



## SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

### 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.**

**Date:** October 27, 2020

**Grantor:** Lone Peacock, LLC (as to a 42.021% undivided interest)  
Pasturelands, Ltd. (as to a 57.979% undivided interest)

**Grantor's Mailing Address:** P.O. Box 813  
Burnet, Texas 78611

**Grantee:** HVPR4, LLC

**Grantee's Mailing Address:** 13240 Pond Springs Rd.  
Austin, Texas 78729

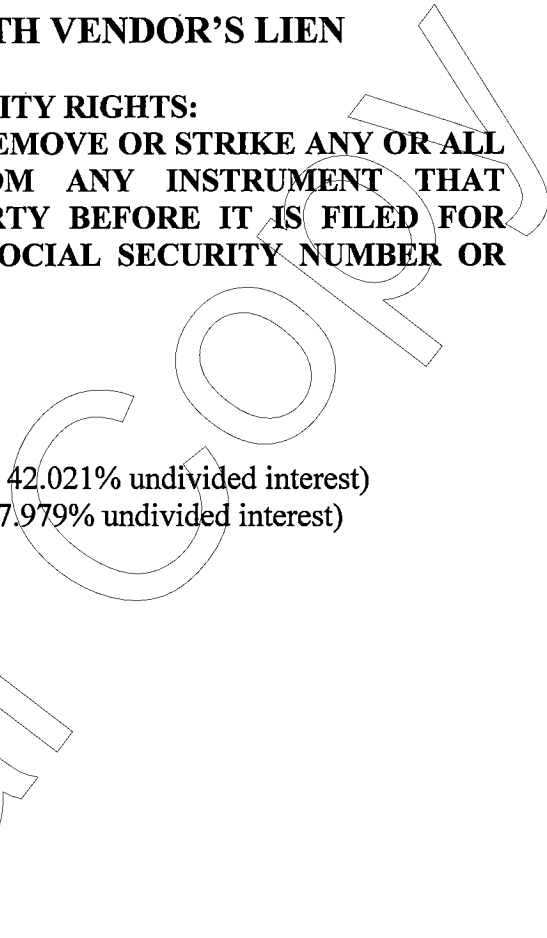
**Consideration:**

Cash and a note of even date executed by Grantee and payable to the order of CAPITAL FARM CREDIT, ACA, as agent/nominee, in the principal amount of FOURTEEN MILLION TWO HUNDRED EIGHTY-SIX THOUSAND AND NO/100 DOLLARS (\$14,286,000.00) (the "Note"). The Note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to Ben R. Novosad, Trustee.

**Property (including any improvements):**

Being 3105.73 acres more or less out of the H. T. AND B. R. R. COMPANY SURVEY, ABSTRACT NO. 449, THE HENRY E. GRAVES SURVEY, ABSTRACT NO. 1078, THE W. T. CLARK SURVEY, ABSTRACT NO. 1029, THE CONRAD ROARER SURVEY, ABSTRACT NO. 738, THE CONRAD ROARER SURVEY, ABSTRACT NO. 739, THE ADAMS, BEATY AND MOULTON SURVEY, ABSTRACT NO. 39, THE ADAMS, BEATY AND MOULTON SURVEY, ABSTRACT NO. 40, THE N. BURKE SURVEY, ABSTRACT NO. 78, THE FRANCISCO YBARBO SURVEY, ABSTRACT NO. 1018, THE D. H. CULBERTSON SURVEY, ABSTRACT NO. 1161 AND THE L. SCHNEIDER SURVEY, ABSTRACT NO. 1098, IN BURNET COUNTY, TEXAS. SAID 3105.73 ACRES BEING MORE PARTICULARLY

08-20-12861



DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

**Reservations from Conveyance:** None

**Exceptions to Conveyance and Warranty:**

1. Easement to Texas Public Utilities Company recorded in Volume 74, Page 267, Deed Records of Burnet County, Texas.
2. Easement to Lower Colorado River Authority recorded in Volume 3, Page 122 and Volume 3, Page 238, Misc. Deed Records and Volume 256, Page 131, Deed Records of Burnet County, Texas.
3. Easement to Texas Power and Light Company recorded in Volume 2, Page 578 and Volume 2, Page 262, Misc. Deed Records of Burnet County, Texas.
4. The overlap and encroachment of the overhead utility lines and any apparent easement that provides for the maintenance thereof.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

CAPITAL FARM CREDIT, ACA, as agent/nominee at Grantee's request, has paid in cash to Grantor the sum of FOURTEEN MILLION TWO HUNDRED EIGHT THOUSAND FIVE HUNDRED SEVENTY AND NO/100 DOLLARS (\$14,208,570.00) out of the proceeds of the Note for the purchase price of the Property. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of CAPITAL FARM CREDIT, ACA, as agent/nominee, and are transferred to CAPITAL FARM CREDIT, ACA, as agent nominee, without recourse against Grantor.

**GRANTEE HEREBY EXPRESSLY ACKNOWLEDGES THAT IT HAS THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY GRANTEE IN ORDER TO ENABLE GRANTEE TO EVALUATE THE PURCHASE OF THE PROPERTY. GRANTEE REPRESENTS THAT IT IS A**

**KNOWLEDGEABLE BUYER OF REAL ESTATE SUCH AS THE PROPERTY AND THAT EXCEPT AS EXPRESSLY SET FORTH IN THE CONTRACT, IT IS RELYING SOLELY ON: (i) GRANTEE'S OWN EXPERTISE, AND (ii) THE EXPERTISE OF GRANTEE'S CONSULTANTS. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT EXCEPT AS EXPRESSLY SET FORTH IN THIS CONTRACT, GRANTEE IS ACQUIRING THE PROPERTY ON AN "AS IS, WHERE IS" AND WITH ALL FAULTS BASIS, WITHOUT REPRESENTATIONS, WARRANTIES OR COVENANTS, EXPRESS OR IMPLIED, OF ANY KIND OR NATURE BY GRANTOR. IT IS UNDERSTOOD AND AGREED THAT EXCEPT AS EXPRESSLY SET FORTH IN THE CONTRACT, GRANTOR IS NOT MAKING AND SPECIFICALLY DISCLAIMS ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED.**

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

== Signatures appear on following page ==

**GRANTOR:**

Lone Peacock, LLC

By: Donald C. Duncan, Jr.  
Donald C. Duncan, Jr., Member/Manager

Pasturelands, Ltd.

By: Pasturelands Management, L.L.C.,  
its General Partner

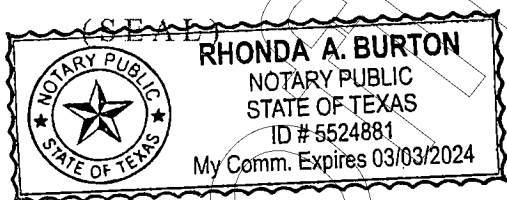
By: Donald C. Duncan, Jr.  
Donald C. Duncan, Jr., Manager

By: Caroline Bradshaw  
Caroline Bradshaw, Manager

THE STATE OF TEXAS §  
  §  
COUNTY OF Burnet §

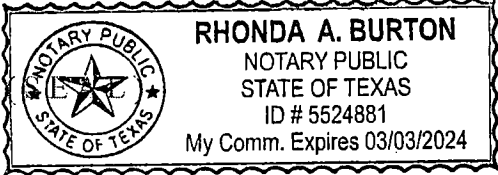
This instrument was acknowledged before me on the 28<sup>th</sup> day of October, 2020, by Donald C. Duncan, Jr., Member/Manager of Lone Peacock, LLC, a Texas limited liability company.

Rhonda A. Burton  
Notary Public, State of Texas



THE STATE OF TEXAS §  
COUNTY OF Burnet §

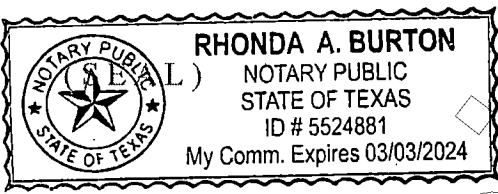
This instrument was acknowledged before me on the 28<sup>th</sup> day of October, 2020, by Donald C. Duncan, Jr., Manager of Pasturelands Management, L.L.C., a Texas limited liability company, the General Partner of Pasturelands, Ltd., a Texas limited partnership.



Rhonda A. Burton  
Notary Public, State of Texas

THE STATE OF TEXAS §  
COUNTY OF Burnet §

This instrument was acknowledged before me on the 28<sup>th</sup> day of October, 2020, by Caroline Bradshaw, Manager of Pasturelands Management, L.L.C., a Texas limited liability company, the General Partner of Pasturelands, Ltd., a Texas limited partnership.



