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**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**

**THE STATE OF TEXAS**

§

§

**KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF FORT BEND**

§

THAT THE UNDERSIGNED, KATY 309 VENTURE, L.P., a Texas Limited Partnership and hereinafter called "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration paid to Grantor by the County of Fort Bend, Texas, hereinafter called Grantee, whether one or more, whose mailing address is 301 Jackson St., Suite 728, Richmond, TX 77469, the receipt and sufficiency of which consideration are acknowledged, hereby GRANTS, SELLS and CONVEYS unto Grantee, the real property described on attached Exhibit "A", incorporated herein and made a part hereof for all purposes, together with all right, title and interest of Grantor in (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property and any of Grantor's rights to use same; (iv) any and all rights of ingress and egress to and from said real property and any of Grantor's rights to use same; (v) any and all mineral rights and interests of Grantor relating to said real property (present or reversionary), save and except as provided herein; (vi) any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit said real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor in and to any leases covering all or any portion of said real property; and (viii) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing fronting or bounding said real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of widening or of changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property and (d) any and all reversionary interests in and to said real property (said real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: (1) any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties; (2) conditions, and easements, if any, relating to the Property, but only to the extent in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the Property; and (3) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any but only to the extent in effect and relating to the Property.

Grantor expressly reserves all oil, gas, and other minerals in, on, or under the Property, but waives all rights to use the surface of the Property for, and all rights of ingress and egress for, the purpose of exploring, developing, mining, or drilling for the same; provided, however, that nothing herein shall prohibit or in any manner restrict the right of Grantor to extract oil, gas, or other minerals from and under the Property by directional drilling or other means that do not unreasonably interfere with or disturb the surface of the Property.

**TO HAVE AND TO HOLD** the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and Grantor does hereby bind itself and its successors and assigns, to **WARRANT AND FOREVER DEFEND**, all and singular, the Property unto 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.

EXECUTED this 15 day of JUNE, 2012.

GRANTOR:

KATY 309 VENTURE, L.P.  
Texas Limited Partnership

By: Katy 309 (Houston) AIP IV, L.P.  
a Texas limited partnership  
its sole general partner

By: Katy 309 (Houston) GP, L.L.L.P.  
a Delaware limited liability limited partnership  
its sole general partner

By: Avanti Development Corporation  
a Florida corporation  
its sole general partner

By: 

Printed Name: MARVIN SHAPIRO

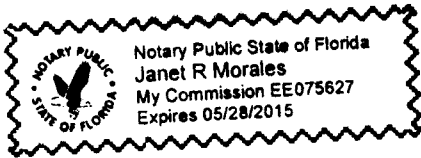
Title: VICE PRESIDENT

Date: JUNE 15, 2012

STATE OF FLORIDA  
COUNTY OF ORANGE

This instrument was acknowledged before me on the 15 day of June, 2012, by Marvin Shapiro, the Vice President, of Avanti Development Corporation, a Florida corporation, as general partner of Katy 309 (Houston) GP, L.L.L.P., a Delaware limited liability limited partnership, as sole general partner of Katy 309 (Houston) AIP IV, L.P., sole general partner of Katy 309 Venture, L.P., a Texas limited partnership, on behalf of said entities and in the capacity therein stated.

(NOTARY )



Janet R Morales  
Notary Public in and for the  
State of Florida

State of Texas  
County of Fort Bend

Morris & Cummings Survey  
Abstract No. A-295

Description of  
Tract 2D – Occupied Unrecorded ROW (Approximately 8 feet wide)  
Gaston Road Right of Way  
0.3476 Acres

Description of a 0.3476 acre (15,142 square feet) tract of land out of a 320.1083 acre tract of land being the Morris and Cummings Survey, Abstract 295, Fort Bend County, Texas, said 320.1083 acre tract being that same tract of land described in deed recorded in Volume 9, Page 7, Deed Records, Fort Bend County, Texas and a 188.8482-acre tract of land conveyed to Jafar R. Davoody as recorded in Volume 1491, Page 882 of the Official Records of Fort Bend County, Texas. Base Bearing the Northeast line of Cinco Ranch West, Section 25 (Slide Nos. 2539B and 2540A; Plat Records) and of Cinco Ranch West, Section 26 (File No. 2004114080) North 46° 41' 32" West – Note on Plat: "All bearings are referenced to the Texas Coordinate System, South Central Zone (NAD 27)".

