

DRAFT

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §

COUNTY OF LUBBOCK §

THIS SPECIAL WARRANTY DEED (this "Deed") is entered into as of the ___ day of _____, 2025, by and between the WOLFFORTH LAND COMPANY/IRON HORSE, LLC, a Texas limited liability company, hereinafter referred to as "Iron Horse LLC" or "Grantor", and the CITY OF WOLFFORTH TEXAS, a Texas municipality (the "City" or "Grantee").

RECITALS

A. Iron Horse LLC is the owner of Groundwater Rights pursuant to Reservation of Groundwater Rights and Easements (the "Reservation") recorded June 15, 2025 under Lubbock County Clerk's File No. 2022029264 in the Official Public Records of Lubbock County, Texas, and defined terms and phrases in the Reservation are incorporated herein unless otherwise stated; and

B. Iron Horse LLC is the owner of an existing water well (the "Tract G Water Well") with Registration and Log of Well No. 7012 filed with the High Plains Underground Water Conservation District ("High Plains UWCD") on May 24, 1978, which well is currently capped and not producing and located on Tract G of the Plat of Lots 177-372 & Tracts E-G, IRON HORSE ADDITION, a Subdivision to the City of Wolfforth, Lubbock County, Texas, recorded in Document No. 20240224458, in the Official Public Records of Lubbock County, Texas; and

C. The City has requested that Iron Horse LLC convey ownership of the Existing Tract G Water Well to facilitate City irrigation and landscaping in adjacent areas and Iron Horse LLC is willing to do so as provided herein;

NOW, THEREFORE, Wolfforth Land Company/Iron Horse, LLC, a Texas limited liability company, as grantor herein ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid to Grantor and the covenants of the City as set forth herein, has *GRANTED, SOLD* and *CONVEYED* and by these presents does hereby *GRANT, SELL and CONVEY* unto the City of Wolfforth, Texas, a Texas municipality, whose address is 302 Main Street, Wolfforth, Texas 79382 ("Grantee"), that certain Tract G of the Plat of Lots 177-372 & Tracts E-G, IRON HORSE ADDITION, commonly known as 407 Dover Lane, Wolfforth, Lubbock County, Texas 79382 (the "Land"), together with all of Grantor's rights to the Existing Tract G Water Well located thereon, including any casing, well head, pumps, pipes, valves, irrigation lines and equipment located thereon, and all rights to the existing water well Permit #7012 and the groundwater rights beneath the surface of the Land conveyed herein (all of said Land, well related personal property and equipment, and permit and groundwater rights beneath the surface of the Land conveyed herein being collectively referred to herein as the "Tract G Property"), SUBJECT, HOWEVER, to all easements, reservations, conditions, covenants and restrictive covenants as the same may appear of record in the office of the County Clerk of Lubbock County, Texas, and further subject to all applicable State of Texas groundwater laws and High Plains UWCD rules, regulations and procedures any limitations on production of the High Plains UWCD or other applicable water rights regulatory agency, as of the date hereof (the "Permitted Exceptions"),

TO HAVE AND TO HOLD the above described Property, subject to the Permitted Exceptions, together with any and all rights and appurtenances thereto in anywise belonging to Grantor, unto the said Grantee, its successors and assigns *FOREVER*, and Grantor does hereby bind itself, and its successors and assigns, to *WARRANT and FOREVER DEFEND* all and singular the Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, SUBJECT, HOWEVER to the Permitted Exceptions, by, through or under Grantors, but not otherwise.

Grantor has previously reserved Groundwater Rights pursuant to the Reservation described in Recital A, and does hereby ratify and confirm such Reservation as to all property described therein, other than the Tract G Property conveyed to the City by this Deed.

The above-described well related property is hereby sold and transferred to the City in its “AS IS” condition **WITH ALL FAULTS, IF ANY, AND, WITHOUT ANY WARRANTY, EXPRESSED OR IMPLIED**. The City agrees it will be solely responsible for any costs of maintaining, repairing, improving, producing or closing and plugging the Tract G Water Well from and after the date hereof.

Ad valorem taxes applicable to the Property have been paid up to and including the year 2024. Grantor shall pay the ad valorem taxes applicable to the Property for the year 2025, if applicable and when due.

[Signatures Begin on Following Page]

IN WITNESS WHEREOF, the undersigned have set their hands the above date written.

GRANTOR:

WOLFFORTH LAND COMPANY/IRON HORSE,
LLC, a Texas limited liability company

By: _____
Michael E. Montgomery, Manager

By: _____
Kenneth R. Smith, Manager

STATE OF TEXAS }

COUNTY OF DALLAS }

This instrument was acknowledged before me on the ___ day of _____, 2025,
by MICHAEL E. MONTGOMERY, a Manager of WOLFFORTH LAND COMPANY,
LLC/IRON HORSE, a Texas limited liability company, on its behalf and in the capacity stated.

Notary Public, State of Texas

(Notary Seal)

STATE OF TEXAS }

COUNTY OF DALLAS }

This instrument was acknowledged before me on the ___ day of _____, 2025, by
KENNETH R. SMITH, a Manager of WOLFFORTH LAND COMPANY/ IRON HORSE, LLC,
a Texas limited liability company, on its behalf and in the capacity stated.

Notary Public, State of Texas

(Notary Seal)

IN WITNESS WHEREOF, the undersigned have set their hands the above date written.

CITY:

THE CITY OF WOLFFORTH, TEXAS,
a Texas municipality

By: _____
Randy Criswell, City Manager

STATE OF TEXAS }

COUNTY OF LUBBOCK }

This instrument was acknowledged before me on ___ day of _____, 2025, by
RANDY CRISWELL, the City Manager of the CITY OF WOLFFORTH, TEXAS,
a Texas municipality, on its behalf and in the capacity stated.

Notary Public, State of Texas

(Notary Seal)