Rhonda A. Burton  
Notary Public, State of Texas

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Unofficial

**EXHIBIT "A"****Property Description****GOODSON SURVEYORS**

RETAINING THE HISTORY OF  
 JERRY M. GOODSON, SURVEYOR  
 411 S. WESTERN AVE. (P.O. BOX 349) LAMPASAS, TX 76550  
 512-556-6885 FAX 512-556-6261 [jerry@texps.com](mailto:jerry@texps.com)  
 TBPLS FIRM REGISTRATION NO. 10068100

FIELD NOTES FOR A 3105.73-ACRE TRACT OF LAND, BEING PART OF THE H. T. & B. R.R. CO. SURVEY, ABSTRACT NO. 449, THE HENRY E. GRAVES SURVEY, ABSTRACT NO. 1078, THE W. T. CLARK SURVEY, ABSTRACT NO. 1029, THE CONRAD ROARER SURVEY, ABSTRACT NO. 738, THE CONRAD ROARER SURVEY, ABSTRACT NO. 739, THE ADAMS, BEATY & MOULTON SURVEY, ABSTRACT NO. 39, THE ADAMS, BEATY & MOULTON SURVEY, ABSTRACT NO. 40, THE N. BURKE SURVEY, ABSTRACT NO. 78, THE FRANCISCO YBARBO SURVEY, ABSTRACT NO. 1018, THE D. H. CULBERTSON SURVEY, ABSTRACT NO. 1161 AND THE L. SCHNEIDER SURVEY, ABSTRACT NO. 1098, ALL IN BURNET COUNTY, TEXAS.

MADE FOR: PASTURELANDS, LTD

BEING 3105.73-Acres, more or less, being part of the H. T. & B. R.R. CO. SURVEY, ABSTRACT NO. 449, the HENRY E. GRAVES SURVEY, ABSTRACT NO. 1078, the W. T. CLARK SURVEY, ABSTRACT NO. 1029, the CONRAD ROARER SURVEY, ABSTRACT NO. 738, the AB & M SURVEY, ABSTRACT NO. 39, the AB & M SURVEY, ABSTRACT NO. 40, the FRANCISCO YBARBO SURVEY, ABSTRACT NO. 1018, the D. H. CULBERTSON SURVEY, ABSTRACT NO. 1161 and the L. SCHNEIDER SURVEY, ABSTRACT NO. 1098, all in Burnet County, Texas and being a portion of that certain called 4735 acre tract, described in a deed to PASTURELANDS, LTD., recorded in Volume 1020, Page 834, Deed Records of Burnet County, Texas. Said 3105.73 acre tract is more particularly described by these metes and bounds as follows:

**BEGINNING** at a 1/2" rebar found, in the south line of a R. M. Road No. 3509, being the northeast corner of that certain called 101.323 acre tract, described in a deed to LERA CAROLYN HALL, recorded in Inst. No. 202007616, Deed Records of Burnet County, Texas, for the northwest corner of this tract.

**THENCE** with the south line of said R. M. Road No. 3509, and over and across said 4735 acre tract, for the following TWELVE (12), courses and distances:

- 1). N 75° 03' 19" E, 93.98 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 2). With a curve to the left, having a radius of 2362.20 feet, a central angle of 08° 08' 23", an arc length of 335.59 feet, and a chord that bears N 70° 57' 30" E, 335.31 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 3). N 66° 53' 16" E, 933.82 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 4). With a curve to the left, having a radius of 11532.13 feet, a central angle of 14° 12' 54", an arc length of 2861.10 feet, and a chord that bears N 59° 46' 43" E, 2853.77 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 5). N 52° 40' 11" E, 1823.59 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 6). With a curve to the right, having a radius of 2805.11 feet, a central angle of 10° 58' 27", an arc length of 537.27 feet, and a chord that bears N 58° 09' 28" E, 536.45 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 7). N 63° 38' 46" E, 73.78 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;

A SUBSIDIARY OF MITCHELL AND ASSOCIATES, INC., KILLEEN, TEXAS



## GOODSON SURVEYORS

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 411 S. WESTERN AVE. (P.O. BOX 349) LAMPASAS, TX 76550  
 512-556-6885 FAX 512-556-6261 [jerry@texps.com](mailto:jerry@texps.com)  
 TBPLS FIRM REGISTRATION NO. 10068100

