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WARRANTY DEED WITH VENDOR'S LIEN



TRV 1999145352 2 pgs

Date: November 23, 1999

Grantor: THOMAS L. GAUTHIER and spouse, KRISTINE A. GAUTHIER

Grantor's Mailing Address:
(including county)

Grantee: KRISTOPHER J. GUSTOVICH, a single person

Grantee's Mailing Address: 17028 Jigsaw Pathway
(including county) Round Rock, Travis County, TX 78664

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OK

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration and a note of even date in the principal amount of One Hundred Twenty Six Thousand Six Hundred Thirty Five and no/100 DOLLARS (\$126,635.00) executed by Grantee payable to the order of FUNDAMERICA CAPITAL, LLC. The note is secured by a vendor's lien retained in favor of FUNDAMERICA CAPITAL, LLC in this deed and by a deed of trust of even date from Grantee to Morton W. Baird II, Trustee.

Property (including any improvements):

Lot 46, Block M, Springbrook Centre, Phase A, a subdivision in Travis County, Texas, according to the map or plat recorded in Volume 86, Pages 66B-68D of the Plat Records of Travis County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made subject to any assessments, conditions, mandatory homeowners assessments, and/or restrictions of record affecting the title to the hereinbefore described property; including but not limited to one-half (1/2) of all oil, gas and other minerals recorded in Volume 2040, Page 404 of the Deed Records of Travis County, Texas.

Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and 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 shall become absolute.

FUNDAMERICA CAPITAL, LLC, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described above. The vendor's lien and superior title to the property are retained for the benefit of FUNDAMERICA CAPITAL, LLC and are transferred to that party.

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

Thomas L. Gauthier
THOMAS L. GAUTHIER

Kristine A. Gauthier
KRISTINE A. GAUTHIER

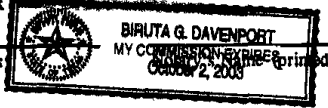
THE STATE OF TEXAS }
COUNTY OF TRAVIS

(Acknowledgment)

This instrument was acknowledged before me on the 23 day of November, 1999,

by THOMAS L. GAUTHIER

Notary Public, State of Texas



Notary's commission expires

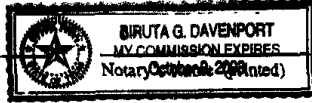
THE STATE OF TEXAS }
COUNTY OF TRAVIS

(Acknowledgment)

This instrument was acknowledged before me on the 23 day of November, 1999,

by KRISTINE A. GAUTHIER.

Notary Public, State of Texas



Notary's commission expires

THE STATE OF TEXAS }
COUNTY OF TRAVIS

(Acknowledgment)

This instrument was acknowledged before me on the _____ day of _____, 1999,

by .

Notary Public, State of Texas

Notary's Name (printed)

Notary's commission expires

THE STATE OF TEXAS }
COUNTY OF TRAVIS

(Acknowledgment)

This instrument was acknowledged before me on the _____ day of _____, 1999,

by .

Notary Public, State of Texas

Notary's Name (printed)

Notary's commission expires

THE STATE OF TEXAS }
COUNTY OF TRAVIS

(Corporate Acknowledgment)

This instrument was acknowledged before me on the _____ day of _____, 1999,

by

of

a , on behalf of said .

Notary Public, State of Texas

Notary's Name (printed)

Notary's commission expires

AFTER RECORDING RETURN TO:

KRISTOPHER J. GUSTOVICH
17028 Jigsaw Pathway
Round Rock, TX 78664

PREPARED IN THE LAW OFFICE OF

MORTON W. BAIRD II
1777 N E Loop 410, Suite 707
San Antonio, Texas 78217
(210) 828-5844

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir

11-24-1999 03 02 PM 1999145352
RUIZO \$11.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS