

**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.**

**SPECIAL WARRANTY DEED**

STATE OF KANSAS           §  
  §           KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF SEDGWICK   §

THAT **WaterWalk San Antonio Rim LLC**, a Kansas limited liability company ("**Grantor**"), whose address is 515 S. Main, Suite 114, Wichita, Kansas 67202, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration in hand paid by **WaterWalk San Antonio The Rim LLC**, a Delaware limited liability company ("**Grantee**"), whose mailing address is 601 First Street, NW, Grand Rapids, MI 49504, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, TRANSFERRED, ASSIGNED, and CONVEYED, and by these presents does GRANT, BARGAIN, SELL, TRANSFER, ASSIGN, and CONVEY to Grantee, the real property more particularly described on the attached Exhibit A (the "**Property**").

This conveyance is made and accepted subject only to (i) the matters set forth in the attached Exhibit B, to the extent, but only to the extent, the same are now in force and effect and relate to the Property, (ii) all taxes and assessments assessed against the Property for the year of the conveyance (which have been prorated as between Grantor and Grantee as of the Effective Date) and all subsequent years, which Grantee shall pay, and (iii) any and all laws, ordinances, and governmental regulations now applicable to and enforceable against the Property (collectively, the "**Permitted Encumbrances**").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances belonging in any way thereto, subject to the provisions of this deed, to Grantee, Grantee's successors and assigns forever, and Grantor binds itself and its successors and assigns TO WARRANT AND FOREVER DEFEND all and singular the Property to Grantee and Grantee's successors and assigns, against every person lawfully claiming or to claim all or any part of the Property, when the claim is by, through, or under Grantor, but not otherwise, and subject, however, to the Permitted Encumbrances and the other provisions of this deed.

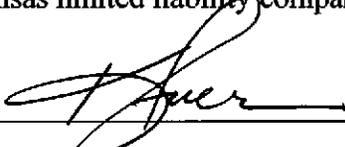
All of the covenants, terms, and conditions set forth herein shall be binding on, and shall inure to the benefit of, the parties hereto and their respective successors and assigns.

*[Signatures commence on the following page]*

11-GF# 201601243 LT  
RETURN TO: HERITAGE TITLE  
401 CONGRESS, SUITE 1500  
AUSTIN, TEXAS 78701

EXECUTED as of the 13<sup>th</sup> day of October, 2016.

**WATERWALK SAN ANTONIO RIM LLC,**  
a Kansas limited liability company

By: 

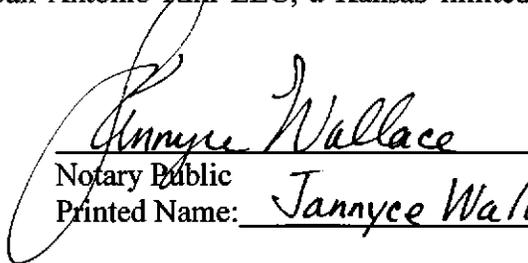
Printed Name: Kay Auer

Title: CFO

STATE OF KANSAS            )  
  ) SS  
COUNTY OF SEDGWICK    )

This instrument was acknowledged before me on October 13 2016, by Kay Auer, Chief Financial Officer of WaterWalk San Antonio Rim LLC, a Kansas limited liability company.

My Appointment Expires: 10/29/17

  
Notary Public  
Printed Name: Jannyce Wallace



**EXHIBIT "A"**

A 4.688 acre, or 204,224 square feet, more or less, tract of land being all of Lot 11, Block 6, Waterwalk at the Rim MPCD recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas, in New City Block (N.C.B.) 14747 of the City of San Antonio, Bexar County, Texas, and as ratified in Volume 17602, Page 80 of the Official Public Records of Real Property of Bexar County, Texas.

## **EXHIBIT "B"**

Volume 4216, Page 1899, Volume 12735, Page 676 and Volume 16544, Page 207, Volume 17424, Page 2415 Volume 17603, Page 1039 and Volume 17723, Page 1783 of the Official Public Records of Real Property of Bexar County, Texas, and Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

Terms, conditions and stipulations contained in that certain Quarry Easement Agreement dated May 11, 2005, by and between Fourth Quarter Properties LXI, LP and Fourth Quarter Properties LXII, LP as Grantor and Martin Marietta Materials Southwest, Ltd., recorded in Volume 11391, Page 402 of the Official Public Records of Real Property of Bexar County, Texas.

The terms, conditions, stipulations and easements including water rights of that certain Special Warranty Deed dated May 11, 2005 from Martha Marietta Materials Southwest, Ltd. to Fourth Quarter Properties LXIII, LP recorded in Volume 11391, Page 134 and re-filed in Volume 11474, Page 1470 of the Official Public Records of Real Property of Bexar County, Texas.

Electric and gas easement granted to the City of San Antonio, by instrument dated July 26, 2010 recorded in Volume 15071, Page 536 of the Official Public Records of Real Property of Bexar County, Texas.

The terms, conditions and stipulations of that certain Utility Service Agreement dated November 24, 2008, recorded in Volume 15167, Page 1059 of the Official Public Records of Real Property of Bexar County, Texas.

The terms, conditions, stipulations and easements of that certain Master Declaration For South Rim Phase IV dated November 26, 2013, recorded in Volume 16544, Page 207 and amended in Volume 17424, Page 2415, Volume 17603, Page 1039 and Volume 17723, Page 1783 of the Official Public Records of Real Property of Bexar County, Texas.

Sewer easement granted to the City of San Antonio, by instrument dated December 12, 2014 recorded in Volume 17053, Page 2325 of the Official Public Records of Real Property of Bexar County, Texas.

The terms, conditions and stipulations of that certain Deed Recordation Affidavit Edwards Aquifer Protection Plan dated May 12, 2015, recorded in Volume 17240, Page 1969 of the Official Public Records of Real Property of Bexar County, Texas.

Liens securing assessments and/or charges payable to "the Association" recorded in Volume 16544, Page 207 amended in Volume 17424, Page 2415 of the Official Public Records of Real Property of Bexar County, Texas.

0.269 acre access easement within the property described in Master Declaration For South Rim Phase IV recorded in Volume 16544, Page 207 amended in Volume 17424,

Page 2415 of the Official Public Records of Real Property Records of Bexar County, Texas.

Variable width drainage easement located along a portion of the east property lines as shown by the Plat recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

22 foot public drainage easement located as shown by the Plat recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

50 foot access easement (0.269 acre) located as shown by the Plat recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

15 foot by 50 foot private drainage easement located as shown by the Plat recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

12 foot by 24 foot water easement located as shown by the Plat recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

Ingress and egress between all adjacent lots fronting Loop 1604 for adequate fire department vehicle access as stated on the Plat recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

Gas, electric, telephone and cable tv easement 14 feet in width along the south property line(s), as shown by the Plat recorded in Volume 9690, Page 138 of the Deed and Plat Records of Bexar County, Texas.

The terms, conditions and stipulations of that certain Utility Service Agreement dated July 15, 2015, recorded in Volume 17413, Page 1773 of the Official Public Records of Real Property of Bexar County, Texas.

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# Pages 6  
11/14/2016 4:39PM  
e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD C. RICKHOFF  
COUNTY CLERK  
Fees \$42.00

STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
Public Records of Bexar County, Texas  
on this date and time stamped thereon.  
11/14/2016 4:39PM  
COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard C. Rickhoff*