

#571

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HOOD

§

GENERAL WARRANTY DEED

That SKY ENTERPRISES, INC. of the County of Hood, State of Texas, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) in hand paid by SKY HARBOUR HOMEOWNERS ASSOCIATION, INC. and in further consideration of the assumption and responsibility for the maintenance, upkeep, repair, and all things necessary to further the life of the common area, facilities, and services of the Association, including but not limited to the maintenance of roads, ways, parks, channels, marine facilities, and any other services and benefits which the Association may provide for the benefit of the lots, facilities, and members, by the SKY HARBOUR HOMEOWNERS ASSOCIATION, INC.;

HAVE GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto the said SKY HARBOUR HOMEOWNERS ASSOCIATION, INC. of the County of Hood, State of Texas, all of that certain real property, with improvements thereon, and specifically described as roads, roadway easements, channels, creeks, parks, greenbelts, common areas, dams, lakes, boat ramps, fishing and boat docks, canal, ingress and egress easements, and common areas as shown in the Dedications, Sections 1-11, of the SKY HARBOUR DEVELOPMENT and recorded in Hood County, Texas, in the Dedication Records on the following dates and in the following Volume and Page:

<u>SECTION</u>	<u>VOLUME</u>	<u>PAGE</u>	<u>DATE</u>
1	157	294	April 22, 1970
2	156	251	March 3, 1970
3	156	237	March 3, 1970
4	167	268	April 22, 1971
5	168	424	May 24, 1971
6	168	452	May 24, 1971
7	168	437	May 24, 1971
8	177	429	February 4, 1972
9	179	204	March 13, 1972
10	180	421	April 13, 1972
11	184	19	June 6, 1972

Subject to all of those reservations, covenants, restrictions, and easements shown in those Dedications described above which are incorporated herein for all intents and purposes;

So long as the real property, with improvements thereon,

and roads, roadway easements, channels, creeks, parks, greenbelts, common areas, dams, lakes, boat ramps, fishing and boat docks, canal, ingress and egress easements, and common areas are maintained in good condition, except normal wear and tear, and are used for recreational purposes by the SKY HARBOUR HOMEOWNERS ASSOCIATION, INC.; should the District Court of Hood County, Texas, determine such facilities are not maintained in a good condition and used for recreational purposes, the facilities and real property described above shall pass to the Boy Scouts and Girl Scouts of America in fee simple; Dedicator defines recreational purposes as that defined in Webster's Dictionary and applying to all lot owners within Sections 1-11 as described in the Dedications above; Grantor defines good condition as that connotation applied to such term by the general public and also inclusive that such property and facilities have not depreciated below the appraised value of the same facilities and property preceding such year; all of the restrictions and covenants herein set forth shall continue and be binding upon the Grantee, its successors and assigns, and all parties claiming by, through or under it until January 1, 1990, provided that the owner of the legal title to land accounting for more than fifty (50%) per cent of the lot owners of the entire development, as shown in Section 1-11 as described in the Dedications above, may at any time after ten (10) years from the date of this instrument, by written document, duly executed, acknowledged, and recorded in the Deed Records of Hood County, Texas, from time to time release any one or more of the restrictions or conditions herein set forth, such instrument to become effective from the date of recording;

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in any wise belonging unto the said SKY ENTERPRISES, INC., its heirs and assigns forever and it does hereby bind its heirs, executors, and administrators to warrant and forever defend all and singular the said premises unto the said SKY HARBOUR HOMEOWNERS ASSOCIATION, INC. and its heirs and assigns, against every person whomsoever lawfully claiming, or

to claim the same or any part thereof.

WITNESS THIS HAND AND SEAL this the 28th day of February, 1975.

SKY ENTERPRISES, INC.

ATTESTED:

BY: C. B. Kendall, Jr.
C. B. KENDALL, JR., Secretary

BY: O. Leon Smith
O. LEON SMITH, President

THE STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared O. LEON SMITH, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said SKY ENTERPRISES, INC., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 28th day of February, 1975.

J. B. Carr
Notary Public in and for
Tarrant County, Texas

Filed 2-10-76
@ 10:30AM

FILED FOR RECORD THE 10 DAY OF Feb 1976 AT 10:30A.M
RECORDED THE 17 DAY OF Feb. 1976 AT 10:50A.M

Dathlum Holmes
DEPUTY

DORIS DYER, COUNTY CLERK
HOOD COUNTY, TEXAS