

GRANTEE ACCEPTS THE PROPERTY IN ITS CURRENT CONDITION. IT IS UNDERSTOOD AND AGREED THAT NEITHER GRANTOR NOR ANY PARTY ACTING OR ALLEGEDLY ACTING FOR OR ON BEHALF OF GRANTOR IS MAKING, AND THAT GRANTOR AND ITS BROKER, JOHN C. NELSON ("BROKER"), SPECIFICALLY DISCLAIM, ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED (OTHER THAN AS CONTAINED IN THE WARRANTY OF TITLE CONTAINED HEREIN), WITH RESPECT TO: (1) THE NATURE, QUALITY OR CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY THEREOF; (2) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY CONDUCT THEREON; (3) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY APPLICABLE GOVERNMENTAL AUTHORITY OR BODY; (4) THE HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY; (5) THE ABSENCE OR PRESENCE OF ANY ENDANGERED OR THREATENED SPECIES OR ENVIRONMENTAL FEATURES ON THE PROPERTY, AS WELL AS THE SUITABILITY OF THE PROPERTY AS HABITAT FOR ANY OF THOSE SPECIES; (6) THE AVAILABILITY OF UTILITY SERVICE TO THE PROPERTY; AND (7) ANY OTHER MATTER WITH RESPECT TO THE PROPERTY. GRANTEE ACKNOWLEDGES THAT GRANTEE HAS ALREADY INSPECTED THE PROPERTY AND THAT GRANTEE HAS NOT RELIED UPON AND WILL NOT RELY UPON ANY REPRESENTATION, WARRANTY, AGREEMENT, STATEMENT, OR EXPRESSION OF OPINION BY GRANTOR, BROKER, OR BY ANY OTHER PERSON OR ENTITY ACTING OR ALLEGEDLY ACTING FOR OR ON BEHALF OF GRANTOR AS TO THE PROPERTY OR THE CONDITION OF THE PROPERTY. GRANTEE ACCEPTS THE PROPERTY, "AS IS, WHERE IS" WITH ALL FAULTS, IF ANY, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED.

TO HAVE AND TO HOLD the above-described property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee and Grantee's successors and assigns, forever; and it is agreed that Grantor and Grantor's heirs, representatives, successors and assigns are hereby bound to warrant and forever defend, all and singular, the premises, unto the said Grantee and Grantee's 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.

But it is expressly agreed and stipulated that the vendor's lien and superior title are retained against the above described property, premises and improvements until the above described Note and all interest thereon shall be fully paid according to its face, tenor, effect and reading, when this deed shall become absolute.

Taxes for the current year have been prorated as of the date hereof, and Grantee assumes and agrees to pay the same.

EXECUTED as of the 22nd day of April, 2004.

Patricia B. Green

PATRICIA B. GREEN, INDEPENDENT
EXECUTOR OF THE ESTATE OF PERRY O.
MAYFIELD

THE STATE OF TEXAS §
 §
COUNTY OF William §

This instrument was acknowledged before me on the 22 day of April, 2004, by Patricia B. Green, Independent Executor of the Estate of Perry O. Mayfield.

Jill Morgan

Notary Public, State of Texas

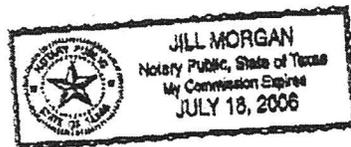


EXHIBIT A

TRACT 1:

All that certain tract or parcel of land situated in Williamson County, Texas, out of the John D. Anderson Survey, Abstract No. 16, more particularly described on Exhibit A-1 attached hereto and containing 38.51 acres of land, SAVE AND EXCEPT that certain tract or parcel of land situated in Williamson County, Texas, out of the John D. Anderson Survey, Abstract No. 16, more particularly described on Exhibit A-2 attached hereto and containing 0.06 acres of land.

TRACT 2:

All that certain tract or parcel of land situated in Williamson County, Texas, out of the John D. Anderson Survey, Abstract No. 16, more particularly described on Exhibit A-2 attached hereto and containing 0.06 acres of land.

