



PREPARED IN THE OFFICE OF:  
**JORDAN LAW FIRM, L.L.P.**  
#4 Woodmont Crossing  
Texarkana, Texas 75503

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

**Date:** May 22, 2018

**Grantor:** TexAmericas Center, a political subdivision of the State of Texas, acting by and through Scott Norton, Executive Director/CEO, duly authorized by Resolution of the Board of Directors dated May 22, 2018

**Grantor's Mailing Address (including county):** 107 Chapel Lane  
New Boston, Bowie County, Texas 75570

**Grantee:** TAC East Holdings Company No. 1, a Texas Non-Profit Corporation

**Grantee's Mailing Address (including county):** 107 Chapel Lane  
New Boston, Bowie County, Texas 75570

**Consideration:** \$1.00 and other good and valuable consideration

**Property (including any improvements):** (Property commonly known as G Line)

210.97 Acres  
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the William H. Fore Headright Survey, Abstract 214, Bowie County, Texas and the Mary Burnsidess Headright Survey, Abstract 49, Bowie County, Texas, being a portion of that certain tract of land described as Tract 3 – Between Proposed 4th and 5th Street Parcel w/2123.097 acres in the deed from United States of

America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch steel rod, capped TEXAS MG 5760, found for a corner, the Northeast corner of Tract 3;

THENCE North 90 degrees 00 minutes 00 seconds West a distance of 3854.96 feet and North 00 degrees 00 minutes 00 seconds East a distance of 11.83 feet to a 1/2 inch steel rod (control monument), capped TEXAS MG 5760, found for a corner, lying in the North line of the said Tract 3 and the South line of that certain tract of land described as Tract 20 – Proposed 4th Street, now known as Oak Street, w/58.304 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, the POINT OF BEGINNING of herein described tract of land;

THENCE South 89 degrees 44 minutes 16 seconds East (basis of bearings) a distance of 2162.29 feet along the North line of the said Tract 3 and the South line of the said Tract 20 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, said corner bears South 89 degrees 44 minutes 16 seconds East a distance of 570.77 feet to a 1/2 inch steel rod (control monument), capped TEXAS MG 5760, found for a corner;

THENCE South 44 degrees 37 minutes 15 seconds East a distance of 70.85 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, said corner lying in the North line of the said Tract 3, the South line of the said Tract 20, and the proposed West right-of-way line of Lamar Street;

THENCE South 00 degrees 29 minutes 46 seconds West a distance of 922.42 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 01 degrees 19 minutes 49 seconds East a distance of 982.73 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 02 degrees 30 minutes 55 seconds East a distance of 1676.77 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 18 degrees 24 minutes 33 seconds West a distance of 46.70 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the South line of the said Tract 3 and the North line of that certain tract described as Tract 10 – Proposed 5th Street, now known as Cypress Street, w/81.718 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, at the beginning of a circular curve to the right, tangent to said line;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 1113.11 feet, with a delta angle of 46 degrees 59 minutes 04 seconds, a radius of 1357.39 feet, a chord bearing of South 62 degrees 35 minutes 35 seconds West, and a chord distance of 1082.18 feet to a 1/2 inch steel rod, found for a corner, lying in the South line of the said Tract 3 and the North line of the said Tract 10;

THENCE South 86 degrees 05 minutes 07 seconds West tangent to said curve, a distance of 509.53 feet along the South line of the said Tract 3 and the North line of the said Tract 10 to a 1/2 inch steel rod, found for a corner, at an angle point;

THENCE South 86 degrees 06 minutes 19 seconds West a distance of 776.49 feet along the South line of the said Tract 3 and the North line of the said Tract 10 to a 1/2 inch steel rod, capped MTG 101011-00, found for a corner, lying in the South line of the said Tract 3, the North line of the said Tract 10, and the East right-of-way line of the Titus Street parcel as described in the deed from TexAmericas Center to TAC Holdings Company No. 1, dated April 25, 2017, recorded in Document No. 2017-4829 of the Real Property Records of Bowie County, Texas;

THENCE North 47 degrees 16 minutes 42 seconds West a distance of 68.68 feet along the East line of the said Titus Street parcel to a 1/2 inch steel rod, capped MTG 101011-00, found for a corner;

THENCE North 00 degrees 33 minutes 32 seconds West a distance of 2917.13 feet along the East line of the said Titus Street parcel to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE generally along a fence line the following bearings and distances;

South 49 degrees 26 minutes 04 seconds East a distance of 198.15 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

North 88 degrees 47 minutes 11 seconds East a distance of 224.51 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

North 35 degrees 48 minutes 40 seconds East a distance of 278.05 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

North 26 degrees 46 minutes 09 seconds West a distance of 265.91 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

South 89 degrees 52 minutes 01 seconds West a distance of 326.87 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

South 39 degrees 55 minutes 10 seconds West a distance of 145.33 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point, lying in the East line of the said Titus Street parcel;

THENCE North 00 degrees 33 minutes 32 seconds West a distance of 1031.26 feet along the East line of the said Titus Street parcel to a 1/2 inch steel rod, capped MTG 101011-00, found for a corner, at an angle point;

THENCE North 44 degrees 51 minutes 17 seconds East a distance of 70.21 feet along the East line of the said Titus Street parcel to the point of beginning and containing 210.970 acres of land, at the time of this survey.

together with a non-exclusive easement over and across the following described tracts:

1. (Lamar Street)

All that certain lot, tract or parcel of land lying and situated in the Mary Bursides Headright Survey, Abstract 49, Bowie County, Texas, being a portion of that certain tract of land described as Tract 3 – Between Proposed 4th and 5th Street Parcel w/2123.097 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch steel rod, capped TEXAS MG 5760, found for a corner, the Northeast corner of Tract 3;

THENCE North 90 degrees 00 minutes 00 seconds West a distance of 1692.69 feet and North 00 degrees 00 minutes 00 seconds East a distance of 1.93 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the North line of the said Tract 3 and the South line of that certain tract of land described as Tract 20 – Proposed 4th Street, now known as Oak Street, w/58.304 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, the POINT OF BEGINNING of herein described tract of land, said corner bears North 89 degrees 44 minutes 16 seconds East a distance of 2162.29 feet to a 1/2 inch steel rod (control monument), capped TEXAS MG 5760, found for a corner;

THENCE South 89 degrees 44 minutes 16 seconds East (basis of bearings) a distance of 175.00 feet along the North line of the said Tract 3 and the South line of the said Tract 20 to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, said corner bears South 89 degrees 44 minutes 16 seconds East a distance of 395.77 to a 1/2 inch steel rod (control monument), capped TEXAS MG 5760, found for a corner;

THENCE South 45 degrees 22 minutes 45 seconds West a distance of 70.57 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 00 degrees 29 minutes 46 seconds West a distance of 921.94 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 01 degrees 19 minutes 49 seconds East a distance of 980.76 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 02 degrees 30 minutes 55 seconds East a distance of 1560.47 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 77 degrees 46 minutes 51 seconds East a distance of 39.53 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point, lying in the South line of the said Tract 3 and the North line of that certain tract described as Tract 10 – Proposed 5th Street, now known as Cypress Street, w/81.718 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, said corner bears North 38 degrees 26 minutes 11 seconds East a distance of 236.08 feet to a 1/2 inch steel rod, capped TEXAS MG 5760, found for a corner;

THENCE South 38 degrees 26 minutes 11 seconds West a distance of 182.83 feet along the South line of the said Tract 3 and the North line of the said Tract 10 to a 1/2 inch steel rod, capped TEXAS MG 5760, found for a corner at the beginning of a circular curve to the right, tangent to said line;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 15.74 feet, with a delta angle of 00 degrees 39 minutes 52 seconds, a radius of 1357.39 feet, a chord bearing of South 38 degrees 46 minutes 07 seconds West, and a chord distance of 15.74 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the South line of the said Tract 3 and the North line of the said Tract 10;

THENCE North 18 degrees 24 minutes 33 seconds East a distance of 47.58 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE North 02 degrees 30 minutes 55 seconds West a distance of 1676.77 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE North 01 degrees 19 minutes 49 seconds West a distance of 982.73 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE North 00 degrees 29 minutes 46 seconds East a distance of 922.42 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE North 44 degrees 37 minutes 15 seconds West a distance of 70.85 feet to the point of beginning and containing 6.305 acres of land, at the time of this survey.

2. That certain tract known as Oak Street (formerly known as Fourth Street) and described as 58.304 acres in that certain Deed of the United States of America to Red River Redevelopment Authority dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas.
3. Cypress Street (formerly known as Fifth Street) and described as an 81.718 acres in that certain Deed of the United States of America to Red River Redevelopment Authority dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas.
4. Cass Street (formerly known as Washington Street) and described as 33.260 acres in that certain Deed of the United States of America to Red River Redevelopment Authority dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas.
5. Titus Street more particularly described as follows:

All that certain lot, tract or parcel of land lying and situated in the William H. Fore Headright Survey, Abstract 214, Bowie County, Texas, being part of that certain tract of land described as Tract 3 – Between Proposed 4<sup>th</sup> and 5<sup>th</sup> Street Parcel w/ 2123.097 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real property Records in Bowie County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch steel rod found for a corner, capped Texas MG 5760, the Northeast corner of the said Tract 3;

THENCE North 90 degrees 00 minutes 00 seconds West a distance of 4029.97 feet and North 00 degrees 00 minutes 00 seconds East a distance of 12.63 feet to a 1/2 inch steel rod, capped MTG 101011-00, set or a corner, lying in the North line of the said Tract 3 and the South line of that certain tract of land described as Tract 20 – Proposed 4<sup>th</sup> Street w/ 58.304 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real property Records in Bowie County, Texas, the POINT OF BEGINNING of the herein described tract of land, said corner bears North 89 degrees 44 minutes 16 seconds West a distance of 501.06 feet along the North line of the said Tract 3 and the South line of the said Tract 20, to a 1/2 inch steel rod, capped Texas MG 5760, found for a corner;

THENCE South 89 degrees 44 minutes 16 seconds East a distance of 175.02 feet along the North line of the said Tract 3 and the South line of the said Tract 20, to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, said corner bears South 89 degrees 44 minutes 16 seconds

East a distance of 2733.06 feet, to a 1/2 inch steel rod, capped Texas MG 5760, found for a corner;

THENCE South 44 degrees 51 minutes 17 seconds West a distance of 70.21 feet, to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 00 degrees 33 minutes 32 seconds East a distance of 4174.97 feet, to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 47 degrees 16 minutes 42 seconds East a distance of 68.68 feet, to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the South line of the said Tract 3 and the North line of that certain tract of land described as Tract 10 – Proposed 5th Street Parcel w/ 81.718 acres in the deed from United States of America to Red River Redevelopment Authority, now known as TexAmericas Center, dated September 1, 2010, recorded in Volume 5898, Page 1 of the Real property Records in Bowie County, Texas, said corner bears North 86 degrees 06 minutes 19 seconds East a distance of 776.49 feet along the South line of the said Tract 3 and the North line of the said Tract 10, to a 1/2 inch steel rod, found for a corner;

THENCE South 86 degrees 06 minutes 19 seconds West a distance of 175.30 feet along the South line of the said Tract 3 and the North line of the said Tract 10, to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, said corner bears South 86 degrees 06 minutes 19 seconds West a distance of 135.68 feet along the South line of the said Tract 3 and the North line of the said Tract 10, to a 1/2 inch steel rod, capped Texas MG 5760, found for a corner;

THENCE North 42 degrees 49 minutes 08 seconds East a distance of 72.80 feet, to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE North 00 degrees 33 minutes 32 seconds West a distance of 4180.42 feet, to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE North 45 degrees 09 minutes 05 seconds West a distance of 71.22 feet to the point of beginning and containing 7.480 acres of land, at the time of this survey.

Each of the above-described streets are private streets owned and controlled by TexAmericas Center. TexAmericas Center reserves the right to dedicate one, or more, or all of said private streets as public streets or to include said private streets in a subdivision plat thereby dedicating said streets as public streets. It shall not be necessary or required that Grantee, its successors or assigns join in the execution of any documents dedicating said private streets as public streets. Upon dedication of one, more than one, or all of said streets, as applicable, as public streets, the easements described herein shall automatically terminate.

#### **Reservations from and Exceptions to Conveyance and Warranty:**

1. Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded instruments, other than liens and conveyances, that affect the property; taxes for the current year, the payment of which Grantee assumes.
2. Easements, restrictions, and covenants, to the extent they apply to the Property, as set forth in that certain Deed Without Warranty dated September 1, 2010, from the United States of America to Red River Redevelopment Authority and recorded in Volume 5898 at Page 1 of the Real Property Records of Bowie County, Texas.

3. **Exceptions and Reservations Generally Applicable to TexAmericas Center East Campus:**

A. This conveyance is made subject to, and Grantee agrees to be bound by, all exceptions, covenants, restrictions, and reservations by the United States of America, acting by and through the Secretary of the Army ("Army"), in that certain Deed Without Warranty dated the 1<sup>st</sup> day of September, 2010, and recorded in Volume 5898, Page 1 of the Real Property Records of Bowie County, Texas, (the Deed Without Warranty) to the extent said matters affect the Property, including but not limited to the following:

