

SPECIAL WARRANTY DEED

STATE OF TEXAS §
 §
COUNTY OF TARRANT §

D.R. HORTON – TEXAS, LTD., a Texas limited partnership ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has Granted, Sold, and Conveyed, and by these presents does Grant, Sell, and Convey, unto **THE CITY OF SAGINAW, TEXAS**, having an address at POB 79070, Saginaw, Texas 76179, (i) all that real property situated in the County of Tarrant, State of Texas, and more particularly described on Exhibit A attached hereto and made a part hereof for all purposes, and (ii) together with all improvements now or hereafter situated thereon, and the lessor's or landlord's interest in all space leases or occupancy agreements covering all or any portion of such real property and the improvements situated thereon (collectively, the "Property") for public recreation or open space purposes or any other public purpose consistent with the development of the subject property for public recreation or open space land, including the construction of streets, sewers, utilities or other use for the public benefit.

This Deed is made and accepted expressly subject to validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; and any encroachments or overlapping of improvements (collectively, the "Exceptions").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances belonging in any way to the Property, unto the said Grantee, its successors and assigns forever, and Grantor binds itself and its successors and assigns to warrant and forever defend all and singular the Property to Grantee, its successors and assigns against every person lawfully claiming or to claim all or any part of the Property, by, through, or under Grantor, but not otherwise, subject to the Exceptions.

EXCEPT FOR THE WARRANTY OF TITLE SET FORTH IN THIS DEED, GRANTOR HEREBY CONVEYS THE PROPERTY TO GRANTEE "AS IS", "WHERE IS", AND "WITH ALL FAULTS" AND WITHOUT ANY WARRANTY, EXPRESS OR IMPLIED. EXCEPT FOR THE WARRANTY OF TITLE SET FORTH IN THIS DEED GRANTOR HEREBY SPECIFICALLY DISCLAIMS ANY AND ALL WARRANTIES, GUARANTIES, PROMISES, COVENANTS, AGREEMENTS, OR REPRESENTATIONS OF ANY NATURE WHATSOEVER, PAST, PRESENT, OR FUTURE AS TO OR CONCERNING THE PROPERTY, INCLUDING BUT NOT LIMITED TO THOSE WHICH MIGHT BE IMPLIED AT LAW.

[REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY]

Executed to be effective as of September 1, 2019.

GRANTOR:

D.R. HORTON – TEXAS, LTD.,
a Texas limited partnership

By: D.R. Horton, Inc.,
a Delaware corporation,
its authorized agent

By: _____

Name: _____

Title: _____

STATE OF TEXAS §
 §
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This instrument was acknowledged before me on the ____ day of September, 2019, by _____, the _____ of D.R. Horton, Inc., a Delaware corporation, authorized agent of D.R. Horton – Texas, Ltd., a Texas limited partnership, on behalf of said corporation and limited partnership.

[Seal]

Notary Public, State of Texas

GRANTEE:

CITY OF SAGINAW, TEXAS

By: _____

Name: _____

Title: _____

STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of September, 2019, by _____, as _____ of the City of Saginaw, Texas.

[Seal]

Notary Public, State of Texas

EXHIBIT A

LEGAL DESCRIPTION

Lot 22X, Block 1, of AMENDING PLAT OF SPRING CREEK ADDITION PHASE IIA, an addition to the City of Saginaw, Tarrant County, Texas, according to the plat thereof recorded in Clerk's File Number D217081139, Official Public Records, Tarrant County, Texas.