- 8). N 77° 22' 59" E, 88.31 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 9). N 66° 12' 13" E, 348.02 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 10). N 51° 57' 43" E, 180.24 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 11). N 63° 38' 46" E, 992.89 feet, to a 1/2" rebar with "GOODSONS 4330" cap set; and
- 12). With a curve to the right, having a radius of 2230.97 feet, a central angle of 00° 56' 33", an arc length of 36.70 feet, and a chord that bears N 64° 07' 03" E, 36.70 feet, to a 1/2" rebar with "GOODSONS 4330" cap set, in the east line of said 4735 acre tract, being the northwest corner of that certain called 28.380 acre tract, described in a deed to KENNETH M. AYLOR and KARYN J. AYLOR, recorded in Volume 1195, Page 107, Deed Records of Burnet County, Texas, for the northeast corner of this tract.

THENCE with the east line of said 4735 acre tract, same being the west line of said 28.280 acre tract, and with the west line of that certain called 37.35 acre tract, described as TRACT I, in a deed to BARBARA E. WARDEN, recorded in Inst. No. 201309800, Deed Records of Burnet County, Texas, and with the west line of that certain called 248.03 acre tract, described in a deed to SHARON L. STEFFEY, recorded in Volume 251, Page 869, Deed Records of Burnet County, Texas, and with the west line of that certain called 234.155 acre tract, described in a deed to WILLIAM J. TURNER and wife, LISA AYN TURNER, recorded in Volume 603, Page 787, Deed Records of Burnet County, Texas, for the following FOUR (4), courses and distances:

- 1). S 13° 56' 24" E, 4601.56 feet, to a metal pipe fence post, being the southwest corner of said 248.03 acre tract, same being the northwest corner of said 234.155 acre tract;
- 2). S 13° 55' 40" E, 294.03 feet, to a 1/2" rebar with "GOODSONS 4330" cap set; and
- 3). S 13° 57' 35" E, 626.47 feet, to a 1/2" rebar with "GOODSONS 4330" cap set; and
- 4). S 13° 58' 51" E, 1738.33 feet, to a metal pipe fence post, being the southwest corner of said 234.155 acre tract, same being an interior corner of said 4735 acre tract, for an interior corner of this tract.

THENCE N 75° 46' 41" E, 773.08 feet, with the northeast line of said 4735 acre tract, same being the south line of said 234.155 acre tract, to a 1/2" rebar found, being the northwest corner of that certain called 853.42 acre tract, described in a deed to MOD RANCH, LTD, recorded in Inst. No. 201707270, Deed Records of Burnet County, Texas, for an exterior corner of this tract.

THENCE S 13° 39' 13" E, 4616.21 feet, over and across said 4735 acre tract, with the west line of said 853.42 acre tract, to a 1/2" rebar found, being the southwest corner of said 853.42 acre tract, same being the northwest corner of that certain called 802.63 acre tract, described in a deed to KB LOST MOUNTAIN RANCH, LLC., recorded in Inst. No. 201704170, Deed Records of Burnet County, Texas.

THENCE with the west line of said 802.63 acre tract, for the following TWO (2), courses and distances:

- 1). S 15° 52' 38" E, 453.72 feet, to a metal pipe fence post; and

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- 2). S 13° 27' 16" E, 1226.60 feet, to a 1/2" rebar found, being an interior corner of said 802.83 acre tract, for and exterior corner of this tract.

THENCE S 75° 27' 43" W, 663.74 feet, with the north line of said 802.83 acre tract, to a 1/2" rebar found, being the most westerly northwest corner of said 802.83 acre tract, same being the northeast corner of that certain called 246.905 acre tract, described in a deed to GRAN VIA PARTNERS, LLC., recorded in Inst. No. 201803485, Deed Records of Burnet County, Texas, for an interior corner of this tract.

THENCE S 75° 25' 15" W, 4235.04 feet, with the north line of said 246.905 acre tract, to a 1/2" rebar found, being the northwest corner of said 246.905 acre tract, being an interior corner of said 4735 acre tract, for an interior corner of this tract.

