

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY 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 PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS                   §

THAT SILVER KNIGHT HOLDINGS, L.P., a Texas limited partnership, and AVI RON, as tenants in common (collectively hereinafter "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by H-E-B, LP, a Texas limited partnership ("Grantee"), whose mailing address is 646 South Flores Street, San Antonio, Texas 78204, the receipt and sufficiency of which consideration is hereby acknowledged and confessed, subject to all of the matters set forth or referred to herein, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto Grantee, that certain tract of unimproved located in the City of Houston, Harris County, Texas (the "Land"), being more particularly described by metes and bounds on Exhibit "A" attached hereto and made part hereof for all purposes, together with any and all improvements situated on the Land and all right, title and interest of Seller, if any, in and to any and all appurtenances, strips or gores, roads, easements, streets, alleys, drainage facilities, and rights-of-way bounding the Land; all utility capacity, utilities, water rights, licenses, permits, entitlements, and bonds, if any, and all other rights and benefits attributable to the Land; and all rights of ingress and egress thereto (all of which are hereinafter collectively called the "Property").

This conveyance is expressly made and accepted subject only to all matters set forth on Exhibit "B" attached hereto and made a part hereof for all purposes (the "Permitted Exceptions").

EXCEPT AS TO THE WARRANTY OF TITLE EXPRESSLY PROVIDED HEREIN AND THE EXPRESS REPRESENTATIONS OF SILVER KNIGHT HOLDINGS, L.P. SET FORTH IN SECTION 7 OF THAT CERTAIN REAL ESTATE CONTRACT FOR SALE DATED FEBRUARY 7, 2020, AS AMENDED ("GRANTOR'S WARRANTIES"), GRANTEE ACKNOWLEDGES AND AGREES BY ACCEPTING THIS SPECIAL WARRANTY DEED THAT GRANTOR HAS NOT MADE, DOES NOT MAKE, AND HEREBY SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER EXPRESS, IMPLIED OR STATUTORY, ORAL OR WRITTEN, OF, AS TO, CONCERNING, OR WITH RESPECT TO, (i) THE VALUE, NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOILS AND GEOLOGY, (ii) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH MAY BE CONDUCTED THEREON, (iii) THE COMPLIANCE OF OR BY THE PROPERTY WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY, (iv)

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THE HABITABILITY, MERCHANTABILITY, MARKETABILITY, PROFITABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY, OR (v) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY. SPECIFICALLY, BUT NOT IN LIMITATION OF THE FOREGOING, GRANTEE FURTHER ACKNOWLEDGES THAT EXCEPT FOR GRANTOR'S WARRANTIES, GRANTOR HAS NOT MADE, DOES NOT MAKE AND HEREBY SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS OR WARRANTIES REGARDING THE ENVIRONMENTAL CONDITION OF THE PROPERTY. GRANTOR SHALL NOT BE LIABLE OR BOUND IN ANY MANNER BY ANY VERBAL OR WRITTEN STATEMENTS, REPRESENTATIONS OR INFORMATION PERTAINING TO THE PROPERTY OR THE OPERATION THEREOF, FURNISHED BY ANY PARTY REGARDLESS OF WHETHER PURPORTING TO ACT ON BEHALF OF GRANTOR. BY ACCEPTANCE OF THIS DEED, GRANTEE REPRESENTS THAT GRANTOR HAS NOT IN ANY WAY INTERFERED WITH GRANTEE'S RIGHTS OF INVESTIGATION.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto said Grantee; and Grantor does hereby bind Grantor and Grantor's successors to WARRANT AND FOREVER DEFEND all and singular the Property unto said Grantee, against every person whomsoever claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject to the Permitted Exceptions.

Ad valorem taxes and special assessments, if any, against the Property for the year 2020 have been prorated between Grantor and Grantee as of the date of this Special Warranty Deed and Grantor hereby expressly assumes and agrees to pay the same.

This Special Warranty Deed may be simultaneously executed in a number of counterparts, each of which for all purposes shall be deemed an original and all of which, when taken together, shall constitute but one and the same instrument.

*[Signature Page to Follow]*

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## AVIRON

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Notary Public, State of Tennessee



www.ck12.org

Notary Public, State of Texas

EXECUTED effective as of the 28 day of August, 2020.

**GRANTOR:**

**SILVER KNIGHT HOLDINGS, L.P.,**  
a Texas limited partnership

By: Silver Knight Management Company, LLC,  
a Texas limited liability company

By: \_\_\_\_\_  
Name: Gregory H. Sachs  
Title: Manager

\_\_\_\_\_  
**AVI RON**

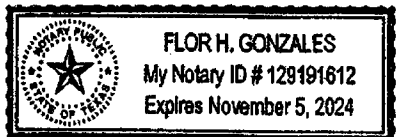
STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this the \_\_\_\_ day of August, 2020, by Gregory H. Sachs, Manager of Silver Knight Management Company, LLC, a Texas limited liability company, the General Partner of Silver Knight Holdings, L.P., a Texas limited partnership, on behalf of such limited partnership.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF HARRIS §

This instrument was acknowledged before me on this the 28 day of August, 2020, by Avi Ron.



\_\_\_\_\_  
Notary Public, State of Texas

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**Exhibit A**

**Legal Description**

A 6.796 acre, or 296,029 square feet more or less, tract of land, being a portion of a called 8.14 acre tract of land conveyed to Silver Knight Holdings, LP as described in a deed recorded in Clerk's File No. Y962903 of the Official Public Records of Real Property of Harris County, Texas, and all of a called 0.219 acre tract of land conveyed to Silver Knight Holdings, LP as described in a deed recorded in Clerk's File No. 20090332227 of the Official Public Records of Real Property of Harris County, Texas, situated in the Samuel D. Waltman Survey, Abstract 843, in the City of Houston, Harris County, Texas. Said 6.796 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System of 1983, South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At a rail road spike found for the northeast corner of said 8.14 acre tract and the northwest corner of a called 0.4474 acre tract of land conveyed to The Original Pyramid, Inc. as described in a deed recorded in Clerk's File No. 20150567268 of the Official Public Records of Real Property of Harris County, Texas and being on the south right-of-way line of Holmes Road (100 foot wide) as recorded under Volume 979, Page 582 of the Harris County Deed Records;

THENCE: S 11°19'34" W, departing said south Right-of-way line and along the west line of said 0.4474 acre tract, a distance of 106.45 feet to a rail road spike found for an interior corner of the herein described tract and the southwest corner of said 0.4474 acre tract;

THENCE: S 36°56'08" E, a distance of 100.83 feet to a point at a building corner for corner;

THENCE: N 52°13'58" E, along and with building line, a distance of 0.54 feet to a point at a building corner for corner;

THENCE: S 36°55'56" E, continuing along and with building line, a distance of 52.12 feet to a point at a building corner for and a southern angle point for said 0.4474 acre tract;

THENCE: S 89°51'05" E, departing said building line, a distance of 30.83 feet to an "X" found in concrete for ang angle point of the herein described tract and the southeast corner of said 0.4474 acre tract and the southwest corner of a tract of land conveyed to South Park Water Service Company as described in a deed recorded in Volume 2342, Page 685 of the Deed Records of Harris County, Texas;

THENCE: S 84°27'04" E, along the south line of said South Park Water Service Company tract, a distance of 119.93 feet to a 5/8 inch iron rod found for the most southerly northeast corner of the herein described tract and on the west right-of-way line of Calhoun Road (80 foot wide);

THENCE: S 05°32'40" W, along said west right-of-way line, a distance of 28.93 feet to a 5/8 inch iron rod with a yellow cap marked "Pape-Dawson" to be set for the southeast corner of the herein described tract and being on the north right-of-way line of IH-610 ( width varies) Volume 6520, Page 586 of the Official Public Records of Real Property of Harris County, Texas;

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THENCE: Southwesterly, along the said north right-of-way line and along a non-tangent curve to the right, having a radial bearing of N 22°47'48" W, a radius of 5,629.58 feet, a central angle of 00°50'32", a chord bearing and distance of S 67°37'28" W, 82.76 feet, for an arc length of 82.76 feet to a 5/8 inch iron rod with a yellow cap marked "Pape-Dawson" to be set for an angle point and to a common line of said South Park Water Service Company tract and the herein described tract;

THENCE: S 89°40'15" W, departing said north right-of-way line and along said common line, a distance of 58.97 feet to a 5/8 inch iron rod found for corner;

THENCE: N 05°35'20" E, continuing along said common line, a distance of 18.00 feet to a 5/8 inch iron rod found for corner;

THENCE: N 84°23'04" W, a distance of 44.00 feet to a 5/8 inch iron rod found for corner;

THENCE: S 07°08'38" W, a distance of 74.89 feet to a 5/8 inch iron rod found for corner and being on said north right-of-way line;

THENCE: Northwesterly, along said north right-of-way line and along a non-tangent curve to the right, having a radial bearing of N 23°08'50" W, a radius of 5,629.58 feet, a central angle of 04°13'04", a chord bearing and distance of S 68°57'42" W, 414.33 feet, for an arc length of 414.42 feet to a point from which a 5/8 inch iron rod with a yellow cap marked "J.T. JAKUBIK & ASSOC., INC." found bears N 00°29' W, 0.97 feet for angle point for corner;

THENCE: S 89°03'27" W, continuing along said north right-of-way line, a distance of 191.09 feet to a 5/8 inch iron rod with a yellow cap marked "Pape-Dawson" to be set for corner;

THENCE: S 73°55'54" W, continuing along said north right-of-way line, a distance of 183.30 feet to a 5/8 inch iron rod found for the southwest corner of the herein described tract and being on the east right-of-way line of Cullen Road (80 foot wide) Volume 841, Page 282, Volume 4992, Page 277 and Volume 4999, Page 287 & 291 of the deed Records of Harris County, Texas;

THENCE: N 01°51'12" W, departing said north right-of-way line and along said east right-of-way line, a distance of 107.49 feet to 5/8 inch iron rod found for an angle point;

THENCE: N 01°52'42" W, continuing along said east right-of-way line, a distance of 63.22 feet to a 1-inch iron pipe found for an angle point;

THENCE: N 06°06'58" W, continuing along said east right-of-way line, a distance of 79.95 feet to a 5/8 inch iron rod found for the most southerly northwest corner of the herein described tract;

THENCE: N 83°45'52" E, departing said east right-of-way line, over and across the said 8.14 acre tract, a distance of 296.17 feet to a 5/8 inch iron rod found for an interior corner;

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THENCE: N 06°14'08" W, over and across the said 8.14 acre tract, a distance of 283.89 feet to a 5/8 inch iron rod found for the most northerly northwest corner of the herein described tract and being on said south right-of-way line of Holmes Road;

THENCE: Southeasterly, along said south right-of-way line and along a non-tangent curve to the right, having a radial bearing of S 11°45'48" E, a radius of 1,041.05 feet, a central angle of 26°14'09", a chord bearing and distance of S 88°38'43" E, 472.55 feet, for an arc length of 476.70 feet to the POINT OF BEGINNING, and containing 6.796 acres in the City of Houston, Harris County, Texas.

**Exhibit B**

**Permitted Exceptions**

1. An easement ten (10) feet wide for sanitary sewer and other utilities, over, under and across subject tract as described in instrument recorded in Volume 2286, Page 369 of the Deed Records of Harris County, Texas.
2. An easement ten (10) feet in width along the southerly side of subject tract and an aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located northerly of and adjoining said 10 feet wide easement and an easement for one (1) down guy 35 feet long granted to Houston Lighting and Power Company by instrument recorded in Volume 4994, Page 381 of the Deed Records of Harris County, Texas, with the exact location of said easements as shown on the Sketch No. A-W-15464-H attached to said instrument.

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# Pages 9  
08/28/2020 02:48 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
CHRIS HOLLINS  
COUNTY CLERK  
Fees \$46.00

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.



COUNTY CLERK  
HARRIS COUNTY, TEXAS

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