"W., a distance of 49.48 feet to a 1/2" iron rod set;
2. N.64°53'16"W. a distance of 86.69 feet to a 1/2" iron rod set at a point of curvature of a curve to the left;
3. Westerly, along the arc of said curve to the left, a distance of 569.89 feet, said curve having a radius of 530.00 feet, a central angle of 61°36'28", and a chord bearing S.84°18'30"W., 542.83 feet to a 1/2" iron rod set;
4. S.53°30'16"W. a distance of 197.78 feet to a 1/2" iron rod set to a point of curvature of a curve to the left;
5. Southwesterly, along the arc of said curve to the left a distance of 115.78 feet, said curve having a radius of 1,965.00 feet, a central angle of 03°22'34", and a chord bearing S.51°48'59"W., 115.77 feet to a 1/2" iron rod set at the northeast corner of a 1.335-Acre Tract (Part 1) of land conveyed to Williamson County, Texas by deed recorded in Document No. 201620314 of the Official Public Records of Williamson county, Texas, same being the northwest corner of a 30.00-Acre Tract of land conveyed to HEB Grocery, LP by deed recorded in Document No. 2006027468 of the Official Public Records of Williamson County, Texas;

THENCE N.39°52'17"W. with the northeast line of said 1.335-Acre Tract and continuing across said 26.1086-Acre Tract a distance of 70.00 feet to a 1/2" iron rod set on the west line of said 26.1086-Acre Tract, same being the east line of a 7.23-Acre Tract of land conveyed to Star Golf Partners, LTD. by deed recorded in Document No. 2006047705 of the Official Public Records of Williamson County, Texas to a point on a non-tangent curve to the right;

THENCE across said 26.1086-Acre Tract, said 11.18-Acre Tract, said 6.043-Acre and in part with the north line of said 864 Sq Ft Tract the following five courses:

2448-Muirfield Bend Dr

1.707 Acres

1. Northeasterly along the arc of said curve, a distance of 119.91 feet said curve having a radius of 2,035.45 feet, a central angle of $03^{\circ}22'31''$ and a chord bearing $N.51^{\circ}48'59''E.$, 119.89 feet to a 1/2" iron rod set;
2. $N.53^{\circ}30'16''E.$ a distance of 197.78 feet to a 1/2" iron rod set at a point of curvature of a curve to the right;
3. Easterly, along the arc of said curve to the right, a distance of 645.15 feet, said curve having a radius of 600.00 feet, a central angle of $61^{\circ}36'28''$, and a chord bearing $N.84^{\circ}18'30''E.$, 614.52 feet to a 1/2" iron rod set;
4. $S.64^{\circ}53'16''E.$ a distance of 86.62 feet to a 1/2" iron rod set;
5. $N.70^{\circ}05'51''E.$, 49.51 feet to the said Point of Beginning.

Containing 1.707 acres, more or less.

2448-Muirfield Bend Dr