

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GIFT DEED WITHOUT WARRANTY

DATE: June 1, 2021

GRANTOR: **HOMEWOOD, LLC**
a Texas limited liability company

GRANTOR'S MAILING ADDRESS: 4695 Potter Lane, College Station, Brazos County, TX 77845

GRANTEE: **GREENBRIER OWNERS ASSOCIATION, INC.**
a Texas nonprofit corporation

GRANTEE'S MAILING ADDRESS: 700 University Drive East, Suite 108, College Station, Brazos County, TX 77840

CONSIDERATION:

In consideration of the Grantor's intention to make a gift to Grantee.

PROPERTY:

The real property more particularly described on Exhibit A attached hereto and incorporated herein by reference ("Property")

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

1. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions or any overlapping of improvements.
2. Standby fees and ad valorem taxes for the year 2021 and all subsequent years and subsequent assessments for prior years due to changes in ownership or land usage, the payment of which Grantee assumes.
3. This conveyance is made and accepted subject to any and all matters, ordinances, restrictions, covenants, conditions, encumbrances, rights of way, easements, tax liens, boundary disputes, shortages in area, matters which are or would be shown on surveys, maps or plats, encroachments, overlapping of improvements, rights of parties in possession, maintenance charges and the lien securing said charges, and all outstanding mineral and royalty interests, if any, affecting the Property, whether or not of record in the office of the County Clerk of Brazos County.
4. Easements conveyed for the benefit of the Other Properties of record in the office of the County Clerk of Brazos County.

RESERVATIONS FROM CONVEYANCE:

So long as either of Grantor's principals or Grantor's affiliates owns any part of the property described in **Exhibit B** (the "Other Properties"), Grantor reserves the right to change, alter or improve the Property as determined in its sole and absolute discretion, provided such actions do not materially and adversely impact the ability of the properties described on **Exhibit C** to use the Property for drainage and detention purposes described in the Declaration of Detention Easement Agreement of even date herewith recorded in the Official Public Records of Brazos County, Texas. Further, Grantor reserves the right to execute master plans and plats that include the Property and to dedicate all or any part of the Property to the public or convey all or any part of the Property to the City of Bryan subject to all easements of record and Grantee, by signing below, hereby grants to Grantor and to Grantor's principals, Anne R. Carter and Robert B. Carter, a power of attorney, to be exercised by any one or more of them, coupled with an interest to execute on behalf of Grantee any and all master plans and plats including the Property and all deeds, plats and/or other dedicatory instruments required to make dedication(s) or conveyance(s) to the City of Bryan. For purposes hereof, "affiliate" means an entity or trust directly or indirectly controlling or controlled by or under direct or indirect common control with such Grantor.

Grantor may assign all or parts of the rights reserved to Grantor hereunder to one or more of the owners of the Other Properties.

Grantor, for the consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, conveys to Grantee the Property without express or implied warranty, and all warranties that might arise by common law and the warranties in §5.023 of the Texas Property Code (or its successor) are excluded.

Grantee, on behalf of itself and anyone claiming by, through or under Grantee, by acceptance of this Gift Deed Without Warranty, hereby releases Grantor from any and all claims that Grantee or anyone claiming by, through or under Grantee, may now have or hereafter acquire against Grantor arising out of or related to Grantee's acquisition of the Property arising, occurring or originating prior to the date of this Deed. This release applies according to its express terms and provisions, including, but not limited to unknown and unsuspected claims, damages and causes of action.

TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THIS GIFT DEED IS MADE AND ACCEPTED (A) WITHOUT RECOURSE ON GRANTOR AND (B) WITHOUT REPRESENTATION AND WARRANTY OF ANY KIND (WHETHER EXPRESS, IMPLIED OR STATUTORY) BY GRANTOR. GRANTOR IS CONVEYING THE PROPERTY COVERED BY THIS DEED ON AN "AS IS, WHERE IS" BASIS, WITH ALL FAULTS, AND WITHOUT REPRESENTATION OR WARRANTY (ALL OF WHICH GRANTOR DISCLAIMS).

