

## NOTICE OF FORECLOSURE SALE

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OR ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

**1. Property to Be Sold.** The property to be sold is described as follows: BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 3.000 ACRES OF LAND, MORE OR LESS, IN THE LOUIS VON ROEDER SURVEY. ABSTRACT 309, AUSTIN COUNTY, TEXAS, SAME BEING OUT OF THE AGGREGATE OF THE EASTERLY PORTION OF THE RESIDUE OF THAT CERTAIN FIRST TRACT CALLED 125 ACRES PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 413, PAGE 852 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, AND THE RESIDUE OF THAT CERTAIN CALLED 43.5 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 237, PAGE 610 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, SAID 3.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

COMMENCING AT AN OLD SAND STONE FOUND FOR REFERENCE, SAME BEING THE SOUTHEAST CORNER OF THAT CERTAIN CALLED 22.1235 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN CLERK'S FILE NO. 985057 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, SAME BEING A WESTERLY CORNER OF THAT CERTAIN CALLED 19.024 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN CLERK'S FILE 981477 OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS, AND SAME BEING THE NORTHEAST CORNER OF THE RESIDUE OF SAID CALLED 43.5 ACRE PARCEL, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR REFERENCE BEARS SOUTH 22 DEGREES 08 MINUTES 29 SECONDS WEST, A DISTANCE OF 829.96 FEET CALLED SOUTH 22 DEGREES 08 MINUTES 29 SECONDS WEST, 829.45 FEET CLERK'S FILE NO. 981477 BASIS OF BEARINGS, SAME BEING THE SOUTHWEST CORNER OF SAID CALLED 19.024 ACRE PARCEL, SAME BEING THE NORTHWEST CORNER OF THAT CERTAIN CALLED 40.228 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 290, PAGE 90 OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS, AND SAME BEING IN THE SOUTHEASTERLY LINE OF THE RESIDUE OF SAID CALLED 43.5 ACRE PARCEL;

THENCE, LEAVING SAID LINE, SOUTH 30 DEGREES 22 MINUTES 45 SECONDS WEST, A DISTANCE OF 4,020.26 TO A 1/2 INCH IRON ROD SET FOR CORNER, SAME BEING IN THE COMMON EASTERLY MARGIN OF OLD MILL CREEK ROAD WIDTH VARIES, SAME BEING IN THE COMMON WESTERLY LINE OF THE EASTERLY PORTION OF THE RESIDUE OF SAID FIRST TRACT CALLED 125 ACRE PARCEL, AND SAME BEING THE POINT OF BEGINNING AND NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, LEAVING SAID COMMON EASTERLY MARGIN AND SAID COMMON LINE, SOUTH 89 DEGREES 58 MINUTES 04 SECONDS EAST, A DISTANCE OF 373.37 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER, AND SAME BEING THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED,

THENCE, SOUTH 00 DEGREES 01 MINUTE 56 SECONDS WEST, A DISTANCE OF 350.00 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER, AND SAME BEING THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED,

THENCE, NORTH 89 DEGREES 58 MINUTES 04 SECONDS WEST, A DISTANCE OF 373.37 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER, SAME BEING IN THE COMMON EASTERLY MARGIN OF SAID OLD MILL CREEK ROAD, SAME BEING IN THE COMMON WESTERLY LINE OF THE EASTERLY PORTION OF THE RESIDUE OF SAID FIRST TRACT CALLED 125 ACRE PARCEL, AND SAME BEING THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED.

THENCE, WITH SAID COMMON EASTERLY MARGIN AND SAID COMMON LINE, NORTH 00 DEGREES 01 MINUTE 56 SECONDS EAST, A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED AND CONTAINING 3.000 ACRES OF LAND, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO HELEN KLUNA AND HUSBAND, AL G. KLUNA BY DEED FROM EARL W. WOLCHIK RECORDED 10/16/2003 IN CFN 36788, IN THE REGISTER'S OFFICE OF AUSTIN COUNTY, TEXAS.

**2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 08/18/2014 and recorded in Document 143694 real property records of Austin County, Texas.

**3. Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: 10/05/2021

Time: 01:00 PM

Place: Austin County, Texas at the following location: INSIDE THE FOYER OF THE AUSTIN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.


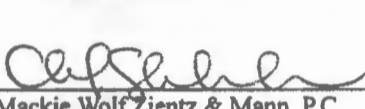
**4. Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.



5. **Obligations Secured.** The Deed of Trust executed by HELEN KLUNA AND AL G. KLUNA, provides that it secures the payment of the indebtedness in the original principal amount of \$271,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. AMERICAN ADVISORS GROUP is the current mortgagee of the note and deed of trust and AMERICAN ADVISORS GROUP is mortgage servicer. A servicing agreement between the mortgagee, whose address is AMERICAN ADVISORS GROUP c/o AMERICAN ADVISORS GROUP, 3900 Capital City Blvd., Lansing, MI 48906 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**



Mackie Wolf Zientz & Mann, P.C.  
Brandon Wolf, Attorney at Law  
L. Keller Mackie, Attorney at Law  
Michael Zientz, Attorney at Law  
Lori Liane Long, Attorney at Law  
✓Chelsea Schneider, Attorney at Law  
Ester Gonzales, Attorney at Law  
Parkway Office Center, Suite 900  
14160 Dallas Parkway  
Dallas, TX 75254

Certificate of Posting

I am Megan C. Randle whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on 08/05/2021 I filed this Notice of Foreclosure Sale at the office of the Austin County Clerk and caused it to be posted at the location directed by the Austin County Commissioners Court.

FILED

2021 AUG -5 PM 3: 06

Carrie Gregor

COUNTY CLERK  
AUSTIN COUNTY, TEXAS

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

THE STATE OF TEXAS           §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF AUSTIN         §

WHEREAS, on June 3, 2013, **CDR Process Solutions Manufacturing, LLC f/k/a CDR Strainers & Filters, Inc.** ("Maker" or "Borrower"), executed and delivered that certain **Promissory Note** in the original principal amount of SIX HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$625,000.00), payable to Enterprise Bank, and bearing interest as stated therein (the "Note"), said Note being secured by that certain **Deed of Trust, Security Agreement, Financing Statement, and Assignment of Rents** dated June 3, 2013, executed by **CDR STRAINERS & FILTERS, INC, a Texas Corporation** as "Grantor" in favor of Albert M. Dashiell, Trustee, and filed for record on June 5, 2013 in the Official Public Records of Austin County, Texas, under Instrument No. 132852 (the "Deed of Trust") covering and describing the "Property" as such term is defined in the Deed of Trust; and

WHEREAS, default has occurred under the terms and provisions of the referenced Note and Deed of Trust and the same is now wholly due, and Allegiance Bank, successor by merger with Enterprise Bank (the "Mortgagee"), the owner and holder of the Note, has requested the undersigned to sell the Property and Collateral described below; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee(s) was removed in accordance with the Deed of Trust and the Mortgagee designated

2021-0015

and appointed **Ted L. Walker, 125 Main Street, PO Box 62, Jasper, Texas 75951**, as Substitute Trustee to enforce the Trust.

**NOW, THEREFORE**, pursuant to the authority conferred upon me by the Deed of Trust, I hereby give notice that I will sell the Property and Collateral described below at public auction to the highest bidder, for cash, on **Tuesday, October 5, 2021**. The earliest time at which the sale will occur shall be at **11:00 o'clock a.m.** and it may take place not later than 1:00 p.m. The sale shall take place **Foyer of the Austin County Courthouse or in the area designated by Commissioners Court of said county pursuant to Tex. Prop. Code § 51.002, located at One East Main St., Bellville, Texas 77418**, which has been designated as the area for foreclosure sales to take place. This conveyance will be made subject to any exceptions referenced in the Deed of Trust, if any, to the extent the same are still in effect and shall not cover any part of the Property and Collateral that has been released from the liens of the Deed of Trust. The Property and Collateral that will be sold at the foreclosure sale includes the following:

**Property:**      TRACT 1:      A TRACT OF LAND IN AUSTIN COUNTY, TEXAS, AS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE  
                     TRACT 2:      A TRACT OF LAND IN AUSTIN COUNTY, TEXAS, AS DESCRIBED ON EXHIBIT "A-1" ATTACHED;  
                     TOGETHER WITH ALL RIGHT, TITLE, INTEREST AND PRIVILEGES OF GRANTOR, WHETHER NOW OWNED OR HEREAFTER ACQUIRED IN AND TO: (I) THE REAL PROPERTY HEREIN DESCRIBED TOGETHER WITH ALL STREETS, WAYS, ROADS, ALLEYS, EASEMENTS, RIGHTS-OF-WAY, LICENSES, RIGHTS OF INGRESS AND EGRESS, VEHICLE PARKING RIGHTS AND PUBLIC PLACES, EXISTING OR PROPOSED, ABUTTING, ADJACENT, USED IN CONNECTION WITH OR PERTAINING TO SUCH REAL PROPERTY OR THE IMPROVEMENTS THEREON; (II) ANY STRIPS OR GORES OF REAL PROPERTY BETWEEN SUCH REAL PROPERTY AND ABUTTING OR ADJACENT PROPERTY; (III) ALL WATER AND UTILITY RIGHTS AND CAPACITY (INCLUDING WITHOUT LIMITATION, ANY AND ALL REIMBURSEMENT RIGHTS RELATING TO ANY UTILITIES), MINERAL AND MINERAL RIGHTS, TIMBER AND CROPS PERTAINING TO SUCH REAL PROPERTY; (IV) ALL APPURTENANCES AND ALL REVERSIONS AND REMAINDERS IN OR TO SUCH REAL PROPERTY; (V) ANY AND ALL BUILDING MATERIALS, FIXTURES, IMPROVEMENTS, EQUIPMENT, GOODS, PERSONAL PROPERTY AND OTHER PROPERTY DESCRIBED IN THE DEED OF TRUST; (VI) ALL PLANS AND SPECIFICATIONS, PERMITS AND LICENSES FOR DEVELOPMENT OF OR CONSTRUCTION OF

IMPROVEMENTS ON THE PROPERTY; (VII) ALL CONTRACTS AND SUBCONTRACTS RELATING TO THE DEVELOPMENT OF OR CONSTRUCTION OF IMPROVEMENTS ON THE PROPERTY; (VIII) ALL FRANCHISES, CERTIFICATES AND OTHER RIGHTS AND PRIVILEGES OBTAINED IN CONNECTION WITH THE PROPERTY.

**Collateral:** ALL BUILDINGS AND IMPROVEMENTS NOW EXISTING OR HEREAFTER CONSTRUCTED OR PLACED ON THE PROPERTY, INCLUSIVE OF, BUT NOT LIMITED TO, MANUFACTURED HOMES, AND ALL BUILDING MATERIAL, MACHINERY, APPARATUS, EQUIPMENT, INVENTORY, PERSONAL PROPERTY, APPLIANCES, AND FIXTURES, OF EVERY KIND AND NATURE, WHATSOEVER, NOW IN, A PART OF, AFFIXED TO, DELIVERED TO OR USED IN CONNECTION WITH SUCH IMPROVEMENTS, INCLUSIVE OF ALL GOODS WHICH ARE OR ARE TO BECOME FIXTURES, NOW OR HEREAFTER LOCATED IN OR ABOUT SUCH IMPROVEMENTS, INCLUDING SPECIFICALLY, WITHOUT LIMITATION, ALL HEATING, AIR CONDITIONING, VENTILATING, PLUMBING, ELECTRICAL FIXTURES AND WIRING, REPLACEMENTS THEREOF AND ADDITIONS THERETO.

### **ACTIVE MILITARY SERVICE NOTICE**

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY. To determine if you are entitled to and what protections may be afforded you under the Servicemembers Civil Relief Act, you may call the toll-free telephone numbers for Military One Source: From the United States: 1-800-342-9647. From outside the United States (where available): 1-800-342-6477. International collect: 484-530-5747.**

**THE SALE OF THE PROPERTY AND COLLATERAL IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR**

**SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, A DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY AND COLLATERAL, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.**

Dated: August 31, 2021

/s/ Ted L. Walker  
**Ted L. Walker**, Substitute Trustee  
PO Box 62  
Jasper, Texas 75951  
Phone (409) 384-8899  
Facsimile (409) 384-9899  
Email [twalker@walker-firm.com](mailto:twalker@walker-firm.com)

R:\ALLEGIANCE BANK\60-82 CDR Strainers\Foreclosure\2021-08-30 NotSubTRSale.AustinCo.wpd



# EXHIBIT:A

2205 Walnut Street - Columbus, TX 78934  
Ph: 979.732.5114 - Fax: 979.732.5271  
www.franksurveying.com

AUSTIN COUNTY, TEXAS  
WILLIAM SMEATHERS SURVEY, ABSTRACT NO. 90

DESCRIPTION OF AN 18.42 ACRE TRACT OF LAND OUT OF THE WILLIAM SMEATHERS SURVEY, ABSTRACT NO. 90, AUSTIN COUNTY, TEXAS AND BEING ALL OF THAT CALLED 18.40 ACRE TRACT OF LAND DESCRIBED IN A SUBSTITUTE TRUSTEE'S DEED DATED JUNE 5, 2012 FROM MARY E. TIDHOLM, SUBSTITUTE TRUSTEE TO SUNTRUST BANK, RECORDED IN CLERK FILE NO. 122651, OF THE OFFICIAL RECORDS OF AUSTIN COUNTY, TEXAS FOR WHICH REFERENCE IS MADE AND THE SAID 18.42 ACRE TRACT BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 Inch Iron rod found (Grid Coordinates: N 13,843,147.63 USft E 2,802,998.50 USft) in the Southeast line of State Highway No. 159 for the upper Northerly corner of the herein described tract, being the common Westerly corner of a called 4.004 acre tract of land described in a deed dated September 7, 1989 from Joe Coulter, et ux to Roland Lytle, et ux, recorded in Volume 608, Page 80, Austin County Official Records;

THENCE South 30° 48' 29" East (called South 27° 57' 24" East) with the Southwest line of said 4.004 acre tract, being a common Northeast line of the herein described tract a distance of 884.69 feet (called 884.73') to a 1/2 Inch Iron rod found for the Southerly corner of said 4.004 acre tract, being a common Interior corner of the herein described tract;

THENCE North 61° 38' 36" East (called North 64° 30' 35" East) with the Southeast line of said called 4.004 acre tract and at 197.36 feet passing a 1/2 Inch Iron rod found for the Easterly corner of said 4.004 acre tract, being the common Southerly corner of a called 8.008 acre tract described in a deed dated November 10, 2003 from Theresa M. Council, et al to Julio Rodriguez, et ux, recorded in Clerk File No. 037570, Austin County Official Records, and continuing with the Southeast line of said 8.008 acre tract, the Southeast line of a called 4.001 acre tract described in a deed dated July 13, 2004 from Julio Rodriguez, et ux to Stacia Lynn Stech, recorded in Clerk File No. 044551, Austin County Official Records, being the common Northwest line of the herein described tract, being that same line as described in a boundary line agreement recorded in Clerk File No. 076137, Austin County Official Records for a total distance of 789.58 feet (called 789.53') to a 1/2 Inch Iron rod found for the Easterly corner of said 4.001 acre tract, being the common Westerly corner of a called 0.46 acre tract described in a deed dated October 8, 2008 from Belal Jarun, et al to Apec Properties of Texas, LLC., recorded in Clerk File No. 085550, Austin County Official Records, being the common Southerly corner of the residue tract of a called 4.248 acre tract described in a deed dated August 7, 2007 from Marcus Haysud to Jose Aldape and Juan Aldape, recorded in Clerk File No. 074492, Austin County Official Records;

THENCE South 30° 50' 53" East (called South 27° 58' 43" East) with the Southwest line of said 0.46 acre tract, being the common Southwest line of a called 1.00 acre tract of land described in a deed dated May 18, 1963 from George E. Jackson to Inez Phillips, recorded in Volume 286, Page 538, Austin County Deed Records a distance of 311.06 feet (called 310.93') to a 1/2 Inch Iron rod found for the Southerly corner of said 1.00 acre tract, being a common Easterly corner of the herein described tract, said corner being in the Northwest line of a called 2.00 acre tract of land described in a deed dated October 18, 1994 from Ronald Blair Woodley, et ux to The Woodley Living Trust, recorded in Volume 715, Page 677, Austin County Official Records;

THENCE South 43° 27' 38" West (called South 46° 16' 47" West) with the Northwest line of said 2.00 acre tract a distance of 169.45 feet (called 169.52') for the Westerly corner of said 2.00 acre tract, being a common Interior corner of the herein described tract;

