

013915

**GENERAL WARRANTY DEED**  
(with Vendor's Lien)

THE STATE OF TEXAS  
COUNTY OF WALLER

KNOW ALL MEN BY THESE PRESENTS:

THAT A.J. FOYT, JR., owning property in the County of WALLER, Texas, AND NOT JOINED HEREIN BY HIS SPOUSE AS THE BELOW DESCRIBED PROPERTY CONSTITUTES NO PART OF THEIR BUSINESS OR RESIDENTIAL HOMESTEAD, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by T.R. INSCORE AND SPOUSE, DEBRA J. INSCORE; AND SAMUEL M. LECOMTE AND SPOUSE, SELINA LECOMTE, hereinafter called "Grantee" (whether one or more), whose mailing address is Rt. 1, Box 2221, Hempstead, TX 77445, the receipt and sufficiency of which are hereby acknowledged and confessed, and for the further consideration of the execution and delivery by said Grantee of one certain Promissory Note in the principal sum of TWO HUNDRED FORTY-NINE THOUSAND AND 00/100 DOLLARS (\$249,000.00), bearing even date herewith, payable to the order of CAPITAL FARM CREDIT, FLCA, hereinafter called "Mortgagee", bearing interest at the rate therein provided; said Note containing an attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and Superior Title retained herein in favor of said Grantor and assigned to Mortgagee, and also being secured by a Deed of Trust of even date herewith from Grantee BEN R. NOVOSAD, Trustee; and

WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as evidenced by the above described Note, said Vendor's Lien and Superior Title against said property securing the payment of said Note is hereby assigned, transferred and delivered without recourse to Mortgagee, Grantor hereby conveying to said Mortgagee the said Superior Title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said lien;

And Grantor has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto said Grantee, the following described real property, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART  
HEREOF FOR ALL PURPOSES;**

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto said Grantee, its successors and assigns, FOREVER. Grantor does hereby bind itself, its successors and assigns, TO WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

This Deed is executed, delivered and accepted subject to all and singular any liens securing the payment of any debt created or assumed in connection herewith if such liens are described herein, standby fees, ad valorem taxes for the current and all subsequent years, subsequent assessments for prior years due to changes in land usage or ownership, zoning ordinances, utility district assessments and standby fees, if any, applicable to and enforceable against the above described property, and all valid utility easements created by the dedication deed or plat of the subdivision in which said real property is located, covenants, restrictions common to the platted subdivision in which said real property is located, mineral reservations, maintenance fund liens, and any title or rights asserted by anyone, including, but not limited to, persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or to any land extending from the line of the harbor or bulkhead lines as established or changed by any government or to filled-in lands, or artificial islands, or to riparian rights or other statutory water rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or the right of access thereto, or right of easement along and across the same, if any, applicable to and enforceable against the above described property as shown by the records of the County Clerk of the County in which said real property is located.

GF # 01906349 KXS/KC  
RETURN TO  
STEWART TITLE CO.  
840 13TH STREET STE. #201  
HEMPSTEAD, TEXAS 77445

**RESTRICTIVE COVENANTS**

Affected Property Owners: Grantor, as well as Grantor's heirs, administrators and assigns as owners of adjoining and surrounding real property

**Restrictions:**

Grantee shall not erect or have placed on the property, any manufactured or mobile homes.

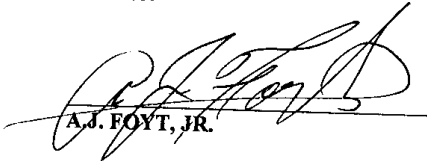
Grantor, as the fee simple owner of the Property, establishes the Restrictions as covenants, conditions, and restrictions, whether mandatory, prohibitive, permissive, or administrative, to regulate the structural integrity, appearance, and uses of the Property and the improvements placed on it. Grantor and Grantee stipulate the (a) the Restrictions touch and concern the Property; (b) privity of estate exists by reason of the ownership of the Property; (c) notice is given by filing this instrument in the real property records of the county in which the Property is situated; and (d) the Restrictions are reasonable, their purposes being for the common benefit of Grantor, Grantee, and the Affected Property Owners, who are affected by the structural integrity, appearance and uses of the Property. The Restrictions run with the land making up the Property, are binding on Grantee and Grantee's successors and assigns forever, and inure to the benefit of Grantor, Grantee, Affected Property Owners, and their successors and assigns forever.

BUT IT IS EXPRESSLY AGREED that the Grantor herein reserves and retains for himself, his heirs and assigns, a Vendor's Lien, as well as the Superior Title, against the above described property, premises and improvements, until the above described Note and all interest thereon have been fully paid according to the terms thereof, when this Deed shall become absolute.

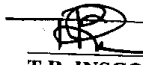
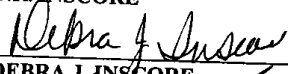

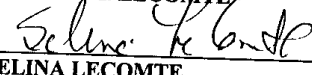
WHEN this Deed is executed by more than one person, or when the Grantee is more than one person, the instrument shall read as though pertinent verbs, nouns and pronouns were changed correspondingly, and when executed by or to a corporation, the words, "heirs, executors and administrators" or "heirs and assigns" shall be construed to mean "successors and assigns". Reference to any gender shall include either gender and, in the case of a corporation, shall include the neuter gender, all as the case may be.

DATED this the 21st day of June, 2001.

**Grantor:**

  
A.J. FOYST, JR.

**Grantee:**

  
T.R. INSCORE  
  
DEBRA J. INSCORE  
  
SAMUEL M. LECOMTE  
  
SELINA LECOMTE

THE STATE OF TEXAS

COUNTY OF Waller

This instrument was acknowledged before me on the 21<sup>st</sup> day of JUNE, 2001, by A.J. FOYST, JR.

My commission expires:





NOTARY PUBLIC

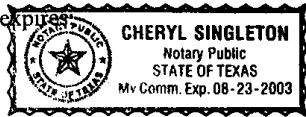
Susan R. Terrazas  
Notary's Name (printed)

THE STATE OF TEXAS

COUNTY OF Waller

This instrument was acknowledged before me on the 22<sup>nd</sup> day of JUNE, 2001, by T.R. INSCORE AND SPOUSE, DEBRA J. INSCORE; ~~AND SAMUEL M. LECOMTE AND SPOUSE, SELINA LECOMTE.~~

My commission expires



Cheryl Singleton  
NOTARY PUBLIC

Susan R. Terrazas  
Notary's Name (printed)

RETURN TO:

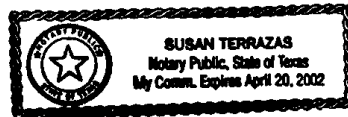
T.R. INSCORE AND DEBRA J. INSCORE; AND SAMUEL M. LECOMTE AND SELINA LECOMTE

THE STATE OF Texas

COUNTY OF Denton

This instrument was acknowledged before me on the 25 day of June, 2001 by SAMUEL M. LECOMTE AND SPOUSE, SELINA LECOMTE.

[Signature]  
Notary Public, State of Texas



FIELD NOTES FOR A 101.469 ACRE TRACT BEING OUT OF THE TRACT CONVEYED IN A DEED FROM COX ENTERPRISES, INC. TO NINE BAR RANCH TEXAS, INC., DATED APRIL 3, 1986 AND RECORDED IN VOLUME 392, PAGE 697 OF THE DEED RECORDS OF WALLER COUNTY, ALL OR A PORTION OF A CALLED 49.219 ACRE TRACT DESCRIBED IN A DEED FROM PHOEBE KIRBY ROSE, ET AL TO NINE BAR RANCH TEXAS, INC., DATED DECEMBER 20, 1986 AND RECORDED IN VOLUME 403, PAGE 627 OF THE DEED RECORDS AND ALL OR A PORTION OF A CALLED 60.3168 ACRE TRACT DESCRIBED IN A DEED FROM DON R. MULLINS, D.B.A. AS WOOD FOREST LAND VENTURES, AND JAMES P. WELLS, TO NINE BAR RANCH TEXAS, INC. DATED JULY 12, 1988 AND RECORDED IN VOLUME 421, PAGE 424 OF THE DEED RECORDS AND BEING LOCATED IN THE JESSE CLARY SURVEY, ABSTRACT 110 AND THE S. H. HARDIN SURVEY, ABSTRACT 36, WALLER COUNTY, TEXAS.

COMMENCING FOR REFERENCE: At a 1/2 inch iron rod set at the intersection of the South right-of-way line of F.M. Highway 1736 and the West right-of-way line of Laneview Road marking the Northeast corner of Tract E-4, being 114.831 acres (surveyed at the same time as this tract and not yet recorded);

THENCE: With the South line of said F. M. Highway 1736 the following calls:

Along a curve to the right with a central angle of 15° 41' 59", a radius of 1004.94 feet, a length of 275.37 feet and a chord bearing of North 78° 10' 51" East a distance of 274.50 feet to a concrete highway monument found;

North 70° 45' 12" West, 1812.37 feet to a 1 inch iron pipe set;

Along a curve to the right with a central angle of 6° 40' 49", a radius of 5779.65 feet, a length of 673.86 feet and a chord bearing of North 67° 27' 14" West a distance of 673.47 feet to a 1 inch iron pipe set;

North 64° 03' 18" West, 973.19 feet to a concrete highway monument found;

Along a curve to the right with a central angle of 6° 32' 07", a radius of 1959.88 feet, a length of 223.55 feet and a chord bearing of North 60° 38' 14" West a distance of 223.43 feet to a 1 inch iron pipe set for the Northeast corner of this tract and the Northwest corner of Tract E-16, being 82.949 acres ( surveyed at the same time as this tract and not yet recorded) and being the ACTUAL PLACE OF BEGINNING;

THENCE: South 25° 05' 34" West a distance of 2468.54 feet to a 1 inch iron pipe set for the Southeast corner of this tract and the Northeast corner of Tract E-14, being 91.773 acres (surveyed at the same time as this tract but not yet recorded);

THENCE: North 71° 07' 11" West a distance of 1601.39 feet to a 1 inch iron pipe set in the East line of the Rolling Hills Subdivision, Section 5 for the Southwest corner of this tract and the Northwest corner of said Tract E-14;

THENCE: North 20° 59' 52" East a distance of 1656.93 feet to a 1/2 inch iron rod found at an angle in the fence;

THENCE: North 21° 26' 20" East a distance of 866.37 feet to a 1/2 inch iron rod found in the South line of said F. M. Highway 1736 for the Northwest corner of this tract and the Northeast corner of the Rolling Hills Subdivision, Section 3;

THENCE: With the South right-of-way line of said F.M. Highway 1736 the following calls:

South 85° 34' 56" East, 515.55 feet to a concrete highway monument found;

Along a curve to the right with a central angle of 35° 31' 50", a radius of 1382.41 feet, a length of 857.28 feet and a chord bearing of South 67° 42' 26" East a distance of 843.59 feet to a concrete highway monument found;

South 50° 31' 34" East, 193.31 feet to a 1 inch iron pipe set;

Along a curve to the left with a central angle of 7° 33' 31", a radius of 1959.88 feet, a length of 258.55 feet, and a chord bearing of South 53° 35' 25" East a distance of 258.36 feet to the ACTUAL PLACE OF BEGINNING and containing 101.469 acres of land.

The bearings recited herein are based on the North right-of-way line of Kelley Road running North 89° 36' 20" West.

Filed for Record

June 27

A.D., 2001 at 4:23 o'clock P.M.

RECORDED

July 9

A.D., 2001 at 1:10 o'clock P.M.

CHERYL PETERS, County Clerk, Waller County, Texas

By Stephanie Tompkins Deputy