IT IS EXPRESSLY AGREED THAT THE GRANTOR MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE CONDITION OF THE PROPERTY. THE PROPERTY IS CONVEYED "AS IS", AFTER INSPECTION OF THE PROPERTY BY GRANTEE. EXCEPT AS TO THE WARRANTY OF TITLE, NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR AS TO THE CONDITION, HABITABILITY OR SUITABILITY OF THE PROPERTY OR THE IMPROVEMENTS. THIS PROVISION IS PART OF THE CONSIDERATION FOR THE EXECUTION OF THIS DEED BY THE GRANTOR AND THE DEED WOULD NOT HAVE BEEN EXECUTED BY GRANTOR BUT FOR THIS PROVISION. THE RECORDING OF THIS INSTRUMENT BY THE GRANTEE, OR ANYONE ACTING ON

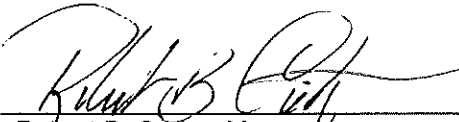
ITS BEHALF, CONCLUSIVELY EVIDENCES THE ACCEPTANCE OF THIS CONVEYANCE SUBJECT TO THE PROVISIONS OF THIS PARAGRAPH.

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

This Gift Deed Without Warranty ("Deed" herein) has been executed by Grantor on the date of the taking of its acknowledgement, but the effective date of this Deed shall be deemed to be the 1st day of June, 2021, for all purposes and it shall be effective as of that date.

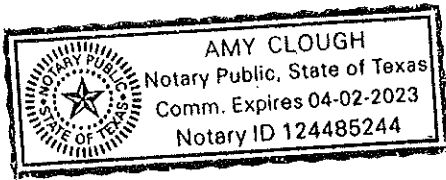
Signatures begin on following page

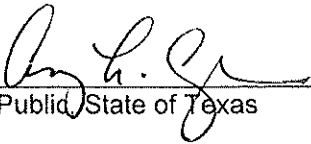
HOMEWOOD, LLC
a Texas limited liability company

By: 
Robert B. Carter, Manager

STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 21st day of May, 2021, by **ROBERT B. CARTER**, as Manager of **HOMEWOOD, LLC**, a Texas limited liability company, on behalf of said company.




Notary Public, State of Texas

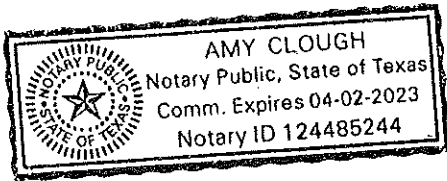
GRANTEE:

GREENBRIER OWNERS ASSOCIATION, INC.

By: Steve Arden
Name: Steve Arden
Title: President

THE STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on the 21st day of May, 2021, by **STEVE ARDEN**, as President of **GREENBRIER OWNERS ASSOCIATION, INC.**, a Texas nonprofit corporation, on behalf of said corporation.



Amy L. Clough
Notary Public, State of Texas

AFTER RECORDING RETURN TO:
The Ellison Firm.
P.O. Box 10103
College Station, Texas 77842
Attn: Amy L. Clough

PREPARED IN THE LAW OFFICE OF:
The Ellison Firm
302 Holleman Drive E, Suite 76
College Station, Texas 77840

EXHIBIT A

Legal Description of Property

FIELD NOTES
3.329 ACRES

Being all that certain tract or parcel of land lying and being situated in the JOHN AUSTIN LEAGUE, Abstract No. 2 in Bryan, Brazos County, Texas and being part of the called 176.241 acre remainder tract described in the Gift Deed from George F. Carter and wife, Alberta R. Carter to Anne Richter Carter, Robert Brennan Carter and George Francis Carter, Jr. recorded in Volume 3253, Page 207 of the Official Records of Brazos County, Texas (O.R.B.C.) and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 3/4-inch iron pipe marking the south corner of GREENBRIER, PHASE 1 according to the Final Plat recorded in Volume 13195, Page 50 (O.R.B.C.), said iron rod also being in the southwest right-of-way line of Fox Hill Way (based on a 50-foot width), in the northeast right-of-way line of Thornberry Drive (based on a 100-foot width recorded in Volume 9828, Page 120 [O.R.B.C.]) and in the northwest line of the called 176.241 acre Carter remainder tract;

THENCE: along the southeasterly right-of-way line of said Fox Hill Way, the northwesterly line of the called 176.241 acre Carter remainder tract and the called 103.916 acre Homewood, LLC remainder tract recorded in Volume 8938, Page 97 (O.R.B.C.) for the following five (5) calls:

- 1) 41.53 feet along the arc of a curve having a central angle of 95°10'38", a radius of 25.00 feet, a tangent of 27.37 feet and a long chord bearing N 04°38'51" E at a distance of 36.92 feet to a found 3/4-inch iron pipe for the Point of Compound Curvature,
- 2) 138.54 feet along the arc of said compound curve having a central angle of 08°21'19", a radius of 950.00 feet, a tangent of 69.39 feet and a long chord bearing N 56°24'50" E at a distance of 138.41 feet to a found 3/4-inch iron pipe for the Point of Tangency, and
- 3) N 60°35'29" E for a distance of 194.34 feet for the Point of Curvature of a curve to the left,
- 4) 224.89 feet in a counter-clockwise direction along the arc of a curve having a central angle of 12°16'18", a radius of 1050.00 feet, a tangent of 112.88 feet and a long chord bearing N 54°27'21" W at a distance of 224.46 feet for the Point of Tangency, and
- 5) N 48°19'12" E for a distance of 25.50 feet for the north corner of this herein described tract;

THENCE: into and through the called 176.241 acre Carter remainder tract for the following two (2) calls:

- 1) S 45°01'19" E a distance of 215.30 feet for the east corner of this tract, and
- 2) S 49°09'21" W for a distance of 558.71 feet for corner in the northeast right-of-way line of Thornberry Drive;

THENCE: along the northeast right-of-way line of said Thornberry Drive for the following four (4) calls:

- 1) 39.15 feet in a counter-clockwise direction along the arc of a curve having a central angle of 01°46'49", a radius of 1,260.00 feet, a tangent of 19.58 feet and a long chord bearing N 56°31'49" W at a distance of 39.15 feet to a found 3/4-inch iron pipe for the Point of Tangency,
- 2) N 57°25'14" W for a distance of 119.70 feet to a found 3/4-inch iron pipe for corner,
- 3) N 52°12'51" W for a distance of 25.00 feet to a found 3/4-inch iron pipe for the Point of Curvature of a curve to the right, and
- 4) 89.01 feet in a clockwise direction along the arc of a curve having a central angle of 09°16'22", a radius of 550.00 feet, a tangent of 44.60 feet and a long chord bearing N 47°34'39" W at a distance of 88.92 feet to a found 3/4-inch iron pipe for the Point of Compound Curvature, said iron pipe also being the south corner of the before-said Fox Hill Way right-of-way to the POINT OF BEGINNING and containing 3.329 acres of land.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on December, 2020.

