

**GENERAL WARRANTY DEED WITH VENDOR'S LIEN**

**3051**

**THE STATE OF TEXAS**

¶

**KNOW ALL MEN BY THESE PRESENTS:**

**COUNTY OF WASHINGTON**

¶

THAT We, **BENNIE RUTH DICKSCHAT**, Individually and as Independent Executrix of the **ESTATE OF CHARLIE DICKSCHAT, DECEASED**, and **CHARLES WILLIAM DICKSCHAT**, Independent Executor of the **ESTATE OF JOE W. DICKSCHAT, DECEASED**, all of the County of Washington, State of Texas, hereinafter referred to as "Grantors", for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable consideration to the undersigned paid and secured to be paid by **RICHARD L. HARRIS** and wife, **SYBEL A. HARRIS**, hereinafter referred to as "Grantees", as follows, to-wit:

- (1) The sum of \$10.00 and other good and valuable cash consideration to Grantors in hand paid by Grantees, the receipt of which is hereby acknowledged; and,
- (2) The further consideration of the execution and delivery by the said Grantees of their one certain Promissory Note dated March 23, 1999 in the original principal sum of **TWENTY-FIVE THOUSAND ONE HUNDRED SEVENTY-SIX AND 60/100 DOLLARS (\$25,176.60)** payable to the order of **BENNIE RUTH DICKSCHAT** in installments as therein specified, providing for attorney's fees and acceleration of maturity at the rate and in the events therein set forth, being secured by a Vendor's Lien and Superior Title herein retained, and additionally secured by a Deed of Trust dated March 23, 1999 from Grantees to **KATHLEEN TERRELL**, Trustee, reference to which is here made for all purposes;

have **GRANTED, SOLD AND CONVEYED**, and by these presents do **GRANT, SELL AND CONVEY**, subject to the exceptions hereinafter set forth, unto the said **RICHARD L. HARRIS** and wife, **SYBEL A. HARRIS**, of the County of Harris, State of Texas, whose mailing address is 439 Donna Lynn, Houston, Texas 77092, all that certain tract or parcel of land lying and being situated in Washington County, Texas, more fully described as follows to-wit:

**Being 11.197 acres , James Lynch League, A-80, in Washington County, Texas more fully described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes; and**

**TOGETHER WITH** all improvements thereon and all rights, privileges and appurtenances pertaining thereto, included but not limited to, all of Grantors' right, title and interest in and to water rights, claims and permits, rights of way or easements affecting said real property and Grantors' right to the use of same, all rights and obligations of applicable government programs and cooperative or association memberships.



THIS CONVEYANCE IS EXPRESSLY MADE AND ACCEPTED SUBJECT TO THE FOLLOWING, TO-WIT:

Any and all restrictions, covenants, mineral conveyances and reservations, conditions and easements, if any, relating to the herein conveyed property, but only to the extent that they are still in effect, valid, subsisting, and shown of record in the office of the County Clerk of Washington County, Texas; all zoning laws, regulations, ordinances, building restrictions of municipal and/or other governmental authorities, if any, relating to the herein conveyed property, but only to the extent that they are still in effect, valid and subsisting; and any and all easements which may be visible and apparent from an inspection of the ground.

TO HAVE AND TO HOLD the above described premises, subject to the exceptions set forth above, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantees, their heirs and assigns forever; and We do hereby bind ourselves, our heirs, executors, administrators, and successors, to WARRANT AND FOREVER DEFEND all and singular, the said premises unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, subject however to the exceptions set forth hereinabove.