EXHIBIT B

1. Terms, conditions and provisions of that certain Land Lease Agreement dated May 27, 2003, by and between Patricia B. Green, Independent Executor of the Estate of Perry O. Mayfield, and Dallas MTA, L.P. d/b/a Verizon Wireless, as set out in Memorandum for Recording recorded under Document No. 2003052999, Official Public Records, Williamson County, Texas.
2. The rights of Upper Brushy Creek Water Control and Improvement District to levy taxes and issue bonds.
3. Power poles, overhead electric lines, guy anchor and telephone as shown on survey dated April 12, 2004, by Kenneth Louis Crider, Registered Professional Land Surveyor No. 5624, Castleberry Surveying, Ltd. (the "Survey").
4. The rights of persons who are in possession of any portion of the property that lies outside of the fences as shown on the Survey.
5. Title to that property lying within the fences evidently bounding the property, but outside the boundary lines of the subject property, as shown on the Survey.
6. Concrete driveway and gravel drive located outside the property line as shown on the Survey.
7. Lease Agreement dated April 6, 2003, by and between Patricia B. Green, Independent Executor of the Estate of Perry O. Mayfield, and Mark Kruger.
8. Residential Lease Agreement dated July 15, 1998, by and between Patricia B. Green, Independent Executor of the Estate of Perry O. Mayfield as successor-in-interest and Don Pearson.

EXHIBIT A-1FIELD NOTES

JOB NO: Server/Docs/4-0172_fm_041304.doc

DATE: April 16, 2004

38.51 ACRES

All that certain tract or parcel of land situated in Williamson County, Texas, out of the John D. Anderson Survey, Abstract No. 16, and being a portion of that tract described as 511 acres in a Deed granted to Perry O. Mayfield, dated February 20, 1931 and recorded as Volume 258, Page 211, Deed Records of Williamson County, Texas, and further described by metes and bounds as follows:

BEGINNING at a 1/8" iron pin found in the south line of said Mayfield tract for the most northerly northwest corner of Lot 24, Block "A" of Vista Oaks Section 8C, recorded in Cabinet S, Slide 243, Plat Records Williamson County and the southeast corner of that tract described as 1.473 acres in a Special Warranty Deed granted to Williamson County and recorded as Document No. 2002021709, Official Public Records of Williamson County, Texas and the southwest corner of this tract;

THENCE: into said Mayfield tract and with the east line of said Williamson County tract in the following three (3) courses:

1. N 23°40'51" W 12.43 feet to an "X" set in concrete,
2. 428.39 feet with a curve to the left and concave to the west ($\Delta=22^{\circ}09'52"$, $r=1107.91$ feet, to bears N 35°06'23" W 425.92 feet) to a 1/8" iron pin with a yellow plastic cap inscribed "CCC 4836" set,
3. N 46°11'19" W 305.34 feet to a 1/8" iron pin with a yellow plastic cap inscribed "CCC 4835" set in the south line of that tract described as 237.028 acres in a Special Warranty Deed granted to Williamson County Park Foundation, Inc. and recorded as Document No. 2001040254 of said official public records for the northeast corner of said Williamson County tract (#2002021709) and the northwest corner of that tract described in a Land Lease Agreement granted to Dallas MTA, L.P. aka Verizon Wireless and recorded as Document No. 2003052999 of said official public records and the northwest corner of this tract;

THENCE: N 53°33'30" E with the south line of said Williamson County Park Foundation Inc. tract and with the north line of said Verizon Wireless tract at 81.14 feet passing the northeast corner of said Verizon Wireless tract, continuing with the south line of said Williamson County Park Foundation Inc. tract, in all 1967.95 feet to a 1/8" iron pin found for an interior ell corner of said Williamson County Park Foundation Inc. tract and the northeast corner of this tract;

THENCE: S 20°13'33" E 1170.18 feet with the east line of this tract, being the Basis of Bearings cited hereon, to a 60d nail found in a fence corner post in the north line of Drainage Lot 24A of Vista Oaks Section 5B, Phase 2, recorded in Cabinet T, Slide 45 of said plat records for the most southerly southwest corner of said Williamson County Park Foundation Inc. tract and the southeast corner of this tract;

THENCE: with the south line of said Mayfield tract in the following three (3) courses:

1. S 69°51'45" W 399.94 feet with the north line of said Vista Oaks Section 5B, Phase 2 to a 1/8" iron pin found,
2. S 69°05'57" W 204.19 feet to 3/8" iron pin found for the northwest corner of said Vista Oaks Section 5B, Phase 2 and the northeast corner of said Vista Oaks Section 8C,
3. S 69°05'51" W 1058.24 feet, continuing with the north line of said Vista Oaks Section 8C, to the point of Beginning and containing 38.51 acres of land.

