

07
FNT

SPECIAL WARRANTY DEED

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS THAT
COUNTY OF TRAVIS §

LANDMARK ORGANIZATION, LP, a Texas Limited Partnership ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10 00), and other good and valuable consideration paid by AUSTIN CONVENTION ENTERPRISES, INC, a Texas nonprofit public facilities corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged and confessed, subject to the exceptions, liens, encumbrances, terms and provisions hereinafter set forth and described, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY, unto Grantee the property described in Schedule A hereto (herein referred to as the "Property")

5

This conveyance is made subject and subordinate to the following encumbrances and exceptions (the "Permitted Exceptions"), but only to the extent they affect or relate to the Property, and without limitation or expansion of the scope of the special warranty herein contained (i) any and all matters affecting the state of title to the Property, whether or not recorded in the appropriate public records of the aforesaid county or visible or apparent from an inspection of the Property, and (ii) all zoning, building and other laws, regulations and ordinances of any and all municipal, governmental and quasi-governmental bodies and agencies having jurisdiction over the Property or any part thereof.

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DUPLICATE DOCUMENT

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions as aforesaid, unto Grantee, and Grantee'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, subject to the Permitted Exceptions, 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, by its acceptance hereof, does hereby assume and agree to pay any and all ad valorem taxes and special assessments pertaining to the Property for calendar year 2001 and subsequent years, there having been a proper proration of ad valorem taxes for the current calendar year between Grantor and Grantee

EXECUTED as of the 12th day of June, 2001

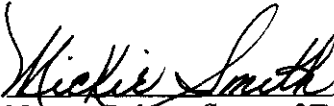
LANDMARK ORGANIZATION, LP,
a Texas Limited Partnership

By Landmark Organization, Inc.,
Its General Partner

By 
Mark F. Schultz, President

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was ACKNOWLEDGED before me, on the 12th day of June, 2001, by Mark F. Schultz, the President of Landmark Organization, Inc, a Delaware Corporation, which is the General Partner of LANDMARK ORGANIZATION, LP, a Texas Limited Partnership, on behalf of said corporation and partnership


Notary Public, State of Texas



GRANTEE'S ADDRESS FOR TAX NOTICES

Austin Convention Enterprises, Inc

P.O. Box 1088
Austin, Texas *78767*

When recorded, return to

Fidelity Title Company
515 Congress, Suite 100
Austin, Texas 78701

81206

DALLAS_1\3484764\1
05/24/2001 - 20163-1

SCHEDULE A

(See Attached)

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility carbon or photocopy, discolored paper, etc All blockouts, additions and changes were present at the time the instrument was filed and recorded

Unofficial's Document

EXHIBIT "A"

Tract 1:

Unit No. 1, together with the undivided interest in and to the Common Elements appurtenant thereto, of NECHES HOTEL CONDOMINIUMS, a condominium project in Travis County, Texas, according to the Declaration of Condominium recorded in Document Number 2001089166, and the Austin Convention Center Hotel Condominium Exhibits recorded in Document Number 2001088665, and the Amended Declaration of Condominium recorded in Document Number 2001095498 of the Official Public Records of Travis County, Texas, also being referred to as the "Legal Hotel Unit" in said Declaration and Condominium Exhibit.

Tract 2:

EASEMENT ESTATE only over and across the nonexclusive ingress and egress easement described as "Lobby Easement" in Section 4.3(h) of the Declaration of Condominium for Neches Hotel Condominiums, recorded in Document Number 2001089166, of the Official Public Records of Travis County, Texas.

Being the same property described in Exhibit A-1 attached to and made a part hereof by reference.

UNRECORDED
2001095498
DECLARATION OF CONDOMINIUMS

Exhibit A

Legal Description

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), and Eight (8), together with the twenty foot (20') vacated alley, in Block 39 (being all of Block 39) in the ORIGINAL CITY OF AUSTIN, according to the map or plat thereof on file in the General Land Office of the State of Texas.

7551-0103

**METES & BOUNDS DESCRIPTION
9,526 SQUARE FEET OF LAND OUT OF
PORTIONS OF EAST 5th STREET, NECHES STREET
AND RED RIVER STREET RIGHTS-OF-WAY
ORIGINAL CITY OF AUSTIN
AUSTIN, TRAVIS COUNTY, TEXAS**

All that certain 9,526 square feet land being portions of East 5th Street, Neches Street and Red River Street rights-of-way, Original City of Austin according to the map on file at the General Land Office of the State of Texas, Travis County, Texas, and being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, Central Zone)

Commencing for reference at a set "X" in concrete at the intersection of the easterly right-of-way line of Neches Street (80' wide) with the northerly right-of-way line of East 4th Street (80' wide). Thence N 16° 33' 02" E - 1 92' with the easterly right-of-way line of said Neches Street to the POINT OF BEGINNING of the herein described tract;

THENCE N 73° 26' 49" W - 7 38' to a point for corner,

THENCE N 18° 33' 11" E - 289 74' to a point for corner,

THENCE S 73° 26' 49" E - 293 48' to a point for corner,

THENCE S 16° 33' 11" W - 10 99' to a point for corner,

THENCE S 73° 26' 49" E - 5 86' to a point for corner,

THENCE S 18° 33' 11" W - 64 58' to a point for corner,

THENCE N 73° 26' 49" W - 5 86' to a point for corner,

THENCE S 18° 33' 11" W - 208 19' to a point for corner,

THENCE N 73° 26' 49" W - 10 06' to a point for corner on the westerly right-of-way line of aforementioned Red River Street (80' wide),

THENCE N 16° 32' 02" E - 275 15', with said westerly right-of-way line to a found "X" in concrete for corner,

THENCE N 73° 31' 58" W - 275.94', with the southerly right-of-way line of aforementioned East 5th Street (80' wide) to a set 60d nail for corner,

THENCE S 18° 33' 02" W - 274 74', with the easterly right-of-way line of aforementioned Neches Street to the POINT OF BEGINNING and containing 9,526 square feet (0.2187 acres) of land, more or less

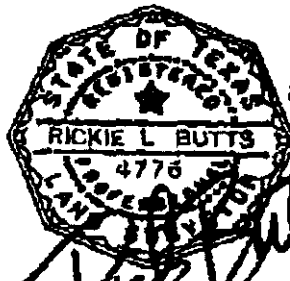
Compiled from survey by

PREJEAN & COMPANY, INC.
surveying/mapping
d:\docs\282-1_STREETS_MB.doc
March 28, 2001
Revised March 30, 2001

FIELD NOTES REVIEWED

By *[Signature]* Date *[Signature]*

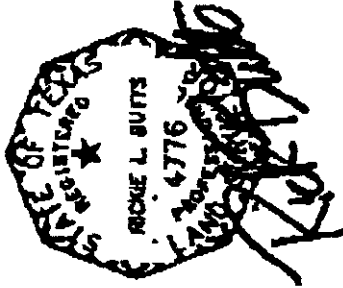
Engineering Support Section
Department of Public Works
and Transportation



~~EXHIBIT A~~

EXHIBIT "A-1"

7551-0103



ACRES
1.7837
0.2187
1.9718

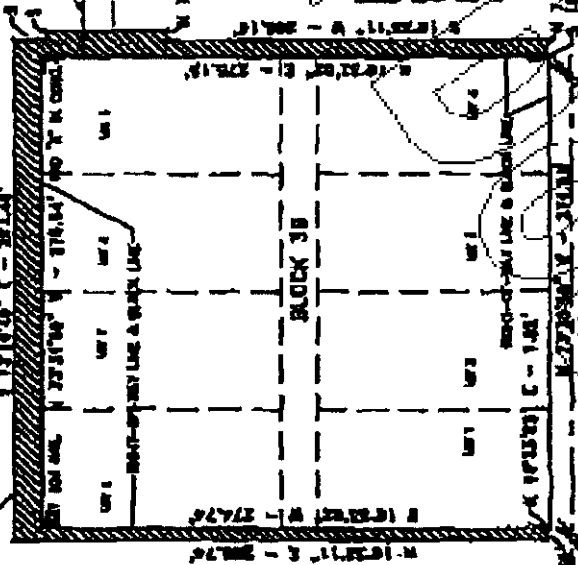
AREA SUMMARY
SOURCE FEET
76,304
9,538
85,842

TRACT
BLOCK 30
STREET RIGHTS-OF-WAY
TOTAL

NO. OF ACRES
CONVEYED BY THIS
PARTIAL SURVEY

EAST 1/4 SECTION (200' STREET)
(20' WIDE R/W)

AREA IN STREET RIGHTS-OF-WAY
3.411 SQUARE FEET (0.111) ACRES



7551-0103

BRUSH SQUARE

EXHIBIT

LOT 1 LOT 2 LOT 3
BLOCK 35

PREJEAN & COMPANY, INC.
Surveying / Mapping

SITE EXHIBIT

1.9718 ACRES OF LAND
BEING ALL OF BLOCK 30 AND
PORTIONS OF 1/4 SECTION RIGHTS-OF-WAY & 20' WIDE STREET RIGHTS-OF-WAY
ORIGINAL CITY OF AUSTIN
ACCORDING TO THE MAP AND FILE AT THE CENTRAL LAND OFFICE OF THE STATE OF TEXAS
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

DATE: 03-20-2006 SCALE: 1"=100'

JOB NO: 203-1

7551-0103

**AIR RIGHTS TRACT 1
METES & BOUNDS DESCRIPTION
1123 SQUARE FEET FOR AIR RIGHTS EASEMENT
OUT OF EAST 4th STREET RIGHT-OF-WAY
ORIGINAL CITY OF AUSTIN
AUSTIN, TRAVIS COUNTY, TEXAS**

All that contain 1123 square feet for air rights easement out of East 4th Street right-of-way, Original City of Austin according to the map on file at the General Land Office of the State of Texas, Travis County, Texas, and being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, Central Zone)

Commencing for reference at a cut "X" found in concrete marking the southeast corner of Block 39 of said Original City of Austin, Thence N 73° 30' 58" W - 38.35' with the northerly right-of-way line of East 4th Street (80' wide) to the POINT OF BEGINNING of the herein described tract,

THENCE S 16° 35' 48" W - 8.18' to a point for corner,

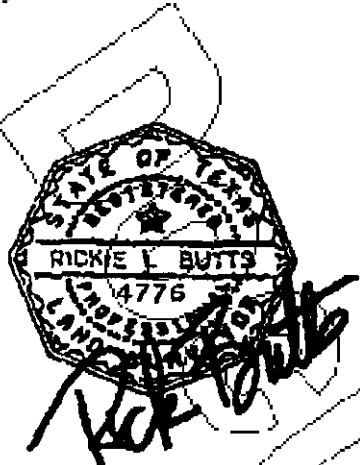
THENCE N 73° 24' 12" W - 140.06' to a point for corner,

THENCE N 18° 35' 48" E - 7.88' to a point for corner, - -

THENCE S 73° 30' 58" E - 140.06', with the northerly right-of-way line of said East 4th Street to the POINT OF BEGINNING and containing 1123 square feet for air rights easement, more or less, said air rights easement begins at a plane 18' above sidewalk grade and extends upward therefrom

Compiled from survey by

PREJEAN & COMPANY, INC.
surveying/mapping
d:\docs\262-1_AIR_FINAL_MB.doc
April 9, 2001
Revised April 10, 2001
Revised April 12, 2001



FIELD NOTES REVIEWED

By [Signature] Date 4/13/01

Engineering Support Section
Department of Public Works
and Transportation

~~EXHIBIT C~~

7551-0103

**AIR RIGHTS TRACT 2
METES & BOUNDS DESCRIPTION
1574 SQUARE FEET FOR AIR RIGHTS EASEMENT
OUT OF NECHES STREET RIGHT-OF-WAY
ORIGINAL CITY OF AUSTIN
AUSTIN, TRAVIS COUNTY, TEXAS**

All that contain 1574 square feet for air rights easement out of Neches Street right-of-way, Original City of Austin according to the map on file at the General Land Office of the State of Texas, Travis County, Texas, and being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, Central Zone)

Commencing for reference at a cut "X" set in concrete marking the southwest corner of Block 38 of said Original City of Austin, Thence N 16° 33' 02" E - 107.99' with the easterly right-of-way line of Neches Street (80' wide) to the POINT OF BEGINNING of the herein described tract,

THENCE N 73° 24' 21" W - 22.02' to a point for corner,

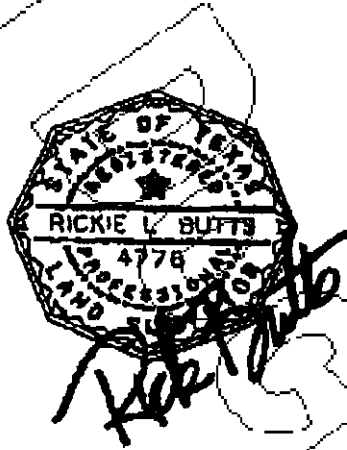
THENCE N 16° 35' 48" E - 71.58' to a point for corner,

THENCE S 73° 26' 58" E - 21.98' to a point for corner, - -

THENCE S 16° 33' 02" W - 71.60', with the westerly right-of-way line of said Neches Street to the POINT OF BEGINNING and containing 1574 square feet for air rights easement, more or less, said air rights easement begins at a plane 18' above sidewalk grade and extends upward therefrom

Compiled from survey by

PREJEAN & COMPANY, INC.
surveying/mapping
d:\docs\282-1_AIR_FINAL_MB.doc
April 9, 2001
Revised April 10, 2001
Revised April 12, 2001



FIELD NOTES REVIEWED

By *[Signature]* Date *[Signature]*

Engineering Support Section
Department of Public Works
and Transportation

~~EXHIBIT D~~

**AIR RIGHTS TRACT 3
METES & BOUNDS DESCRIPTION
199 SQUARE FEET FOR AIR RIGHTS EASEMENT
OUT OF EAST 5TH STREET RIGHT-OF-WAY
ORIGINAL CITY OF AUSTIN
AUSTIN, TRAVIS COUNTY, TEXAS**

All that certain 199 square feet for air rights easement out of East 5th Street right-of-way, Original City of Austin according to the map on file at the General Land Office of the State of Texas, Travis County, Texas, and being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, Central Zone)

Commencing for reference at a set 80d nail marking the northwest corner of Block 39 of said Original City of Austin, Thence S 73° 31' 58" E - 5 81' with the southerly right-of-way line of said East 5th Street (80' wide) to the POINT OF BEGINNING of the herein described tract,

THENCE N 18° 30' 39" E - 8 38' to a point for corner,

THENCE S 73° 24' 12" E - 31 51' to a point for corner,

THENCE S 18° 28' 02" W - 8 29' to a point for corner,

THENCE N 73° 31' 58" W - 31 62', with the southerly right-of-way line of said East 5th Street to the POINT OF BEGINNING and containing 199 square feet for air rights easement, more or less, said air rights easement begins at a plane 18' above sidewalk grade and extends upward therefrom

Compiled from survey by.

PREJEAN & COMPANY, INC.
surveying/mapping
d:\docs\282-1_AIR_FINAL_MB.doc
April 9, 2001
Revised April 10, 2001
Revised April 12, 2001



FIELD NOTES REVIEWED

By W. L. Little Date 04/13/01

Engineering Support Section
Department of Public Works
and Transportation

~~EXHIBIT E~~

**AIR RIGHTS TRACT &
METES & BOUNDS DESCRIPTION
2104 SQUARE FEET FOR AIR RIGHTS EASEMENT
OUT OF EAST 5TH STREET & RED RIVER STREET RIGHTS-OF-WAY
ORIGINAL CITY OF AUSTIN
AUSTIN, TRAVIS COUNTY, TEXAS**

All that certain 2104 square feet for air rights easement out of East 5th Street and Red River Street rights-of-way, Original City of Austin according to the map on file at the General Land Office of the State of Texas, Travis County, Texas, and being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, Central Zone):

Commencing for reference at a cut "X" found in concrete marking the southeast corner of Block 39 of said Original City of Austin, Thence N 16° 32' 02" E - 12.83' with the westerly right-of-way line of said Red River Street (80' wide) to the POINT OF BEGINNING of the herein described tract.

THENCE N 16° 32' 02" E - 283.91', continuing with said westerly right-of-way line to a cut "X" found in concrete marking the northeast corner of said Block 39.

THENCE N 73° 31' 58" W - 228.22', with the southerly right-of-way line of said East 5th Street to a point for corner;

THENCE N 16° 35' 48" E - 6.26' to a point for corner;

THENCE S 73° 24' 12" E - 231.06' to a point for corner;

THENCE S 16° 35' 48" W - 289.58' to a point for corner;

THENCE N 73° 24' 12" W - 2.57' to the POINT OF BEGINNING and containing 2104 square feet for air rights easement, more or less, said air rights easement begins at a plane 18' above sidewalk grade and extends upward therefrom

Compiled from survey by

PREJEAN & COMPANY, INC.
surveying/mapping
d:\docs\252-1_AIR_FINAL_ME doc
April 9, 2001
Revised April 10, 2001
Revised April 12, 2001



FIELD NOTES REVIEWED

By: W. L. Butts Date: 04/13/01

Engineering Support Section
Department of Public Works
and Transportation

~~EXHIBIT F~~

7551-0103

BLOCK 59

BLOCK 60

BLOCK 61

BRUSH SQUARE

BLOCK 33

BLOCK 39

BLOCK 38

BLOCK 34

PROPOSED AIR RIGHTS
IN TRACT 2

EAST 5TH STREET (70' WIDE STREET)

2ND 5TH ST ALLEY
(PROPOSED CONCRETE
CONCRETE LAYOUT)

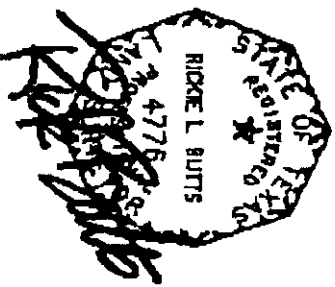
CALL & POUND
PER THE
(CONCRETE LAYOUT)

TRACT 2
PROPOSED AIR RIGHTS
177' SQUARE FEET

PROPOSED AIR RIGHTS
(177' SQUARE FEET)
EAST 5TH STREET (70' WIDE STREET)

AREA SUMMARY

TRACT	SQUARE FEET
1	1825
2	1574
3	198
4	2104
TOTAL	5800



PREZAN & COMPANY, INC
surveying / mapping

624 WESTWAY DRIVE
HOUSTON, TX 77066
713-467-9945

SITE EXHIBIT
PROPOSED AIR RIGHTS ADJACENT TO BLOCK 39

BEING PORTIONS OF 4TH STREET, 5th STREET,
WICKES STREET & RED BURN STREET RIGHTS-OF-WAY
ORIGINAL CITY OF AUSTIN
ACCORDING TO THE MAP AND PLAN OF THE GENERAL LAND OFFICE OF THE STATE OF TEXAS
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

MAP
SBS

CONTINUED ON MAP 355



CONTINUED ON MAP 384

CONTINUED ON MAP 315

CONTINUED ON MAP 386

SCALE IN FEET

SCALE IN FEET

BOOK PAGE 1301

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Page 9 of 9 and last EXHIBIT "H"

EXHIBIT "A-1"

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana Debeauvoir

06-14-2001 10 42 AM 2001095500

CORTEZR \$37 00

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility carbon or photocopy, discolored paper etc. All blockouts additions and changes were present at the time the instrument was filed and recorded

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