

DEEDS

WARRANTY DEED

331763

THE STATE OF TEXAS)
(
COUNTY OF HARRIS)

KNOW ALL MEN BY THESE PRESENTS:

THAT RAYBURN DEVELOPMENT COMPANY, a Texas corporation hereinafter called GRANTOR, for the consideration of the sum of Ten (\$10.00) Dollars cash and other good and valuable consideration, in hand paid by JAMES L. TOMBERLIN and wife, ELIZABETH M. TOMBERLIN, hereinafter called GRANTEES, the receipt of which is hereby acknowledged and the advancement of the sum of EIGHT THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS to us in hand paid by KATHLEEN S. TOMBERLIN at the special instance and request of GRANTEES herein, and as evidence of such advancement GRANTEES have executed and delivered (one certain promissory note of even date herewith, in said above amount, payable to the order of KATHLEEN S. TOMBERLIN or her assigns, at Houston, Harris County, Texas, or at the direction of her assigns whichever is elected by the holder of said note, with interest thereon from the date at the rate therein provided, said note being payable interest only in nine annual installments of SIX HUNDRED SEVENTY AND NO/100 Dollars (\$670.00) beginning on the 19 day of October, 1974; and continuing on the same day of each succeeding year thereafter until the tenth year at which time the principal of EIGHT THOUSAND THREE HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS and interest thereon is to be fully paid, except that the final payment, if not sooner made or declared under the terms hereof, shall be due on the 18 day of October, 1983,) said note containing the usual acceleration maturity and attorney's fee clause; said note being further secured by deed of trust of even date herewith; conveying the hereinafter described property, to OLIVER J. GUIBERTEAU, Trustee, of Houston, Harris County, Texas, special reference to which is here made for all purposes.

Have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto said GRANTEES all that certain lots, tract or parcel of land, together with any improvements situated thereon, lying and being situated in Montgomery County, Texas, and described as follows, to-wit:

BEGINNING at an iron rod on the South boundary line of that certain 328.417 acres tract of land out of the D. McIntyre Survey, A-386, and the Dennis Neil Survey, A-400, Montgomery County, Texas at a point which is N. 89 deg. 46' 47" E., a distance of 1828.40 feet and N. 89 deg. 43' 22" E., a distance of 169.6 feet from a concrete monument at the Southwest corner of said 328.417 acres tract of land;

THENCE N. 0 deg. 02' 08" E., a distance of 343.76 feet to an iron rod on the South right of way line of a 60 foot wide roadway;

THENCE N. 89 deg. 57' 52" W., along said road line a distance of 406.00 feet to an iron rod for corner of this tract;

THENCE S. 0 deg. 02' 08" W., a distance of 344.98 feet to an iron rod for a corner of this tract;

THENCE N. 89 deg. 46' 47" E., a distance of 236.40 feet, and N. 89 deg. 43' 22" E., a distance of 169.60 feet to an iron rod for corner, and the Point of Beginning, containing 3.213 acres of land out of that certain 328.417 acres tract of land out of the D. McIntyre Survey, A-386, and the Dennis Neil Survey, A-400 Montgomery County, Texas. The above described tracts of land being out of and a part of the Dennis Neil Survey, A-400, Montgomery County, Texas.

The above described tracts may be further identified as Tracts 18, 19, 20 and 21, Section 2, on an unrecorded plat of Rayburn Development, prepared by Charles W. Hodges Registered Public Surveyor Number 518, and dated September 6, 1972.

This conveyance is made subject to: All of the oil, gas and other minerals are excepted herefrom the same having been reserved as set forth in deed recorded in Volume 653, page 425, Deed Records, Montgomery County, Texas.

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

BUT IT IS EXPRESSLY AGREED THAT A VENDOR'S LIEN is hereby retained, against the above described premises and improvements until the indebtedness above mentioned, as evidenced by said promissory note, both principal and

interest, is fully paid; and, for value received from KATHLEEN S. TOMBERLIN who has on this date paid to us the full principal amount of said note, we, the GRANTORS herein do hereby grant, sell, convey and assign, without recourse on it, unto the said KATHLEEN S. TOMBERLIN, her heirs or assigns, the said vendor's lien hereby retained, together with the superior right, equities and title which we have in and to the real property hereby conveyed, as security for the payment of said note is paid in full this deed shall thereupon become absolute.

Taxes for the current year have been prorated as of the date hereof and GRANTEES assume and agree to pay the same.

This conveyance is further made and accepted subject to those restrictions described in Rider A attached hereto and made a part hereof, and such easements and right of way conveyances affecting the use of the said premises conveyed herein, which are now of record in the County Clerk's Office of Montgomery County, Texas.

EXECUTED at Houston, Texas, this the 17th day of OCTOBER, 1973.

RAYBURN DEVELOPMENT COMPANY

By R.P. Ganchan
R. P. GANCHAN, President

ATTEST:
Katherine Gager
Secretary

THE STATE OF TEXAS)
COUNTY OF HARRIS)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared R. P. GANCHAN, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Rayburn Development Company, a Texas corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 17th day of OCTOBER, 1973.

[Signature]
NOTARY PUBLIC in and for Harris County,
T e x a s

My Commission Expires:
JUNE 1975

RETURN TO
MR. JAMES L. TOMBERLIN
10346 WINDING TRAIL
LA PORTE, TEXAS 77571