Castleberry Surveying, Ltd.
203 South IH 35, Suite 101C
Georgetown, Texas 78628


Kenneth Louis Crider
Registered Professional Land Surveyor No. 5624

KLC/Ch



EXHIBIT "A"-2

FIELD NOTES

Revised: April 22, 2004 - hbb

JOB NO: Server/Docw/4-0172_LEASE_041304.doc
DATE: April 21, 2004
PAGE: 1 of 1

All that certain tract or parcel of land situated in Williamson County, Texas, out of the John D. Anderson Survey, Abstract No. 18, and being a portion of that tract described as 811 acres in a Deed granted to Perry O. Mayfield, dated February 20, 1931 and recorded as Volume 256, Page 211, Deed Records of Williamson County, Texas, and further described by metes and bounds as follows:

BEGINNING at a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set in the south line of that tract described as 237.028 acres in a Special Warranty Deed granted to Williamson County Park Foundation, Inc. and recorded as Document No. 2001040254 of Official Public Records Williamson County for the northeast corner of that tract described as 1.473 acres in a Special Warranty Deed granted to Williamson County and recorded as Document No. 2002021709 in said official public records and the northwest corner of the tract;

THENCE: N 56°33'30" E with the south line of said Williamson County Park Foundation tract, at approximately 20.28 feet passing the called west corner of that tract described as 1634 square feet in a Land Lease Agreement granted to Dallas MTA, L.P. dba Verizon Wireless and recorded as Document No. 2003062990 of said official public records, in all 81.14 feet to a 1/2" iron pin found for the called north corner of said Verizon Wireless lease tract, and the north corner of this tract, a wood fence corner post in a wire fence bears N 59°48'16" E 1.13 feet and a steel fence corner in a chain link fence bears S 9°41'39" W 1.59 feet;

THENCE: S 46°07'56" E 40.91 feet with the called northeast line of said Verizon Wireless lease tract and this tract, adjacent to a chain link fence to the southwest and a wire fence to the northeast, to a 1/2" iron pin found for the called east corner of said Verizon Wireless lease tract and this tract, a wood fence corner post in said wire fence bears N 75°09'43" E 0.68 feet and a steel fence corner in a chain link fence bears N 86°44'30" W 1.99 feet;

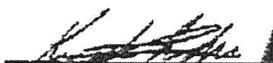
THENCE: S 52°07'04" W adjacent to a wire fence, at approximately 40.81 feet passing the called south corner of said Verizon Wireless lease tract, bearing N 37°36'46" W 2.60 feet, in all 60.46 feet to a 1/2" iron pin set with a yellow plastic cap inscribed "CCC 4835" in the east line of said Williamson County tract (#2002021709) for the south corner of this tract;

THENCE: N 46°11'19" W with the east line of said Williamson County tract (#2002021709), at approximately 10.03 feet crossing the south line of a called 20-foot access and utility easement described in said Document No. 2003062990, at approximately 30.03 feet crossing the north line of said access and utility easement, in all 44.52 feet to the point of beginning and containing 0.06 acre (2659 sq. ft.) of land.

Bearings based on the most southerly west line of said Williamson County Park Foundation, Inc. (# 2001040254) as monumented.

This survey shall not be used in violation of applicable state, county or municipal subdivision regulations.

Cardberry Surveying, Ltd.
203 South IH 36, Suite 101C
Georgetown, Texas 78626

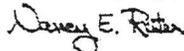

Kenneth Louis Crider
Registered Professional Land Surveyor



KLC/tcp

Return to: **Georgetown Title Co., Inc.**
P.O. Box 335
Round Rock, TX 78680-0335

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2004032263



04/27/2004 02:57 PM

ALLEN 328.90

NANCY E. RISTER, COUNTY CLERK
HILLIARSON COUNTY, TEXAS

Georgetown Title Company GT 192.1.167.2 WM 2004032263.007

C/H Georgetown Title Co., Inc.

CH - BTC - A.R.