THENCE with the west line of said 246.905 acre tract, for the following TWO (2), courses and distances:

- 1). S 07° 58' 48" W, 800.47 feet, to a 1/2" rebar found; and
- 2). S 08° 02' 07" W, 299.63 feet, to a 1/2" rebar found, being the southwest corner of said 246.905 acre tract, same being the northwest corner of that certain tract, described as TRACT A, in a deed to TERRY L. OBERMILLER and CAROLYN L. OBERMILLER, recorded in Inst. No. 202008479, Deed Records of Burnet County, Texas, for a corner.

THENCE S 07° 59' 38" W, 1059.19 feet, with the west line of said TRACT A, to a 1/2" rebar found, being the northeast corner of that certain called 150.00 acre tract, described in a deed to TRAVISTAN RANCH, LP., recorded in Inst. No. 201706300, Deed Records of Burnet County, Texas, for an exterior corner of this tract.

THENCE N 82° 05' 16" W, 3164.89 feet, over and across said 4735 acre tract, with the north line of said 150.00 acre tract, to a 1/2" rebar found, being the northwest corner of said 150.00 acre tract for an interior corner of this tract.

THENCE S 02° 14' 51" E, 5599.44 feet, continuing over and across said 4735 acre tract, with the west line of said 150.00 acre tract, to a 1/2" rebar found, in the north line of PARK ROAD NO. 4, being the southwest corner of said 150.00 acre tract, for the southeast corner of this tract.

THENCE over and across said 4735 acre tract, with the north line of said PARK ROAD NO. 4, for the following THREE (3), courses and distances:

- 1). With a curve to the right, having a radius of 1146.28 feet, a central angle of 29° 56' 49" an arc length of 599.13 feet, and a chord that bears S 67° 33' 07" W, 592.33 feet, to a 1/2" rebar with "GOODSONS 4330" cap set;
- 2). S 86° 25' 12" W, 366.70 feet, to a 1/2" rebar with "GOODSONS 4330" cap set; and
- 3). With a curve to the right, having a radius of 5540.26 feet, a central angle of 08° 57' 35" and arc length of 866.37 feet and a chord that bears N 89° 06' 01" W, 865.48 feet, to a 1/2" rebar found, in the west line of said 4735 acre tract, being in the east of that certain called 2073.3 acre tract, described in a deed to EBLING

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 TBPLS FIRM REGISTRATION NO. 10068100

FAMILY TRUST, recorded in Volume 718, Page 187, Deed Records of Burnet County, Texas, for the southwest corner of this tract.


THENCE N 01° 53' 24" W, 8935.04 feet, with the west line of said 4735 acre tract, same being the east line of said 2073.3 acre tract, to a 1/2" rebar found, being an interior corner of said 4735 acre tract, same being an exterior corner of said 2073.3 acre tract, for an interior corner of this tract.

THENCE S 88° 08' 19" W, 1709.10 feet, with the southwest line of said 4735 acre tract, same being the northeast line of said 2703.3 acre tract, to a 1/2" rebar found, in the north line of that certain called 56.34 acre tract, described in a deed to STEVE B. EBLING and wife, JULIE A. EBLING, recorded in Volume 534, Page 276, Deed Records of Burnet County, Texas, and being the southeast corner of that certain called 100.00 acre tract, described in a deed to ROBERT J. MANNING and wife, NANCY L. MANNING, recorded in Inst. No. 201405109, Deed Records of Burnet County, Texas, for an exterior corner of this tract.

THENCE N 01° 55' 43" E, 5071.24 feet, with the west line of said 4735 acre tract, same being the east line of said 100.00 acre tract, to a 1/2" rebar found, being the northeast corner of said 100.00 acre tract, same being the southeast corner of said 101.332 acre tract, for a corner of this tract.

THENCE N 06° 04' 46" E, 3729.46 feet, over and across said 4735 acre tract, with the east line of said 101.332 acre tract, to the POINT OF BEGINNING and containing 3105.73 ACRES.

Surveyed on the ground September, 2020. Basis of Bearings, is based upon the Texas Coordinate System, NAD 83 (CORS 96), Texas Central Zone as per Leica Texas Smartnet G.P.S. observations. Also reference accompanying Sketch of the Tract described hereon, which is made a part of this.

  
 Mike W. Kriegel  
 Registered Professional  
 Land Surveyor No. 4330



A SUBSIDIARY OF MITCHELL AND ASSOCIATES, INC., KILLEEN, TEXAS



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Janet Parker*

Janet Parker, County Clerk

Burnet County Texas

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