

**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:** July 17, 2023

**GRANTOR:** CITY OF TOMBALL, TEXAS

**GRANTOR'S MAILING ADDRESS:** 401 Market St.  
(including County) Tomball, Texas 77375  
Harris County

**GRANTEE:** MC Drive, LLC

**GRANTEE'S MAILING ADDRESS:** 25298 FM 2978, Unit A  
(including County) Tomball, Texas 77375  
Harris County, Texas

**CONSIDERATION:** Eighteen Thousand and No/100 Dollars (\$18,000.00) and other good and valuable consideration

**PROPERTY:**

Being a 0.5211 acre tract of land out of Reserve "C" in Final Calvary Baptist of Tomball Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record under Film Code No. 520133 of the Harris County Map Records, said 0.5211 acre tract if land being particularly described in the metes and bounds attached as "Exhibit A."

GRANTOR reserves unto itself, its successors and assigns, any and all oil, gas and other minerals in, on or under the premises conveyed herein; provided that there shall never in any event be any ingress or egress on or across the surface of the above described premises for the purposes of exploration, development, production or transportation of such oil, gas or other minerals, it being expressly contemplated by the GRANTOR and GRANTEE that any production of such minerals shall be from the surface of other adjacent property and that there shall be no development of any minerals that would require mining, shaft mining, pit mining or any other kind of mining that would require utilization of the surface, or through the pooling of such mineral interests for the development with adjacent parcels.

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 hold it to GRANTEE and GRANTEE's successors and assigns forever. GRANTOR binds GRANTOR and GRANTOR's heirs, executors and administrators, to warrant and forever defend all and singular the property to 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, except as to the reservations from and exceptions to conveyance and warranty.

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

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**CITY OF TOMBALL, TEXAS**

By: David Esquivel  
(Printed Name)

Title: City Manager

THE STATE OF TEXAS  
COUNTY OF HARRIS

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ACKNOWLEDGMENT

This instrument was acknowledged before me by \_\_\_\_\_ on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2023, for the City of Tomball, Texas

\_\_\_\_\_  
Notary Public, State of Texas  
Printed Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**EJC SURVEYING COMPANY**

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Firm No. 100334-00

All that certain tract or parcel containing 0.5211 acre of land out of Reserve "C" in Final Calvary Baptist of Tomball Subdivision, a subdivision in Harris County, Texas according to the map or plat thereof filed for record under Film Code No. 520133 of the Harris County Map Records, said 0.5211 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with Frontier Surveying cap (found) in the South line of Reserve "B" in said Final Calvary Baptist of Tomball Subdivision marking the Northeast corner of Outlot 365 in Corrected Map of Tomball Outlots, a subdivision in said Harris County, Texas according to the map or plat thereof filed for record in Volume 4, Page 65 of said Harris County Plat Records, an interior corner of that certain call 105.0452 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. RP-2019-536600, the Northwest corner of said Reserve "C" and the Northwest corner of the herein described 0.5211 acre tract of land, from this point a 5/8" iron rod with KUO cap (found) bears N 34°13'57" E, 6.64 feet;

THENCE N 87°14'54" E, a distance of 102.67 feet along the common line of said Reserve "B" and said Reserve "C" to a 5/8" iron rod with EIC cap (set) in the proposed Southwesterly right-of-way line of Huffsmith-Kohrville Road, (variable width), marking the Northeast corner of the herein described 0.5211 acre tract of land, from this point a 5/8" iron rod with EIC cap (set) in the existing Southwest right-of-way line of said Huffsmith-Kohrville Road marking the Southeast corner of said Reserve "B" and the Northeast corner of said Reserve "C" bears N 87°14'54" E, 20.98 feet, from this point a 5/8" iron rod with KUO cap (found) bears N 35°37'47" W, 5.83 feet;

THENCE S 20°22'01" E, a distance of 139.34 feet along the proposed Southwesterly right-of-way line of said Huffsmith-Kohrville Road to a 5/8" iron rod with EIC cap (set) at the Northeast end of a cut-back corner marking the intersection of the proposed Southwesterly right-of-way line of said Huffsmith-Kohrville Road with the Northwesterly right-of-way line of a proposed 100.00 foot Road, same point marking the Easterly-Southeast corner of the herein described 0.5211 acre tract of land;

THENCE S 24°43'46" W, a distance of 28.24 feet along said cut-back corner to a 5/8" iron rod with EIC cap (set) in the Northwesterly right-of-way line of said proposed 100.00 foot Road marking the Southwest end of said cut-back corner and the Southerly-Southeast corner of the herein described 0.5211 acre tract of land;

THENCE S 69°49'32" W, a distance of 138.92 feet along the Northwesterly right-of-way line of said proposed 100.00 foot Road and the Southerly line of said 0.5211 acre tract of land to a 5/8" iron rod with EIC cap (set) in the West line of said Reserve "C", the East line of said Outlot 365 and an interior line of said 105.0452 acre tract of land marking the Southwest corner of the herein described 0.5211 acre tract of land;

THENCE N 02°32'20" W, a distance of 199.45 feet along the common line of said Reserve "C", said Outlot 365 and said 105.0452 acre tract of land to the POINT OF BEGINNING and containing 0.5211 acre of land.

Surveyed on the ground April 29, 2021.

Job No. 21-223-04. (see corresponding plat)

The basis of bearing is N 02°32'20" W along the West line of Reserve "C" per record plat.

Land Boundary / Topographic Surveying  
A Division of Everything in Christ Services, Inc.