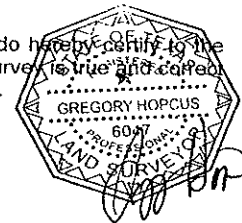


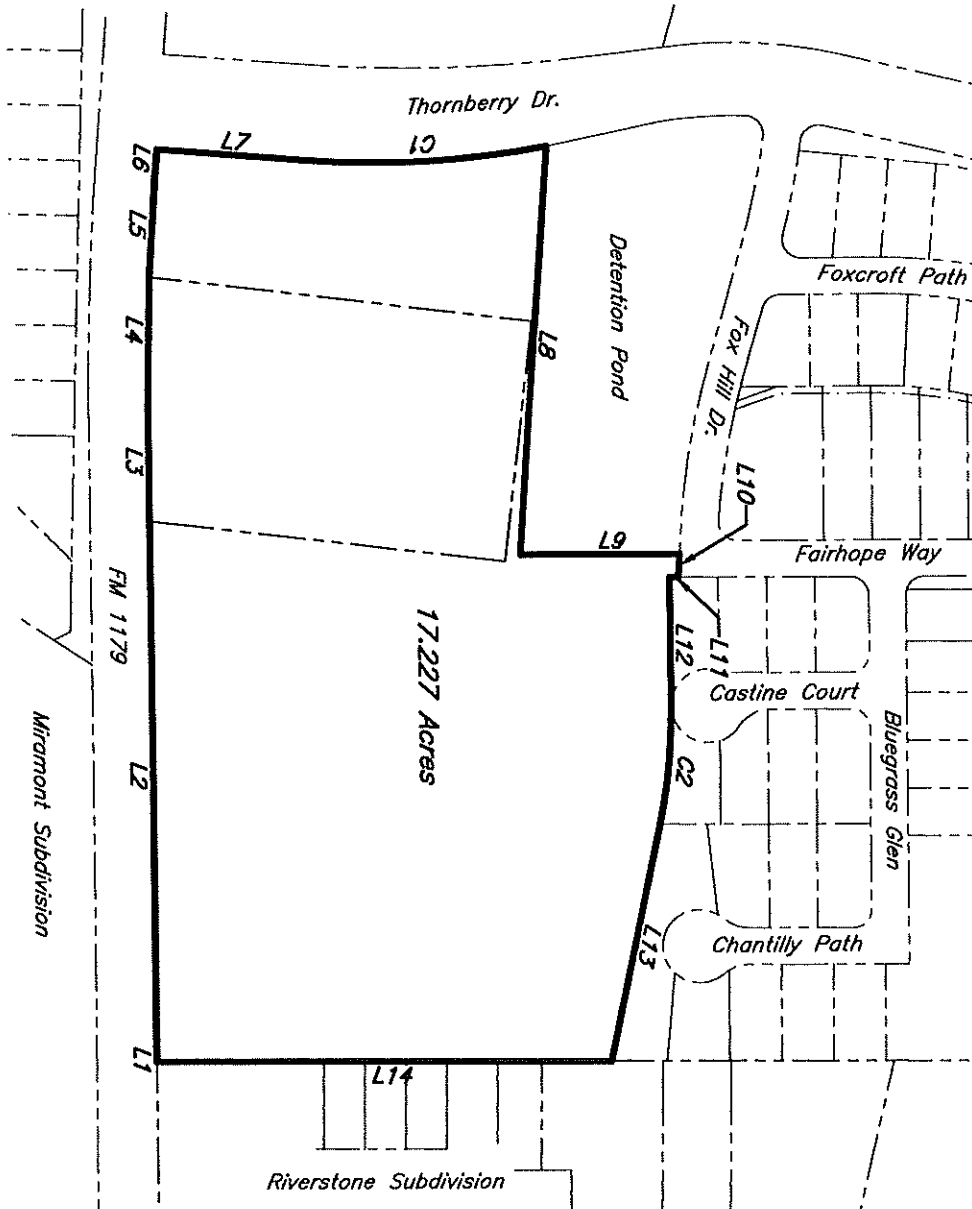
EXHIBIT B

Other Properties

See attached depiction of 17.227 acre tract

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD BRG.
C1	15°07'11"	1280.00'	332.50'	N 48°04'45" W
C2	17°02'14"	810.85'	170.35'	N 50°59'37" E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 44°47'44" W	5.09'
L2	S 44°47'03" W	733.05'
L3	S 44°47'03" W	163.79'
L4	S 46°04'29" W	169.23'
L5	S 48°29'29" W	147.66'
L6	S 49°57'03" W	27.24'
L7	N 40°31'13" W	198.30'
L8	N 49°08'21" E	568.71'
L9	N 45°01'19" W	215.30'
L10	N 48°19'12" E	31.67'
L11	S 45°01'30" E	11.73'
L12	N 44°38'30" E	173.00'
L13	N 57°00'44" E	321.88'
L14	S 45°01'30" E	616.30'



McCLURE & BROWNE
ENGINEERING/SURVEYING, INC.

1008 Woodcreek Drive, Suite 103
College Station, Texas 77845
(979) 693-3938
Firm Reg. No. F-458



Scale: 1" = 200'



COMMERCIAL AREA
DRAINING TO DETENTION POND
GREENBRIER SUBDIVISION

EXHIBIT C

Benefitted Properties

1. The tract more particularly described in Exhibit B.
2. The property located within Phase 2A of the Greenbrier Subdivision in the City of Bryan, Brazos County, Texas according to the subdivision plat to be recorded in the Official Records of Brazos County, Texas.
3. The property located within Phase 2B of the Greenbrier Subdivision in the City of Bryan, Brazos County, Texas according to the subdivision plat to be recorded in the Official Records of Brazos County, Texas.

Brazos County
Karen McQueen
County Clerk

Instrument Number: 1439894
Volume : 17204

ERecordings - Real Property

Recorded On: July 21, 2021 11:56 AM

Number of Pages: 10

" Examined and Charged as Follows: "

Total Recording: \$62.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 1439894
Receipt Number: 20210721000057
Recorded Date/Time: July 21, 2021 11:56 AM
User: Susie C
Station: CCLERK01

Record and Return To:

eRecording Partners



STATE OF TEXAS
COUNTY OF BRAZOS

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Public Records of Brazos County, Texas.

Karen McQueen
County Clerk
Brazos County, TX