

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Roxanne Acosta-Hellberg

2023 Jun 02 09:46 AM Fee: \$ 50.00

2023015183

ROXANNE ACOSTA-HELLBERG, COUNTY CLERK
JEFFERSON COUNTY TEXAS

Electronically Recorded

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.

SPECIAL WARRANTY DEED

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF JEFFERSON §

THAT, PNI HICKORY, LLC, a Delaware limited liability company ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, paid to Grantor by, 4780 S 23rd, LLC, a Wyoming limited liability company, having an address at 890 Greenbriar Street, Vidor, TX 77662 ("Grantee"), has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee, [that certain land (the "Land") situated in Jefferson County, Texas, more particularly described on Exhibit A attached hereto and incorporated herein by reference for all purposes, together with all improvements thereon and all appurtenances thereto (the "Property").

This conveyance and the warranties of title contained herein are expressly made subject only to those certain encumbrances, easements and other matters more particularly described on Exhibit B attached hereto and incorporated herein by reference (the "Permitted Exceptions"), but only to the extent that such Permitted Exceptions are valid, subsisting and, in fact, affect the Property.

TO HAVE AND TO HOLD the Property (subject to the foregoing) unto Grantee and Grantor's successors and 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 and 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.

GRANTEE ACKNOWLEDGES THAT, EXCEPT FOR THE SPECIAL WARRANTY OF TITLE SET FORTH IN THIS DEED, GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY COVENANT OR WARRANTY OF ANY KIND, EXPRESS, IMPLIED OR STATUTORY, AND THE PROPERTY IS CONVEYED AND TRANSFERRED TO GRANTEE "AS IS, WHERE IS AND WITH ALL FAULTS". GRANTOR DOES NOT WARRANT OR MAKE ANY REPRESENTATION, EXPRESS OR IMPLIED, AS TO FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, DESIGN, QUANTITY, QUALITY, LAYOUT, FOOTAGE, PHYSICAL CONDITION, VALUE, OPERATION, COMPLIANCE WITH SPECIFICATIONS, ABSENCE OF LATENT DEFECTS, OR COMPLIANCE WITH LAWS AND REGULATIONS (INCLUDING, WITHOUT LIMITATION, THOSE RELATING TO HEALTH, SAFETY AND THE ENVIRONMENT) OR ANY OTHER MATTER AFFECTING THE PROPERTY, AND GRANTOR SHALL BE UNDER NO OBLIGATION WHATSOEVER TO UNDERTAKE ANY REPAIRS, ALTERATIONS OR OTHER WORK OF ANY KIND WITH RESPECT TO ANY PORTION OF THE PROPERTY. GRANTEE HEREBY ASSUMES ALL RISK AND LIABILITY RESULTING FROM THE OWNERSHIP, USE,

CONDITION, LOCATION, MAINTENANCE, REPAIR OR OPERATION OF THE PROPERTY, WHICH GRANTEE HAS INSPECTED AND ACCEPTS "AS IS".

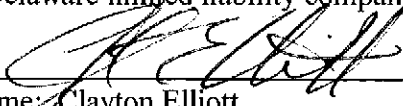
Ad valorem taxes for the year 2022 have been paid in full and, by acceptance of this Special Warranty Deed, Grantee hereby assumes sole responsibility for the payment of all subsequent taxes assessed for the years 2023 and every year thereafter.

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EXECUTED to be effective as of the 15 day of June, 2023.

GRANTOR:

PNL HICKORY, LLC,
a Delaware limited liability company



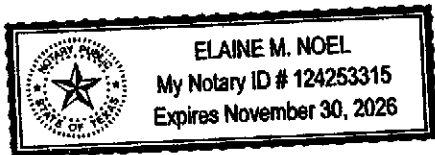
Name: Clayton Elliott
Authorized Representative of PNL Hickory, LLC

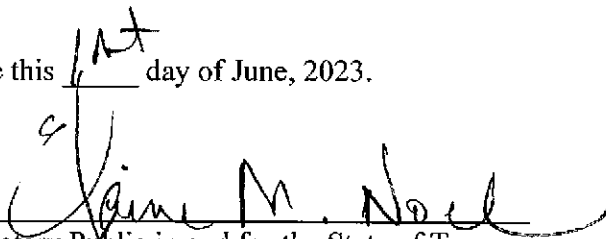
STATE OF TEXAS §
 §
COUNTY OF DALLAS §

Before me on this day personally appeared Clayton Elliott, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of June, 2023.

SEAL





Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:

4780 S 23RD LLC
890 Greenbriar Street
Vidor, TX 77662

SEND TAX NOTICES TO:

4780 S 23RD LLC
890 Greenbriar Street
Vidor, TX 77662

EXHIBIT A**LEGAL DESCRIPTION OF THE LAND**

BEING A 5.511 ACRE TRACT OF LAND AS SITUATED IN THE J.W. BULLOCK SURVEY, ABSTRACT NO. 7 OF JEFFERSON COUNTY, TEXAS AND BEING ALL OF A CALLED 5.511 ACRE TRACT AS CONVEYED TO PNL HICKORY, LLC BY A SUBSTITUTE TRUSTEE'S DEED DATED FEBRUARY 1, 2022 AND FILED FOR RECORD UNDER CLERK'S FILE NO. 2022004822 OF THE JEFFERSON COUNTY OFFICIAL PUBLIC RECORDS, AND BEING OUT OF AND A PART OF LOT 13 AND LOT 18 OF THE TREADWELL AND HANSEN SUBDIVISION AS SHOWN ON A PLAT FILED FOR RECORD UNDER VOLUME 1, PAGE 79 OF THE JEFFERSON COUNTY MAP RECORDS. SAID 5.511 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1-INCH IRON ROD FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF SOUTH 23RD STREET WITH THE NORTH RIGHT-OF-WAY OF STATE HIGHWAY 124 FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE SOUTHEAST CORNER OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT. SAID POINT OF BEGINNING HAS A TEXAS STATE PLANE COORDINATE SYSTEM, LAMBERT PROJECTION, NORTH AMERICAN DATUM OF 1983 (NAD 83), SOUTH CENTRAL ZONE (U.S. SURVEY FOOT) VALUE OF NORTH: 13,957,096.05 AND EAST: 3,505,423.76;

THENCE, SOUTH 70°01'02" WEST, A DISTANCE OF 314.29 FEET, ALONG THE NORTH RIGHT-OF-WAY OF SAID STATE HIGHWAY 124 AND THE SOUTH LINE OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, TO A 5/8-INCH IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHWEST CORNER OF SAME, THE MOST SOUTHERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, AND THE SOUTHEAST CORNER OF A CALLED 0.5466 ACRE TRACT AS CONVEYED TO THOMAS W. TURNER AND TERILEE TURNER BY A GENERAL WARRANTY DEED WITH VENDOR'S LIEN IN FAVOR OF THIRD PARTY DATED MAY 3, 2011 AND FILED FOR RECORD UNDER CLERK'S

THENCE, NORTH 13°21'00" WEST, A DISTANCE OF 144.50 FEET, ALONG A WEST LINE OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT AND THE EAST LINE OF SAID THOMAS W. TURNER AND TERILEE TURNER CALLED 0.5466 ACRE TRACT, TO A 5/8-INCH IRON ROD SET (WITH CAP STAMPED "JAMA GROUP") FOR THE NORTHEAST CORNER OF SAME, AN ANGLE CORNER OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, AND AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING LOCATED IN THE NORTH LINE OF SAID TREADWELL AND HANSEN LOT 18 AND THE SOUTH LINE OF SAID TREADWELL AND HANSEN LOT 13;

THENCE, SOUTH 87°28'18" WEST, ALONG A SOUTH LINE OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, THE NORTH LINE OF SAID TREADWELL AND HANSEN LOT 18, THE SOUTH LINE OF SAID TREADWELL AND HANSEN LOT 13, AND THE NORTH LINE OF SAID THOMAS W. TURNER AND TERILEE TURNER CALLED 0.5466 ACRE TRACT, AT A DISTANCE OF 122.18 FEET PASSING A

1/2-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAME AND THE NORTHEAST CORNER OF A CERTAIN TRACT OF LAND AS CONVEYED TO DIAMANTIS INVESTMENTS, LLC BY A SPECIAL WARRANTY DEED DATED MAY 1, 2020 AND FILED FOR RECORD UNDER CLERK'S FILE NO. 2020023401 OF SAID JEFFERSON COUNTY OFFICIAL PUBLIC RECORDS, AND CONTINUING ALONG THE NORTH LINE OF SAME AND THE NORTH LINE OF A CALLED 1.603 ACRE TRACT AS CONVEYED TO DIAMANTIS INVESTMENTS, LLC BY A GENERAL WARRANTY DEED DATED FEBRUARY 21, 2019 AND FILED FOR RECORD UNDER CLERK'S FILE NO. 2019006135 OF SAID JEFFERSON COUNTY OFFICIAL PUBLIC RECORDS, IN ALL A TOTAL DISTANCE OF 280.95 FEET, TO A 5/8-INCH IRON ROD SET (WITH CAP STAMPED "JAMA GROUP") FOR THE MOST WESTERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, THE MOST WESTERLY SOUTHWEST CORNER OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, AND THE SOUTHEAST CORNER OF A CALLED 5 ACRE TRACT AS CONVEYED TO MCFADDIN WARD FOUNDATION #651 AS SHOWN AS PROPERTY ID NO. 107531 OF THE JEFFERSON COUNTY APPRAISAL DISTRICT (WITH NO RECORDING INFORMATION AVAILABLE);

THENCE, NORTH 02°46'07" WEST, A DISTANCE OF 345.34 FEET, ALONG THE WEST LINE OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT AND THE EAST LINE OF SAID MCFADDIN WARD FOUNDATION #651 CALLED 5 ACRE TRACT, TO A 1/2-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAME, THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, THE NORTHWEST CORNER OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND AS CONVEYED TO PSS DEVELOPMENT, LTD. BY A GENERAL WARRANTY DEED DATED FEBRUARY 20, 2014 AND FILED FOR RECORD UNDER CLERK'S FILE NO. 2014006486 OF SAID JEFFERSON COUNTY OFFICIAL PUBLIC RECORDS, AND THE SOUTHWEST CORNER OF A CALLED 5.2033 ACRE TRACT AS CONVEYED TO MLC ENTERPRISES, LLC BY A SPECIAL WARRANTY DEED DATED JUNE 29, 2021 AND FILED FOR RECORD UNDER CLERK'S FILE NO. 2021022868 OF SAID JEFFERSON COUNTY OFFICIAL PUBLIC RECORDS, SAME BEING LOCATED IN THE NORTH LINE OF SAID TREADWELL AND HANSEN LOT 13 AND THE SOUTH LINE OF SAID TREADWELL AND HANSEN LOT 11, FROM WHICH A 1/2-INCH IRON ROD FOUND FOR REFERENCE BEARS SOUTH 86°16'59" WEST, A DISTANCE OF 9.63 FEET;

THENCE, NORTH 87°37'13" EAST, A DISTANCE OF 609.37 FEET, ALONG THE NORTH LINE OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, THE NORTH LINE OF SAID TREADWELL AND HANSEN LOT 13, THE SOUTH LINE OF SAID TREADWELL AND HANSEN LOT 11, AND THE SOUTH LINE OF SAID MLC ENTERPRISES, LLC CALLED 5.2033 ACRE TRACT, TO A 1/2-INCH IRON ROD FOUND (WITH CAP STAMPED "ACCESS") IN THE WEST RIGHT-OF-WAY OF SAID 23RD STREET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, THE NORTHEAST CORNER OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, AND THE SOUTHEAST CORNER OF SAID MLC ENTERPRISES, LLC CALLED 5.2033 ACRE TRACT;

THENCE, SOUTH 02°31'32" EAST, A DISTANCE OF 391.42 FEET, ALONG THE WEST RIGHT-OF-WAY OF SAID 23RD STREET AND THE EAST LINE OF SAID PNL HICKORY, LLC CALLED 5.511 ACRE TRACT, TO THE PLACE OF BEGINNING, CONTAINING 5.511

ACRES OF LAND IN JEFFERSON COUNTY, TEXAS.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Restrictive covenants set forth in Volume 1, Page 79 of the Map or Plat Records of Jefferson County, Texas.
2. Standby fees, taxes and assessments by any taxing authority for the year 2023, and subsequent years.
3. Inclusion within Jefferson County Drainage District No. 6.
4. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the public records whether listed in this Exhibit B or not.
5. The following as shown on that certain (ALTA/NSPS Land) Survey prepared by Michael Kethan of Jama Group LLC, Project/Job Number 1004-018, dated 8/12/2022:

fence does not coincide with southwesterly property line