

SPECIAL WARRANTY DEED

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 THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS           §  
  §       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF HARRIS         §

That **TH PROPERTIES, LLC**, a Texas limited liability company (collectively, "**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to it in hand paid by **RUTCO AGENCY, INC.**, a Texas corporation ("**Grantee**") having an address at 4040 Gulf Freeway, Houston, Texas 77004, the receipt and sufficiency of which are hereby acknowledged and confessed, and subject to the exceptions, liens, encumbrances, terms and provisions to conveyance and warranty hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee that certain real property and rights ( collectively, the "**Property**") situated in Harris County, Texas, and being described as follows, to wit:

Being all the tracts and parcels of land located in Harris County, Texas, as being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein by this reference for all purposes; and

together with all of Grantor's right, title, and interest, in and to the following: (1) all buildings, improvements and fixtures located on or within the Property; (2) all rights, privileges, and appurtenances pertaining to the Property, including but not limited to, Grantor's right, title and interest, to all utilities, wastewater capacity reservations, storm sewer capacity, all minerals, adjacent streets, all access rights, alleys, strips, gores, and rights of way; (3) all licenses and permits, if transferrable, related to the Property; and (4) Grantor's interest in all third party warranties or guaranties, if transferrable, relating to the Property or any fixtures.

**SUBJECT, HOWEVER, ONLY**, to the following matters (collectively, the "**Permitted Exceptions**"): (i) all matters listed on Exhibit "B" attached hereto; (ii) all zoning laws, regulations, restrictions and ordinances of municipal or other governmental authorities, if any, but only to the extent same are valid and subsisting against the Property; and (iii) all real property

STEWART TITLE

19000332308/dm/33

RP-2020-32172

taxes and special assessments affecting the Property and any improvements for the year 2020, which having been prorated, are hereby fully assumed by Grantee.

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, its heirs, executors, legal representatives, successors and assigns, forever; and Grantor does hereby bind itself, its heirs, executors, legal representatives, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its heirs, executors, legal representatives, successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, except as to the Permitted Exceptions together with any reservations from and exceptions to conveyance and warranty contained herein, by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor on the date set forth below, and is effective as of January 22, 2020.

**GRANTOR:**

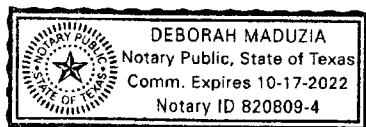
TH Properties, LLC,  
a Texas limited liability company

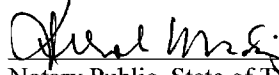
By:   
Thomas G. Hodges, President and Treasurer

**ACKNOWLEDGMENT**

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on this 22<sup>nd</sup> day of January, 2020, by Thomas G. Hodges, as President and Treasurer of TH Properties, LLC, a Texas limited liability company, on behalf as said company.



  
Notary Public, State of Texas

My commission expires: 10-17-22  
Deborah Maduzia  
Print or Type Name of Notary

**AFTER RECORDING RETURN TO:**

Jason Davis  
Crain Caton & James, P.C.  
1401 McKinney Street, 17<sup>th</sup> Floor  
Houston, Texas 77010-4035

**EXHIBIT "A"**  
**(to special warranty deed)**

**Property Legal Description**

County: Harris  
Project: Dennis Street  
M&B No. 201034  
MSG Job No. 3999-ALTA

**TRACT 1**  
**FIELD NOTES FOR A 0.4821 ACRE TRACT**

Being a tract of land containing 0.4821 acre (21,000 square feet) located in the Luke Moore Survey, Abstract Number (No.) 51, Harris County, Texas; said 0.4821 acre tract being all of Lots 4, 5, 6 and 7, Block 8, O.T. Holt, L.B. Moody and Ira P. Jones subdivision, a subdivision plat of record in Volume (Vol.) 4, Page (Pg.) 27, Harris County Map Records (H.C.M.R.), said tract of land being recorded in the name of TH Properties, LLC in Harris County Clerk's File (H.C.C.F.) No. 20060293534, said 0.4821 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone No. 4204, North American Datum of 1983 (NAD83), as per GPS observations):

**COMMENCING** at an x-cut found on the southerly Right-of-Way (R.O.W.) line of Dennis Street (60-feet wide as per Vol. 4, Pg. 27, H.C.M.R.), marking the northwest corner of Lot 2 of said Block 8 and being the northeast corner of Lot 3 of said Block 8, from which a MAG nail found bears South 19 degrees 00 minutes 43 seconds West, a distance of 0.6 feet;

Thence, with the line common to the southerly R.O.W. line of said Dennis Street, said Lot 3, North 71 degrees 54 minutes 57 seconds West, a distance of 50.00 feet to a 5/8-inch iron rod with a Miller Survey Group cap (MSG) cap set marking the northwest corner of said Lot 3 and the northeast corner of said Lot 4 for the **POINT OF BEGINNING** of the herein described tract;

Thence, with the line common to said Lot 3 and said Lot 4, South 18 degrees 10 minutes 24 seconds West, a distance of 100.00 feet to a 5/8-inch iron rod with a MSG cap set marking the common corner of Lots 3, 4, 11, and 12 of said Block 8 for the southeast corner of the herein described tract, from which a 5/8-inch iron rod with Sitech cap found bears South 71 degrees 54 minutes 57 seconds East, a distance of 50.00 feet marking the common corner of Lots 2, 3, 12 and 13 of said Block 8;

Thence, with the line common to Lots 8-11 and Lots 4-7 of said Block 8, North 71 degrees 54 minutes 57 seconds West, a distance of 210.00 feet to a 5/8-inch iron rod with a MSG cap set on the southeast line of Lot 7, Block R, Leeland Park Addition, Vol. 1A, Pg. 121, H.C.M.R., marking the common corner to said Lot 7 and said Lot 8 for the southwest corner of the herein described tract;

Thence, with the line common to Lot 7 of said Block 8 and Lot 7 of said Block R, North 18 degrees 10 minutes 24 seconds East, a distance of 100.00 feet to a 5/8-inch iron rod with a MSG cap set on the southerly R.O.W. line of said Dennis Street marking the northwest corner of Lot 7 of said Block 8 and of the herein described tract;

Thence, with the line common to the southerly R.O.W. line of said Dennis Street and said Lots 4-7 of said Block 8, South 71 degrees 54 minutes 57 seconds East, a distance of 210.00 feet to the **POINT OF BEGINNING** and containing 0.4821 acre of land.

An ALTA/NSPS Land Title Survey has been prepared by Miller Survey Group and accompanies this description.

**Miller Survey Group**

Texas Firm Reg. No. 10047100

[www.millersurvey.com](http://www.millersurvey.com)

Ph: (713) 413-1900

M&B No. 201034

Dwg No. 3999-ALTA

Date: January 20, 2020

County: Harris  
Project: Dennis Street  
M&B No. 201035  
MSG Job No. 3999-ALTA

**TRACT 2**  
**FIELD NOTES FOR A 0.5632 ACRE TRACT**

Being a tract of land containing 0.5632 acre (24,534 square feet) located in the Luke Moore Survey, Abstract Number (No.) 51, Harris County, Texas; said 0.5632 acre tract being all of Lots 8, 9, 10, 11 and a portion Lot 7, Block R, Leeland Park Addition, a subdivision plat of record in Volume (Vol.) 1A, Page (Pg.) 121, Harris County Map Records (H.C.M.R.) and Leeland Park Addition Re-Dedication Map recorded in Volume 572, Page 458 of the Harris County Deed Records (H.C.D.R.), said tract of land being recorded in the name of TH Properties, LLC in Harris County Clerk's File (H.C.C.F.) No. 20060293534, said 0.5632 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone No. 4204, North American Datum of 1983 (NAD83), as per GPS observations):

**COMMENCING** at a 5/8-inch iron rod with a Miller Survey Group (MSG) cap found at the intersection of the easterly R.O.W. line of Callie Street (50 feet wide per Vol. 572, Pg. 458, H.C.D.R.) and the northerly R.O.W. line of Dennis Avenue (40-feet wide per Vol. 572, Pg. 458, H.C.D.R.) for the southwest corner of Lot 1, Block O, of said Leeland Park Addition and the herein described tract, from which a 2-inch iron pipe found bears North 31 degrees 00 minutes West, a distance of 1.5 feet;

Thence, across said Dennis Avenue R.O.W., South 17 degrees 26 minutes 50 seconds West, a distance of 40.13 feet to a point at the intersection of the easterly R.O.W. line of said Callie Street and the southerly R.O.W. line of said Dennis Avenue for the northwest corner of Lot 12 of said Block R;

Thence, with the line common to the southerly R.O.W. line of said Dennis Avenue and the north line of Lot 12 of said Block R, South 72 degrees 33 minutes 10 seconds East, a distance of 50.00 feet to a 5/8-inch iron rod with a MSG cap set marking the northeast corner of Lot 12 of said Block R and the northwest corner of Lot 11 of said Block R for the **POINT OF BEGINNING** of the herein described tract;

Thence, continuing with the line common the southerly R.O.W. line of said Dennis Avenue and the north line of Lots 7-11 of said Block R, South 72 degrees 33 minutes 10 seconds East, a distance of 246.24 feet to a 5/8-inch iron rod with a MSG cap set on the northwest line of Lot 7 of said Block 8 and of the herein described tract;

Thence, with the line common to Lot 7 of said Block R and Lots 7 and 8 of said Block 8, South 18 degrees 10 minutes 24 seconds West, a distance of 85.95 feet to a 5/8-inch iron rod with a MSG cap set on the line common to Lot 7 of said Block R and Lot 8 of said Block 8;

Thence, through and across Lot 7 of said Block R the follow two (2) courses:

1. North 69 degrees 33 minutes 18 seconds West, a distance of 1.91 feet to a 5/8-inch iron rod with a MSG cap set for an interior corner;
2. South 17 degrees 50 minutes 20 seconds West, a distance of 14.16 feet to a 5/8-inch iron rod with a MSG cap set on the line common to Lot 7 and Lot 6, of said Block 8, for the southeast corner of the herein described tract;

Thence, with the line common to Lots 2-6 and Lots 7-11 of said Block R, North 72 degrees 33 minutes 10 seconds West, a distance of 243.15 feet to a 3/8-inch iron rod found marking the common corner of Lots 1, 2, 11, and 12 of said Block R for the southwest corner of the herein described tract;

Thence, with the line common to said Lot 11 and said Lot 12, North 17 degrees 26 minutes 50 seconds East, a distance of 100.00 feet to the **POINT OF BEGINNING** and containing 0.5632 acre of land.

An ALTA/NSPS Land Title Survey has been prepared by Miller Survey Group and accompanies this description.

**Miller Survey Group**

Texas Firm Reg. No. 10047100

[www.millersurvey.com](http://www.millersurvey.com)

Ph: (713) 413-1900

M&B No. 201035

Dwg No. 3999-ALTA

Date: January 20, 2020

County: Harris  
Project: Dennis Street  
M&B No. 201036  
MSG Job No. 3999-ALTA

**TRACT 3**  
**FIELD NOTES FOR A 0.0012 ACRE TRACT**

Being a tract of land containing 0.0012 acre (53 square feet) located in the Luke Moore Survey, Abstract Number (No.) 51, Harris County, Texas; said 0.0012 acre tract being a portion of Lot 6, Block R, Leeland Park Addition, a subdivision plat of record in Volume (Vol.) 1A, Page (Pg.) 121, Harris County Map Records (H.C.M.R.) and Leeland Park Addition Re-Dedication Map recorded in Volume 572, Page 458 of the Harris County Deed Records (H.C.D.R.), said tract of land being recorded in the name of TH Properties, LLC in Harris County Clerk's File (H.C.C.F.) No. 20060293534, said 0.0012 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone No. 4204, North American Datum of 1983 (NAD83), as per GPS observations):

**COMMENCING** at a 5/8-inch iron rod with a Miller Survey Group (MSG) cap found at the intersection of the easterly R.O.W. line of Callie Street (50 feet wide per Vol. 572, Pg. 458, H.C.D.R.) and the northerly R.O.W. line of Dennis Avenue (40-feet wide per Vol. 572, Pg. 458, H.C.D.R.) for the southwest corner of Lot 1, Block O, of said Leeland Park Addition and the herein described tract, from which a 2-inch iron pipe found bears North 31 degrees 00 minutes West, a distance of 1.5 feet;

Thence, across said Dennis Avenue R.O.W., South 17 degrees 26 minutes 50 seconds West, a distance of 40.13 feet to a point at the intersection of the easterly R.O.W. line of said Callie Street and the southerly R.O.W. line of said Dennis Avenue for the northwest corner of Lot 12 of said Block R;

Thence, with the line common to the southerly R.O.W. line of said Dennis Avenue and the north line of Lot 12 of said Block R, South 72 degrees 33 minutes 10 seconds East, a distance of 50.00 feet to a point marking the northeast corner of Lot 12 of said Block R and the northwest corner of Lot 11 of said Block R;

Thence, with the line common to said Lot 11 and said Lot 12, South 17 degrees 26 minutes 50 seconds West, a distance of 100.00 feet to a 3/8-inch iron rod found marking the common corner of Lots 1, 2, 11, and 12 of said Block R;

Thence, with the line common to Lots 2-5 and Lots 8-11 of said Block R, South 72 degrees 33 minutes 10 seconds East, a distance of 200.00 feet to 5/8-inch iron rod with a MSG cap set marking the common corner of Lots 5, 6, 7 and 8 of said Block R, for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

Thence, with the line common to Lot 6 and Lot 7 of said Block R, South 72 degrees 33 minutes 10 seconds East, a distance of 42.00 feet to 5/8-inch iron rod with a MSG cap set marking the northeast corner of the herein described tract;

Thence, through and across Lot 6 of said Block R the follow three (3) courses:

1. South 17 degrees 26 minutes 50 seconds West, a distance of 1.40 feet to a 5/8-inch iron rod with a MSG cap set for southeast corner of the herein described tract;
2. North 72 degrees 08 minutes 37 seconds West, a distance of 42.00 feet to a 5/8-inch iron rod with a MSG cap set for the southwest corner of the herein described tract;
3. North 17 degrees 26 minutes 50 seconds East, a distance of 1.10 feet to the **POINT OF BEGINNING** and containing 0.0012 acre of land.

An ALTA/NSPS Land Title Survey has been prepared by Miller Survey Group and accompanies this description.

**Miller Survey Group**  
Texas Firm Reg. No. 10047100  
www.millersurvey.com  
Ph: (713) 413-1900  
M&B No. 201036  
Dwg No. 3999-ALTA  
Date: January 20, 2020



**EXHIBIT "B"**  
**(to special warranty deed)**

**PERMITTED EXCEPTIONS**

1. Rights of tenant, Hodges Southwest, Inc., as tenant only, under that certain lease agreement dated January 22, 2020, in favor of Hodges Southwest, Inc., as tenant, as disclosed in that certain Memorandum of Lease as recorded under Harris County Clerk's File No.: \_\_\_\_\_ of the Real Property Records of Harris County, Texas.

RP-2020-32172  
# Pages 10  
01/23/2020 11:09 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
DIANE TRAUTMAN  
COUNTY CLERK  
Fees \$48.00

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.



*Diane Trautman*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

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