15-ICT-0500646

RET. TOWNE & COUNTRY

WD 2005099804

4 PGS

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date: ~~June~~ May 31, 2005

Grantor: Gavurnik Builders, L.P., a Texas limited partnership

Grantor's Mailing Address:[include county] 2004 Williams Drive
Georgetown, Williamson County, Texas 78628

Grantee: Chad Borchgardt

Grantee's Mailing Address:[include county] 2632 Century Park #34
Austin, TX 78730

Consideration: Ten Dollars ($10.00) and other good and valuable consideration to the undersigned, and the further consideration of the execution and delivery by Grantee of a promissory note of even date herewith. The note is in the principal sum of ONE HUNDRED FOUR THOUSAND FIFTY TWO AND NO/100 DOLLARS ($104,052.00) being payable to First Magnus Financial Corporation, an Arizona corporation. The note is secured by a vendor's lien retained in favor of First Magnus Financial Corporation, an Arizona corporation, in this deed.

Property (including any improvements):

Unit 34, Building 9, CENTURY PARK CONDOMINIUM, a Condominium Project in Travis County, Texas; together with the limited common elements and an undivided interest in and to the general common elements, as defined in that Declaration recorded in Document No. 2002214450, Official Public Records, Travis County, Texas.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

Permitted exceptions itemized on Exhibit "A" attached hereto.

Grantor, for the Consideration and subject to the Reservations from Conveyance 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 to hold it to Grantee and Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor 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, by, through or under said Grantor, but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's liens 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.

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

Gavurnik Builders, L.P., a Texas limited partnership

By: Gavurnik Group, Inc., a Texas corporation
its general partner

By: _____
John J. Gavurnik, President

THE STATE OF TEXAS §
§
COUNTY OF WILLIAMSON §

This instrument was acknowledged before me on June 2, 2005 by John J. Gavurnik, President of Gavurnik Group, Inc., a Texas corporation, as the general partner of Gavurnik Builders, L.P., a Texas limited partnership, on behalf of such limited partnership.

_____
Notary Public in and for the State of Texas

EXHIBIT A
PERMITTED EXCEPTIONS

1. Restrictive covenants of record in Document No. 2002214450, Official Public Records, Travis County, Texas.

2. Terms, conditions, and stipulations in the Multi-Service Contract Agreement by and between Abu Dhabi, Inc., and the City of Austin recorded in Volume 6775, Page 1498, Official Public Records, Travis County, Texas.

3. Terms, conditions and stipulations in the Easement and Memorandum Agreement recorded in Document No. 2002167764, Official Public Records, Travis County, Texas.

4. Notice regarding Edwards Aquifer Protection Plan recorded in Document No. 2002110574, Official Public Records, Travis County, Texas.

5. Terms, conditions and stipulations in the Subdivision Construction Agreement recorded in Document No. 2002085970, Official Public Records, Travis County, Texas.

6. Easement for ingress and egress for installation, maintenance, repairs, and removal of public utilities recorded in Document No. 2002214450, Official Public Records, Travis County, Texas.

7. Easement for encroachments created by construction settling and overhang of improvements recorded in Document No. 2002214450, Official Public Records, Travis County, Texas.

8. Easement for public and/or private utilities, streets, driveways, walkways, sewers, access, and drainage over and across the common areas recorded in Document No. 2002214450, Official Public Records, Travis County, Texas.

9. Maintenance charges, assessments, rights and remedies of co-tenants, contractual or otherwise, including but not limited to terms, conditions, covenants, options, restrictions and easements contained in Declaration of Condominium and By-laws recorded in Document No. 2002214450, Official Public Records, Travis County, Texas.

10. Maintenance charges and/or assessments as provided for in instrument(s) recorded in Document No. 2002214450, Official Public Records, Travis County, Texas.

11. Easement for electric utility recorded in Document No. 2003029362 and corrected in Document No. 2004042265, Official Public Records, Travis County, Texas.

12. Any and all easements, building lines, conditions, covenants, and restrictions as set forth in plat recorded in Document No. 200200114 (Plat), Official Public Records, Travis County, Texas.

13. Any and all visible and/or apparent easements located on, over, or across subject property.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2005 Jun 06 03:51 PM 2005099804

EVANSK $20.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS