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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.

General Warranty Deed

Date: December 16, 2004

Grantor: Scott W. Frantzen, Keith Kramer, each owning, occupying and claiming other property as homestead, and Sherron Properties, Inc.

Grantor's Mailing Address:

601 Main St
Kennville, TX 78028
LEFL County

Grantee: Felix T. Bernhard

Grantee's Mailing Address:

476 Buttercup Lane
Fredericksburg, Texas 78624
Gillespie County

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, and as part of an Internal Revenue Code Section 1031 Exchange.

Property (including any improvements):

BEING 18.00 acres of land, more or less, situated in Gillespie County, Texas, part of the John A. Rogers Survey No. 518, Abstract No. 1144, Gillespie County, Texas; said 18.00 acre tract of land is described by metes and bounds on Exhibit "A", attached hereto and made a part hereof.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

1. Restrictions recorded in Volume 548, Page 486-494, Official Public Records of Gillespie County, Texas.
2. Standby fees, taxes and assessments by any taxing authority for the year 2004, and subsequent years.
3. Mineral interest as reserved in deed executed by A. L. Patton to Henry Baethge, Sr., dated February 9, 1934, recorded in Volume 45, Pages 581-582 of the Deed Records of Gillespie County, Texas.
4. Easement executed by Hans Wachhals and wife, Mae Wachhals to Central Texas Electric Cooperative, Inc., dated October 14, 1958, recorded in Volume 77, Pages 265-266, Deed Records of Gillespie County, Texas.
5. The following matters, as shown on survey prepared by Gary Max Brandenburg, Registered Professional Land Surveyor No. 5164, dated April 13, 2004:

A. Power Line

Restrictions

1. No mobile, modular, pre-manufactured and/or industrial homes shall be placed on any tract, nor stored on any tract.
2. The minimum square feet for a residence is 1200 (Living Area - Heated & Cooled). Only one residence per tract is allowed.
3. No structure shall be erected or placed on any tract nearer than 200 feet from the front or rear property lines and 75 feet from the side property lines.
4. Abandoned or inoperative equipment, vehicles or junk shall not be permitted or stored on any tract.
5. Swine (except for 4-H or FFA projects) shall not be kept on any tract. Other livestock, pets and poultry shall be permitted provided said livestock is kept within the boundaries of said Tract at all times, and provided they are not offensive to adjacent landowners by smell, sight, sound or otherwise. There shall not be any commercial feeding operations or commercial breeding of animals conducted on a Tract. Agricultural animals used for grazing said property while simultaneously raising young (i.e. cow/calf operation) shall not be considered commercial breeding of animals.
6. Hunting with rifles or shotguns are not allowed on any tracts smaller than 25 acres. Bow hunting is allowed as long as personal safety of


owners and owners of neighboring tracts is of prime consideration.

7. Mineral exploration of any type, which will damage the surface, shall not be permitted on any tract.
8. No commercial activity or enterprise shall be permitted on any tract.
9. No tract can resubdivided to less than 8 acres.

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, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Grantor, as the fee simple owner of the Property, establishes the Restrictions as covenants, conditions, and restrictions, whether mandatory, prohibitive, permissive, or administrative, to regulate the appearance and uses of the Property and the improvements placed on it. Grantor and Grantee stipulate that (a) the Restrictions touch and concern the Property; (b) privity of estate exists by reason of the ownership of the Property; (c) notice is given by filing this instrument in the real property records of the county in which the Property is situated; and (d) the Restrictions are reasonable, their purposes being for the common benefit of Grantor, Grantee, and the Affected Property Owners, who are affected by the appearance and uses of the Property. The Restrictions run with the land making up the Property, are binding on Grantee and Grantee's successors and assigns forever, and inure to the benefit of Grantor, Grantee, Affected Property Owners, and their successors and assigns forever.

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


Scott W. Franzen

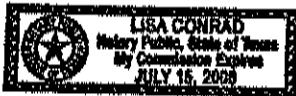

Keith Kramer

Sherron Properties, Inc.

By: Its:

| | |
|----------------------------|---|
| STATE OF TEXAS |) |
| COUNTY OF <u>Gillespie</u> |) |

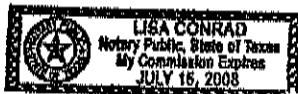
This instrument was acknowledged before me on December 16,
2004, by Scott W. Frantzen.



Lisa Conrad
Notary Public, State of Texas

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|----------------------------|---|
| STATE OF TEXAS |) |
| COUNTY OF <u>Gillespie</u> |) |

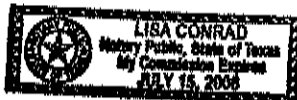
This instrument was acknowledged before me on December 16
2004, by Keith Kramer.



Lisa Conrad
Notary Public, State of Texas

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|---------------------------|--|
| STATE OF TEXAS | |
| COUNTY OF <u>Brewster</u> | |

This instrument was acknowledged before me on December 16
 , 2004, by Marc Sherron as
President of Sherron Properties, Inc.



Lisa Conrad
 Notary Public, State of Texas

Prepared in the Law Offices of
 Pattillo, Richards & Harpold, P.C.
 Attorneys at Law
 280 Thompson Drive, Suite B
 Kerrville, Texas 78028



AFTER RECORDING RETURN TO:

Felix T. Bernhard
 476 Buttercup Lane
 Fredericksburg, Texas 78624

**METES AND BOUNDS DESCRIPTION
18.00 ACRES**

Being a 18.00 acre tract of land or parcel situated in Gillespie County, Texas; being in and a part of the John A. Rogers Survey No. 518, Abstract No. 1144; being out of the East portion of that certain 242.7 acre remainder portion of a 320 acre tract having been conveyed from Hannah Baethge to Hans Wachhals by a deed dated September 18, 1942, recorded in Volume 55, Page 601, Deed Records of Gillespie County, Texas; LESS HOWEVER, out of said 320 acre tract, the following tracts:

3.4 acres, more or less, which lies within the right-of-way of Texas F. M. Highway No. 783;

82.91 acres, more or less, as described in a deed from Hans Wachhals, et ux. to Lendon J. Palmer and Tommie L. Skipper dated June 23, 1978, recorded in Volume 125, Page 210, Deed Records of Gillespie County, Texas;

and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at point within the 80 foot R.O.W. of F. M. Highway No. 783 for the ENE corner of said Survey No. 518 and the SE corner of the Henry Hartman Survey No. 223, Abstract No. 278; being the NE corner of said 320 acre tract and SE corner of that 320 acre "3rd Tract" (Sur. No. 223) described in a deed from Herman Harper, et ux. to Fred S. Gammenthaler, et ux. dated December 20, 1917, recorded in Volume 29, Page 437, Deed Records of Gillespie County, Texas;

THENCE, with the North line of said Survey No. 518 and South line of said Survey No. 223 being the north line of said 320 acre Wachhals tract and south line of said Gammenthaler 320 acre "3rd Tract": N 89°36'21" W, 45.10 feet to a point in the west line of said highway and the east end or terminus of Lange Road, a paved, prescriptive rights, public roadway for the northeast corner of a 30.00 acre tract;

THENCE, with the west line of said highway and east line of said 242.7 acre tract: S 00°16'53" W (record bearing basis this survey), 1796.44 feet to a 1/2" rebar rod set marking the northeast corner and **POINT OF BEGINNING** of the herein described 18.00 acre tract;


THENCE, continuing with the west line of said highway and east line of said 242.7 acre tract: S 00°16'53" W, 493.16 feet to a 1/2" rebar rod set marking the southeast corner of the herein described tract;

THENCE, through the interior of said 242.7 acre tract: West 1588.72 feet to a 1/2" rebar rod set marking the southwest corner of the herein described tract;

THENCE, continuing through the interior of said 242.7 acre tract: North, 493.15 feet to a 1/2" rebar rod set marking the northwest corner of the herein described tract;

THENCE, continuing through the interior of said 242.7 acre tract: East, 1591.14 feet to the **POINT OF BEGINNING**, containing 18.00 acres of land within these metes and bounds, a companion document to a plat of this survey dated September 17, 2004.

Prepared this the 17th day of September, 2004.


Gary Max Brandenburg
Registered Professional Land Surveyor No. 5164
838 Sidney Baker St.
Kearville, Texas 78028

