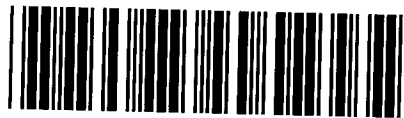




Control Number: 42899



Item Number: 48

Addendum StartPage: 0



**SUBJECT, HOWEVER, to:**

- (i) Standby fees, taxes and assessments by any taxing authority for the year 2015 and thereafter, together with subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership;
- (ii) Easements, restrictions, reservations, covenants, and rights-of-way of record and/or apparent on the property;
- (iii) Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, protrusions or any overlapping of improvements;
- (iv) Liens securing the Note described above;
- (v) Any and all claims of right, title and interest to the land, including but not limited to any right of possession or claim for damages relating to the land which has been asserted or may be asserted, of record or not, by or on behalf of any Indian or Indian Tribe, including but not limited to the Tigua Indian Tribe of El Paso, Texas, also known as Pueblo De La Ysleta del Sur, also known as the Ysleta del Sur Pueblo Indian Tribe, also known as the Tigua Indian Community, including but not limited to claims appearing in Affidavit of Julian Granillo, filed for record April 16, 1993, recorded in Volume 2553, Page 1958, Real Property Records of El Paso County, Texas;
- (vi) All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records.

**PARCEL 1:**

- (vii) Utility easements and prescriptive rights visible and apparent on the ground, including easements, or claims of easements, which are not recorded in the public records.
- (viii) Transfer of water rights to City of El Paso, dated July 13, 1996, for a term specified therein, of record in Volume 3093, Page 443, Real Property Records, El Paso County, Texas.
- (ix) Terms, conditions and stipulations of Sanitary Control Easement between Terry Bourbon and Larry Breese and Terri Breese, dated January 4, 2000, recorded in Volume 3718, Page 575, Real Property Records of El Paso County, Texas.
- (x) Burdens and benefits of all easements and rights-of-way granted and

reserved by Terry A. Bourbon and Terrel Bourbon, of record in Volume 2130, Page 393, Real Property Records of El Paso County, Texas.

- (xi) All easements, contracts, levees, laterals, roads, ditches, drains, and other claims or interest resulting directly or indirectly from the inclusion of the subject property or a part thereof in an irrigation, reclamation or water improvement district or project.
- (xii) Subject to all matters, contracts, taxes, construction charges, and rights-of-way for irrigation and drainage ditches applicable to property in the El Paso County Water Improvement District No. 1.
- (xiii) Easement and right-of-way granted to COUNTY OF EL PASO, recorded in Volume 1158, Page 748, Real Property Records, El Paso County, Texas, for the operation of a public road over a portion of subject property.
- (xiv) Easement to El Paso Electric Company and Mountain State Telephone and Telegraph Company recorded in Volume 540, Page 717, Real Property Records, El Paso County, Texas, with Mountain States Telephone and Telegraph Company's interest therein granted, sold and quit claimed to Southwestern Bell Telephone Company recorded in Volume 1231, Page 646, Real Property Records, El Paso County, Texas.

PARCEL 2:

- (xv) Utility easements and prescriptive rights visible and apparent on the ground.
- (xvi) Easement to El Paso Electric Company and Mountain States Telephone and Telegraph Company recorded in Volume 605, Page 1287, Real Property Records, El Paso County, Texas, with Mountain States Telephone and Telegraph Company's interest therein granted, sold and quit claimed to Southwestern Bell Telephone Company recorded in Volume 1231, Page 646, Real Property Records, El Paso County, Texas.
- (xvii) Subject to all matters, contracts, taxes, construction charges, and rights-of-way for irrigation and drainage ditches applicable to property in the El Paso County Water Improvement District No. 1.
- (xviii) Terms, conditions and stipulations of Sanitary Control Easement between Richard Craig Crowther and Maev Ellen Crowther and John H. Livingston d/b/a Livingston and Associates, Inc., dated May 9,

1975, recorded in Volume 629, Page 1281, Real Property Records of El Paso County, Texas.

- (xix) Transfer of Water Rights to City of El Paso (Public Service Board), dated July 13, 1996, for a term specified therein, of record in Volume 3093, Page 446, (Tract 10B2G), Volume 3093, Page 449 (Tract 10C8), and in Volume 3093, Page 452, (Tract 10C8A), Real Property Records of El Paso County, Texas.

**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 the said Grantors do hereby bind themselves, their heirs, successors and assigns, 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, except as to those items to which this Deed is above made subject, by, through and under Grantors but not otherwise.

**IT IS EXPRESSLY AGREED AND STIPULATED** that the Vendor's Lien is hereby retained in favor of Lender against the above described property, premises and improvements until the above described Note and all interest thereon be fully paid according to its face and tenor, reading and effect, when this Deed shall become absolute, and Grantor does hereby transfer Superior Title to Lender.

**IT IS EXPRESSLY AGREED** that the Grantors make no warranty, either express or implied, as to the physical condition of the Property herein conveyed. Property is conveyed in "AS IS CONDITION," after inspection of the Property by Grantees. This provision is part of the consideration for the execution of this Special Warranty Deed by the Grantors herein and such Special Warranty Deed would not be executed but for this provision. The recordation of this instrument by the Grantee, or anyone acting in her behalf, conclusively evidences the acceptance of this conveyance subject to the provisions of this paragraph.

EXECUTED this 31<sup>st</sup> day of December, 2014.

*[Handwritten Signature]*

TERRY A. BOURBON A/K/A  
TERRY ALLEN BOURBON

*[Handwritten Signature]*

TERREL BOURBON A/K/A  
TERREL LEE BOURBON

ACCEPTED:

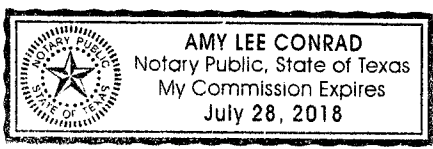
*[Handwritten Signature]*  
BRENDA LOPEZ

STATE OF TEXAS )

COUNTY OF EL PASO )

This instrument was acknowledged before me on this 31<sup>st</sup> day of December, 2014 by TERRY A. BOURBON A/K/A TERRY ALLEN BOURBON.

Notary's Official Seal:



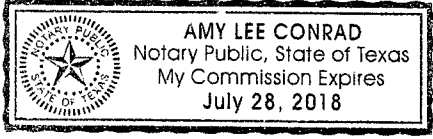
*[Handwritten Signature]*  
Notary Public in and for the State of Texas

STATE OF TEXAS )

COUNTY OF EL PASO )

This instrument was acknowledged before me on this 31<sup>st</sup> day of December, 2014 by TERREL BOURBON A/K/A TERREL LEE BOURBON.

Notary's Official Seal:



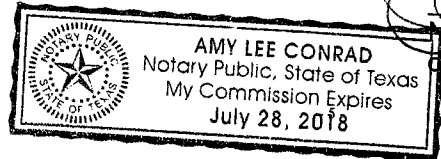
*[Handwritten Signature]*  
Notary Public in and for the State of Texas

STATE OF TEXAS )

COUNTY OF EL PASO )

This instrument was acknowledged before me on this 31<sup>st</sup> day of December, 2014 by BRENDA LOPEZ.

Notary's Official Seal:



*[Handwritten Signature]*  
Notary Public in and for the State of Texas

Being the description of 1.000 acres of land out of Tract 9-A, Block 18, Upper Valley Surveys, El Paso County, Texas, and being more fully described by metes and bounds as follows:

Beginning at a point on the north boundary line of said Tract 9-A, said point bears East a distance 1742.40 feet from the northwest corner of said Tract 9-A;

THENCE East a distance of 158.40 feet along the north boundary line of said Tract 9-A to a point;

THENCE South a distance of 275.00 feet to a point;

THENCE West a distance of 158.40 feet to a point;

THENCE North a distance of 275.00 feet to the POINT OF BEGINNING.

## **Exhibit A**

Being a portion of Tract 9M49, Block 18, UPPER VALLEY SURVEYS, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the northeast corner of said Tract 9M49 in the south line of Tract 13, Block 19;

THENCE, along the east line of said Tract 9M49, South 00°00'00" East a distance of 100.00 feet to the POINT OF BEGINNING for the herein described Tract; .

THENCE, continuing along said east line, South 00°00'00" East a distance of 175.00 feet to the southeast corner of said Tract 9M49;

THENCE, along the south line of said Tract 9M49, South 90°00'00" West a distance of 158.40 feet to the southwest corner of said Tract 9M49;

THENCE, along the west line of said Tract 9M49, North 00°00'00" West a distance of 175.00 feet to a point for corner;

THENCE, leaving said west line, North 90°00'00" East, a distance of 158.40 feet to the POINT OF BEGINNING, and containing 0.636 acres of land, more or less.

## **Exhibit B**

SAVE AND EXCEPTED PORTION



# Exhibit C

## Calderon Engineering

3031 Trawood Drive  
El Paso, Texas 79936  
(915) 855-7552  
Fax: 855-8350  
CalderonEngineering@elpbizclass.com

January 8, 2015

### METES & BOUNDS DESCRIPTION

Description of a 0.171 acre parcel of land being Tracts 10C8A, 10C8 and 10B2G, in Block 20, Upper Valley Surveys, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

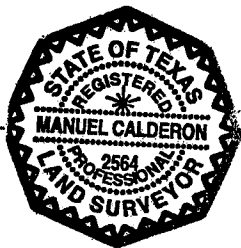
Beginning at a found iron pin marking the Southwest corner of Tract 10C8A, the Northwest corner of Tract 10C8B, and on the East right-of-way line of Hickory Lane in Block 20, Upper Valley Surveys, El Paso County, Texas;

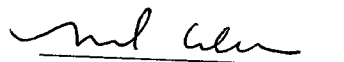
Thence, North 00°01'00" West, along the West boundary of Tract 10C8A and along the East right-of-way line of Hickory Lane, a distance of 32.00 feet to a set iron pin;

Thence, North 89°59'00" East, along the common Tract line between Tracts 10C8A, 10C8, 10B2G, 10C2 and 10B2F, a distance of 232.63 feet to a point;

Thence, South 00°01'00" East, along the East boundary of Tract 10B2G and along the West boundary of Tract 10B1, a distance of 32.00 feet to a point;

Thence, South 89°59'00" West, along the common boundary between Tracts 10B2G, 10C8, 10C8A, 10B2G1 and 10C8B, a distance of 232.63 feet to the "Point of Beginning" and containing in all, 7,444.16 square feet or 0.171 acres of land more or less. A plat of survey dated January 8, 2015, is a part of this description and is attached hereto.





Manuel Calderon  
Registered Professional Land Surveyor No. 2564  
Calderon Engineering  
Registered Texas Engineering Firm No. F-3788  
Registered Professional Land Surveying Firm No. 100200-00

MV C3  
Hickory Lane