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e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees 44.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Stan Stanart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

WD  
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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

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HARRIS

That **IB PROPERTY HOLDINGS, LLC**, a Delaware limited liability company ("Grantor" whether one or more), for TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor, cash in hand paid by **NORTHPOINTE VILLAGE 1EE APARTMENTS, LLC**, a Texas limited liability company ("Grantee" whether one or more), whose address is c/o Austin Management Group, Inc., 3432 Greystone Drive #120, Austin, Texas 78731, the receipt and sufficiency of which are hereby acknowledged by Grantor, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL AND CONVEY, unto said Grantee the following described property ("Property"), together with all improvements thereon and fixtures thereto:

A 9.8868 acres tract, said tract being all of Northborough Station Apartments, according to the map or plat thereof recorded in Volume 290, Page 25 of the Harris County Map Records, said tract also being described as 10.0159 acres, situated in the B.B.B. and C.R.R. Company Survey, A-174, Harris County, Texas, out of Reserve "E" in the Northborough Section One subdivision, according to the map or plat thereof recorded in Volume 265, Page 47 in the Harris County Map Records, SAVE AND EXCEPT 0.1291 acres of land.

SAID 10.0159 ACRES OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING at a 5/8 inch iron rod set marking the northwest corner of the aforementioned Reserve "E", same being on the southerly right-of-way line of Oakhurst Green Drive (60' R.O.W.);

THENCE North 87 degrees 19 minutes 55 seconds East, along the southerly

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right-of-way line of Oakhurst Drive a distance of 659.20 feet to a 5/8 inch iron rod set for corner;

THENCE South 47 degrees 40 minutes 05 seconds East, along said 10 foot cutback a distance of 14.14 feet to a found 5/8 inch iron rod on the westerly right-of-way line of Northborough Drive (60' R.O.W.);

THENCE South 02 degrees 40 minutes 05 seconds East, along the westerly right-of-way line of Northborough Drive a distance of 642.18 feet to a 5/8 inch iron rod set for corner;

THENCE South 87 degrees 26 minutes 08 seconds West, a distance of 670.17 feet to a 5/8 inch iron rod set for corner;

THENCE North 02 degrees 34 minutes 56 seconds West, a distance of 650.97 feet to the POINT OF BEGINNING and containing 10.0159 acres of land, more or less.

SAVE AND EXCEPT 0.1291 acres of land, said 0.1291 acres being more particularly described by metes and bounds as follows:

COMMENCING for reference at the northwest corner of said Reserve "E", same being on the Southerly right-of-way line of Oakhurst Green Drive;

THENCE South 02 degrees 34 minutes 56 seconds East, a distance of 300.00 feet to a point;

THENCE North 87 degrees 25 minutes 04 seconds East, a distance of 50.00 feet to a 5/8 inch iron rod set marking the point of beginning of the tract herein described;

THENCE North 87 degrees 25 minutes 04 seconds East, a distance of 75.00 feet to a found 1 inch iron pipe for corner;

THENCE South 02 degrees 34 minutes 56 seconds East, a distance of 75.00 feet to a 5/8 inch iron rod set for corner;

THENCE South 87 degrees 25 minutes 04 seconds West, a distance of 75.00 feet to a found capped 5/8 inch iron rod for corner;

THENCE North 02 degrees 34 minutes 56 seconds West, a distance of 75.00 feet to the POINT OF BEGINNING and containing 0.1291 acres of land, more or less.

And leaving a net area of 9.8868 acres of land.

This conveyance is made subject to the following:

- (1) those certain exceptions more fully set out in Exhibit "A", attached hereto and made a part hereof by this reference;
- (2) taxes on the Property for 2012 and subsequent years not yet due and payable; and
- (3) all zoning laws, regulations and ordinances of municipal and other governmental authorities, if any, but only to the extent that they are still in effect, relating to the Property.


TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee and Grantee's successors and assigns, forever; and it is agreed that Grantor and Grantor's successors and assigns are hereby bound to warrant and forever defend, all and singular, the Property, unto the said Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the reservations from and exceptions to warranty.

WITNESS the execution hereof this 12<sup>th</sup> day of March, 2012.

GRANTOR:

IB PROPERTY HOLDINGS, LLC,  
a Delaware limited liability company

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By:   
Name: \_\_\_\_\_  
Title: Sonia Asencio  
Assistant Secretary

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THE STATE OF FLORIDA

COUNTY OF

Miami-Dade

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This instrument was acknowledged before me on the 27<sup>th</sup> day of March, 2012, by Sonia Asencio, the Assistant Secretary of IB PROPERTY HOLDINGS, LLC, a Delaware limited liability company, on behalf of said limited liability company.



Jesiel Figueroa  
COMMISSION #EE052767  
EXPIRES: FEB 08, 2015  
WWW.AARONNOTARY.COM

[Signature]  
NOTARY PUBLIC, STATE OF FLORIDA  
PRINTED NAME: \_\_\_\_\_  
COMMISSION EXPIRES: \_\_\_\_\_

AFTER RECORDING RETURN TO:  
Infinity Title Company  
1035 Dairy Ashford, Suite 115  
Houston, TX 77079  
GF# 20111117

## EXHIBIT "A"

1. Restrictive Covenants recorded in/under Volume 290, Page 25 of the Map Records of County, Texas, and those filed for record in the office of the County Clerk of Harris County, Texas, under Clerk's File Nos. F599038, F700145, F823386, F864512 and G330074, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.
2. Easement(s) for private streets, water lines, access, fire valve or fire hydrants, public utilities and various building lines and any other items that may be included on the map recorded in Volume 290, Page 25 of the Map Records of Harris County, Texas.
3. Drainage easement 15 feet wide on each side of the center line of all gullies, ravines and other natural drainage courses on the herein described property, imposed in the plat and dedication recorded in Volume 290, Page 25 of the Map Records of Harris County, Texas.
4. An aerial easement 5 feet wide from a plane 20 feet above the ground running the entire length of and abutting all dedicated easements, for the use of public utilities, imposed in the plat and dedication recorded in Volume 290, Page 25 of the Map Records of Harris County, Texas.
5. A fifty foot (50') Arco Pipeline easement located along the West property line per the recorded plat in Volume 265, Page 47 of the Map Records of Harris County, Texas.
6. A ten foot (10') utility easement located East of land adjacent to the above described pipeline easement per the recorded plat in Volume 265, Page 47 of the Map Records of Harris County, Texas. A fifteen foot (15') building set back line east of and adjacent to the above utility easement per the recorded plat recorded in Volume 265, Page 47 of the Map Records of Harris County, Texas.
7. A ten foot (10') building line and water line easement located along the North property line per the recorded plat recorded in Volume 265, Page 47 of the Map Records of Harris County, Texas.
8. A ten foot (10') building line and water line easement located along the East property line per the plat recorded in Volume 265, Page 47, of the Map Records of Harris County, Texas.
9. An easement for the purposes of laying, operating and maintaining, etc, a pipe line granted to Sinclair Refining Company by instrument recorded in Volume 1670, Page 142 of the Deed Records of Harris County, Texas. By instrument recorded under Harris County Clerk's File Nos. E222747 and F668782 the pipeline was limited to a width of 50 feet and defined in location to lie along the west subdivision line. This easement is also shown on the map recorded in Volume 290, Page 25 of the Map Records of Harris County, Texas. By

instruments recorded under Harris County Clerk's File Nos. F919551 and G874076, permission was granted to encroach over and onto said pipe line easement(s) with an asphalt surface parking area subject to the terms and conditions of said instruments.

10. An easement 5 feet wide along the east property line for underground facilities as more fully described in the easement instrument granted to Southwestern Bell Telephone Company filed August 6, 1979 under Harris County Clerk's File No. G186265.

11. Agreement by and between Developer and Houston Lighting & Power Company, for installation of underground electrical distribution system, including pad-mounted transformers and junction boxes lying within all dedicated easements, as set out in instrument filed for record in the Office of the County Clerk of Harris County, Texas under County Clerk's File No. G207268.

12. An unobstructed ground easement 10 feet wide in two separate locations and through center lines which are depicted on sketches appended to and made a part of, and described in the easement instrument granted to Houston Lighting & Power company filed August 11, 1980 under Harris County Clerk's File No. G633872.

13. An easement for the purpose of ingress and egress over a strip of land 28 feet wide by approximately 375 feet in length near the westerly property line granted to Northborough Municipal Utility District, subject to the terms of the easement instrument filed March 9, 1981 under Harris County Clerk's File No. G890067.