1. Reservation of rights and easements for (a) access; (b) electric, telephone, and other utility service; (c) water, sanitary sewer, industrial wastewater, gas, and storm sewer service; (d) railroad rights-of-way; and (e) line of site clear zone, as set forth in said Deed Without Warranty.
2. CERCLA Covenants and CERCLA Notice as set forth in said Deed Without Warranty.
3. Land Use Restrictions, Residential Use Restriction and Groundwater Restriction and enforcement rights as set forth in Exhibit B, Paragraph 2 of said Deed Without Warranty.
4. Notice of the Presence of Lead-Based Paint and Covenant Against the Use of the Property for Residential Purposes set forth in Paragraph 4, Exhibit B, in said Deed Without Warranty.
5. Notice of the Presence of Asbestos and Covenant as set forth in Exhibit B, Paragraph 3 of said Deed Without Warranty.
6. Notice of the Potential Presence of Munitions and Explosives of Concern (MEC) and Covenant set forth in Exhibit B, Paragraph 6 of said Deed Without Warranty.

B. Grantee purchases the Property "AS IS – WHERE IS." Grantee acknowledges that the Property may not currently be fit for occupancy pursuant to applicable building codes, may not be in compliance with the American with Disabilities Act, or the applicable state law and regulations, and may contain lead-based paint and friable and non-friable asbestos or asbestos-containing materials. The Property is conveyed "AS IS – WHERE IS" without any representations, warranties, or



guaranties as to quantity, quality, character, condition, size or kind, or that the Property is in a condition or fit to be used for the purpose for which it is intended, and the conveyance will be without any obligation on the part of the Grantor to make any alterations, repairs, or additions to the Property.

C. Grantee acknowledges and agrees that the Property has been a part of Lone Star Army Ammunition Plant, an installation of the United States of America, Department of the Army, and, as such is conveyed to Grantee, subject to such additional easements, covenants and restrictions as may be referred to and contained in the Memorandum of Agreement and Deed transferring title from the Army to Grantor, or its predecessors in title, including but not limited to, such easements, covenants and restrictions allowing the United States and its agents, employees and contractors access to and over the Property as may be necessary for any investigation, response, or corrective action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. § 9601 et seq. (CERCLA) or any other environmental statute, rule or regulation.

D. Grantee agrees to be bound by, comply with and enforce where required the covenants, restrictions and requirements of the Deed Without Warranty as they relate to and are enforceable against the Property described in this Special Warranty Deed. Grantee acknowledges that said covenants, restrictions and requirements run with the land and are enforceable against Grantee, its heirs, successors and assigns. Grantee for itself, its heirs, successors and assigns covenants that it will include and make binding the terms of the covenants, restrictions, and requirements of the Deed Without Warranty in all subsequent transfers, leases, or conveyance documents that include the Property.

E. Grantee agrees to indemnify and hold harmless the U.S.A. Department of the Army, TexAmericas Center, their officers, agents and employees from and against all suits, claims, demands or actions, liabilities, judgments, costs and attorney's fees arising out of, or in any manner predicated upon personal injury, death or property damage resulting from, related to, caused by or arising out of Grantee's, or Grantee's heirs, successors or assigns having violated the covenants, restrictions and/or requirements set forth in Deed Without Warranty and/or this Special Warranty Deed.

F. Grantor reserves for itself, its successors and assigns forever all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend

all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.

Grantee is taking the Property in an arm's length agreement between the parties. The consideration was bargained on the basis 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 for the warranty of title stated in this deed.

The Property is being conveyed to Grantee in an "AS IS, WHERE IS" condition, with all faults. Grantor makes no warranty of condition, merchantability, or suitability or fitness for a particular purpose with respect to the fixtures and personal property. All warranties except for the warranty of title stated in this deed are disclaimed.

Grantee acknowledges and agrees that Grantee is relying solely on Grantee's examination of the Property. Grantee is not relying on any information or disclosures provided by Grantor.

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

**TEXAMERICAS CENTER**

By:   
\_\_\_\_\_  
Scott Norton  
Executive Director/CEO

Grantees Address:

107 Chapel Lane  
New Boston, Texas 75570

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged before me on the 22nd day of May, 2018, by Scott Norton, Executive Director/CEO of TexAmericas Center on behalf of said political subdivision.

Marla G. Byrd  
Notary Public, State of Texas



**NOTICE TO PURCHASER OF PROPERTY**

It is your responsibility to contact the County Tax Assessor or County Appraisal District to transfer the property to your name on the Tax Roll and to claim any and all exemptions to which you are legally entitled. The County Tax Assessor or County Appraisal District is ordinarily located at the County Courthouse

THE STATE OF TEXAS

COUNTY OF BOWIE

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Bowie County, Texas.

2018-00005386 DEED  
05/24/2018 10:31:08 AM Total Fees: \$66.00

Tina Petty, County Clerk  
Bowie County, Texas

