

Stewart File No.: 1386520

## SPECIAL WARRANTY DEED

**Martinez Property Holdings, Inc., a New Mexico corporation**

for consideration paid, grant(s) to

**VIA Real Estate, LLC, a Wyoming limited liability company**

whose address is 13105 Dover Avenue, Lubbock, Texas 79424 ,

the following described real estate in Bernalillo County, New Mexico:

Tracts A and B of Plat for Tracts A and B Champion 4th Street, being comprised of Lot 1, Block 2 of Douglas MacArthur Subdivision and Tract 112-A-2 MRGCD Map 32, as the same are shown and delineated on said Plat, recorded in the office of the County Clerk of Bernalillo County, New Mexico in Plat Book 2022C, Page 0076 as Document No. 2022070904.

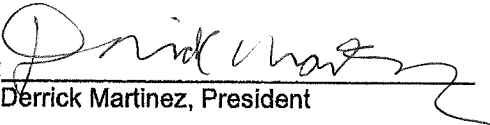
Subject to patent reservations, restrictions and easements of record and to taxes for the current year and years thereafter.

with special warranty covenants.

Further subject to the Use Restrictions as set forth in Exhibit "A" attached.

Executed this 15<sup>th</sup> day of September, 2022.


Martinez Property Holdings, Inc., a New Mexico corporation

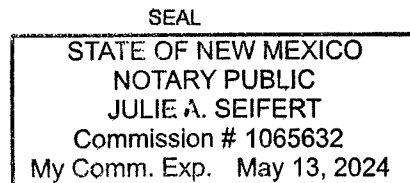
By:   
Derrick Martinez, President

State of New Mexico

County of Bernalillo

This instrument was acknowledged before me on this 15<sup>th</sup> day of September, 2022 by Derrick Martinez as President of Martinez Property Holdings, Inc., a New Mexico corporation.

  
My Commission Expires: 5/13/24



## **EXHIBIT A**

Grantor agrees that the following anti-competition use restrictions which are to be imposed upon Grantor properties i) shall be appurtenant to and shall run with the respective tracts of real property irrespective of whether or not any reference to such use restrictions is expressly contained in any instruments covering or otherwise regarding such tracts of real property; ii) shall be binding upon the Grantor and Grantor's heirs, successors, assigns, and legal representatives, and inure to the benefit of the Grantee and its heirs, successors, assigns, and legal representatives; and, iii) shall be stated thusly as follows, to-wit:

*"Grantor agrees that, for so long as a tunnel-styled automated car wash business is operating on the subject Property, any property owned by Grantor presently or in the future within two (2) miles of the subject Property will not be used for, or leased, subleased, or sold to any person for use as, a tunnel-styled automated car wash business."*