

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL 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

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS: That 42 AUSTIN MF, LP, a Texas limited partnership ("Grantor"), for a full valuable cash consideration to Grantor in hand paid by the CITY OF PFLUGERVILLE, TEXAS, a home-rule municipality located in Travis County, Texas ("Grantee"), whose mailing address is P.O. Box 589, Pflugerville, Travis County, Texas 78691, the receipt and sufficiency of which consideration are hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY, unto Grantee, subject to all of the reservations, exceptions and other matters set forth or referred to herein, the property depicted on Exhibit "A", attached hereto and incorporated herein by reference ("Property").

Exceptions to Conveyance and Warranty: Taxes for the current year (prorated as of the date of this deed), which Grantee assumes and agrees to pay, and subsequent tax assessments for the current year and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes. This Special Warranty Deed is executed by Grantor and accepted by Grantee subject to the encumbrances set forth on Exhibit "B" attached hereto and incorporated herein by reference for all purposes (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, and Grantee's successors or assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, 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 Conveyance and the Exceptions to Conveyance and Warranty.

Signature page to follow:

EXECUTED effective as of this ____ day of _____, 2013.

GRANTOR: 42 Austin MF, LP
a Texas limited partnership
By: 42 A, LLC a Texas limited liability company,
its general partner

By: _____
Scott Rohrman, Manager

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

SUBSCRIBED AND SWORN TO before me on _____ by Scott Rohrman, as
Manager of 42 A, LLC, General Partner of 42 Austin MF, LP as Texas limited partnership.

Notary Public, State of Texas

AGREED AND ACCEPTED:

CITY OF PFLUGERVILLE, TEXAS,
a Texas home-rule municipality

By: _____
Brandon E. Wade, City Manager

ATTEST:

Karen Thompson, City Secretary

After recordation please return to: City of Pflugerville
Attn: Brandon E. Wade, City Manager
P.O. Box 589,
Pflugerville, Texas 78691

Exhibit "A"

Lot 2 of the Springbrook Apartments Phase 2 Subdivision

Exhibit "B"
Permitted Exceptions

1. The following restrictive covenants:

Vol. 8908, Page 756, Vol. 9356, Page 869, Vol. 11939, Page 613 and Vol. 12089, Page 1516, of the Real Property Records of Travis County, Texas.

2. A 1.004-acre landscape easement over and across a portion of the Property as provided in the landscape and entryway easements granted to property owners of Spring Trails (Pflugerville) Residential Association, Inc., by instrument recorded under Document Number 2007075557, of the Official Public Records of Travis County, Texas, and Document Number 2007039791, of the Official Public Records of Williamson County, Texas; said easements are more fully described by metes and bounds in Exhibits A-3 and A-4 of said instrument. Shown on survey dated February 11, 2013, updated May 22, 2013, prepared by Robert J. Gertson, Registered Public Land Surveyor No. 6367.
3. All terms, conditions, and provisions of that certain Agreement, dated August 1, 1997, of record in Vol. 12990, Page 1131, of the Real Property Records of Travis County, Texas, as affected by Vol. 13337, Page 4420, of the Real Property Records of Travis County, Texas, and Document Number 9903495, of the Official Records of Williamson County, Texas. Noted on survey dated February 11, 2013, updated May 22, 2013, prepared by Robert J. Gertson, Registered Public Land Surveyor No. 6367.
4. All terms, conditions, and provisions of that certain unrecorded Agreement for Providing Wholesale Water Service dated September 18, 1996 between North Travis County MUD # 5 and Manville Water Supply Corporation.