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WARRANTY DEED WITH VENDOR'S LIEN

THE STATE OF TEXAS

COUNTY OF WALLER

} KNOW ALL MEN BY THESE PRESENTS:

That I, LYNDON BING, NOMINEE

of the County of WALLER

and State of TEXAS

for and in

consideration of the sum of

TEN AND NO/100-----(\$10.00)----- DOLLARS

and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of her one certain promissory note of even date herewith in the principal sum of Thirteen Thousand Five Hundred and No/100 (\$13,500.00) Dollars, payable to the order of Grantor in monthly installments and bearing interest as therein provided, containing the usual clauses providing for acceleration of maturity and for attorney's fees.

This conveyance is made subject to and the Grantee herein does not assume payment of the unpaid balance of that certain \$171,287.50 indebtedness described in and secured by a Deed of Trust of record in Volume 79, Page 826 of the Deed of Trust Records of Waller County, Texas, but Grantor as well as any other owner and holder of Grantee's \$13,500.00 Note shall be obligated to pay any and all installments falling due thereon as and when due, and in the event of default in the payment of any such installment as and when due, then so long as Grantee is not in default in the payment of his aforesaid \$13,500.00 Note, or in default in the performance of the covenants of the Deed of Trust securing said Note, Grantee shall have the right to pay any such delinquent installment or installments and to receive credit upon Grantee's \$13,500.00 Note for all sums so paid, and in such manner as Grantee shall direct, as of the date of such payment.

the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to Jack Taylor Trustee, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto

ANN E. M. WALKER

of the County of Harris

and State of Texas

, all of the following described real

property in Waller

County, Texas, to-wit:

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The Surface Estate only of a 5.000 acre tract out of the Northwest $\frac{1}{4}$ of the H. T.C. R.R. CO. Curvey Section 120, Block 1, Abstract 375, Waller County, Texas, and said description set out in Field Notes, marked Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, her heirs and assigns forever; and I do hereby bind myself my heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee her heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute. THIS CONVEYANCE IS MADE AND ACCEPTED SUBJECT TO:

1. Easement dated July 22, 1980, from Lyndon Bing, Nominee to Houston Lighting and Power Company, recorded in Vol. 318, Pg. 676, Deed Records of Waller Co. Texas.
2. Right-of-way Easement dated July 12, 1930, from Thomas A. Tomlin to Gulf Pipe Line Co., recorded in Vol. 34, Pg. 225, Deed Records of Waller County, Texas.
3. Right-of-way Easement date Oct. 4, 1944, from Harry Hebert et al, to Humble Oil and Refining Co., recorded in Vol. 97, Pg. 571, Deed Records of Waller Co., Texas.
4. Right-of-way Easements dated August 22, 1941 to Magnolia Pipe Line Company from Dr. F. B. Tomlin, recorded in Vol. 82, Page 218, and from Mrs. T.A. Tomlin, recorded in Volume 82, Page 219, Deed Records of Waller County, Texas.
5. Right-of-way Easements dated September 27, 1979, from Lyndon Bing to Property Owners for Roadway, recorded in Vol. 307, Pg. 48-50, Deed Records of Waller County, Texas.
6. All of the Oil, Gas, and other Minerals in, on and under the subject property heretofore reserved in Deed dated April 17, 1944, from Frank B. Tomlin et al to Harry Hebert et al, recorded in Vol. 95, Pg. 157 of the Deed Records of Waller Co. Texas.
7. Deed Restrictions, Reservations and Release Provisions set out in Exhibit "B" attached hereto and made a part hereof.

EXECUTED this day of November, A.D. 1980.

Lyndon Bing, Nominee
LYNDON BING, NOMINEE

(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF HARRIS

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Before me, the undersigned authority, on this day personally appeared

LYNDON BING, NOMINEE

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office on this the

20 day of NOV, A.D. 1980

Notary Public in and for HARRIS County, Texas.

My commission expires NOV 5, 1981

W. R. N. A. M. CARLTON
(Printed or stamped name of notary)



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FIELD NOTES FOR A 5.000 ACRE TRACT OUT OF THE NORTHWEST
1/4 OF THE H. & T.C. R.R. CO. SURVEY SECTION 120, BLOCK 1,
ABSTRACT 375, WALLER COUNTY, TEXAS.

Commencing For Reference: At a 5/8 inch iron rod at the Northwest
corner of Section 120; said point being located in a gravel road along
the North line of Section 120;

Thence: East a distance of 864.89 feet along the gravel road and with
the North line of Section 120 to a point;

Thence: South $00^{\circ} 02' 06''$ East a distance of 908.72 feet to the North-
west corner of this 5.000 Acre Tract and being the Actual Place of
Beginning;

Thence: South $00^{\circ} 02' 06''$ East a distance of 432.24 feet to the South-
west corner of this tract;

Thence: East a distance of 505.07 feet to the Southeast corner and
being located in the centerline of a 60 foot road R.O.W.;

Thence: North $00^{\circ} 20' 58''$ West a distance of 432.24 feet to the Northeast
corner of this 5.000 Acre Tract;

Thence: West a distance of 502.70 feet to the Actual Place of Beginning
and containing 5.000 Acres of land.

David Leyendecker, R.P.S.
Texas Registration No. 2085
Date: November 11, 1980

"Exhibit A"

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RESTRICTIONS, RESERVATIONS AND RELEASE PROVISIONS PERTAINING TO
a 5.000 ACRE TRACT OUT OF THE NORTHWEST 1/4 OF THE H. & T.C. R.R.
CO. SURVEY SECTION 120, BLOCK 1, ABSTRACT 375, WALLER COUNTY,
TEXAS.

1. No commercial use of the property for breeding or raising of dogs or horses.
2. No hogs.
3. Large animals not to exceed one per acre.
4. Beckendorff frontage to be designated commercial to a depth of 175 feet.
5. Mobile or trailer homes not permissible.
6. This 5 acre tract may be released from the 30 acre tract of the 161.380 acre tract when \$45,000.00 in principal of the \$90,000.00 principal note has been paid. The 5 acre tract will then be released only when fully paid for.

AGREED TO AND ACCEPTED BY:

Lyndon Bing Nominee
Lyndon Bing, Nominee GRANTOR

Ann E M Walker
ANN E M. WALKER GRANTEE

"EXHIBIT B"

Filed for Record	Nov. 26,	A.D., 1980	4:45	o'clock	P.	M.
Recorded	Dec. 02,	A.D., 1980	2:00	o'clock	P.	M.

ELVA D. MATHIS, County Clerk, Waller County, Texas

By Louise Perry Deputy