

thereof.

Grantor, for the Consideration, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever, without express or implied warranty; and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

NOTWITHSTANDING ANYTHING HEREIN CONTAINED TO THE CONTRARY, THIS CONVEYANCE IS MADE WITHOUT WARRANTY OF TITLE (WHETHER STATUTORY, EXPRESS OR IMPLIED).

Each individual executing this instrument on behalf of Grantor represents that all appropriate and necessary actions have been taken to authorize the individual who is executing this instrument to do so for and on behalf of Grantor, that there are no other parties or entities required to execute this instrument in order for the same to be an authorized and binding agreement on Grantor and that the individual affixing his or her signature hereto is authorized to do so, and such authorization is valid and effective on the date hereof.

This instrument may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes.

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

EXECUTED on the dates of the acknowledgments, but to be EFFECTIVE on the ____ day of _____, 2021.

GRANTOR:

CITY OF WYLIE, TEXAS

By: _____
Brent Parker, Interim City Manager

STATE OF TEXAS §
 §
COUNTY OF COLLIN §

BEFORE ME, the undersigned authority, on this day personally appeared **Brent Parker**, known to me to be one of the persons whose names are subscribed to the foregoing instrument; he acknowledged to me that he is the Interim City Manager and duly authorized representative for the **City of Wylie, Texas**, and that he executed said instrument for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2021.

Notary Public, State of Texas
My Commission Expires:_____

AGREED AND ACCEPTED:

KEP BROWN STREET VILLAGE, LP,
a Texas limited partnership

By: _____

Printed Name: _____

Its: _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____ known to me to be one of the persons whose names are subscribed to the foregoing instrument; he/she acknowledged to me that he/she is the _____ and duly authorized representative of the _____, and that he/she executed said instrument for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2021.

Notary Public, State of Texas
My Commission Expires:_____

Exhibit A
Legal Description of Property

BEING a variable width parcel of land for a Permanent Drainage Easement being over, under and across a 2.4721 acre parcel of land in the Samuel B. Shelby Survey, Abstract No. 820T located in the City of Wylie, Collin County, Texas, and conveyed to KEP Brown Street Village L.P. by a deed now of record in the Collin County Clerk's File No. 20060327000390640 of the Deed Records of Collin County, Texas. said Permanent Drainage Easement being described as follows:

BEGINNING at a 1/2-inch iron rod set for corner with a yellow cap marked "BHC" on the south right-of-way line of West Brown Street as described in Texas Transportation Commission Minute Order No. 111608 conveying the right-of-way for FM 3412 (aka West Brown Street) from FM 1378 to Ballard Avenue to the City of Wylie, said point also being the northeast corner of a 0.500-acre parcel of land in the Samuel B. Shelby Survey, Abstract No. 820, Collin County, Texas, as conveyed to Charles Stetler D.D.S. by a deed now of record in Collins Comity Clerk's File

No. 92-0009039 of the Deed Records of Collin County, and the northwest corner of said KEP Brown Street Village tract, said point bears N 89° 05' 16" W a distance from an 1/2-inch iron rod found near the northeast corner of said KEP Brawn Street Village tract. said point also bears S 77° 39' 44" W a distance of 343.64 feet from a 3/8-inch iron rod found for the southeast corner of a lot 58R-2, Block E of the Second Replat of the North Pointe Addition to the City of Wylie, and as convey to Digby IHF, Inc.. by a deed now of record in llic County Clerk's File No. 2008091001130110 of the Deeds Records of Collin County, Texas;

1) THENCE S 88° 58' 26" E, leaving the west property line of said KEP Brown Street Village tract and the east property line of said Charles Stetler tract, along the south right-of-way line of said West Brown Street a distance of 58.72 feet to a 1/2-inch, iron rod set for corner with a yellow cap marked "BHC". being at the intersection of the south right-of-way line of said West Brown Street and the east line of said proposed Drainage Easement;

2) THENCE S 40° 19' 36" W. leaving the south right-of-way line of said West Brown Street and the north property line of said KEP Brown Street Village tract, along the east line of said proposed Permanent Drainage Easement a distance of 44.76 feet to a 1/2-inch iron rod with a yellow cap marked "BHC" set for the southeast corner of said proposed Permanent Drainage Easement;

3) THENCE N 69° 22' 39" W, along the south line of said proposed Permanent Drainage Easement a distance of 40.37 feet to a 1/2-inch iron rod with a yellow cap marked "BHC" set for the southwest corner of said proposed Permanent Drainage Easement, said point being on the east property line of said Charles Stetler tract and the west property line of said KEP Brown Street Village tract;

4) THENCE N 20° 59' 08 E, along the east line of said proposed Permanent Drainage Easement also being the east property line of said Charles Stetler tract and the west property line of said KEP Brown Street Village tract a distance of 22.44 feet to a 1/2-inch iron rod with a yellow cap marked "BHC" set for the northwest corner of said proposed) Permanent Drainage Easement and being on the south right-of-way line of said West Brown Street and being the POINT OF BEGINNING, and containing 0.0337 acres, more or less.