**GRANTORS HAVE NOT MADE AND DO NOT MAKE ANY REPRESENTATION OR WARRANTY AS TO THE PHYSICAL CONDITION OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). GRANTEE S EXPRESSLY AGREE THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS," "WHERE IS", AND "WITH ALL FAULTS", AND GRANTORS EXPRESSLY DISCLAIM AND GRANTEE S EXPRESSLY ACKNOWLEDGE AND ACCEPT THAT GRANTORS HAVE DISCLAIMED, ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES, OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED), CONCERNING THE PROPERTY, INCLUDING WITHOUT LIMITATION, (I) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY, ENVIRONMENTAL CONDITION OR FITNESS FOR A PARTICULAR USE OR PURPOSE, OF THE PROPERTY, (II) THE MANNER OF QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY INCORPORATED INTO ANY SUCH IMPROVEMENTS, AND (III) THE MANNER OF REPAIR, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF ANY SUCH IMPROVEMENT. BY GRANTEE S ACCEPTANCE OF THE DEED, GRANTEE S REPRESENT THAT GRANTEE S HAVE MADE (I) ALL INSPECTIONS OF THE PROPERTY TO DETERMINE ITS VALUE AND CONDITION DEEMED NECESSARY OR APPROPRIATE BY GRANTEE S, INCLUDING, WITHOUT LIMITATION, INSPECTIONS FOR THE PRESENCE OF ASBESTOS, PESTICIDE RESIDUES, HAZARDOUS WASTE AND OTHER HAZARDOUS MATERIALS AND (II) INVESTIGATIONS TO DETERMINE WHETHER ANY PORTION OF THE PROPERTY LIES WITHIN ANY FLOOD HAZARD**



AREA AS DETERMINED BY THE U.S. ARMY CORPS OF ENGINEERS OR OTHER APPLICABLE AUTHORITY.

BUT IT IS EXPRESSLY stipulated and agreed that the Vendor's Lien and the Superior Title are retained and reserved against the above described property, premises and improvements until the above described Note is fully paid according to its face and tenor, effect and reading, when this Deed shall become absolute.

The Grantees hereby assume the payment of all ad valorem taxes and assessments and all special assessments of whatever kind and character affecting the property and other items conveyed hereby, including but not limited to taxes becoming due because of a change in land usage or ownership, and the Grantees agree to indemnify and hold harmless the Grantors from any and all such claims and liability for the payment thereof.

EXECUTED this the 29th day of May, 1999.

*Bennie Ruth Dickschat*  
BENNIE RUTH DICKSCHAT, Individually  
and as Independent Executrix of the Estate  
of Charlie Dickschat, Deceased

*Charles William Dickschat*  
CHARLES WILLIAM DICKSCHAT, Independent  
Executor of the Estate of Joe W. Dickschat, Deceased

AGREED and ACCEPTED:

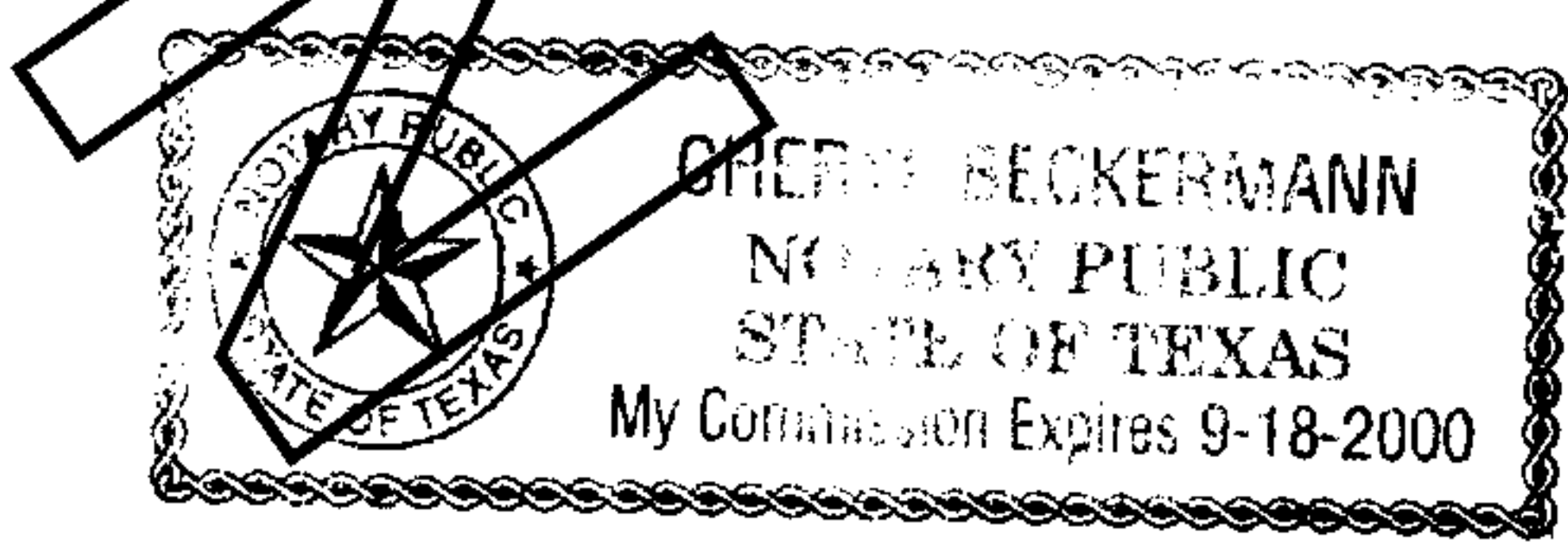
*Richard L. Harris*  
RICHARD L. HARRIS

*Sybel A. Harris*  
SYBEL A. HARRIS

THE STATE OF TEXAS      *l*

COUNTY OF WASHINGTON   *l*

This instrument was acknowledged before me on the 27<sup>th</sup> day of May, 1999, by BENNIE RUTH DICKSCHAT, Individually and as Independent Executrix of the Estate of CHARLIE DICKSCHAT, DECEASED, on behalf of said Estate.