THENCE South 30° 12' 31" East (called South 27° 19' 20" East) with the Southwest line of said 2.00 acre tract, being a common Northeast line of the herein described tract a distance of 208.65 feet (called 208.63') to a 1/2 Inch Iron rod found for the Southerly corner of said 2.00 acre tract, being a common Easterly corner of the herein described tract, said corner being in the Northwest line of a called 4.356 acre tract of land described in a deed dated June 30, 1995 from Thelma J. Chapman to Billie J. Lewis, recorded in Volume 731, Page 107, Austin County Official Records;

THENCE South 43° 00' 24" West (called South 45° 54' 21" West) with the Northwest line of said 4.356 acre tract, the common Southeast line of the herein described tract and at 118.57 feet passing a 5/8 Inch Iron rod found for the Westerly corner of said 4.356 tract, being the common Northerly corner of a called 2.79 acre tract of land described in a deed dated April 15, 1995 from Herbert Allen Frank, et al to Charles Edward Quinton, et ux, recorded in Volume 726, Page 578, Austin County Official Records and continuing with the Northwest line of said 2.79 acre tract and the Northwest line of a called 33.24 acre tract of land described in a deed dated March 16, 1999 from W.J. Jozwiak to Kevin Howard, recorded in Clerk File No. 991534, Austin County Official Records, being the common Southeast line of the herein described tract for a total distance of 598.25 feet (called 597.57') to a 1/2 Inch Iron rod found for the Southerly corner of the herein described tract, being the common Easterly corner of a called 90.672 acre tract of land described in a deed dated October 5, 2005 from Mary Wietstruck Miller, et al to Waller Betka, LTD., recorded in Clerk File No. 056233, Austin County Official Records;

THENCE North 47° 14' 02" West (called North 44° 22' 55" West) with the Northeast line of said 92.672 acre tract, being the common Southwest line of the herein described tract a distance of 1740.38 feet (called 1739.93') to a 1/2 inch Iron rod found for the Westerly corner of the herein described tract, being the common Northerly corner of said 90.672 acre tract;

THENCE North 61° 35' 02" East (called North 64° 26' 23" East) with the Southeast line of State Highway No. 159, the common Northwest line of the herein described tract a distance of 443.27 feet (called 442.94') to the POINT OF BEGINNING, containing 18.42 acres of land, more or less.

- Bearing Basis: Texas Lambert Grid, Texas South Central Zone, NAD 83/2011 (EPOCH: 2010)
- All distances are surface values, to obtain grid values multiply surface distances by a Combined Scale Factor of 0.99993120

This metes and bound description and plat attached hereto represent an on-the-ground survey made under my supervision on May 6, 2013 and May 13, 2013.

Matthew W. Loessin  
Registered Professional Land Surveyor No. 5953  
Frank Surveying Co., Inc.  
Project No. 201304092  
Word File: 201304092 - 18.42 acre m&b.docx  
ACAD File: 201304092.dwg

Date: 05/15/2013



A handwritten signature in black ink that reads "Matthew W. Loessin".





**ALEXANDER SURVEYING  
LAND SURVEYORS**

OWNER: DELLA MARIE MALER

TRACT TWO:

19.892 ACRES

ALL THAT TRACT OR PARCEL OF LAND consisting of 19.892 Acres located in the James Cummings Hacienda, A-31, Austin County, Texas. Subject tract being that same tract, called 19.89 Acres, described in Deed from Dixie Lee Steck to James R. Maler, and wife, Della M. Maler recorded in Volume 464, Page 920 of the Deed Records of Austin County, Texas and being that same tract described in an Executor's Deed to Della Marie Maler recorded in File# 083008 of the Official Records of Austin County, Texas. Said tract consisting of 19.892 Acres, of which 1.242 Acres are within an Area of Conflict and Deed Overlap with the called 78.60 Acre tract described in Deed to Mark Switzer, et ux recorded in File# 095037 O.R.A.C.T. and said 19.892 Acre tract being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found in the East Right-of-way of E. M. Highway 331 (100' R.O.W.) and being the Southwest corner of the 1.108 Acre tract consisting of a 30 ft. Strip described in Volume 210, Page 336 O.R.A.C.T. and File# 084557 O.R.A.C.T. and being the Northwest corner of the called 19.89 Acre tract mentioned above, and the Northwest corner of the herein described tract;

