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6

SPECIAL WARRANTY DEED

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

WD 2008001598
6 PGS

DATE: 2nd day of January, 2008

GRANTOR: So Stamey f/k/a So Brooks

GRANTOR'S MAILING ADDRESS: (including county) 1046 Sunflower Trail
Sunset Valley, Travis County, Texas 78745

GRANTEE: City of Austin, a home rule municipal corporation situated in the Counties of Williamson, Travis and Hays, State of Texas.

GRANTEE'S MAILING ADDRESS:

City of Austin, Noise Mitigation Program
2716 Spirit of Texas Drive, Room 113
Austin, Travis County, Texas 78719
Attn.: Melinda Ruby

CONSIDERATION: TEN DOLLARS AND NO/100 ($10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY: All that certain tract of land situated in Travis County, Texas, generally described as a 0.965 acre tract of land out of the Santiago Del Valle Ten League Grant, Abstract No. 24, Travis County, Texas and being more fully described in **Exhibit "A",** attached and incorporated for all purposes, and together with any improvements and fixtures, and any and all rights and appurtenances, including any development rights, utility rights or entitlements, including, but not limited to, all water and wastewater rights allocable to the Property, all easements appurtenant, and any right, title and interest of Seller in and to minerals, mineral rights and royalty interests, adjacent streets, alleys, and rights of way (collectively the **"Property")**.

CONVEYANCE: Grantor, for the consideration stated and subject to the reservations from and exceptions to conveyance and warranty stated herein, **GRANTS, SELLS AND CONVEYS** to Grantee the Property, together with all and singular rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, and Grantee's successors and assigns, forever. Grantor binds Grantor and Grantor's successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the Property to Grantee and 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. Grantor does not retain any liens or encumbrances, express or implied, against the Property.

RESERVATIONS FROM AND EXCEPTONS TO CONVEYANCE:

1. The items shown in **Exhibit "B"** attached hereto and incorporated herein, but only to the extent the same are valid, in existence and affect the tract or tracts noted in **Exhibit "A"** or the use thereof by Grantee.

2. Easements to the City of Austin are not, and must not be deemed, merged with the title conveyed herein.

3. Ad valorem property taxes on the Property for the current year, which, having been prorated, are assumed by Grantee.

When the context requires, singular nouns and pronouns, include the plural.

GRANTOR:

By: _____
Name: So Stamey fka So Brooks
Title: _____

ACKNOWLEDGEMENT

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

This instrument was acknowledged before me on January 2, 2008, 2008 by So Stamey fka So Brooks.

[SEAL]

_____
Notary Public, State of Texas

LAURA L. BROOKSHIRE
COMMISSION EXPIRES
July 11, 2008

After recording return to:
ABIA Noise Mitigation
2716 Spirit of Texas Drive, Room 113
Austin, Texas 78719
Attn: Brenda Fabian

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MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT "A"

So Stamey f/k/a
So Brooks
To
City of Austin

LEGAL DESCRIPTION

BEING A 0.965 ACRE (42,021 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT DESCRIBED IN A WARRANTY DEED DATED OCTOBER 19, 1992 TO SO STAMEY, RECORDED IN VOLUME 11802, PAGE 267, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.965 ACRE (42,021 SQUARE FOOT) TRACT ALSO BEING THAT SAME 2.941 ACRE TRACT DESCRIBED IN A WARRANTY DEED DATED SEPTEMBER 6, 1988 TO WILLIAM E. STAMEY, RECORDED IN VOLUME 10773, PAGE 685, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAVE & EXCEPT, A 2.00 ACRE TRACT REFERRED TO AS "TRACT I" IN A SPECIAL WARRANTY DEED DATED AUGUST 12, 1992 TO DEL VALLE INDEPENDENT SCHOOL DISTRICT, RECORDED IN VOLUME 11750, PAGE 1680, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.965 ACRE (42,021 SQUARE FOOT) TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1" iron pipe found on the northeast right-of-way line of State Highway No. 71, a varying width right-of-way, at the south corner of said 2.941 acre tract and at the west corner of a 4.00 acre tract referred to as "Tract II" in a Special Warranty Deed dated August 12, 1992 to Del Valle Independent School District, recorded in Volume 11750, Page 1680, Real Property Records of Travis County, Texas, for the south corner of this tract;

THENCE, N60°55'47"W, with the northeast right-of-way line of State Highway No. 71 and the southwest line of said 2.941 acre tract, a distance of 105.18 feet to a 1/2" iron rod with plastic cap set at the point of curvature of a curve to the right;

THENCE, along said curve to the right having a radius of 20.00 feet, a central angle of 90°08'39", a chord which bears, N16°23'54"W, 28.32 feet, an arc distance of 31.47 feet to a 1/2" iron rod with plastic cap set on the southeast right-of-way line of Cardinal Lane, a 55-foot wide right-of-way, at the point of tangency;

5410 South 1st Street · Austin, Texas 78745 · (512) 442-7875 · Fax (512) 442-7876 · e-mail: maciasurvey@earthlink.net

THENCE, Northeasterly, with the southeast right-of-way line of Cardinal Lane and the northwest line of said 2.941 acre tract, the following two (2) courses:

1) N29°03'13"E, a distance of 80.20 feet to a 1/2" iron pipe found at the point of curvature of a curve to the right;

2) Along said curve to the right having a radius of 1322.01 feet, a central angle of 08°20'18", a chord which bears, N33°09'23"E, 192.22 feet, an arc distance of 192.39 feet to a 5/8" iron rod with aluminum cap found at the west corner of said 2.00 acre tract referred to as "Tract I", for the north corner of this tract;

THENCE, S47°47'16"E, across said 2.941 acre tract, with the southwest line of said "Tract I", a distance of 175.30 feet to a 1/2" iron pipe found on the southeast line of said 2.941 acre tract and on the northwest line of said 4.00 acre tract referred to as "Tract II", at the south corner of said "Tract I", for the east corner of this tract;

THENCE, S42°15'13"W, with the southeast line of said 2.941 acre tract and the northwest line of said "Tract II", a distance of 258.76 feet to the **POINT OF BEGINNING**, containing 0.965 acre (42,021 square feet) of land, more or less.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid bearings (Central Zone, NAD27, Combined Scale Factor = 0.99996). The coordinates were established from reference point "Austin RRP" having coordinate values of N=243934.54, E=2813207.12 and reference point "Bergs 1961" having coordinate values of N=200323.10, E=2843121.42.

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STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Gregorio Lopez, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 4th day of January, 2007, A.D.

GREGORIO LOPEZ, JR.

Gregorio Lopez, Jr.

MACIAS & ASSOCIATES, INC.
5410 South 1st Street
Austin, Texas 78745

Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No.5272 - State of Texas

REFERENCES
MAPSCO 2003 647J
Austin Grid No. MN-17
TCAD PARCEL ID NO. 03-1430-0401
MACIAS & ASSOCIATES PROJ. NO. 329-104-06

Exhibit "B"

1) Restrictive Covenants recorded in /under 2570/388 of the Real Property Records of Travis County, Texas, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.

2) Easements recorded in 1950/174, 2146/474, 3835/2381, Real Property Records of Travis County, Texas.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2008 Jan 04 04:36 PM 2008001598

BENAVIDESV $36.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

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