

SPECIAL WARRANTY DEED

STATE OF TEXAS §
 § KNOW ALL BY THESE PRESENTS:
COUNTY OF JOHNSON §

THAT MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, a Texas nonprofit corporation (“Grantor”), as a donation to MANSFIELD BUSINESS PARK 7 PROPERTY OWNERS ASSOCIATION, INC., a Texas non-profit corporation (“Grantee”), whose address is _____, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL AND CONVEY unto Grantee all of the real property in Johnson County, Texas, more particularly described in **Exhibit A** attached hereto and made a part hereof for all purposes, together with all of Grantor's interest in all buildings, improvements and fixtures located thereon, and the appurtenances pertaining thereto (hereinafter collectively referred to as the “Property”);

SUBJECT, HOWEVER, TO taxes and assessments for the year 2020 and subsequent years; and

SUBJECT MOREOVER, TO all restrictions, covenants and easements, if any, apparent on the ground, together with any and all other reservations, restrictions, conditions, covenants, declarations, prescriptive rights, easements and encumbrances (other than liens of any kind) existing of record in the office of the County Clerk of Johnson County, Texas, to which reference is here made for all purposes, but only to the extent such matters are in effect as of the date hereof (hereinafter collectively referred to as the “Permitted Exceptions”);

TO HAVE AND TO HOLD the Property, subject to the aforesaid taxes, assessments and Permitted Exceptions, unto Grantee, Grantee's successors and assigns, forever; and Grantor does hereby bind Grantor and Grantor's successors to WARRANT AND FOREVER DEFEND the Property, subject to the aforesaid taxes, assessments and Permitted Exceptions, unto Grantee, Grantee's 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.

By execution of this Special Warranty Deed, Grantee acknowledges, agrees and declares that the storm water retention and detention facilities (“Detention Facilities”) located on the Property is for the benefit of those tracts of land described on **Exhibit B** attached hereto and incorporated herein by reference, together with any other tracts of land made subject to the terms and provisions of that certain Declaration of Covenants, Conditions, Restrictions and Easements for Mansfield Business Park 7 dated _____, 2020, and recorded in the Real Property Records of Johnson County, Texas, as Document No. _____ (collectively, the “Benefited Properties”). Water from any or all of the Benefited Properties may drain into the Detention Facilities (whether through natural surface drainage or through facilities constructed to cause water from any or all of the Benefited Properties to drain into the Detention Pond), and Grantee hereby declares and establishes an easement in, on and over the Property for such drainage from

any or all of the Benefited Properties. The provisions of this paragraph shall run with the land and be binding upon the Property for the benefit of the Benefited Properties.

[SIGNATURE PAGES FOLLOW]

EXECUTED as of the ____ day of _____, 2020.

GRANTOR:

MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, a Texas nonprofit corporation

By: _____

Name: _____

Title: _____

GRANTEE:

MANSFIELD BUSINESS PARK 7 PROPERTY OWNERS ASSOCIATION, INC., a Texas nonprofit corporation

By: _____

Name: _____

Title: _____

[ACKNOWLEDGEMENTS ON FOLLOWING PAGE]

[illegible]

This instrument was acknowledged before me the ____ day of _____, 2020, by _____, _____ of MANSFIELD ECONOMIC DEVELOPMENT CORPORATION, a Texas nonprofit corporation, on behalf of said corporation.

[NOTARY STAMP]

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me the ____ day of _____, 2020,
by _____, _____ of MANSFIELD BUSINESS PARK 7 PROPERTY
OWNERS ASSOCIATION, INC., a Texas nonprofit corporation, on behalf of said corporation.

[NOTARY STAMP]

Notary Public, State of Texas

UPON RECORDING, RETURN TO:

Hartman Simons & Wood LLP
6400 Powers Ferry Road, Suite 400
Atlanta, Georgia 30339
Attn: Ruth A Hughes, Esq.

EXHIBIT A
PROPERTY DESCRIPTION

STORM WATER RETENTION AND DETENTION FACILITIES

STATE OF TEXAS
COUNTY OF JOHNSON

BEING a tract of land situated in J.Q. Wheeler Survey, Abstract No. 903, Johnson County, Texas, being a portion of that tract of land as described in deed to Mansfield Economic Development Corporation, recorded in document 2017-14639, Deed Records, Johnson County, Texas (DRJCT), being a portion of the final plat of Easy Drive, 7th Street, and Klein Boulevard as recorded in Volume 11, Page 897, Plat Records, Johnson County, Texas, and being more particularly described as follows:

BEGINNING at the southeast corner of said 7th Street per Volume 11, Page 897, Plat Records, Johnson County, Texas;

THENCE across said Mansfield Economic Development Corporation tract, as follows:

South 29 degrees 26 minutes 01 seconds East, a distance of 1472.27 feet;

North 60 degrees 19 minutes 53 seconds East, a distance of 867.81 feet;

