

Lake Kiowa Special Utility District  
133 Kiowa Drive South  
Lake Kiowa, Texas 76240

**SPECIAL WARRANTY DEED**

**Effective Date:** June 30, 2012

**Grantor:** Kiowa Homeowners Water Supply Corporation, a Texas non-profit corporation

**Grantor's Mailing Address:**

Kiowa Homeowners Water Supply Corporation  
133 Kiowa Drive South  
Lake Kiowa, Texas 76240  
Cooke County

**Grantee:** Lake Kiowa Special Utility District

**Grantee's Mailing Address:**

Lake Kiowa Special Utility District  
133 Kiowa Drive South  
Lake Kiowa, Texas 76240  
Cooke County

**Consideration:**

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

**Property (including any improvements):**

Fifteen (15) tracts of land in Cooke County, Texas, described in Exhibit A, attached hereto with all improvements thereon together with any easement or rights-of-way whether obtained by formal dedication or by prescription that supports or facilitates in any manner the Grantor's water distribution system owned and/or operated by Kiowa Homeowners Water Supply Corporation.

**Reservations from Conveyance:**

None

**Exceptions to Conveyance and Warranty:**

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, 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, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties except for limited warranties of title set forth in this deed.

Grantor, for the same Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee, without express or implied warranty, the strips or gores, if any, between the Property and abutting properties and land lying in or under any public thoroughfare, opened or proposed, abutting or adjacent to the Property, together with all and singular the rights and appurtenances to any easements or rights of way in which any plant or equipment belonging to Grantor may be located, thereto or therein in any way belonging, to have and to hold it to Grantee and Grantee's successors, and assigns forever. All warranties that might arise by common law as well as the warranties in section 5.023 of the Texas Property Code (or its successor) are excluded as to the property conveyed by this paragraph.

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

KIOWA HOMEOWNERS WATER SUPPLY CORPORATION

By: [Signature]  
Jess Maxwell, President

STATE OF TEXAS )

COUNTY OF COOKE )

Before me, the undersigned notary public, on this day personally appeared **Jess Maxwell**, President of Kiowa Homeowners Water Supply Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 13th day of June, 2012



[Signature]  
Notary Public, State of Texas

1. Lots 217 and 218 of Lake Kiowa, Inc. Subdivision, in Cooke County, Texas, as shown by the Plat thereof recorded in Volume 3, Page 14 of the Plat Records of Cooke County, Texas.
2. Lots 1196, 1197 and 1198 of Lake Kiowa, Inc. Subdivision, in Cooke County, Texas, as shown by the Plat thereof recorded in Volume 4, Page 9 of the Plat Records of Cooke County, Texas.
3. Lots 1050, 1051, 1052 and 1053 of Lake Kiowa, Inc. Subdivision, in Cooke County, Texas, as shown by the map or plat thereof appearing of record in Volume 4, Page 4 of the Plat Records of Cooke County, Texas.
4. Lots 1872, 1873 and 1874 of Lake Kiowa, Inc. Subdivision, in Cooke County, Texas, as shown by the Plat thereof recorded in Volume 731, Page 394 of the Plat Records of Cooke County, Texas. Less and Except all oil, gas and other minerals therein.
5. Lot No. 1625-A in Lake Kiowa Resort Development of Lake Kiowa, Inc. in Cooke County, Texas as in shown on the map or plat thereof recorded in Vol. 3, page 22 of the Plat Records of Cooke County, Texas, and is further identified on said plat as the "Future Well Site" and contains 3.27 acres of land.
6. Lot No. 1866-A in Lake Kiowa Resort Development of Lake Kiowa, Inc. in Cooke County, Texas as in shown on the map or plat thereof recorded in Vol. 4, page 4 of the Plat Records of Cooke County, Texas, and is further identified on said plat as the "Well Site" and contains 3.21 acres of land.
7. A 9.98 acre tract situated in the Wm. Denyer Survey, Abstract No. 326 of Cooke County, Texas being the same property described by metes and bounds by a General Warranty Deed, dated April 1, 2009 from Andrew Gelfand and Donna Gelfand to Kiowa Homeowners Water Supply Corporation and filed in Volume 1630 at page 580 of the Real Property Records of Cooke County, Texas.