

After Recording Return To:

City of Killeen
Attn.: City Manager
P.O. Box 1329
Killeen, TX 76540-1329

DONATION DEED

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

DATE: _____, 2022

GRANTOR: First National Bank Texas, a national bank

GRANTOR'S MAILING ADDRESS: P.O. Box 937, Killeen, Bell Co., TX 76540-0937

GRANTEE: City of Killeen, a municipal corporation

GRANTEE'S MAILING ADDRESS: P.O. Box 1329, Killeen, TX 76540-1329

CONSIDERATION: Grantor's intention to make a donation to Grantee as a political subdivision exclusively for public purposes under applicable income tax laws and regulations.

PROPERTY:

Tract 1:

Part of Lot Two (2), Block One (1), of the ORIGINAL ADDITION TO THE TOWN OF KILLEEN, Bell County, Texas, and being more fully described by field notes in that instrument recorded at Volume 900, Page 92, Real Property Records of Bell County, Texas, such description being incorporated by reference as if set forth at length herein.

Tract 2:

All of Block Two (2), of the ORIGINAL TOWN OF KILLEEN, Bell County, Texas, including those tracts described in:

Deed recorded at Volume 661, Page 71, Real Property Records of Bell County, Texas;

Deed recorded at Volume 700, Page 104, Real Property Records of Bell County, Texas;

Deed recorded at Volume 724, Page 280, Real Property Records of Bell County, Texas;

Deed recorded at Volume 724, Page 281, Real Property Records of Bell County, Texas;

Deed recorded at Volume 950, Page 518, Real Property Records of Bell County, Texas;

Deed recorded at Volume 961, Page 321, Real Property Records of Bell County, Texas;

Warranty Deed recorded at Volume 978, Page 176, Real Property Records of Bell County, Texas;

Warranty Deed recorded at Volume 1037, Page 646, Real Property Records of Bell County, Texas;

Warranty Deed recorded at Volume 1473, Page 271, Real Property Records of Bell County, Texas; and

Alley described in instrument recorded at Volume 1312, Page 543, Real Property Records of Bell County, Texas.

Tract 3:

Lot One (1), Block Six (6), of the ORIGINAL ADDITION TO THE TOWN OF KILLEEN, Bell County, Texas, being the same tract described in Warranty Deed recorded at Volume 1082, Page 210, Real Property Records of Bell County, Texas.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made and accepted subject to the following matters, if any, but only to the extent same are in effect at this time, relating to the Property: validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests, and water interests outstanding in persons other than Grantor, and other instruments, other than conveyances of the surface fee estate, that affect the Property; validly existing rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; all rights, obligations, and other matters arising from and existing by reason of any Water Control Improvement District or other governmental district.

Grantor, with full intention of conveying the Property as a donation exclusively for public purposes and without any consideration in exchange, with no reversionary interests whatsoever in favor of Grantor, has GIVEN, GRANTED, and CONVEYED, and by these presents does GIVE, GRANT and CONVEY the Property to Grantee, 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, without express or implied warranty. Notwithstanding the foregoing, this deed is made with full substitution and subrogation

of Grantee in and to all covenants and warranties by others heretofore given or made in respect of the Property or any part thereof.

THE PROPERTY IS CONVEYED “AS IS,” “WITH ALL FAULTS,” AND IN ITS PRESENT CONDITION. GRANTOR DISCLAIMS ALL WARRANTIES AND REPRESENTATIONS EXCEPTING ONLY THOSE CONTAINED HEREIN OR IN THE DONATION AGREEMENT BETWEEN GRANTOR AND GRANTEE.

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

Roberts & Roberts, LLP (“Firm”) has prepared this instrument but has not closed this transaction. By execution and acceptance of this Deed, Grantor and Grantee acknowledge that the Firm makes no representation or warranty regarding the condition of the Property or the validity or quality of title. Grantor and Grantee are hereby advised of the availability of inspections, surveys, and title insurance in the event Grantor or Grantee is concerned about any such matters.

First National Bank Texas

By: _____
Robert W. Hoxworth, President and CEO

STATE OF TEXAS

COUNTY OF BELL

This instrument was acknowledged before me on _____, 2022, by Robert W. Hoxworth, President and CEO of First National Bank Texas, a national bank, on behalf of said bank.

Notary Public, State of Texas

Certificate of Acceptance

The City of Killeen, as the Grantee in the foregoing instrument, pursuant to the lawful enactments of its City Council, hereby accepts the foregoing donation and consents to the form and contents of this instrument.

City of Killeen

by: _____
Kent Cagle, City Manager

STATE OF TEXAS

COUNTY OF BELL

This instrument was acknowledged before me on _____, 2022, by Kent Cagle, City Manager of the City of Killeen, a Texas municipal corporation, on behalf of said municipality and as the act and deed thereof.

Notary Public, State of Texas

Prepared in the Law Offices of:

ROBERTS & ROBERTS, LLP
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