Commencing at a found 1/2" iron pipe for the most northerly corner of Reserve G of Silver Ranch Section One as recorded in Plat No. 20060283 and in the Southwest line of an existing 20 foot wide Gaston Road right of way as recorded by said Silver Ranch Section One (1) Plat;

THENCE along said Northwest right of way line and Northeast line of said Section One plat to a set PK nail in asphalt paving a distance of 20.00 feet along a bearing of North 42° 49' 03" East to the POINT OF BEGINNING of the herein described Tract and the most Northerly corner of said Section One plat and on the Northeast line of said 20 foot wide right of way;

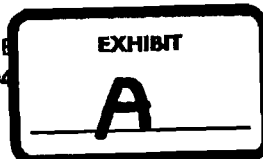
THENCE South 42° 49' 03" Northeast, a distance of 9.97 feet along the said Northeast line of the herein described Tract and of the said 188.8482 acre Tract to a found PK nail in asphalt paving and point for corner of herein described tract and on the centerline of Gaston Road right of way (60 foot wide unrecorded occupied);

THENCE along said right of way centerline a distance of 1861.39 feet along a bearing of South 47° 04' 09" East and to a set PK nail in asphalt paving being on the Southwest line of a called 133.444 acre Tract as recorded in F.B.C.C. File No. 2004153394, the Northeast corner of a 28.706 acre Tract residual of the said 188.8492 Tract and the Northeast corner of the Katy Independent School District High School No. 7 plat as recorded in F.B.C.C. Plat No. 20110175 and a point for corner of the herein described Tract;

THENCE along the Northwest line of the said 28.706 acre Tract and the Katy Independent School District High School No. 7 Plat along a bearing of South 40° 36' 08" West, a distance of 6.30 feet to a set PK nail in asphalt being a point on the said

AS PER ORIGINAL

I:\Client Correspondence\262 - Fort Bend  
Silver Ranch HOA Metes & Bounds 04



04-Falcon Landing\ROW Descriptions\02D

Northeast line of the said 20 foot wide right of way and a point for corner of the herein described Tract;

THENCE North 47° 11' 05 West a distance of 1861.10 feet along the Northeast line of said Gaston Road right of way (20 feet wide) to the POINT OF BEGINNING containing 0.3476 acres (15,142 square feet) Tract of land and a point for corner of the herein described Tract;

This description is prepared in conjunction with a survey map (Sheets 1 of 4 thru 4 of 4) prepared by JNS Engineers LLC dated April 2, 2012.

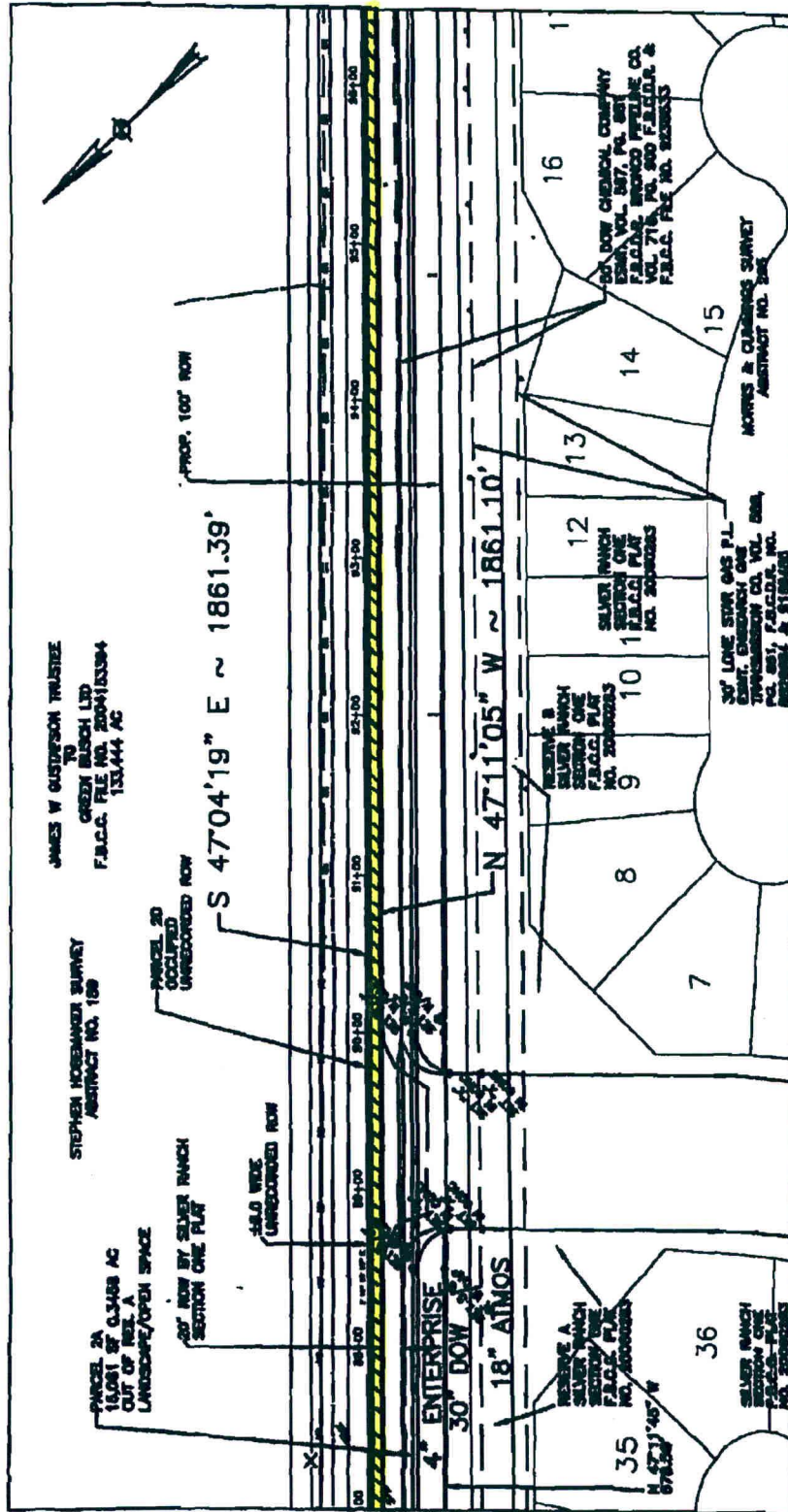
Dated: April 2, 2012

Job No.: 262-04  
JNS Engineers LLC  
722 Pin Oak Road, Suite 202A  
Katy, Texas 77494

  
\_\_\_\_\_  
Jon N. Strange  
Registered Professional Land Surveyor No. 4417

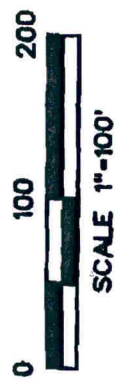






PARCEL PLAT  
SHOWING PROPERTY OF  
PARCEL 2D  
SHEET 2 OF 4  
GASTON ROAD  
GASTON COUNTY, TEXAS  
J.N.S. APRIL 2012, LLC  
SCALE: 1"=100'

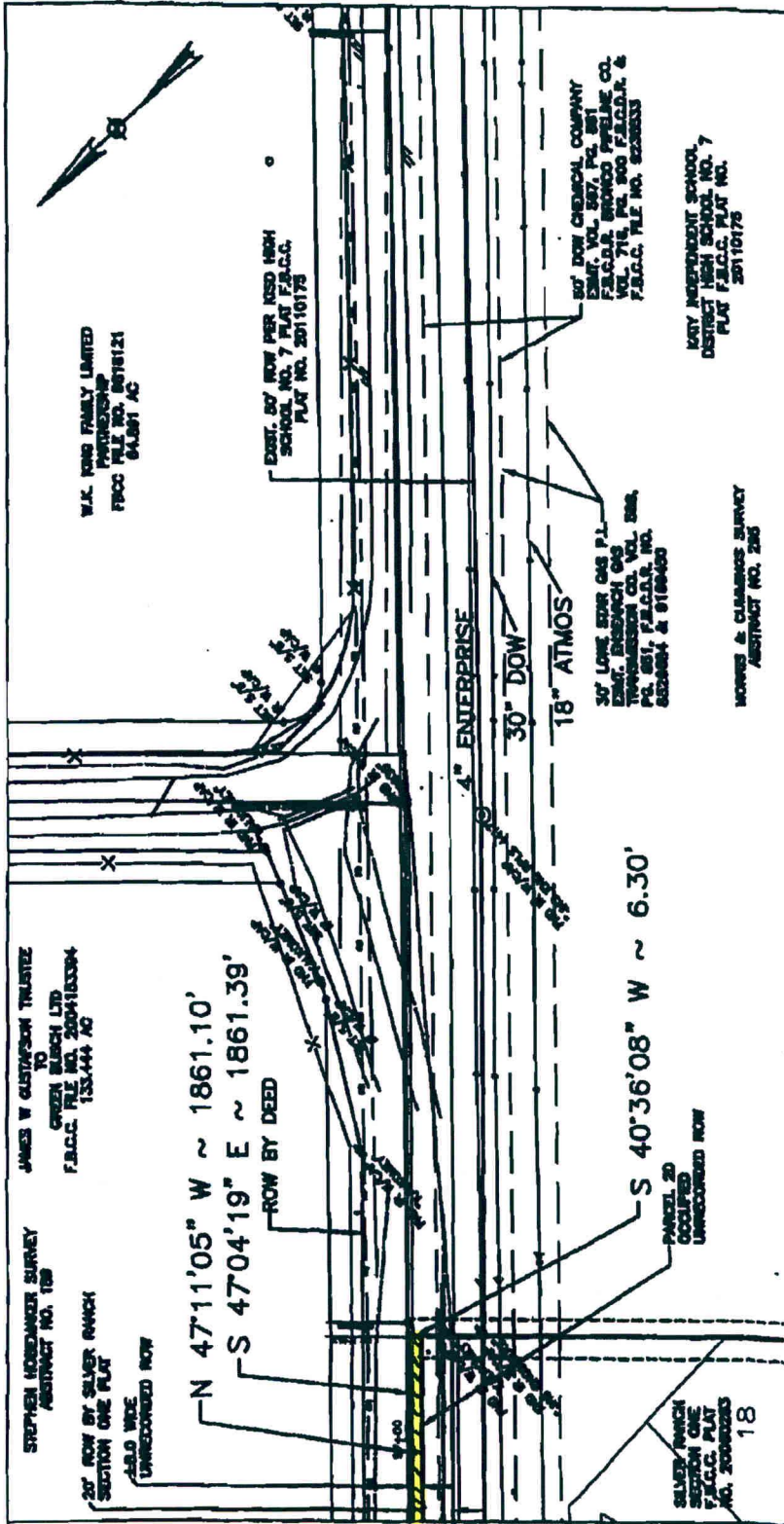
- NOTE:
1. SEE SHEET 4 OF 4 FOR NOTES, ACREAGE SUMMARY AND RPLS CERTIFICATION.
  2. PARCEL NO. 4A HAS A BOUNDARY DISCREPANCY ALONG THE SOUTHWEST LINE OF THE 38.525 AC TRACT ON GASTON RD FRONTAGE. A GAP EXISTS BETWEEN THE 131.2601 AC KISS SITE AND THE 38.525 AC KING PROPERTY (PARCEL NO. 4A) AND AN OVERLAP OF ENCROACHMENT EXISTS BETWEEN THE TWO TRACTS.
  3. FRONTAGE OF SILVER RANCH SECTION ONE HAS AN APPROXIMATE 10' STRIP OF OCCUPIED UNRECORDED ROW.
  4. FRONTAGE OF GREENBUSH ESTATES AND WOODLAKE ESTATES HAS A OCCUPIED UNRECORDED ROW ALONG THE FRONTAGE OF GREENBUSH RD. WOODLAKE ESTATES AND GREENBUSH ESTATES PLAT DEDICATED AN ADDITIONAL 20' OF ROW OUTSIDE OF THE OCCUPIED UNRECORDED ROW.



NOT FOUND  
INDICATED BY "X"  
INDICATED BY "O"  
INDICATED BY "S"

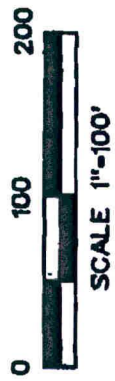
RECORDER'S MEMORANDUM

This page is not satisfactory for photographic recordation due to carbon or photo copy, discolored paper, etc. All block-outs, additions and changes were presented at time instrument was filed and recorded.



PARCEL PLAT  
SHOWING PROPERTY OF  
PARCEL 2D  
SHEET 3 OF 4  
GASTON ROAD  
FT. BEND COUNTY, TEXAS  
J.N.S. ENGINEERS, LLC  
APRIL 2012  
SCALE: 1"=100'

NOTE:  
1. SEE SHEET 4 OF 4 FOR NOTES, ACREAGE SUMMARY AND RPLS CERTIFICATION.  
2. PARCEL NO. 4A HAS A BOUNDARY DISCREPANCY ALONG THE SOUTHWEST LINE OF THE 36.525 AC TRACT ON GASTON RD FRONTAGE. A GAP EXISTS BETWEEN THE 131.2801 AC KSD SITE AND THE 36.525 AC KING PROPERTY (PARCEL NO. 4A) AND AN OVERLAP OF ENCROACHMENT EXISTS BETWEEN THE TWO TRACTS.  
3. FRONTAGE OF SILVER RANCH SECTION ONE HAS AN APPROXIMATE 10' STRIP OF OCCUPIED UNRECORDED ROW.  
4. FRONTAGE OF GREENBUSCH ESTATES AND WOODLAKE ESTATES HAS A OCCUPIED UNRECORDED ROW ALONG THE FRONTAGE OF GREENBUSCH RD. WOODLAKE ESTATES AND GREENBUSCH ESTATES PLAT DEDICATED AN ADDITIONAL 20' OF ROW OUTSIDE OF THE OCCUPIED UNRECORDED ROW.



NOT FOUND  
RECORDED INSTRUMENT - ONE DIMENSION CAP OR AS NOTED  
RECORDED INSTRUMENT - ONE DIMENSION AS NOTED

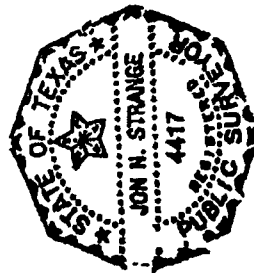
RECORDER'S MEMORANDUM

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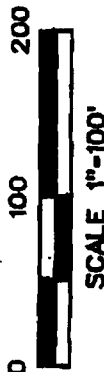
EXISTING	TAKING	REMAINING
0.3476 AC.	0.3476 AC.	15.142 SF
		0.0000 AC.

NOTES

1. F.B.C.C.F.=FORT BEND COUNTY CLERK'S FILE.
2. F.B.C.P.R.=FORT BEND COUNTY PLAT RECORDS.
3. ABSTRACTING PERFORMED JAN. 2012.
4. FIELD SURVEY PERFORMED FEB. 2012.
5. SEE ROW MAPS 1 OF 3, 2 OF 3 & 3 OF 3 FOR GASTON AND GREENBUSCH RD ROW DETAILS FOR GASTON RD FROM FALCON LANDING TO 1100 LF NORTH OF ROESNER RD AND GREENBUSCH RD FROM GASTON RD TO WILLOWFORK BUFFALO BAYOU
6. SEE METES AND BOUNDS DESCRIPTION FOR THIS PARCEL AND OTHER PARCELS DESCRIBING ROW TAKINGS AS REFLECTED ON ROW MAPS DESCRIBED IN ITEM 5 ABOVE.
7. THE BEARINGS HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (NAD'83), 1993 ADJUSTMENT
8. PARCEL NO. 4A HAS A BOUNDARY DISCREPANCY ALONG THE SOUTHWEST LINE OF THE 36.525 AC TRACT ON GASTON RD FRONTAGE. A GAP EXISTS BETWEEN THE 131.2601 AC KISD SITE AND THE 36.525 AC KING PROPERTY (PARCEL NO. 4A) AND AN OVERLAP OF ENCROACHMENT EXISTS BETWEEN THE TWO TRACTS.
9. FRONTAGE OF SILVER RANCH SECTION ONE HAS AN APPROXIMATE 10' STRIP OF OCCUPIED UNRECORDED ROW.
10. FRONTAGE OF GREENBUSCH ESTATES AND WOODLAKE ESTATES HAS A OCCUPIED UNRECORDED ROW ALONG THE FRONTAGE OF GREENBUSCH RD. WOODLAKE ESTATES AND GREENBUSCH ESTATES PLAT DEDICATED AN ADDITIONAL 20' OF ROW OUTSIDE OF THE OCCUPIED UNRECORDED ROW.



I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.



*Jon N. Strange*  
 JON N. STRANGE R.P.L.S.NO.4417

JNS CONSULTING ENGINEERS, LLC.  
 722 PIN OAK ROAD, SUITE 202A  
 KATY, TEXAS 77454  
 (281) 391-3566

PARCEL PLAT SHOWING PROPERTY OF
PARCEL 2D
SHEET 4 OF 4
GASTON ROAD FT. BEND COUNTY, TEXAS
J.N.S. ENGINEERS, LLC APRIL 2012 SCALE: 1"=100'

• NOT FOUND  
 • REVISIONS INDICATED BY "NEW DRAWING" OR "ON AS NOTED"  
 • REVISIONS FOUND INDICATED AS NOTED

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2012 Jun 27 08:16 AM

2012069374

BAK \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS