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**GENERAL WARRANTY DEED  
WITH THIRD PARTY VENDOR'S LIEN**

**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 MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

THAT LOC NGOC DANG and wife, VAN THI DANG, acting by and through their duly authorized agent and attorney-in-fact, PHU N. DANG, hereinafter called "Grantor" (and referred to in the singular, though more than one), for and in consideration of the sum of Ten and No/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by SONYA WEST, hereinafter called "Grantee", the receipt of which is hereby acknowledged; and the further consideration of the EXECUTION and DELIVERY by Grantee herein of his one certain Promissory Note of even date herewith for the principal sum of EIGHTY SIX THOUSAND FOUR THOUSAND AND NO/100 DOLLARS (\$86,400.00), bearing interest and payable as therein provided to the order of NEWFIRST NATIONAL BANK, hereinafter referred to as "Lender," and containing customary acceleration of maturity, past due interest and attorney's fees clauses; said Note representing funds advanced to Grantor by Lender at the special instance and request of and as a loan to Grantee as part of the purchase price for the hereinafter described property; and said Note being secured by a Vendor's Lien hereinafter retained upon the property hereby conveyed and being additionally secured by the Lien of a Deed of Trust of even date herewith to CHRIS GARZA, Trustee; has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee all that certain lot, tract or parcel of land together with all improvements thereon, *but subject to the Covenants Conditions and Restrictions hereinbelow imposed, and the reservations herein made*, lying and being situated in Fort Bend County, Texas, described as follows, to-wit:

All that certain tract or parcel of land containing 20.30 acres, more or less, out of the JACOB Y. BURNEY Survey, Abstract No. 111, situated in Fort Bend County, Texas; said tract being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

SAVE AND EXCEPT, there is RESERVED unto Grantor, their heirs and assigns, all of the oil, gas, coal, lignite, iron, uranium, thorium, molybdenum and other minerals by whatever method produced or extracted in and under and that may be produced from the herein described property.

This conveyance is made and accepted subject to any and all easements, rights of way, valid restrictions, mineral reservations of any kind, maintenance charges, building set back lines, and governmental regulations, if any, to the extent, but only to the extent that they are reflected by the records of the Office of the County Clerk of the above mentioned County and State.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging, unto Grantee, her heirs and assigns, forever; and, Grantor does hereby bind themselves, their executors and administrators, to WARRANT and FOREVER DEFEND, all and singular the said premises unto Grantee, her heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

GF# 06301412 STEWART TITLE HOUSTON DIVISION/29/KT

When Grantor and/or Grantee are more than one entity, the pertinent nouns, verbs and pronouns shall be construed to correspond. When Grantor and/or Grantee are a corporation, a trustee or other legal entity that is not a natural person, the pertinent words "heirs, executors and administrators" and/or "heirs and assigns" shall be construed to mean "successors and assigns," respectively. Reference to any gender shall include either gender and, in the case of a legal entity that is not a natural person, shall include the neuter gender, all as the case may be.

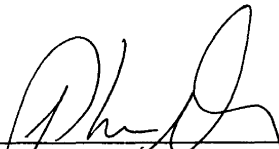
But it is expressly agreed and stipulated that a vendor's lien is retained in favor of Lender who will hold superior title in and to the above described property, premises and improvements, and the title in the Grantee will not become absolute until the above described Note, together with all renewals and extensions thereof, and all interest and other charges therein stipulated, are fully paid, according to the face and tenor, effect and reading thereof, when this Deed shall become absolute; and it shall be the same as if a vendor's lien was retained in favor of the Grantor herein and assigned by proper assignment to Lender without recourse on Grantor in any manner for the payment of said indebtedness.

