

**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 AVIRON, 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 APRIL 15, 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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EXECUTED effective as of the 28<sup>th</sup> 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: [Signature]  
Name: Gregory H. Sachs  
Title: Manager

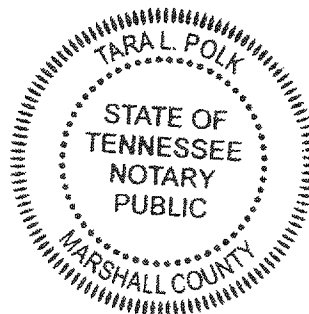
\_\_\_\_\_  
AVI RON

STATE OF Tennessee

COUNTY OF Marshall

This instrument was acknowledged before me on this 26<sup>th</sup> 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.

[Signature]  
Notary Public, State of Tennessee



STATE OF TEXAS

COUNTY OF HARRIS

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

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

RP-2020-401375

EXECUTED effective as of the 28<sup>th</sup> 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

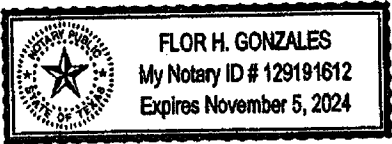
STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ §  
§  
§

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 1.742 acre, or 75,868 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 1.742 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 5/8 inch iron rod found for the northwest corner of said 8.14 acre tract 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 and 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 69°13'53" E, along and with south right-of-way line of said Holmes Road and the north line of said 8.14 acre tract, a distance of 139.15 feet to a 1/2 inch iron rod for the point of curvature;

THENCE: Northeasterly, along tangent curve to the right, having a radial bearing of S 20°46'07" W, a radius of 1,041.73 feet, a central angle of 09°00'09", a chord bearing and distance of N 73°43'57" E, 163.51 feet, for an arc length of 163.68 feet to a 5/8 inch iron found for the northeast corner of this tract;

THENCE: Departing said south Right-of-way line of said Holmes Road and the north line of said 8.14 acre tract, over and across said 8.14 acre tract, the following courses and distances:

S 06°14'08" E, a distance of 283.89 feet to a 5/8 inch iron rod found for the interior corner of this tract,

S 83°45'52" W, a distance of 296.17 feet to a 5/8 inch iron rod found on the east right-of-way line of said Cullen Road for the southwest corner of this tract;

THENCE: N 06°06'58" W, along and with said east right-of-way line said Cullen Road and the west line of said 8.14 acre tract, a distance of 220.49 feet to the POINT OF BEGINNING, and containing 1.742 acres in the City of Houston, Harris County, Texas.

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**Exhibit B**

**Permitted Exceptions**

None

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# Pages 7  
08/28/2020 02:51 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
CHRIS HOLLINS  
COUNTY CLERK  
Fees \$38.00

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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