14. Terms, conditions, and provisions of that contract with Extra Effort Payphones, Inc. to install and furnish payphones, a memorandum to the contract filed July 30, 1997, under Harris County Clerk's File No. S566299.

15. Terms, conditions and provisions of that lease agreement with COINMACH, successor to Solon Automated Services, Inc, which covers and grants the right to occupy the laundry rooms situated on the property as set forth in the instrument filed under Harris County Clerk's File No. U865273, and renewed and extended by County Clerk's File No. 20110145030, Official Records, Harris County, Texas.

16. A 1/16th non-participating royalty interest in and to all of the oil, gas and other minerals in, upon and under the subject property was reserved in instrument recorded in Volume 1753, Page 436 of the Deed Records of Harris County, Texas.

17. A 1/8th non-participating royalty interest in all of the oil gas and other minerals in and under the herein described property is excepted here from as the same is set forth in instrument recorded in Volume 1867, Page 31 of the Deed Records of Harris County, Texas.

18. A 1/16th non-participating royalty interest in all of the oil gas and other minerals in and under the herein described property is excepted here from as the same is set forth in instrument recorded in Volume 2873, Page 544 of the Deed Records of Harris County,

Texas.

19. A 1/32nd non-participating royalty interest in all of the oil gas and other minerals in and under the herein described property is excepted here from as the same is set forth in instrument recorded in Volume 3395, Page 526 of the Deed Records of Harris County, Texas.
20. A 1/32nd non-participating royalty interest in all of the oil gas and other minerals in and under the herein described property is excepted here from as the same is set forth in instrument recorded filed for record in the Office of the County Clerk of Harris County, Texas under County Clerk's File No. D491431.
21. An undivided 1/64 non-participating royalty interest in all of the oil gas and other minerals in and under the herein described property is excepted here from as the same is set forth in instrument recorded filed for record in the Office of the County Clerk of Harris County, Texas under County Clerk's File No. D491433.
22. Blanket easement over and across subject property for ingress and egress in connection with installing, replacing, repairing and maintaining all utilities, including, but not limited to, water sewer, telephone, electricity, gas and all appurtenances thereto, as set forth in instrument filed for record under Harris County Clerk's File No. F599038.
23. Blanket easement over and across the subject property granted to all police, fire protection, ambulance another emergency vehicles, postal service vehicles and other service vehicles, the operators thereof, and to the developer or management personnel to enter upon the properties in the performance of their duties and to render any service or perform any function, as set forth in instrument filed for record under Harris County Clerk's File No. F599038.
24. Two unobstructed aerial easements in favor of Houston Lighting & Power Company, per sketches attached to instrument filed for record on July 13, 1978 under County Clerk's File No. F678021.
25. All, leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Official Public Records of Real Estate of Harris County Texas to the extent they are still in effect and relate to the Property.
26. Houston Intercontinental Airport Zoning Ordinance File No. B852509 or Volume 5448, Page 421 of the Deed Records of Harris County, Texas.
27. Rights of tenants in possession under any unrecorded leases or rental agreements.
28. Portable metal storage shed encroaches over the 50 foot Arco Pipeline easement and over the 28 foot access easement along the west property line(s) as shown on survey by Fred W. Lawton a Registered Professional Land Surveyor No. 2321 dated March 9, 2012.



29. Dump areas encroach over the 50 foot Arco Pipeline easement and over the 28 foot access easement along the west property line(s) as shown on survey by Fred W. Lawton a Registered Professional Land Surveyor No. 2321 dated March 9, 2012.

30. Concrete encroaches over the 5 foot Southwestern Bell Telephone Company easement along the east property line(s) as shown on survey by Fred W. Lawton a Registered Professional Land Surveyor No. 2321 dated March 9, 2012.

31. Concrete encroaches over the 10 foot water line easements as shown on survey by Fred W. Lawton a Registered Professional Land Surveyor No. 2321 dated March 9, 2012.

32. Concrete encroaches over the HL&P ground easements as shown on survey by Fred W. Lawton a Registered Professional Land Surveyor No. 2321 dated March 9, 2012.

33. Fences do not follow property line(s) as shown on survey by Fred W. Lawton a Registered Professional Land Surveyor No. 2321 dated March 9, 2012.