

Z-2024-10700099

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
Independence Title/CF# 2211715-SOSA/KMP

Special Warranty Deed with Vendor's Lien

Date: **March 30, 2022** to be effective **March 31, 2022**

Grantor: **TEXAS TRES PROPERTIES, LTD.,** a Texas limited partnership

Grantor's Mailing Address:

Grantee: **DBR HQ Properties, LLC**

Grantee's Mailing Address: **11900 IH 10 West, San Antonio, Bexar County, Texas 78230**

Consideration: **Ten and no/100 (\$10.00) Dollars** and other good and valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged and the further consideration of a Promissory Note of even date herewith in the principal amount of **Five Million Seven Hundred Eighty Thousand and 00/100 Dollars (\$5,780,000.00)** executed by Grantee, payable to the order of **Frost Bank, a Texas state bank.** The note is secured by a vendor's lien retained in favor of **Frost Bank, a Texas state bank** to the extent of **\$5,000,000.00** in this deed, and by a deed of trust of even date, from Grantee to **Dan J. Guarino, Trustee.**

Frost Bank, a Texas state bank, at Grantee's request, having paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described, the vendor's lien to the extent of **\$5,000,000.00** and superior title to the property are retained for the benefit of **Frost Bank, a Texas state bank** and are transferred to **Frost Bank, a Texas state bank,** without recourse on Grantor.

Property (including any improvements): **Being a 5.307 acre tract of land, more or less, being all of LOT 16, NEW CITY BLOCK 14862, R AND BCOMMERCIAL SUBDIVISION, AN ADDITION TO THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 9200, PAGE 148, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, and being the same parcel of land conveyed in Deed recorded in Volume 9440, Page 1672, Deed Records, Bexar County, Texas, SAVE AND EXCEPT those certain Lots recorded in Volume 9530, Page 43 (Lot 28), Volume 9570, Page 66 (Lot 43), both of the Deed Records of Bexar County, Texas, and said 5.307 acres being more particularly described by metes and bounds attached hereto as Exhibit "A".**

Reservations from Conveyance and Warranty: **none**

Exceptions to Conveyance and Warranty:

- a. **Restrictive covenants recorded in Volume 2128, Page 94, amended in Volume 15728, Page 2345, Volume 16927, Page 24 and Volume 2289, Page 626, Real Property Records, Bexar County, Texas.**
- b. **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 Record.**
- c. **Rights of parties in possession.**

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- d. 25 foot building setback line along the Interstate Highway 10 of subject property, as shown on plat recorded in Volume 9200, Page 148, Deed and Plat Records of Bexar County, Texas.
- e. 16 foot overhead electric easement along the rear (west) of subject property, as set out in Volume 9200, Page 148, Deed and Plat Records of Bexar County, Texas.
- f. 28 foot overhead electric easement along the rear (north) of subject property, as set out in Volume 9200, Page 148, Deed and Plat Records of Bexar County, Texas.
- g. 75 foot and 85 foot transmission line easement, Volume 7435, page 894, defined as shown on plat recorded in Volume 9200, Page 148, Deed and Plat Records of Bexar County, Texas.
- h. 13 foot electric overhang and telephone easement along Interstate Highway 10 as shown on plat recorded in Volume 9200, Page 148, Deed and Plat Records of Bexar County, Texas.
- i. Subject to controlled access as recorded in Volume 3943, Page 161 and Volume 3943, Page 169, Deed Records, Bexar County, Texas.
- j. Memorandum of Lease Agreement, by and between George A. Sistrunk (Landlord) and Sprint Spectrum L.P. (Tenant) recorded in Volume 6865, Page 1990, Official Public Records of Real Property of Bexar County, Texas, and being further affected by that Non-Disturbance Agreement, recorded in Volume 8127, Page 1646, Real Property Records, Bexar County, Texas, as affected by Memorandum of Ground Lease Extension Agreement, by and between Pinnacle Towers LLC (Lessor) and STC Five LLC (Tenant), recorded in Volume 14731, Page 754, Real Property Records, Bexar County, Texas.
- k. Communication Tower Easement Agreement recorded in Volume 8127, Page 1596 and Volume 8127, Page 1610, Real Property Records of Bexar County, Texas. Assignment and Assumption Agreement recorded in Volume 8127, Page 1632 and Volume 8127, Page 1639, Real Property Records, Bexar County, Texas, and Assignment Agreement recorded in Volume 10581, Page 2329, Real Property Records, Bexar County, Texas, and Assignment recorded in Volume 12288, Page 1129, Real Property Records, Bexar County, Texas.
- l. Site Designation Supplement to Master Lease and Sublease Agreement, by and between STC Five LLC (Lessor), Global Signal Acquisitions II LLC (Lessee) and Sprint Spectrum L.P. (Sprint Collocator) recorded in Volume 11752, Page 1461, Official Public Records of Real Property of Bexar County, Texas and being further affected by that Non-Disturbance Agreement, recorded in Volume 8127, Page 1646, Real Property Records, Bexar County, Texas.

As affected by Leasehold Deed of Trust to secure a Note:

Recorded: Volume 12413, Page 2205, Real Property Records, Bexar County, Texas

Grantor: GLOBAL SIGNAL ACQUISITIONS II LLC

Trustee: William Z. Fairbanks, Jr.

Beneficiary: Morgan Stanley Asset Funding, Inc.

Amount: (Maximum Principal Indebtedness: \$850,000,000.00

Dated: 2/24/2006

- m. Easement(s), as provided therein, granted to Texas Tre Properties, Ltd., recorded in Volume 13588, Page 1900, Real Property Records, Bexar County, Texas.

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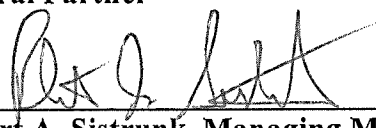
- n. Declaration and Grant of Easements as recorded in Volume 6243, Page 1832, Real Property Records of Bexar County, Texas.
- o. Memorandum of Lease between George A. Sistrunk, Landlord and ACC/McCaw Cellular of San Antonio, Tenant, as recorded in Volume 6846, Page 1076, Real Property Records of Bexar County, Texas.
- p. Maintenance charges and/or assessments of Technology Park Association, Inc., secured by a lien as set out in instrument(s) recorded in Volume 15728, Page 2345 and Volume 16927, Page 24, Real Property Records, Bexar County, Texas and as amended, supplemented, re-filed or re-stated. Said lien for charges and assessments is subordinate to any first mortgage as set out therein.
- q. Matters reflected on survey prepared by Mark J. Ewald, R.P.L.S. No. 5095, dated 3/21/2022:
 - 1. Any claim, right, or assertion of title by the adjoining land owner in and to that strip of land located between the property line and the fence(s).
 - 2. Encroachment or protrusion of asphalt parking lot onto or over the southernmost eastern property line.
 - 3. Any/all consequences arising from the gas tank being located on or under the subject property.

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 anyway belonging, to have and hold it to Grantee, Grantees' 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, when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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

TEXAS TRES PROPERTIES, LTD.,
a Texas limited partnership

By: T & R, LLC
Its: General Partner

By: 
Robert A. Sistrunk, Managing Member

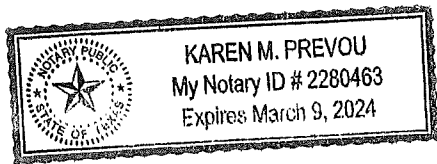
By: 
Tommie Sue Sistrunk, Managing Member

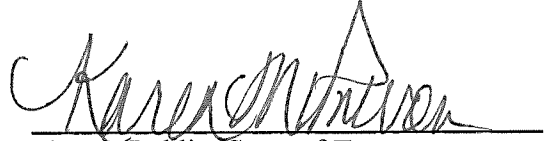
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STATE OF TEXAS *

COUNTY OF BEXAR *

This instrument was acknowledged before me on this 30th day of **March 2022**, by **Robert A. Sistrunk and Tommie Sue Sistrunk, Managing Members of T & R, LLC, General Partner of TEXAS TRES PROPERTIES, LTD., a Texas limited partnership**, on behalf of said limited partnership.




Notary Public, State of Texas

AFTER RECORDING RETURN TO:
DBR HQ Properties, LLC
11900 IH 10 West
San Antonio, Texas 78230

EXHIBIT "A"

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METES AND BOUNDS

Being a 5.307 acre tract of land, more or less, being all of Lot 16, N.C.B. No. 14862, R and B Commercial Subdivision, according to Map or Plat recorded in Volume 9200, Page 148, Deed and Plat Records of Bexar County, Texas, and being that same parcel of land conveyed in Deed recorded in Volume 9440, Page 1672, Deed Records of Bexar County, Texas, **SAVE AND EXCEPT**, those certain Lots recorded in Volume 9530, Page 43 (Lot 28), and Volume 9570, Page 66 (Lot 43), both of the Deed and Plat Records, of Bexar County, Texas, said 5.307 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the northeast corner of this 5.307 acres, same being the southeast corner of Lot 27 of Gatton Honda Subdivision (Volume 9522, Page 212), and on the southwest Right-of-Way of West Interstate 10, same also being the **POINT OF BEGINNING**;

THENCE along the southwest Right-of-Way of said West Interstate 10, South 24 degrees 53 minutes 01 seconds East (called South 24 degrees 43 minutes 12 seconds East), a distance of 346.68 feet to a 1/2 inch iron rod found for the southeast corner of this 5.307 acres, same being the northeast corner of said Lot 43;

THENCE along the line common to this 5.307 acres and said Lot 43, the following courses and distances;

South 89 degrees 11 minutes 37 seconds West, (called South 89 degrees 23 minutes 06 seconds West), a distance of 277.54 feet (called 277.37 feet) to a 1/2 inch iron rod found for an interior corner of this 5.307 acres;

South 11 degrees 08 minutes 40 seconds East (called South 10 degrees 57 minutes 32 seconds East), a distance of 154.22 feet (called 154.14 feet) to a 1/2 inch iron rod found for the an angle corner of this 5.307 acres;

South 87 degrees 23 minutes 07 seconds West (called South 87 degrees 33 minutes 21 seconds West), a distance of 184.98 feet (called 185.18 feet) to a 1/2 inch iron rod found for the southwest corner of this 5.307 acres;

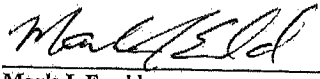
North 11 degrees 08 minutes 06 seconds West (called North 10 degrees 55 minutes 54 seconds West), a distance of 259.31 feet (called 259.34 feet) to a 1/2 inch iron rod found for an interior corner of this 5.307 acres;

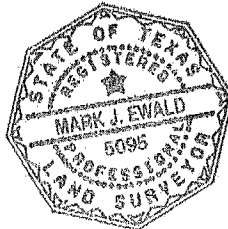
South 89 degrees 12 minutes 36 seconds West, (called South 89 degrees 24 minutes 27 seconds West), a distance of 336.10 feet (called 335.93 feet) to a pk nail found in concrete for the West corner of this 5.307 acres, same being the northwest corner of said Lot 43, and on the East line of Lot 40 of Technology Park II (Volume 9552, Page 21);

THENCE along the line common to this 5.307 acres and said Lot 40, North 00 degrees 44 minutes 23 seconds West, a distance of 218.25 feet to a 1/2 inch iron rod found for the northwest corner of this 5.307 and an interior corner of said Lot 40;

THENCE continuing along the line common to this 5.307 acres and said Lot 40, North 89 degrees 08 minutes 29 seconds East (called North 89 degrees 21 minutes 59 seconds East), a distance of 675.66 feet (called 675.29 feet to the **POINT OF BEGINNING**, and containing a 5.307 acre tract of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown herein are based on actual GPS observations, Texas State Plane Coordinates, South Central Zone, Grid.


 Mark J. Ewald
 Registered Professional Land Surveyor
 Texas Registration No. 5095
 August 13, 2020



File Information

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number: 20220081654
Recorded Date: March 31, 2022
Recorded Time: 3:05 PM
Total Pages: 6
Total Fees: \$42.00

**** 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: 3/31/2022 3:05 PM



Lucy Adame-Clark
Lucy Adame-Clark
Bexar County Clerk