South 29 degrees 56 minutes 46 seconds East, a distance of 662.35 feet to the south line of said Mansfield Economic Development Corporation tract and a north line of a tract of land as described in deed to Set/Back Partners, recorded in Volume 2226, Page 464, DRJCT, from which a 5/8" rebar found at the most easterly northeast corner of said Set/Back Partners tract bears North 60 degrees 17 minutes 59 seconds East, 1332.83 feet;

THENCE South 60 degrees 17 minutes 59 seconds West, along the south line of said Mansfield Economic Development Corporation tract and said north line of said Set/Back Partners tract affected by Boundary Line Agreement recorded in Volume 3857, Page 277, DRJCT, at a distance of 554.7 feet passing a 1/2" rebar capped BEASLEY found, continuing a total distance of 999.53 feet to 5/8" rebar found at the southwest corner of said Mansfield Economic Development Corporation tract and a reentrant corner of said Set/Back Partners tract, from which a 1/2" rebar capped Pacheco Koch found bears South 22 degrees 50 minutes East, 4.4 feet;

THENCE North 29 degrees 42 minutes 59 seconds West, along the west line of said Mansfield Economic Development Corporation tract and a reentrant line of said Set/Back Partners tract, a distance of 863.10 feet (Set/Back Partners deed 863.24 feet, Mansfield deed 867.65 feet) to a 1-1/2" steel pipe found at the most northerly northeast corner of said Set/Back Partners tract, the southeast corner of a tract of land as described in deed to Ira T. Kimbrough and Andree E. Kimbrough Real Estate LLC, recorded in 2012-12986, DRJCT, and being an angle point in the west line of said Mansfield Economic Development Corporation tract;

THENCE North 29 degrees 25 minutes 30 seconds West, along the east line of said Kimbrough

tract and the west line of said Mansfield Economic Development Corporation tract, a distance of 98.31 feet;

THENCE departing the east line of said Kimbrough tract, across said Mansfield Economic Development Corporation tract, as follows:

North 60 degrees 34 minutes 04 seconds East, a distance of 40.04 feet;

North 29 degrees 26 minutes 01 seconds West, a distance of 1192.67 feet;

North 60 degrees 05 minutes 47 seconds East, at a distance of 20.03 feet passing the west line of said 7th Street, continuing a total distance of 105.04 feet to a 1/2" rebar capped Brittain - Crawford found at a R.O.W. clip corner in the south line of said Klein Boulevard;

THENCE South 15 degrees 24 minutes 18 seconds West, along a R.O.W. clip line, a distance of 21.33 feet to a 1/2" rebar capped Brittain - Crawford found at a R.O.W. clip corner in the east line of said 7th Street;

THENCE South 29 degrees 26 minutes 01 seconds East, along the east line of said 7th Street, a distance of 4.12 feet to the POINT OF BEGINNING and containing 807,605 square feet or 18.540 acres of land.

NOTE:

Bearings are referenced to Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 as derived from GPS observation.

EXHIBIT B
PROPERTY DESCRIPTION

BENEFITTED PROPERTIES

MEDC Property:

STATE OF TEXAS
COUNTY OF JOHNSON

BEING a tract of land situated in J.Q. Wheeler Survey, Abstract No. 903, Johnson County, Texas, being a portion of that tract of land as described in deed to Mansfield Economic Development Corporation, recorded in Instrument No. 2017-14639, Deed Records, Johnson County, Texas (DRJCT), being a portion of the final plat of Easy Drive, 7th Street, and Klein Boulevard, an addition to the City of Mansfield, Johnson County, Texas as recorded in Volume 11, Page 897, Plat Records, Johnson County, Texas (PRJCT), and being more particularly described as follows:

BEGINNING at a 1/2" rebar capped Brittain - Crawford found in the north line of Klein Tools Boulevard at the most easterly R.O.W. clip corner of the intersection of the north line of said Klein Tools Boulevard (90' R.O.W) and the east line of South 7th Avenue (70' R.O.W.) per said final plat of Easy Drive, 7th Street, and Klein Boulevard as recorded in Volume 11, Page 897, PRJCT;

THENCE North 71 degrees 34 minutes 24 seconds West, along a right-of-way clip line, a distance of 19.94 feet to a 1/2" rebar capped Brittain - Crawford found at the most westerly R.O.W. clip corner of said intersection and lying in the east line of said South 7th Avenue;

THENCE along the east line of said South 7th Avenue, as follows:

Northwesterly, along a non-tangent curve to the right, having a radius of 985.00 feet, a central angle of 09 degrees 54 minutes 40 seconds, an arc distance of 170.39 feet, and a chord that bears North 17 degrees 51 minutes 05 seconds West, 170.17 feet to the end of said curve;

North 12 degrees 53 minutes 45 seconds West, a distance of 1,308.90 feet to the northwest corner of the herein described tract of land;

THENCE North 89 degrees 10 minutes 53 seconds East, departing the east line of said South 7th Avenue, across said Mansfield Economic Development Corporation tract, a distance of 1,115.25 feet to the east line of said Mansfield Economic Development Corporation tract and the west line of a tract of land as described in deed to Klein Tools, Inc., recorded in Instrument No. 2012-29016, DRJCT;

THENCE along the east line of said Mansfield Economic Development Corporation tract and the west line of said Klein Tools tract, as follows:

South 30 degrees 26 minutes 32 seconds East, a distance of 218.39 feet to a 1/2" rebar found;

South 66 degrees 57 minutes 18 seconds East, a distance of 115.98 feet (deeds 116.25 feet & 116.06 feet) to a 1/2" rebar found;

South 27 degrees 37 minutes 17 seconds East, a distance of 580.36 feet to a 1/2" rebar capped Brittain - Crawford found at the northeast corner of said Klein Tools Boulevard per said plat recorded in Volume 11, Page 897, PRJCT;

THENCE South 60 degrees 05 minutes 47 seconds West, departing the west line of said Klein Tools tract, along the north line of said Klein Tools Boulevard, a distance of 1,428.57 feet to the POINT OF BEGINNING and containing 1,483,901 square feet or 34.066 acres of land.

NOTE:

Bearings are referenced to Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 as derived from GPS observation.

SEEFRIED Property:

STATE OF TEXAS
COUNTY OF JOHNSON

BEING a tract of land situated in J.Q. Wheeler Survey, Abstract No. 903, Johnson County, Texas, being a portion of that tract of land as described in deed to Mansfield Economic Development Corporation, recorded in document 2017-14639, Deed Records, Johnson County, Texas (DRJCT),), being a portion of the final plat of Easy Drive, 7th Street, and Klein Boulevard, an addition to the City of Mansfield, Johnson County, Texas as recorded in Volume 11, Page 897, Plat Records, Johnson County, Texas, and being more particularly described as follows:

COMMENCING at a 1/2" rebar capped Goodwin & Marshall set at the southwest corner of 7th Street (70' R.O.W.) per the final plat of Easy Drive, 7th Street, and Klein Boulevard as recorded in Volume 11, Page 897, Plat Records, Johnson County, Texas;

THENCE North 60 degrees 33 minutes 59 seconds East, along the south line of said 7th Street, a distance of 70.00 feet to a 1/2" rebar capped Goodwin & Marshall set at the southeast corner of said 7th Street, being the POINT OF BEGINNING of the herein described tract of land;

THENCE North 29 degrees 26 minutes 01 seconds West, along the east line of said 7th Street, a distance of 4.12 feet to a 1/2" rebar capped BRITTAIN & CRAWFORD found at a right-of-way clip corner;

THENCE North 15 degrees 24 minutes 18 seconds East, along a right-of-way clip line, a

distance of 21.33 feet to a 1/2" rebar capped BRITTAIN & CRAWFORD found at a right-of-way clip corner;

THENCE North 60 degrees 05 minutes 47 seconds East, along the south line said Klein Boulevard (90' R.O.W.), a distance of 1335.11 feet to a 1/2" rebar capped Goodwin & Marshall set at the northeast corner of the herein described tract of land, from which a 1/2" rebar capped found at the southeast corner of said Klein Boulevard bears North 60 degrees 05 minutes 47 seconds East, 96.33 feet;

THENCE S 28 degrees 59 minutes 46 seconds East, departing the south line of said Klein Boulevard, across said Mansfield Economic Development Corporation tract, a distance of 2159.15 feet to a 1/2" rebar capped Goodwin & Marshall set in the south line of said Mansfield Economic Development Corporation tract and a north line of a tract of land as described in deed to Set/Back Partners, recorded in Volume 2226, Page 464, DRJCT, from which the southeast corner of said Mansfield Economic Development Corporation tract bears North 60 degrees 17 minutes 59 seconds East, 89.82 feet, and a 5/8" rebar found at the most easterly northeast corner of said Set/Back Partners tract bears North 60 degrees 17 minutes 59 seconds East, 872.95 feet;

THENCE South 60 degrees 17 minutes 59 seconds West, along the south line of said Mansfield Economic Development Corporation tract and said north line of said Set/Back Partners tract affected by Boundary Line Agreement recorded in Volume 3857, Page 277, DRJCT, at a distance of 12.7 feet passing a 1/2" rebar capped BEASELEY found, continuing a total distance of 459.89 feet to the southwest corner of the herein described tract of land, from which a 5/8" rebar found at a reentrant corner of said Set/Back Partners tract bears South 60 degrees 17 minutes 59 seconds West, 999.53 feet;

THENCE departing said north line of said Set/Back Partners tract, across said Mansfield Economic Development Corporation tract, as follows:

North 29 degrees 56 minutes 46 seconds West, a distance of 662.35 feet;

South 60 degrees 19 minutes 53 seconds West, a distance of 867.81 feet;

North 29 degrees 26 minutes 01 seconds West, a distance of 1472.27 feet to the POINT OF BEGINNING and containing 2,316,787 square feet or 53.186 acres of land.

NOTE:

Bearings are referenced to Texas State Plane Coordinate System, North Central Zone (4202), North American Datum of 1983 as derived from GPS observation.

TOGETHER WITH:

Such other real property made subject to that certain Declaration of Covenants, Conditions, Restrictions and Easements for Mansfield Business Park 7 dated _____, 2020, and recorded in the Real Property Records of Johnson County, Texas, as Document No. _____.