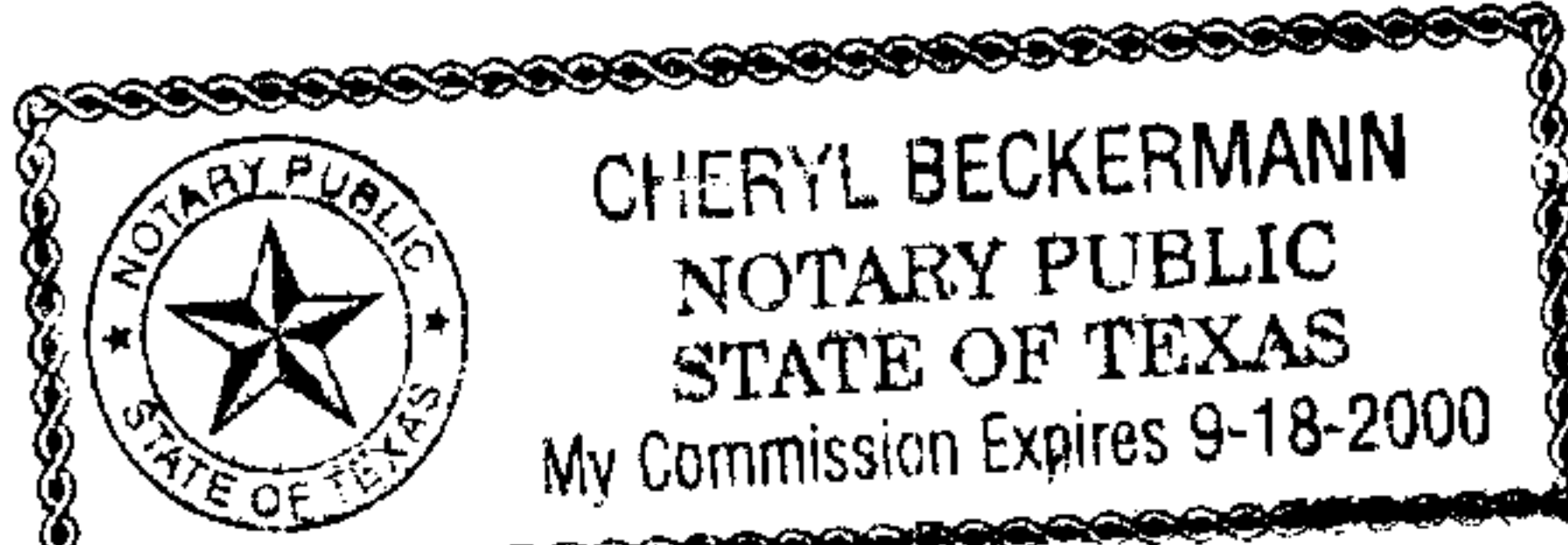


*Cheryl Beckermann*  
Notary Public, State of Texas

THE STATE OF TEXAS      *l*

COUNTY OF WASHINGTON   *l*

This instrument was acknowledged before me on the 27<sup>th</sup> day of May, 1999, by CHARLES WILLIAM DICKSCHAT, Independent Executor of the Estate of JOE W. DICKSCHAT, DECEASED, on behalf of said Estate.

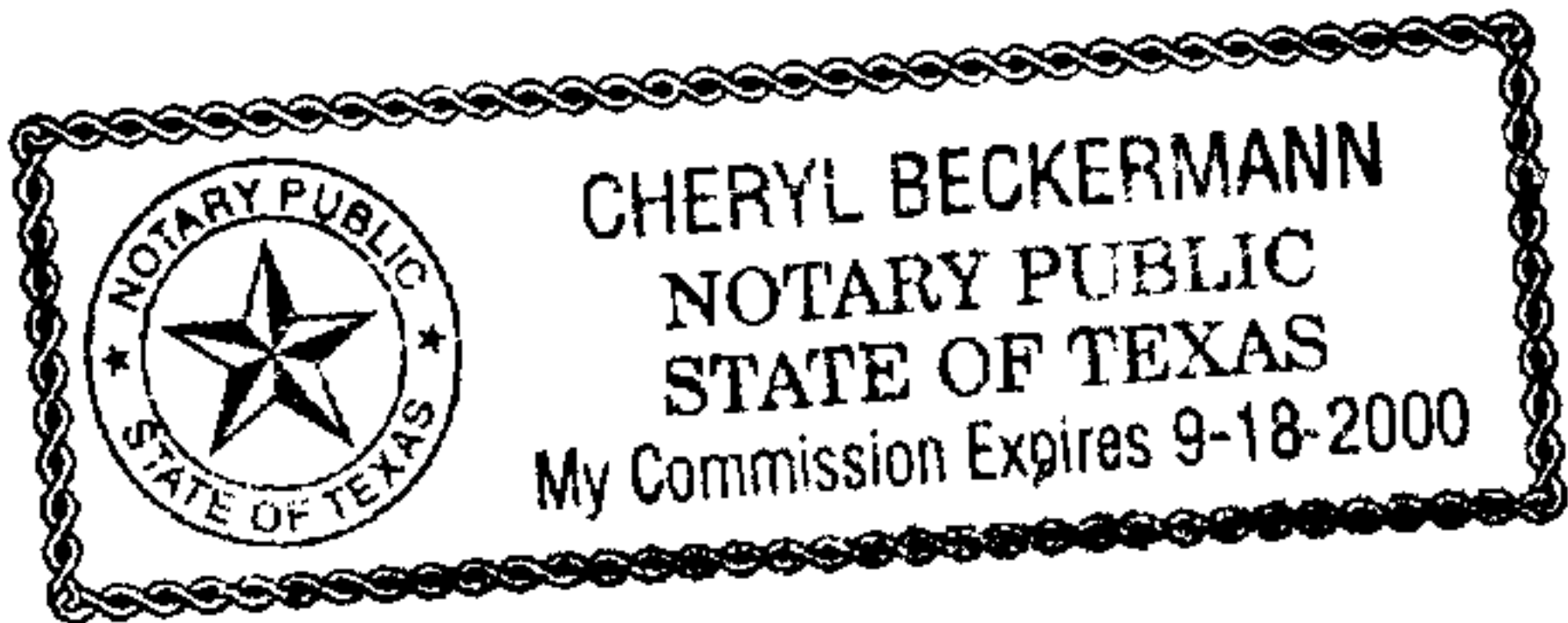


*Cheryl Beckermann*  
Notary Public, State of Texas

THE STATE OF TEXAS      *l*

COUNTY OF WASHINGTON   *l*

This instrument was acknowledged before me on the 27<sup>th</sup> day of March, 1999, by RICHARD L. HARRIS and wife, SYBEL A. HARRIS.



*Cheryl Beckermann*  
Notary Public, State of Texas



All that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the James Lynch League, A-80, being part of the same land described as Second Tract in the deed from Walter Dickschat, et ux, to Herbert Dickschat, dated June 14, 1971, as recorded in Vol. 305, Page 557, in the Deed Records of Washington County, Texas, and being more fully described by metes and bounds as follows, To-Wit:

BEGINNING at a 3/8 inch iron rod found near the base of a railroad tie fence corner post on the South margin of County Road No. 111 for the Northeast corner of said original tract, being the Northeast corner of the tract described herein, being the Northwest corner of the Walter Dickschat tract called 55.245 acres;

THENCE leaving said County road and along a portion of the fenced West line of said Walter Dickschat tract for the East line of the tract described herein, S 16°31'12" E 1366.68 feet to a 3/8 inch iron rod found 6 inches East of the base of a railroad tie fence corner post for the Southeast corner of the tract described herein, being the Northeast corner of a 26.389 acre tract previously conveyed to Randy Buck;

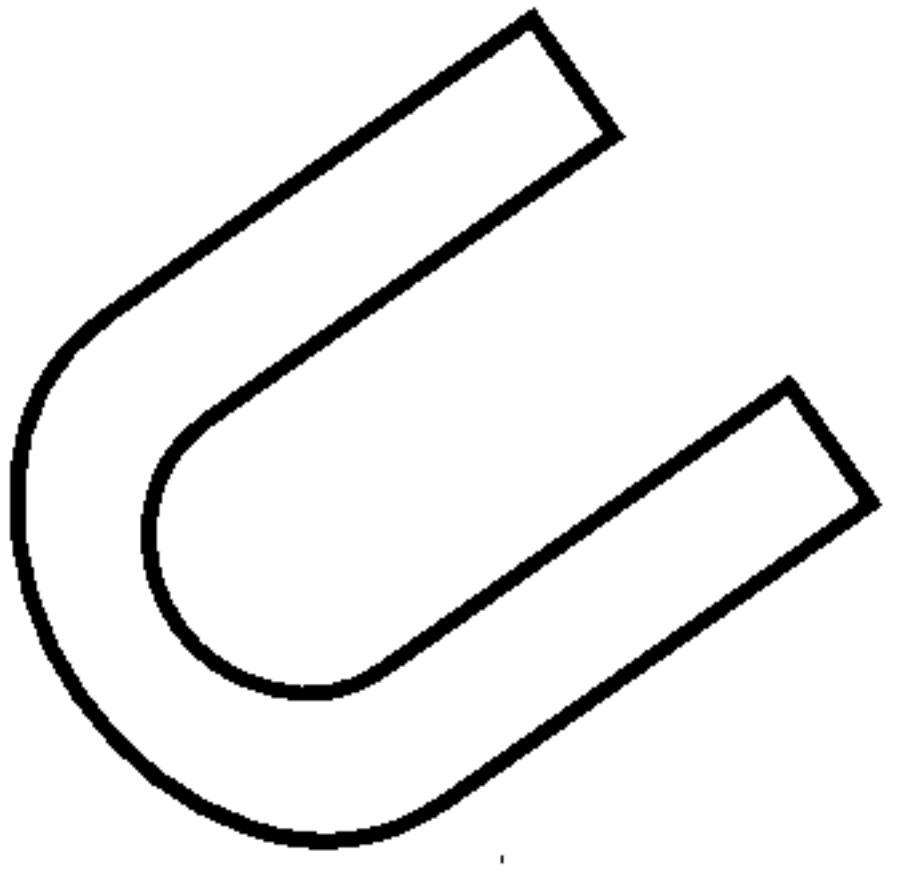
THENCE along a portion of the fenced North line of said Buck tract for the fenced South line of the tract described herein, S 73°31'28" W 585.90 feet to a 1/2 inch iron rod set on the fenced North line of said Buck tract for the Southwest corner of the tract described herein, being the Southeast corner of a 13.987 acre tract set aside for Julia Dickschat;

