
Item: SPICER RANCH NO. THREE

(Category: RESTRICTIONS)

Item 1 of Schedule "B" is hereby deleted in its entirety.

Item: SPICER RANCH NO. THREE

(Category: Subdivisions)

[REDACTED] An undivided non-participating royalty interest, reserved by Grantor as described in instrument from Robert L. Spicer and wife, Patricia L. Spicer to Upper Guadalupe Investment Co., Inc., dated May 5, 1971, recorded in Volume 149, Page 192, Deed Records of Kerr County, Texas, reference to which instrument is here made for all purposes, together with all rights, express or implied in and to the property covered by this Policy arising out of or connected with said interests and conveyance. Title to said interest not checked subsequent to date of the aforesaid instrument.

[REDACTED] Mineral reservation by Grantor, as described in instrument from ENERGY/LAND, INC., a Texas corporation, to {PR,"Name of Grantee",ST1,2}, dated {PR,"Date of Instrument",DT2,3}, recorded in Volume {PR,"Number/Letter of Volume",ST1,4}, Page {PR,"Number/Letter of Page",ST1,5}, {PR,"Type of Records",ST1,6} Records of Kerr County, Texas, reference to which instrument is here made for all purposes, together with all rights, express or implied in and to the property covered by this policy arising out of or connected with said interests and conveyance. Title to said interest not checked subsequent to date of aforesaid instrument.

[REDACTED] Road and Utility Easements as per the Plat recorded in Volume 3, Page 85, Plat Records of Kerr County, Texas.

[REDACTED] Any visible and/or apparent roadways or easements over or across the subject property.

[REDACTED] Rights of Parties in Possession. (AS PER OWNER POLICY ONLY)

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THE STATE OF TEXAS X

COUNTY OF KERR X

KNOW ALL MEN BY THESE PRESENTS:

That we, ROBERT L. SPICER and wife, PATRICIA L. SPICER, of the County of Kerr, State of Texas, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration to us in hand paid ^{by} the UPPER GUADALUPE INVESTMENT CO., INC., a Texas Corporation, the receipt of which is hereby acknowledged AND FOR THE FURTHER CONSIDERATION of the execution and delivery of that one certain note in the original principal sum of ONE HUNDRED SEVENTY-TWO THOUSAND NINE HUNDRED SIXTY-SEVEN AND 94/100 (\$172,967.94) DOLLARS, bearing interest thereon at the rate of Seven (7%) per cent per annum until paid, of even date herewith, payable to Grantors herein as follows:

The first installment in the amount of \$11,531.20 or more, plus accrued interest, shall become due and payable on or before the 5th day of May, 1972; the second installment in the amount of \$5,765.10 or more, plus accrued interest, shall become due and payable on or before the 5th day of November, 1972, and a like semi-annual installment shall become due and payable on or before the 5th day of May and November of each and every year thereafter until said note, both principal and interest, is paid in full; to secure the full payment of said note, a Vendor's Lien is hereby reserved and retained on the hereinafter described property and is additionally secured by a Deed of Trust of even date herewith to Leon F. Maples, Trustee.

have GRANTED, SOLD AND CONVEYED and by these presents do GRANT, SELL AND CONVEY unto the said UPPER GUADALUPE INVESTMENT CO., INC., of the County of Kerr, State of Texas, all of the following described property lying and being situated in the County of Kerr, State of Texas, to-wit:

Being 964.8397 acres, more or less, and being out of 1405.0897 acres of land out of the A.B. & M. Survey No. 1, A.B. & M. Survey No. 2, L. A. Patillo Survey No. 1136, H.E. & W.T. Survey No. 1174, Adams, Beatt & Moulton Survey No. 1, L.A. Patillo Survey No. 1135, Jas. T. Peacock Survey No. 405, J. F. Bird Survey No. 1845, L.M. Stewart Survey No. 406, bounded on the Southeast by State Highway No. 16 and on the Southwest by FM Road 1273, Kerr County, Texas, and more particularly described as follows:

BEGINNING at a fence corner, the North Corner of the A.B. & M. Survey No. 1, set in the Southwest Line of Survey No. 2 B. S. & F.;

THENCE with fence line S. 44°30'E. 1590.24 feet to a fence corner;

THENCE N. 45°E 3.49 feet to a fence corner;

THENCE with fence line S. 46°00'E. 2236.79 feet to a fence corner;

THENCE with fence line S. 14°30'E. 2157.97 feet to a fence corner on the North bank of West Creek;

THENCE with fence line, crossing West Creek, S. 29°02'E. 534.52 feet to an iron pin in fence line;

THENCE S. 28°54'E. with fence line 1898.86 feet to a fence corner;

THENCE S. 04°08' W with fence line 2454.21 feet to a fence corner;

THENCE S. 33°58'E. with fence line 1773.32 feet to a fence corner;

THENCE S. 44°24'E. with fence line 563.52 feet to a fence corner;

THENCE S. 17°09'E. with fence line 59.10 feet to a fence corner in the Northwest Line of State Highway No. 16;

THENCE with the Northwest Line of State Highway No. 16 and approximate fence line, as follows: S. 44°08'W. 425.70 feet; S. 53°32'W. 178.61 feet; S. 50°08'W. 317.32 feet to the P.C. of a curve right, and with said curve right (Delta 15°35', Radius 1372.40 feet) an arc distance of 373.26 feet to its P.T.; S. 55°56'W. 117.73 feet; S. 65°44'W. 813.60 feet to the P.C. of a curve right and with said curve right (Delta 13°00', Radius 2824.79 feet) an arc distance of 640.92 feet to its P.T.; S. 78°44'W. 725.50 feet to the P.C. of curve left (Delta 5°51', Radius 2904.79) and with said curve left an arc distance of 293.68 feet to its P.T.; S. 72°53'W. 442.91 feet to the P.C. of a curve right (Delta 22°45', Radius 676.20 feet) and with said curve right an arc distance of 268.49 feet to its P.T.; N. 84°22'W. 302.80 feet to the P.C. of a curve left (Delta 18°30', Radius 612.96 feet) and with said curve left an arc distance of 197.92 feet to its P.T.; S. 77°08'W. 200.00 feet to the P.C. of a curve left (Delta 42°18', Radius 994.93 feet) and with said curve left an arc distance of 734.53 feet to a concrete monument set at the intersection of State Highway No. 16 Northwest line and the Northeast line of FM Road 1273;

THENCE with the Northeast Line of FM Road 1273 and the approximate fence line, as follows: S. 83°52'W. 94.85 feet to a concrete monument; N. 46°23'W. 230.48 feet - a concrete monument,

the P.C. of a curve right (Delta $8^{\circ}34'$, Radius 2878.16 feet) and with said curve right an arc distance of 430.33 feet to a concrete monument for the P.T. of said curve; N. $37^{\circ}49'W$. 511.28 feet to a concrete monument set for the P.C. of a curve left (Delta $39^{\circ}50'$, Radius 860.00 feet) and with said curve left an arc distance of 597.89' to a concrete monument set for the P.T. of said curve; N. $77^{\circ}39'W$. 483.43 feet to a concrete monument set for the P.C. of a curve right (Delta $35^{\circ}29'$, Radius 902.74 feet) and with said curve right an arc distance of 559.07 feet to a concrete monument set for its P.T.

THENCE N. $25^{\circ}37'W$. 35.94 feet to a fence corner, the South Corner of the 744.724-acre Spicer Ranch Subdivision as recorded Page 56, Vol. 3, Plat Records, Kerr County, Texas;

THENCE with the Southeast Line of said Subdivision N. $41^{\circ}14'E$. 4090.77 feet to an iron pin; N. $40^{\circ}52'E$. 1282.0 feet to an iron pin - the East Corner of said Spicer Subdivision;

THENCE with the Northeast Line of the aforementioned Subdivision N. $48^{\circ}33'W$. 1500.00 feet; N. $48^{\circ}49'W$. 3028.56 feet; N. $47^{\circ}32'W$. 3060.58 feet to the North Corner of said Subdivision;

THENCE with fence line N. $40^{\circ}15'E$. 1278.11 feet; N. $33^{\circ}04'E$. 89.03 feet; N. $9^{\circ}56'E$ 42.76 feet to a fence corner;

THENCE with fence line S. $49^{\circ}41'E$. 1258.74 feet to a fence corner;

THENCE with fence line N. $45^{\circ}28'E$. 3458.82 feet to the PLACE OF BEGINNING;

SAVE AND EXCEPT, HOWEVER, those tracts or parcels of land out of A.B. & M. Survey No. 1, A.B. & M. Survey No. 2, Survey No. 1136, Survey No. 1174, known as Lots Nos. 61 through 87, 92 through 101, 110 through 117, and Lot No. 136, said Lots comprising 440.25 acres of land, more or less, out of Spicer Ranch No. 2, a Subdivision in Kerr County, Texas, according to an unrecorded plat and plan of said Subdivision, to which reference is here made for all purposes.

There is excepted from the operation of this conveyance and reserved unto the Grantors herein, their heirs and assigns in perpetuity, a non-participating royalty interest equal to an undivided 1/16th of all the oil, gas and other minerals, excepting only rock, sand and gravel, produced and saved from said lands, it being expressly understood and agreed that neither the Grantors, nor their heirs, legal representatives or assigns shall ever participate in the execution of any lease of the mineral estate, nor shall they or any of them participate or share in the bonus or delay rentals paid under any lease.

This conveyance is made and accepted subject to all utility easements, if any affecting the above described property, that are valid, existing and properly of record.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Upper Guadalupe Investment Co., Inc., its successors and assigns forever, and we do bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Upper Guadalupe Investment Co., Inc., its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained against the above described property, premises and improvements, until the above described note and all interest thereon are fully paid according to its face and tenor, effect and reading, when this Deed shall become absolute.

WITNESS our hands at Kerrville, Texas, this 5th day of May, 1971.


Robert L. Spicer


Patricia L. Spicer

THE STATE OF TEXAS X
COUNTY OF KERR X

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT L. SPICER and PATRICIA L. SPICER, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 5th day



May, 1971.

FILED FOR RECORD

at 4:46 o'clock P. M.,

MAY 6 1971

Emmie M. Muenker
Clerk County Court, Kerr County, Texas

Emmie M. Muenker

Edgar A. Wallace
Notary Public, Kerr County, Texas.

Edgar A. Wallace
Notary Public
Kerr County, Texas

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Filed for record May 6, 1971 at 4:46 o'clock P. M.
Recorded May 11, 1971
EMMIE M. MUENKER, Clerk

By Margaret Muenker Deputy

