

04-129646cm/ag



**SPECIAL WARRANTY DEED**

**Effective Date:** *To be effective*  
April 29, 2005

**Grantor(s):** SUNSCAPE PARTNERSHIP, a California general partnership, as to an undivided 1% interest, CHRIS and SUZIE COLE LIVING TRUST, dated April 25, 2000, and any amendments thereto, as to an undivided 9.5% interest, JEHA 1991 FAMILY TRUST, as to an undivided 20% interest, HAROLD KAEMERLE, JR., as to an undivided 9.5% interest, JEHA FAMILY TRUST, as to an undivided 20% interest, WILLIAM F. KARTOZIAN LIVING TRUST, as to an undivided 20% interest, HOSKINS RANCH, LLC, as to an undivided 20% interest

**Grantor's Mailing Address (including county):**

c/o Emerald Properties  
2254 Moore Street, Suite 102  
San Diego, California 92110

**Grantee(s):** CITY OF AUSTIN, a municipal corporation

**Grantee's Mailing Address (including county):**

P. O. Box 1088  
Austin, Texas 78767-8839

**Consideration:**

The sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed.

**Property (including any improvements):**

Being 8.624 acres, more or less, out of the Santiago Del Valle Grant in Travis County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made apart hereof.

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made and accepted subject, subordinate and inferior to the easements, covenants and other matters and exceptions filed of record, but only to the extent they affect or relate to the Property, and without limitation or expansion of the scope of the warranty herein contained.

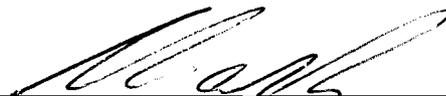
Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, SELLS and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's, executors, administrators, and successors to WARRANT AND FOREVER DEFEND all and singular the property to Grantee and Grantee's, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, by through or under Grantor but not otherwise.

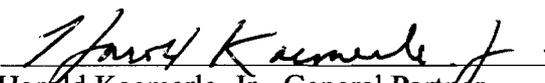
INTENTIONALLY LEFT BLANK

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

**GRANTOR(S):**

Sunscape Partnership, a California general partnership

By:   
\_\_\_\_\_  
Christopher A. Cole, General Partner

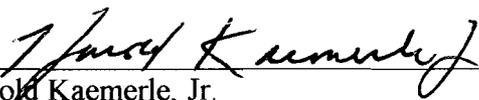
By:   
\_\_\_\_\_  
Harold Kaemerle, Jr., General Partner

Chris and Suzie Cole Living Trust, dated April 25, 2000,  
and any amendments thereto

By:   
\_\_\_\_\_  
Christopher A. Cole and S. M. Cole, Co-Trustees

Ronald Jeha 1991 Family Trust

By: \_\_\_\_\_  
Ronald Jeha, Trustee

  
\_\_\_\_\_  
Harold Kaemerle, Jr.

Jeha Family Trust

By: \_\_\_\_\_  
Richard Jeha, Trustee



THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

X  
X

On April 22, 2005, before me, VIRGINIA KEELER, Notary Public, personally appeared, Harold Kaemerle, Jr., General Partner of Sunscape Partnership, a California general partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Virginia Keeler  
Notary Public in and for the  
State of California

(SEAL)

THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

X  
X

On April 22, 2005, before me, VIRGINIA KEELER, Notary Public, personally appeared, Christopher A. Cole and S. M. Cole, Co-Trustees of the Chris and Suzie Cole Living Trust, dated April 25, 2000, and any amendments thereto, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Virginia Keeler  
Notary Public in and for the  
State of California

(SEAL)

THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

X  
X

*(Handwritten initials in a circle)*

On April 22, 2005, before me, VIRGINIA KEELER, Notary Public, personally appeared, Ronald Jeha, Trustee of the Ronald Jeha 1991 Family Trust, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

*(Handwritten initials in a circle)*

*Virginia Keeler*  
Notary Public in and for the  
State of California

(SEAL)

THE STATE OF CALIFORNIA  
COUNTY OF San Diego

X  
X

On April 22, 2005, before me, VIRGINIA KEELER Notary Public, personally appeared, Harold Kaemerle, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Virginia Keeler*  
Notary Public in and for the  
State of California

(SEAL)

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

**GRANTOR(S):**

Sunscape Partnership, a California general partnership

By: \_\_\_\_\_  
Christopher A. Cole, General Partner

By: \_\_\_\_\_  
Harold Kaemerle, Jr., General Partner

Chris and Suzie Cole Living Trust, dated April 25, 2000,  
and any amendments thereto

By: \_\_\_\_\_  
Christopher A. Cole and S. M. Cole, Co-Trustees

Ronald Jcha 1991 Family Trust

By:   
\_\_\_\_\_  
Ronald Jcha, Trustee

Harold Kaemerle, Jr.

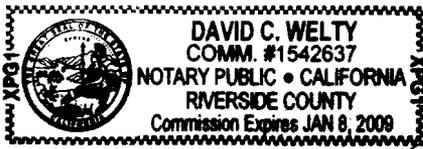
Jcha Family Trust

By: \_\_\_\_\_  
Richard Jcha, Trustee

THE STATE OF CALIFORNIA X  
COUNTY OF RIVERSIDE X

On April 22, 2005, before me, DAVID C. WELTY, Notary Public, personally appeared, Ronald Jeha, Trustee of the Ronald Jeha 1991 Family Trust, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



David C. Welty  
Notary Public in and for the  
State of California

(SEAL)

THE STATE OF CALIFORNIA X  
COUNTY OF \_\_\_\_\_ X

On April \_\_\_\_, 2005, before me, \_\_\_\_\_, Notary Public, personally appeared, Harold Kaemerle, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for the  
State of California

(SEAL)

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

**GRANTOR(S):**

Sunscape Partnership, a California general partnership

By: \_\_\_\_\_  
Christopher A. Cole, General Partner

By: \_\_\_\_\_  
Harold Kaemerle, Jr., General Partner

Chris and Suzie Cole Living Trust, dated April 25, 2000,  
and any amendments thereto

By: \_\_\_\_\_  
Christopher A. Cole and S. M. Cole, Co-Trustees

Ronald Jeha 1991 Family Trust

By: \_\_\_\_\_  
Ronald Jeha, Trustee

\_\_\_\_\_  
Harold Kaemerle, Jr.

Jeha Family Trust

By:   
Richard Jeha, Trustee

THE STATE OF CALIFORNIA  
COUNTY OF Contra Costa

X  
X

On April 22, 2005, before me, Michelle Wood, Notary Public, personally appeared, Richard Jeha, Trustee of the Jeha Family Trust, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Michelle L. Wood  
Notary Public in and for the  
State of California

(SEAL)

THE STATE OF CALIFORNIA  
COUNTY OF \_\_\_\_\_

X  
X

On April \_\_\_\_, 2005, before me, \_\_\_\_\_, Notary Public, personally appeared, William Kartoziyan, Trustee of the Williams Kartoziyan Living Trust, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for the  
State of California

(SEAL)



THE STATE OF CALIFORNIA  
COUNTY OF \_\_\_\_\_

X  
X

On April \_\_\_\_, 2005, before me, \_\_\_\_\_, Notary Public, personally appeared, Richard Jeha, Trustee of the Jeha Family Trust, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public in and for the  
State of California

(SEAL)

THE STATE OF CALIFORNIA  
COUNTY OF Contra Costa

X  
X

On April 22, 2005, before me, Michelle L. Wood, Notary Public, personally appeared, William Kartoziyan, Trustee of the Williams Kartoziyan Living Trust, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Michelle L. Wood  
Notary Public in and for the  
State of California

(SEAL)

William F. Kartoizian Living Trust

By: \_\_\_\_\_  
William Kartoizian, Trustee

Hoskins Ranch, LLC

By: W. Conrad Hoskins  
W. Conrad Hoskins

THE STATE OF ~~CALIFORNIA~~ <sup>WA</sup> Washington X  
COUNTY OF Walla Walla X

On April 22, 2005, before me, Shaun P. Gordon, Notary Public, personally appeared, W. Conrad Hoskins ~~Christopher A. Cole~~, General Partner of Sunscape Partnership, a California general partnership, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Shaun P. Gordon  
Notary Public in and for the  
State of ~~California~~ <sup>Washington</sup>

(SEAL)



Return to: LandAmerica Commercial Services

LandAmerica Commonwealth Title of Austin  
1717 W. 6th St., Ste. 100  
Austin, TX 78703



**MACIAS & ASSOCIATES, Inc.**  
LAND SURVEYORS

Sunscape Partnership  
To  
City of Austin

Exhibit "A"

**LEGAL DESCRIPTION FOR PARCEL 109**

BEING AN 8.624 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24 IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME 8.62 ACRE TRACT DESCRIBED IN A DEED TO SUNSCAPE PARTNERSHIP, RECORDED IN VOLUME 11707, PAGE 1562, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 8.624 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a PK nail found on the northwest right-of-way line of Cardinal Loop, a sixty (60) foot-wide right-of-way, also being on the southwest line of an 5.544 acre tract know as "Tract Three" as described in a deed to City of Austin, recorded in Volume 12816, Page 1528, Real Property Records of Travis County, Texas, for the east corner of this tract;

**THENCE**, with the northwest right-of-way line of Cardinal Loop and the southeast line of said 8.62 acre tract, the following six (6) courses:

1. S 09°51'01" W, a distance of 26.92 feet to a PK nail found at the point of curvature of a non-tangent curve to the right;
2. Along said curve to the right having a radius of 126.53 feet, a central angle of 52° 39'14", a chord which bears, S 37° 03'21" W, 112.23 feet, an arc distance of 116.28 feet to a 1/2" iron pipe found at the point of tangency;
3. S 61°35'57" W, a distance of 31.61 feet to a 1/2" iron rod found at the point of curvature of a curve to the left;
4. Along said curve to the left having a radius of 777.31 feet, a central angle of 34°00'34", a chord which bears, S 46°09'47" W, 454.65 feet, an arc distance of 461.39 feet to a 1/2" iron rod found at the point of tangency;
5. S 28°49'08" W, a distance of 87.68 feet to a PK nail found at an angle point;
6. S 20°59'27" W, a distance of 27.42 feet to a 1/2" iron rod with plastic cap set at the south corner of said 8.62 acre tract and at the east corner of Lot A,

McNeeley Addition, a subdivision recorded in Book 70, Page 61, Plat Records of Travis County, Texas, for the south corner of this tract;

**THENCE**, N 60°54'24" W, with the common line between said 8.62 acre tract and said Lot A, a distance of 514.92 feet to a 1/2" iron rod found on the southeast line of Lot A, Jim Dobson Addition, a subdivision recorded in Book 68, Page 30, Plat Records of Travis County, Texas, at the west corner of said 8.62 acre tract and at the north corner of the C.F.R. Addition, a subdivision recorded in Volume 55, Page 97, Plat Records of Travis County, Texas, for the west corner of this tract;

**THENCE**, N 42°34'20" E, with the northwest line of said 8.62 acre tract, the southeast line of said Lot A of Jim Dobson Addition, and the southeast line of a 110.81 acre tract described in a deed to Austin-Bergstrum Airport Centre, Ltd., recorded in Document No. 2000074675, Official Public Records of Travis County, Texas, a distance of 846.31 feet to a 1/2" iron rod found at the north corner of said 8.62 acre tract and an interior corner of said 5.544 acre tract, for the north corner of this tract;

**THENCE**, S 47°42'34" E, with the common line between said 8.62 acre tract and said 5.544 acre tract, a distance of 483.26 feet to the **POINT OF BEGINNING** and containing 8.624 acres of land.

**BEARING BASIS NOTE**

Bearing basis refers to the Texas State Plane Coordinate System, Central Zone, North American Datum of 1927. Distances are adjusted to surface. Scale factor to convert from surface to grid = 0.99996.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

2005 May 03 03:43 PM 2005077761

CORTEZY \$42.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS