



assumed by GRANTEE. Any roll back taxes assessed as a result of change in use of the Property shall be borne by GRANTEE.

- 4. GRANTOR'S retention of the right to grant additional easements without the joinder of GRANTEE.
- 5. GRANTOR'S retention of all minerals rights in, on, and under the Property, however, GRANTOR hereby waives it's rights to utilize the surface of the Property for mineral exploration or production.
- 6. GRANTEE'S permitted use of the Property shall be for use as streets only for the benefit of Grand Harbor residents, their guests and invitees. Such use may not be changed.

GRANTEE agrees that this conveyance is subject to the following additional restrictions all of which are additional consideration for the transfer of the Property.

- 1. GRANTEE agrees not to further transfer the Property of any portion of it without the consent of GRANTOR or its successors or assigns.
- 2. GRANTEE agrees to maintain the Property for the benefit of the residents of Grand Harbor and their guests and invitees.

TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THIS DEED IS MADE AND ACCEPTED (A) WITHOUT RECOURSE ON GRANTOR AND (B) WITHOUT REPRESENTATION AND WARRANTY OF ANY KIND (WHETHER EXPRESS, IMPLIED OR STATUTORY) BY GRANTOR. GRANTOR IS CONVEYING THE PROPERTY COVERED BY THIS DEED ON AN "AS IS, WHERE IS" BASIS, WITH ALL FAULTS, AND WITHOUT REPRESENTATION OR WARRANTY (ALL OF WHICH GRANTOR DISCLAIMS).

Grantee joins in the execution of this Deed Without Warranty to evidence is acceptance of the restrictions and terms and conditions of the transfer.

(SIGNATURE PAGES TO FOLLOW)

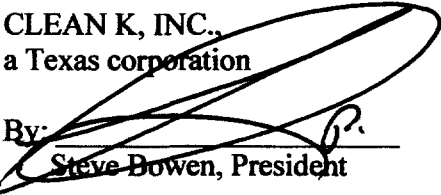
EXECUTED this the 11th day of July, 2007.

GRANTOR:

VIRGIN DEVELOPMENT V, LTD. d/b/a  
Grand Harbor,  
a Texas limited partnership

By its general partner:

CLEAN K, INC.,  
a Texas corporation

By:   
Steve Bowen, President

THE STATE OF TEXAS       §  
  §  
COUNTY OF MONTGOMERY   §

THIS INSTRUMENT was acknowledged before me on the 14<sup>th</sup> day of July 2007 by Steve Bowen, the President of Clean K, Inc., a Texas corporation, the General Partner of Virgin Development V, Ltd., known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein expressed.



Elizabeth A. Price  
Notary Public – State of Texas

ACCEPTED this the 11th day of July, 2007.

GRANTEE:

Grand Harbor Property Owners Association, Inc., a Texas non-profit corporation

By: [Signature]  
Print Name: HARRY YOUNG  
Title: President

Address of Grantee:  
15450 Walden Rd.  
Montgomery, Texas 77356  
Montgomery County

THE STATE OF TEXAS       §  
  §  
COUNTY OF MONTGOMERY   §

THIS INSTRUMENT was acknowledged before me on the 11th day of July 2007, by Harry Young, the President of Grand Harbor Property Owner's Association, Inc, a Texas non-profit corporation, on behalf of the said corporation.

[Signature]  
Notary Public – State of Texas



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After Recording Return To:  
Marc D. Markel  
Roberts Markel Bale P.C.  
2800 Post Oak Blvd., 57<sup>th</sup> Floor  
Houston, Texas 77056

**EXHIBIT "A"**

**STREETS**

That portion of Ocean Mist Court shown as a private street located in Grand Harbor Section Two, according to the plat thereof recorded under Clerk's File No. 99041309 in the map records of Montgomery County.

That portion of Quiet Water Lane shown as a private street located in Grand Harbor Section Two, according to the plat thereof recorded under Clerk's File No. 99041309 in the map records of Montgomery County.

That portion of Grand Harbor Point shown as a private street located in Grand Harbor Section Two, according to the plat thereof recorded under Clerk's File No. 99041309 in the map records of Montgomery County.

That portion of Harbor Breeze Drive shown as a private street located in Grand Harbor Section Two, according to the plat thereof recorded under Clerk's File No. 99041309 in the map records of Montgomery County.

That portion of Grand Harbor Blvd. shown as a private street located in Grand Harbor Section Two, according to the plat thereof recorded under Clerk's File No. 99041309 in the map records of Montgomery County.

**NOTE:** The property being conveyed herein is additionally restricted in its use as provided on the plat or other recorded document.

**FILED FOR RECORD**

**07 JUL 11 PM 4: 04**

*Mark Turnbull*  
**COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS**

**STATE OF TEXAS  
COUNTY OF MONTGOMERY**

I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property at Montgomery County, Texas.

**JUL 11 2007**



*Mark Turnbull*  
**County Clerk  
Montgomery County, Texas**