

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

SPECIAL WARRANTY DEED

DATE: _____

GRANTOR: PECAN CROSSING OWNERS ASSOCIATION, INC., a Texas Corporation

GRANTOR'S MAILING ADDRESS (including county):

300 East Sonterra Boulevard, Suite 250
San Antonio, Bexar County, TX 78258

GRANTEE: THE CITY OF NEW BRAUNFELS, TEXAS, a Municipal Corporation

GRANTEE'S MAILING ADDRESS (including county):

550 Landa Street
New Braunfels, Comal County, Texas 78130

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY (including any improvements): Lots 112 and 113, Block 3, Pecan Crossing, Unit Four (4), a subdivision situated in the City of New Braunfels, Guadalupe County Texas according to the map or plat thereof recorded in Volume 8, Page 368, of the Plat Records of Guadalupe County, Texas.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY: This conveyance is made and accepted subject to any and all restrictions, covenants, conditions, reservations, setback lines and easements, if any, now outstanding and of record in Guadalupe County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any, but only to the extent that they are still in effect, relating to the Property.

Grant of Property: 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 wise belonging, to have and hold it to Grantee, its successors or assigns forever.

TO HAVE AND TO HOLD the Property herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Grantee and its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto the Grantee, its 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, subject to the Permitted Exceptions.

GRANTOR agrees to defend and indemnify Grantee from any claim that Grantee is subject to any provisions and conditions of the Declarations of Covenants, Conditions and Restrictions for the Pecan Crossing Subdivision presently in place or any future amendments thereto. Grantor conveys the above Property which are platted lots for drainage and are not buildable lots to Grantee, and Grantor further agrees that Grantee is not subject to any provisions and conditions of the Declarations of Covenants, Conditions, and Restrictions for the Pecan Crossing Subdivision or to any future amendments thereto.

GRANTOR IS CONVEYING THE PROPERTY TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS, OR GUARANTEES, EITHER EXPRESS OR IMPLIED, OF ANY KIND, NATURE, OR TYPE FROM OR ON BEHALF OF GRANTOR, EXCEPT FOR GRANTOR'S SPECIAL WARRANTY OF TITLE AND INDEMNIFICATION AND DEFENSE OF GRANTEE FROM ANY CLAIM ARISING FROM THE DECLARATIONS OF CONVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE PECAN CROSSING SUBDIVISIONS AND RELATED REPRESENTATIONS AS STATED ABOVE. GRANTEE ACKNOWLEDGES AND STIPULATES THAT GRANTEE IS NOT RELYING ON ANY REPRESENTATION, STATEMENT, OR OTHER ASSERTION ABOUT THE CONDITION OF THE PROPERTY MADE BY GRANTOR, OR ANYONE ACTING ON GRANTO'S BEHALF, BUT IS RELYING ON GRANTEE'S OWN EXAMINATION OF THE PROPERTY.

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

**GRANTOR:
PECAN CROSSING HOME OWNERS
ASSOCIATION, INC**

Name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF TEXAS §
§
COUNTY OF GUADALUPE §

Before me, a Notary Public, on this _____ day of _____, ____ 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.

Notary Public, State of Texas

ACCEPTED:

CITY OF NEW BRAUNFELS, TEXAS

By: Robert Camareno, City Manager

ACKNOWLEDGMENT

STATE OF TEXAS §
§
COUNTY OF COMAL §

On _____, _____, personally appeared ROBERT CAMARENO, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity as City Manager of the CITY OF NEW BRAUNFELS, TEXAS.

WITNESS my hand and official seal.

Notary Public, State of Texas

APPROVED AS TO FORM:

By: _____
Valeria M. Acevedo, City Attorney