**TRENCES** S 69d 35' 00" E, with the common line with said 1.108 Acre Strip and generally with an existing fence, a distance of 1365.00 ft. (Called S 69d 28' 49" E, 1365.45 ft.) to a 1/2" iron rod found for an "L" corner in said strip and in the herein described tract;

**TRENCE** N 23d 39' 09" E, continuing with the common line with the 1.108 Acre Strip and generally with an existing fence, a distance of 230.27 ft. (Called N 23d 40' 43" E, 230.61 ft.) to a 1/2" iron rod found for the Southwest corner of the 50.671 Acre tract described in Deed to Jesus M. Velasquez recorded in File# 084557 O.R.A.C.T., the same being an angle point in the 1.108 Acre Strip, for an angle point in the North line of the herein described tract;

April 26, 2011  
W.O.# 11-6420

**EXHIBIT A-1**

105 E. Luhn P.O. Box 386 Bojville, Texas 77418 979/865-9745 Fax 979/865-5988

2021-0015



ALEXANDER SURVEYING  
LAND SURVEYORS

OWNER: DELLA MARIE MALER

19.892 ACRES (continued)

THENCE S 69d 43' 29" E, with the common line with the 50.671 Acre adjoining tract and generally with an existing fence, a distance of 487.86 ft. (Called S 69d 43' 44" E, 487.47 ft.) to a 3/8" iron rod found with a Frank Surveying Cap next to a flat iron and being the Southeast corner of the 50.671 Acre adjoining tract, the same being the Southwest corner of the called 47.7702 Acre tract described in Deed to Joe Ray Krenek, et al recorded in File# 050914 O.R.A.C.T. and being an upper North corner of the 78.60 Acre Switzer tract mentioned above for the Northeast corner of the herein described tract;

THENCE S 23d 46' 45" W, with the common line with the 78.60 Acre Switzer tract and generally with an existing fence, a distance of 642.76 ft. (Called S 23d 44' 40" W, 643.37 ft.) to a 5/8" iron rod found at a fence corner post and being an angle point in the 78.60 Acre adjoining tract and being the Southeast corner of the herein described tract;

THENCE N 69d 33' 45" W, continuing with the common line with the 78.60 Acre adjoining tract and passing at 1205.86 ft. a 5/8" iron rod found for the East corner of the 1.242 Acre Area of Conflict Deed Overlap with the 78.60 Acre tract and continuing with the fenced, used, occupied, apparent lines and Deed line to the subject tract, a total distance of 1824.48 ft. (Called N 69d 28' 49" W, 1825.23 ft.) to a 5/8" iron rod found with a Frank Surveying Cap in the East Right-of-way of F. M. Highway 331 and being the Southwest corner of the Area of Conflict tract and the Southwest corner of the herein described tract;

THENCE N 19d 54' 14" E, with the East Right-of-way of F. M. Highway 331 and passing at 174.90 ft. a 1/2" iron rod found for the Northwest corner of the Area of Conflict tract, the same being the Northwest corner of the 78.60 Acre adjoining tract and continuing, a total distance of 409.90 ft. (Called N 19d 56' E, 410.00 ft.) to the PLACE OF BEGINNING and containing 19.892 Acres, of which 1.242 Acres is overlapped by the called 78.60 Acre tract mentioned above.

NOTES: Bearings shown hereon are based upon Grid North as determined from G.P.S. Observation, State Plane Coordinates, South Central Zone.

April 26, 2011  
W.O.# 11-6420

**EXHIBIT A-1**



**ALEXANDER SURVEYING  
LAND SURVEYORS**

OWNER: DELLA MARIE MALER

19.892 ACRES (continued)

Reference is hereby made to plat, of the subject tract, prepared this day.

April 26, 2011  
W.O. # 11-6420

Glen S. Alexander  
Registered Professional Land Surveyor, #4194

**EXHIBIT A-1**

105 E. Luhn

P.O. Box 386

Belville, Texas 77418

979/865-9145

Fax 979/865-5988

FILED

2021 SEP -2 AM 10: 01

*Carrie Dregor*

COUNTY CLERK  
AUSTIN COUNTY TEXAS

2021-0015