THENCE along the East line of said tract set aside for Julia Dickschat for a West line of the tract described herein, N 00°12'13" E 772.74 feet to a 1/2 inch iron rod set for an interior angle point of the tract described herein, being an exterior angle point of said tract set aside for Julia Dickschat;

THENCE along the Southwest line of the tract described herein, being along a Northeast line of said tract set aside for Julia Dickschat, N 24°53'53" W 638.65 feet to a 1/2 inch iron rod set for the West or Northwest corner of the tract described herein, being a North or Northeast corner of said tract set aside for Julia Dickschat;

THENCE along a portion of the South margin of said County Road for the North line of the tract described herein, N 74°11'25" E 456.63 feet to the place of beginning and containing 13.987 acres of land.





2.790 ACRES

less however

All that certain tract or parcel of land, lying and being situated in Washington County, Texas, part of the James Lynch League, A-80, being part of the same land described as Second Tract in the deed from Walter Dickschat, et ux, to Herbert Dickschat, dated June 14, 1971, as recorded in Vol. 305, Page 557, in the Deed Records of Washington County, Texas, and being more fully described by metes and bounds as follows, To-Wit:

BEGINNING at a 1/2 inch iron rod set on the fenced West line of the Walter Dickschat tract called 55.245 acres for the Northeast corner of the tract described herein, being on the East line of said original tract, said beginning point being S 16°31'12" E 763.40 feet from a 3/8 inch iron rod found near the base of a fence corner post on the fenced South margin of County Road No. 111 for the Northeast corner of said original tract;

THENCE leaving said beginning point and along a portion of the fenced East line of said Walter Dickschat tract called 55.245 acres for the East line of the tract described herein, being along a portion of the East line of said original tract, S 16°31'12" E 603.28 feet to a 3/8 inch iron rod found 6 inches East of the base of a railroad tie fence corner post for the Southeast corner of the tract described herein, being the Northeast corner of the Randy Buck tract called 26.389 acres, also being on the fenced West line of said Walter Dickschat tract;

THENCE along a portion of the fenced North line of said Buck tract for the South line of the tract described herein, S 73°31'28" W 201.45 feet to a 1/2 inch iron rod set for the Southwest corner of the tract described herein, being on the North line of said Buck tract;

THENCE along the West line of the tract described herein, N 16°31'12" W 603.28 feet to a 1/2 inch iron rod set for the Northwest corner of the tract described herein;

THENCE along the North line of the tract described herein, N 73°31'28" E 201.45 feet to the place of beginning and containing 2.790 acres of land.

STATE OF TEXAS  
COUNTY OF WASHINGTON

I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the volume and page of the OFFICIAL RECORDS of Washington County, Texas, as stamped hereon by me on

MAY 28 1999

*Beth A. Rothermel*

Beth Rothermel, County Clerk  
Washington County, Texas



FILED FOR RECORD  
WASHINGTON COUNTY, TX  
MAY 27 PM 12:09