

WARRANTY DEED WITH VENDOR'S LIEN

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BASTROP

That DONALD F. WESTBROOK AND ROSEMARY WESTBROOK AS TO TRACT 1; DONALD F. WESTBROOK AND ROSE MARY WESTBROOK AS TO TRACT 2

hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by KELLY E. BARKER AND WIFE, CLAUDIA C. BARKER

hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by Grantee of one certain Promissory Note in the principal sum of \$ 104,950.00 , of even date herewith, payable to the order of WESTERN FINANCIAL BANK, F.S.B.

hereinafter called "Mortgagee", bearing interest at the rate therein provided; said note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to DENNIS P. SCHWARTZ , Trustee; and

WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor \$ 104,950.00 of the purchase price of the property hereinafter described, as evidenced by the above-described Note, said Vendor's Lien and Deed of Trust Lien against said property securing the payment of said Note are hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto said Grantee, the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

TO HAVE AND TO HOLD the above-described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto said Grantee, his heirs and assigns, forever. And Grantor does hereby bind himself, his heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Taxes for the current year have been prorated and their payment is assumed by Grantee.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges together with any lien securing said maintenance charges, zoning laws, ordinances of municipal and/or governmental authorities, conditions and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

The use of any pronoun herein to refer to Grantor or Grantee shall be deemed a proper reference even though Grantor and/or Grantee may be an individual (either male or female), a corporation, a partnership or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, or trustee, the words "heirs, executors and administrators" or "heirs and assigns" shall, with respect to such corporation or trustee, be construed to mean "successors and assigns".

It is expressly agreed that the Vendor's Lien is retained in favor of the payee of said Note against the above-described property, premises and improvements, until said Note and all interest thereof shall have been fully paid according to the terms thereof, when this Deed shall become absolute.

EXECUTED this 1st day of APRIL, 1997.

Donald F. Westbrook
DONALD F. WESTBROOK

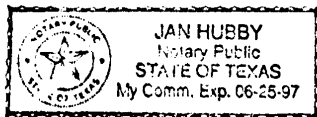
Rose Mary Westbrook
ROSE MARY WESTBROOK AKA
ROSEMARY WESTBROOK

STATE OF TEXAS, COUNTY OF BASTROP, ss: (Individual Acknowledgment)

BEFORE ME, the undersigned authority, on this day personally appeared DONALD F. WESTBROOK AND ROSE MARY WESTBROOK AKA ROSEMARY WESTBROOK.

known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3rd day of APRIL, 1997.



Jan Hubby
NOTARY PUBLIC

STATE OF TEXAS, COUNTY OF BASTROP, ss: (Individual Acknowledgment)

BEFORE ME, the undersigned authority, on this day personally appeared

known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of APRIL, 1997.

NOTARY PUBLIC

GRANTEE'S ADDRESS:
KELLY E. BARKER
195 COOLWATER DRIVE
BASTROP, TEXAS 78602

0001096270
BARKER

EXHIBIT "A"

TRACT 1: LOT 195, BLOCK 2, LAKE BASTROP CLUB SUBDIVISION, A SUBDIVISION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET NO. 1, PAGE 54A, PLAT RECORDS OF BASTROP COUNTY, TEXAS.

TRACT 2: SURFACE ESTATE ONLY IN AND TO LOTS 7, 8 AND 9, BLOCK 1, LAKE BASTROP ACRES, SECTION THREE, A SUBDIVISION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN CABINET NO. 1, PAGE 39A, PLAT RECORDS OF BASTROP COUNTY, TEXAS.

FILED APR 4 1997
4:20 P M
Shirley Mitchell
COUNTY CLERK
BASTROP COUNTY, TEXAS

STATE OF TEXAS COUNTY OF BASTROP
I hereby certify that this instrument was FILED on the date and time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Bastrop County, Texas, as Stamped hereon by me on

APR 16 1997
Shirley Mitchell
COUNTY CLERK
BASTROP COUNTY, TEXAS