



**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.**

**DEED WITHOUT WARRANTY**

**Date:** January 5, 2010

**Grantor:** TOM GREEN COUNTY, Texas, acting through the County Judge of Tom Green County, Texas, duly authorized by resolution and approval of the Commissioners' Court of Tom Green County, Texas

**Grantor's Address:** 122 West Beauregard Avenue  
San Angelo, Texas 76903

**Grantee:** HAZEL RUTH DUKE, an undivided 4/24ths interest  
MARY JANE ROBBINS HASTY, an undivided 9/24ths interest  
CHELSEA DASHA, an undivided 9/24ths interest  
FRED SPILLER, an undivided 1/24th interest  
DENISE JESSEN, an undivided 1/24th interest

**Grantee's Addresses:** P. O. Box 519  
Carlsbad, Texas 76934-0519

**Consideration:** Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, and in accordance with the terms of that certain Park Deed dated March 14, 1941, recorded in Volume 209, Page 403, Deed Records of Tom Green County, Texas

**Property (including any improvements):**

That certain real property more particularly described in Exhibit "A" attached hereto and made a part hereof by reference, and being the same property conveyed to Tom Green County, Texas, by T. N. Robbins by deed dated March 14, 1941, recorded in Volume 209, Page 403, Deed Records of Tom Green County, Texas

**Reservations From and Exceptions to Conveyance:** Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; and taxes for 2008, which Grantee assumes and agree to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's successors or assigns forever, without express or implied warranty; and all warranties that might arise by common law and the warranties in §5.023 of the Texas Property Code (or its successor) are excluded.

THE PROPERTY IS BEING SOLD TO GRANTEE "AS IS AND WITH ALL FAULTS." GRANITOR HAS NOT MADE AND DOES NOT HEREBY MAKE ANY EXPRESS OR IMPLIED REPRESENTATIONS OR WARRANTIES WHATSOEVER WITH RESPECT TO THE CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION OR WARRANTY REGARDING THE PRESENCE OR CONDITION OF

ANY HAZARDOUS MATERIALS, UNDERGROUND STORAGE TANKS, WETLANDS AND/OR ANY OTHER ENVIRONMENTAL MATTERS RELATING TO THE PROPERTY, OR THE MERCHANTABILITY OR FITNESS OF THE PROPERTY FOR ANY PARTICULAR PURPOSE, AND GRANTEE BY THEIR ACCEPTANCE HEREOF ACKNOWLEDGES THAT GRANTEE HAS ACQUIRED THE PROPERTY AFTER CONDUCTING GRANTEE'S OWN INSPECTIONS OF THE PROPERTY AND WITHOUT RELYING UPON ANY SUCH STATEMENT OR REPRESENTATION MADE BY GRANTOR OR GRANTOR'S PUBLIC OFFICIALS, EMPLOYEES, AGENTS OR CONTRACTORS. GRANTEE, BY ACCEPTANCE OF THIS DEED (i) ACKNOWLEDGE THAT GRANTEE HAS INSPECTED THE PROPERTY AND HAVE SATISFIED ITSELF AS TO THE CONDITIONS OF SAME AND THAT GRANTEE ACCEPTS SUCH PROPERTY "AS IS" AND "WHERE IS" AND WITH ALL FAULTS, WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESSED, IMPLIED, STATUTORY OR OTHERWISE, INCLUDING SPECIFICALLY, WITHOUT LIMITATION, WITHOUT IMPLIED WARRANTY AS TO ENVIRONMENTAL MATTERS, HABITABILITY, SUITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, (ii) GRANTEE WAIVES ANY AND ALL CLAIMS AGAINST GRANTOR UNDER THE TEXAS DECEPTIVE TRADE PRACTICES-CONSUMER PROTECTION ACT WHICH IN ANY WAY RELATE TO THE PROPERTY; AND (iii) GRANTEE ASSUMES SOLE LIABILITY AND SOLE RESPONSIBILITY FOR ANY AND ALL PROPERTY CONDITIONS, INCLUDING SPECIFICALLY, WITHOUT LIMITATION, ALL ENVIRONMENTAL CONDITIONS.

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

TOM GREEN COUNTY

BY:



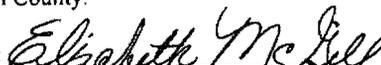
Michael D. Brown,  
County Judge of Tom Green County, Texas

STATE OF TEXAS §

COUNTY OF TOM GREEN §

This instrument was subscribed and acknowledged before me on the 5 day of January, 2010, by Michael D. Brown, Tom Green County Judge, acting in his official capacity as County Judge and not individually, for and on behalf of Tom Green County.

Attest:

  
Elizabeth McGill, County Clerk  
Tom Green County, Texas

AFTER RECORDING, RETURN TO:

Wm. Keith Davis  
Hay, Wittenburg, Davis, Caldwell & Bale, L.L.P.  
P. O. Box 271  
San Angelo, Texas 76902-0271

**EXHIBIT "A"**

Being an area of 2.853 acres of land out of the south part of Block 5, T. N. Robbins Subdivision, Tom Green County, Texas as per plat recorded in Volume 1, Page 47, Plat Records of Tom Green County, Texas and said 2.853 acre tract being more particularly described by metes and bounds as follows;

Beginning at a 1/2" iron rod with cap set for the southeast corner of this tract and said Block 5 and also being the intersection of the west or southwest line of Grape Creek Road and the north line of Cactus Lane;

Thence with the south line of this tract and said Block 5 and the north line of said Cactus Lane, N. 89° 44' 36" W. 1192.82 feet to a 1/4" iron rod with cap set for the southwest corner of this tract;

Thence with the west line of this tract, N. 00° 33' 00" W. 103.03 feet to an iron rod with cap found for the northwest corner of this tract and southwest corner of Tract F, Lewis O. Woodward Subdivision, Tom Green County, Texas as per plat recorded in Volume 1, Page 346, Plat Records of Tom Green County, Texas;

Thence with the north line of this tract and the south line of said Tract F, N. 89° 54' 00" E. 1137.50 feet to a 1/2" iron pipe found for the northeast corner of this tract and southeast corner of said Tract F;

Thence with the east or northeast line of this tract and said Block 5 and the west or southwest line of said Grape Creek Road, S. 27° 01' 36" E. 123.89 feet to the place of beginning and containing an area of 2.853 acres of land.

**CERTIFIED FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS

*Elizabeth McGill*

Elizabeth McGill, County Clerk  
Tom Green County TEXAS



January 05, 2010 10:11:35 AM

FEE: \$0.00

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