

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

KNOW ALL MEN BY THESE PRESENTS:

THAT, Pheasant Creek Ltd., a Texas Limited Partnership (hereinafter referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration in hand paid by Summerfield Homeowners' Association, Inc., a Texas corporation (hereinafter referred to as "Grantee"), the receipt and sufficiency of which is hereby acknowledged and confessed, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto Grantee the property, together with all improvements situated thereon (hereinafter referred to as the "Subject Property"), described as the following real property in Fort Bend County, Texas (further described by the attached list of property tax account numbers) and by this reference incorporated herein for all purposes, to wit;

Restricted Reserves "A", "D", "E", "F", "G", "H", "I" out of Pheasant Creek Ltd., Section One according to the map or plat thereof duly recorded under Slide No. # 1294A & 1294B, of the Plat Records of Fort Bend County, Texas, and

Restricted Reserves "A", "B", "C" out of Pheasant Creek Ltd., Section Two according to the map or plat thereof duly recorded under Slide No. # 1294A & 1294B, of the Plat Records of Fort Bend County, Texas, and

Restricted Reserve "A" out of Pheasant Creek Ltd., Section Three according to the map or plat thereof duly recorded under Slide No. # 1563A, of the Plat Records of Fort Bend County, Texa,; and

Restricted Reserves "A", "B", "C", "D", "E", "F", "G", "H" out of Pheasant Creek Ltd., Section Four according to the map or plat thereof duly recorded under Slide No. #1559A, of the Plat Records of Fort Bend County, Texas, and

Restricted Reserves "A", "B" out of Pheasant Creek Ltd., Section Five according to the map or plat thereof duly recorded under Slide No. #1753A, of the Plat Records of Fort Bend County, Texas, and

Restricted Reserves "A", "B" out of Pheasant Creek Ltd., Section Six according to the map or plat thereof duly recorded under Slide No. #1753D, of the Plat Records of Fort Bend County, Texas.

Grantor does hereby convey the properties described above, together with all rights, titles and interests of Grantor in and to any roads, easements, streets and rights-of-way within, adjoining, adjacent or contiguous to the Subject Property, and all condemnation awards, reservations, remainders, together with each and every right, privilege, hereditament and appurtenance in anywise incident or appertaining to the Subject Property. The term "Subject Property" shall refer to and include the property as described in this paragraph.

~~This conveyance is made and accepted subject to ad valorem taxes for 2002 and subsequent years, the payment of which is hereby assumed by Grantee, and to all validly existing and enforceable rights, interests and estates, if any, of record in the Office of the County Clerk of Fort Bend County, Texas (the "Permitted Encumbrances").~~

TO HAVE AND TO HOLD the Subject Property, together with all and singular the rights and



appurtenances thereto in anywise belonging, subject to the Permitted Encumbrances, unto Grantee and Grantee's successors and assigns forever. Grantor does hereby bind Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said Subject Property, unto Grantee and it'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.

This Deed is delivered by Grantor and accepted by Grantee with the understanding that the Property is being conveyed AS IS, AND WITH ALL FAULTS, AND WITHOUT ANY REPRESENTATIONS AND WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, IT BEING THE INTENTION OF THE PARTIES, TO EXPRESSLY NEGATE AND EXCLUDE ALL REPRESENTATIONS AND WARRANTIES, INCLUDING, BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY, CONDITION, HABITABILITY, AND FITNESS FOR ANY PARTICULAR USE OR PURPOSE, OR WARRANTIES CREATED BY ANY AFFIRMATION OF FACT OR PROMISE, OR BY ANY DESCRIPTION OF THE ABOVE DESCRIBED PROPERTY, AND ALL OTHER WARRANTIES AND REPRESENTATIONS WHATSOEVER, except the warranty of Title as set forth herein.

EXECUTED on this the 31ST day of July, 2002.

Pheasant Creek Ltd. by its sole General Partner, Greatmark International, Inc.

By: [Signature]
Clinton F. Wong, President

(Acknowledgment)

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Clinton F. Wong, President of Greatmark International, Inc., sole general partner of Pheasant Creek Estates, Ltd., a Texas Limited Partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated.

GIVEN UNDER my hand and seal of office on this the 31ST day of July, 2002.



[Signature]
Notary Public in and for
The State of Texas
My Commission Expires: 01-16-2006

After Recording this Deed
Return the Original to
Greatmark International, Inc.
7676 Woodway, Suite 238
Houston, Texas 77063



Mailing Address of Grantee:
Summerfield Homeowner's Association, Inc.
C/o Austin Properties, Inc.
13726 Florence
Sugar Land, TX 77478

Attachment: Fort Bend County Property Tax Account Numbers and Descriptions:

Reserve "A", Summerfield Section 1: 8283-01-000-0010-907; 0.0840 Acres; Landscape
Reserve "D", Summerfield Section 1: 8283-01-000-0040-907; 0.2200 Acres; Landscape
Reserve "E", Summerfield Section 1: 8283-01-000-0050-907; 0.2250 Acres; Landscape
Reserve "F", Summerfield Section 1: 8283-01-000-0060-907; 0.0230 Acres; Landscape
Reserve "G", Summerfield Section 1: 8283-01-000-0070-907; 0.0231 Acres; Landscape
Reserve "H", Summerfield Section 1: 8283-01-000-0080-907; 0.2360 Acres; Landscape
Reserve "I", Summerfield Section 1: 8283-01-000-0090-907; 0.2190 Acres; Landscape
Reserve "A", Summerfield Section 2: 8283-02-000-0010-907; 0.1870 Acres; Landscape
Reserve "B", Summerfield Section 2: 8283-02-000-0020-907; 0.0240 Acres; Landscape
Reserve "C", Summerfield Section 2: 8283-02-000-0030-907; 0.0660 Acres; Landscape
Reserve "A", Summerfield Section 3: 8283-03-000-0010-907; 0.0840 Acres; Landscape
Reserve "A", Summerfield Section 4: 8283-04-000-0010-907; 0.0208 Acres; Landscape
Reserve "B", Summerfield Section 4: 8283-04-000-0020-907; 0.0208 Acres; Landscape
Reserve "C", Summerfield Section 4: 8283-04-000-0030-907; 0.0264 Acres; Landscape
Reserve "D", Summerfield Section 4: 8283-04-000-0040-907; 0.0478 Acres; Landscape
Reserve "E", Summerfield Section 4: 8283-04-000-0050-907; 0.0478 Acres; Landscape
Reserve "F", Summerfield Section 4: 8283-04-000-0060-907; 0.0452 Acres; Landscape
Reserve "G", Summerfield Section 4: 8283-04-000-0070-907; 0.0236 Acres; Landscape
Reserve "H", Summerfield Section 4: 8283-04-000-0080-907; 0.5142 Acres; Landscape
Reserve "A", Summerfield Section 5: 8283-05-000-0010-907; 0.6334 Acres; Landscape
Reserve "B", Summerfield Section 5: 8283-05-000-0020-907; 0.0264 Acres; Landscape
Reserve "A", Summerfield Section 6: 8283-06-000-0010-907; 0.5056 Acres; Landscape
Reserve "B", Summerfield Section 6: 8283-06-000-0020-907; 0.2792 Acres; Landscape

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

2002 NOV 06 08:13 AM 2002121618

DBC \$11.00

DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS