

Z-2024-10700229

STC/16029031497e

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
COUNTY OF BEXAR § KNOW ALL MEN BY THESE PRESENTS:

THAT THE UNDERSIGNED, SAN ANTONIO INDEPENDENT SCHOOL DISTRICT, a political subdivision of the State of Texas ("Grantor"), with an address of 141 Lavaca, San Antonio, Bexar County, Texas 78210, by and through Patti Radle, President of and on behalf of Grantor's Board of Trustees pursuant to a Board resolution duly approved on and dated February 20, 2018, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration paid to Grantor by BROADWAY SA INVESTORS GP, LLC, a limited liability company of the State of Texas ("Grantee"), with an address of 303 Pearl Parkway, Suite 300, San Antonio, Bexar County, Texas 78215, the receipt and sufficiency of which are hereby fully acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does hereby GRANT, SELL and CONVEY unto Grantee, that certain property commonly known as 141 Lavaca, 211 Lavaca, 215 Lavaca, and 620 Matagorda, in the City of San Antonio, Bexar County, Texas, and more fully described in Exhibit "A" ("Land"), together with improvements to the Land ("Improvements"), the leases ("Leases") associated with the Land, and with all right, title and interest of Seller in and to any rights, privileges, easements, and appurtenances pertaining to the Land, including any interests to any alleys, snips, or gores adjoining the Land (all of which are hereinafter collectively called the "Property").

This conveyance is made and accepted subject and subordinated to those certain matters set forth on Exhibit "B" attached hereto and made a part hereof for all purposes, to the extent the same are valid and enforceable against the Property (the "Permitted Exceptions).

For a period of twenty-five (25) years commencing on the execution date of this deed by Grantor, the Property shall not be used for the operation of any primary or secondary school, whether public or private, for the education of kindergarten through twelfth grade students; provided; however that the foregoing restriction will not be applied to prohibit: (a) any school owned or operated by Grantee, (b) a nursery school, child daycare facility, or after school care facility, (c) a tutoring center, (d) a post-secondary training, vocational or technical school, (e) any training or education offered to employees of a business being operated on the Property, or (f) any college or university.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS

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OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT THOSE CONTAINED IN THE PURCHASE CONTRACT, THIS DEED, AND THE OTHER CLOSING DOCUMENTS. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION AND THE REPRESENTATIONS AND WARRANTIES EXPRESSLY CONTAINED IN THE PURCHASE CONTRACT, THIS DEED, AND THE OTHER CLOSING DOCUMENTS.

GRANTEE RELEASES GRANTOR FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY (1) UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, AND THE TEXAS WATER CODE; OR (2) ARISING AS THE RESULT OF THEORIES OF PRODUCT LIABILITY AND STRICT LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE OF THE PURCHASE CONTRACT THAT WOULD OTHERWISE IMPOSE ON GRANTORS IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY. THIS RELEASE APPLIES EVEN WHEN THE ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY RESULT FROM GRANTOR'S OWN NEGLIGENCE OR THE NEGLIGENCE OF GRANTOR'S REPRESENTATIVE.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind Grantor and Grantor's heirs, executors, administrators, and successors to WARRANT AND FOREVER DEFEND all and singular the Property unto the said Grantee, its successors and assigns against every person whomsoever claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

*[Signature Page Follows]*

Z-2024-10700229

IN WITNESS WHEREOF, this Special Warranty Deed is executed to be effective the 29th day of May 2018.

**GRANTOR:**

**SAN ANTONIO INDEPENDENT SCHOOL DISTRICT**, a political subdivision of the State of Texas

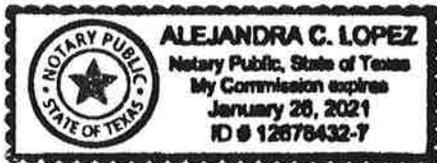
By: *Patti Radle*

Name: Patti Radle

Title: President, Board of Trustees

THE STATE OF TEXAS       §  
  §  
COUNTY OF BEXAR       §

The foregoing instrument was acknowledged before me on this 29th day of May 2018, by Patti Radle, the President of and on behalf of the Board of Trustees for the San Antonio Independent School District, a political subdivision of the State of Texas.



*Alejandra Lopez*  
NOTARY PUBLIC, in and for  
THE STATE OF TEXAS

**AFTER RECORDING, PLEASE RETURN TO:**  
Golden Steves & Gordon, LLP  
200 E. Basse Road, Suite 200  
San Antonio, Texas 78209  
Attn: Karl P. Baker

Exhibit "A"

TRACT 1:

Being a 0.784 acre tract of comprised of Lots 1, 2, 3, and 4 Block 7, NEW CITY BLOCK 13815, as recorded in Volume 9454, Pages 1433, Deeds and Plats Records of Bexar County, Texas; said 0.784 acre tract being more particularly described as follows;

BEGINNING, at a ½ inch iron rod found at the intersection of the northerly right of way line of Lavaca Street (55' ROW) and the southerly right of way of Matagorda Street (55' ROW);

THENCE, N 42°04'27" E, with the southeasterly right of way of Matagorda Street, a distance of 154.16 feet to a ½ iron rod found for the north corner of the tract herein described and the south right of way of Garfield Alley (27.8' ROW);

THENCE, S 49°11'33" E, with the south right of way of Garfield Alley, a distance of 222.07 feet to a ½ iron rod found for a northeast corner of the tract herein described and being in the northwesterly of Lot 5, Block 7, NCB 707;

THENCE, S 42°30'10" W, with the westerly line of Lot 5, Block 7, NCB 707, a distance of 154.18 feet to a ½ iron rod found for the south corner of the tract described and being in the northerly right of way line of said Lavaca Street;

THENCE, N 49°11'33" W, with the North right of way line of said Lavaca Street, a distance of 220.92 feet to the POINT OF BEGINNING.

TRACT 2:

Being a 3.900 acre tract comprised of Lot 1, a remaining portion of Lot 2 and Lot 3 Block 4, NEW CITY BLOCK 13815, as recorded in Volume 9518, Pages 125, Deeds and Plats Records of Bexar County, Texas; said 3.900 acre tract being more particularly described as follows;

BEGINNING, at a ½ inch iron rod found at the intersection of the northerly right of way line of Lavaca Street (55' ROW) and the westerly right of way line of Waters Street (59' ROW);

THENCE, S 42°19'24" W with the westerly right of way line of said Waters Street, a distance of 9.38 feet to an X found, and the northerly line of a 1370.5 square feet tract, Book 17572, Page 1828, for a southwest corner of the tract herein described;

THENCE, N 85°03'15" W, with the northerly line of said 1370.50 square feet tract, a distance of 66.30 feet to a X cut for a southwest corner of the tract described and a 0.008 acre tract, to the City of San Antonio as recorded in Volume 8713, Page 1904;

THENCE, N 04°04'44" W, with the easterly line of said 0.008 acre tract, a distance of 104.50 feet to a X cut in the easterly line of South Alamo Street (52' ROW);

THENCE, N 00°47'43" W, with the easterly right of way line of said South Alamo Street, a distance

**Z-2024-10700229**

of 25.14 feet to an ½ iron rod found and a point of curvature for a northwest corner of the tract herein described;

THENCE with the arc of a curve with a length of 38.07 (39.27 Plat) feet, a radius of 25.00 feet, and a central angle of 87°15'08" (90°00'00" Plat), a chord bearing of N 45°18'29" E, and a chord distance of 34.50 feet to a ½ iron pin found for a north corner of the tract described, being in the southerly right of way line of Cesar Chavez Blvd. (110' ROW);

THENCE, S 88°46'58" E, with the southerly right of way line of Cesar Chavez Blvd. (110' ROW), a distance of 32.77 (32.90 Plat) feet to an ½ iron rod found and a point of curvature for a north corner of the tract herein described;

THENCE, along the south right of way of said Cesar Chavez Blvd, and an arc of a curve with a length of 669.11 (667.30 Plat) feet, a radius of 1145.00 feet, and a central angle of 33°28'57" (33°23'30" Plat), a chord bearing S 71° 39'48" E, and a chord distance of 659.63 feet, to a X mark set and a point of curvature, for a northeast corner of the tract described;

THENCE with the arc of a curve with a length of 25.18 (25.46 Plat) feet, a radius of 15.00 feet, and a central angle of 96°10'29" (97°14'10" Plat), a chord bearing S 06°59'21" E, and a chord distance of 22.32 feet, to a X mark found for a northeast corner of the tract described and being the northwesterly right of way of Matagorda Street (55' ROW);

THENCE, S 42°13'24" W, with the northwesterly right of way of said Matagorda Street, a distance of 333.60 feet to an ½ iron rod found and a point of curvature for a south corner of the tract herein described;

THENCE with the arc of a curve with a length of 19.20 (23.57 Plat) feet, a radius of 15.00 feet, and a central angle of 73°20'10" (90°00'49" Plat), a chord bearing S 88°45'21" E, and a chord distance of 17.92 feet, to a ½" iron pin set in the northerly right of way line of said Lavaca Street and south corner of the tract herein;

THENCE, N 48°15'56" W, with the northerly right of way of said Lavaca Street, a distance of 487.64 feet to the POINT OF BEGINNING.

**Exhibit "B"**

1. Terms, conditions and stipulations of said property being designated as a Historic District as set forth by instrument recorded in Volume 9130, Page 2118, Real Property Records of Bexar County, Texas.
2. Terms, conditions and stipulations of Historic Designation: Verified Certificate recorded in Volume 16817, Page 1967, Real Property Records of Bexar County, Texas.
3. San Antonio River Authority Permanent Subterranean Flood Control Tunnel Easement recorded in Volume 4144, Page 689, Real Property Records of Bexar County, Texas, as shown on the Survey Map of the Property, dated April 25, 2018, Job No. SC1601.4 Rev.1, signed by Ray D. Weger, RPLS No. 4711, of Gonzalez De La Garza.
4. City of San Antonio Easement and Right-of-Way Agreement recorded in Volume 14351, Page 891, Real Property Records of Bexar County, Texas, as shown on the Survey Map of the Property, dated April 25, 2018, Job No. SC1601.4 Rev.1, signed by Ray D. Weger, RPLS No. 4711, of Gonzalez De La Garza.

Z-2024-10700229

**File Information**

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY  
GERARD C. RICKHOFF, BEXAR COUNTY CLERK**

**Document Number:** 20180102208  
**Recorded Date:** May 30, 2018  
**Recorded Time:** 11:17 AM  
**Total Pages:** 7  
**Total Fees:** \$46.00

**\*\* THIS PAGE IS PART OF THE DOCUMENT \*\***

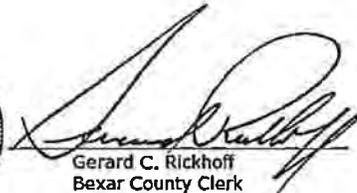
**\*\* Do Not Remove \*\***

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 5/30/2018 11:17 AM



  
Gerard C. Rickhoff  
Bexar County Clerk