### COVENANTS, CONDITIONS AND RESTRICTIONS

The hereinabove described property is conveyed subject to the covenants, conditions and restrictions set forth hereinbelow, which are hereby imposed and impressed on the property herein conveyed; and by the acceptance of this deed, Grantees herein, their heirs, successors and assigns covenant and agree to be bound by the said terms; such provisions shall constitute covenants running with the land and shall be binding upon and enforceable by Grantor, his heirs, successors and assigns, against the Grantees herein and all successor owners of the hereinabove described property or any interest therein, for a period of 99 years from the date of this deed, to-wit:

1. No junkyards shall be permitted to be located or maintained on the hereinabove described property;
2. No commercial poultry farms or pig farms shall be permitted to be located or maintained on the hereinabove described property;
3. No trash or dumpsites shall be permitted to be located or maintained on the hereinabove described property; and
4. No heavy industrial businesses shall be located or maintained on the hereinabove described property.

EXECUTED this the 22<sup>nd</sup> day of May, A.D. 2007.

  
\_\_\_\_\_  
PHU N. DANG, as Agent and Attorney-in-fact for  
LOC NGOC DANG and wife, VAN THI DANG

ACCEPTED AND AGREED TO BY:

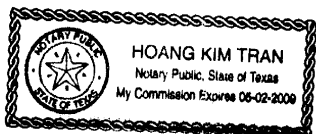
  
\_\_\_\_\_  
SONYA WEST

THE STATE OF TEXAS

THE COUNTY OF HARRIS

This instrument was acknowledged before me on this the 22<sup>nd</sup> day of May, A.D. 2007, by LOC  
**PHU N. DANG**, as Agent and Attorney-in-fact for **LOC NGOC DANG and wife, VAN THI DANG.**

AS PER ORIGINAL

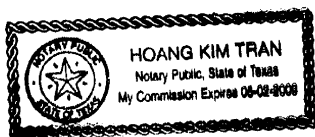


*Hoang Kim Tran*  
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS

THE COUNTY OF HARRIS

This instrument was acknowledged before me on this the 22<sup>nd</sup> day of May, A.D. 2007, by  
**SONYA WEST.**



*Hoang Kim Tran*  
NOTARY PUBLIC, STATE OF TEXAS

GRANTEE'S MAILING ADDRESS:

20919 Golden Kings Ct.  
Kingwood, TX 77346

AFTER RECORDING, RETURN TO:

EXHIBIT "A"  
**CLEVELAND SURVEYING COMPANY, p.c.**

P.O. BOX 1274 ---709 SOUTH WASHINGTON AVENUE, Suite B  
CLEVELAND, TEXAS 77327

[www.clevelandsurveying.com](http://www.clevelandsurveying.com)  
Phone: (281) 592-6395 Fax: (281) 592-7136

**LEGAL DESCRIPTION**

**TRACT 13  
20.30 ACRES**

BEING ALL THAT CERTAIN **20.30** ACRES OF LAND SITUATED IN THE *JACOB Y. BURNEY SURVEY, ABSTRACT No. 111, FORT BEND COUNTY, TEXAS*, AND BEING OUT AND A PART OF A 323.887 ACRE TRACT WHICH IS A COMPOSITE OF FOUR (4) TRACTS A CALLED "TRACT 1",- A 19.998 ACRE TRACT CALLED 20 ACRES, "TRACT 2" – 177.1 ACRE TRACT, "TRACT 3" – 113.33 ACRE TRACT, "TRACT 4" – A 15.056 ACRE TRACT ALL BEING DESCRIBED IN AN EXECUTOR'S DEED WITHOUT WARRANTY FROM THE ESTATE OF O.H. DIPPEL TO CAL FARLEY'S BOYS RANCH DATED FEBUARY 5, 1997 AND FILED UNDER CLERK'S FILE No. 9710438 REAL PROPERTY RECORDS OF FORT BEND COUNTY, (R.P.R.F.B.C.); AND BEING OUT OF A 323.887 ACRE TRACT DESCRIBED IN A DEED FROM BEAR CROP AND TIMBER, LLC TO MOUND CREEK AT FORT BEND, INC. RECORDED UNDER CLERK'S FILE No. 20055122457 REAL PROPERTY RECORDS OF FORT BEND COUNTY; SAID **20.30** ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

**COMMENCING** at a 5/8 inch iron rod found in the southwest line of a called Brittain H. Chapman and Ronald Howell 400 acre tract as described under Probate No. 14096 District Court Minutes for the most easterly corner of the above described parent 323.887 acre tract;

THENCE SOUTH 45 DEGREES 32 MINUTES 55 SECONDS WEST, a distance of 1662.11 feet with the northwesterly line of the Susan Smith 122.193 acre tract as described under Clerk's File No. 97012165 R.P.R.F.B.C. to a 5/8 inch iron rod set for corner;

THENCE SOUTH 45 DEGREES 32 MINUTES 55 SECONDS WEST, a distance of 2241.53 feet with said Smith tract to a 5/8 inch iron rod set for an angle point in this tract and being in the east margin of Dippel Road;

THENCE SOUTH 55 DEGREES 13 MINUTES 28 SECONDS WEST, passing at 63.34 feet the west margin of said road and continuing for a total distance of 691.83 feet to a 5/8 inch iron rod set on the bank of Mound Creek;

THENCE NORTH 06 DEGREES 32 MINUTES 22 SECONDS EAST, a distance of 133.35 feet with said creek to an angle point;

THENCE NORTH 17 DEGREES 41 MINUTES 55 SECONDS WEST, a distance of 131.79 feet to a 5/8 inch iron rod set in creek for the **PLACE OF BEGINNING**;

**THENCE CONTINUING WITH THE MEANDERS OF MOUND CREEK AS FOLLOWS:**

THENCE NORTH 17 DEGREES 41 MINUTES 55 SECONDS WEST, a distance of 45.20 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 09 DEGREES 36 MINUTES 43 SECONDS WEST, a distance of 162.22 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 05 DEGREES 43 MINUTES 02 SECONDS EAST, a distance of 138.41 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 17 DEGREES 49 MINUTES 10 SECONDS WEST, a distance of 103.39 feet to a 5/8 inch iron rod set for the Northwest corner of this tract;

THENCE NORTH 46 DEGREES 27 MINUTES 13 SECONDS EAST, a distance of 500.18 feet to a 5/8 inch iron rod set in the centerline of Dippel Road;

THENCE NORTH 46 DEGREES 27 MINUTES 13 SECONDS EAST, a distance of 603.08 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 45 DEGREES 16 MINUTES 52 SECONDS EAST, a distance of 300.00 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 45 DEGREES 16 MINUTES 52 SECONDS EAST, a distance of 300.06 feet to a 5/8 inch iron rod set for corner;

THENCE NORTH 45 DEGREES 16 MINUTES 52 SECONDS EAST, a distance of 788.65 feet to a 5/8 inch iron rod set for corner;

THENCE SOUTH 44 DEGREES 43 MINUTES 08 SECONDS EAST, a distance of 330.77 feet to a 5/8 inch iron rod set for corner;

THENCE SOUTH 45 DEGREES 16 MINUTES 52 SECONDS WEST, a distance of 2156.73 feet to a 5/8 inch iron rod set for corner in the centerline of said Dippel Road, a public road having a width of sixty feet;

THENCE SOUTH 45 DEGREES 16 MINUTES 52 SECONDS WEST, a distance of 602.32 feet to the **PLACE OF BEGINNING** and containing 884542 square feet or **20.30** acres more or less.

I hereby certify this metes and bounds is true and correct to the best of my knowledge, and belief, as surveyed on the ground, July 20, 2005.

\_\_\_\_\_  
Louis W. Bergman, III  
R.P.L.S. No. 2056  
H:\eds\05-0351\LOT 13.lgl

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dr. Dianne Wilson*

2007 May 31 04:04 PM

JH \$25.00

2007065984

Dianne Wilson, Ph.D. COUNTY CLERK  
FT BEND COUNTY TEXAS