

ZONING CHANGE, OVERLAY OR ESTABLISHMENT OF A HISTORIC DISTRICT/LANDMARK APPLICATION

Updated: September, 2020



CONTACT INFORMATION

| | | | |
|------------------------------------|---|--------------------------------|---|
| Applicant's Name | Benjamin L. Green, P.E. | Property Owner | WEHRMAN JEAN & LAUREL A & LAURENCE A & NATHAN |
| Company | Kimley-Horn | Company | |
| Applicant's Mailing Address | 7401 Southwest Parkway, Building 3, Suite 100 | Owner's Mailing Address | PO Box 273 San Marcos, TX 78667 |
| Applicant's Phone # | 512-646-2243 | Owner's Phone # | |
| Applicant's Email | ben.green@kimley-horn.com | Owner's Email | |

PROPERTY INFORMATION

Subject Property Address(es): 2702 N IH 35, SAN MARCOS, TX 78666

Legal Description: Lot _____ Block _____ Subdivision A0321 JOEL MINER SURVEY, ACRES 3.00, (0.50 AC @ MKT)

Total Acreage: 16.234

Tax ID #: R16594

Preferred Scenario Designation: HC

Existing Zoning: FD & MH

Existing Land Use(s): Undeveloped

DESCRIPTION OF REQUEST

Proposed Zoning District(s): Heavy Commercial

Proposed Land Uses / Reason for Change: Construct approximately 150-175,000 sf of multi-tenant flex buildings intended for small office users who need warehousing and regularly engage in distribution services.

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee* \$1,057 plus \$100 per acre **Technology Fee** \$13 **MAXIMUM COST \$3,013**

**Existing Neighborhood Regulating Plan Included.*

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, WEHRMAN JEAN & LAUREL A & LAURENCE A & NATHAN (owner name) on behalf of
 _____ (company, if applicable) acknowledge that I/we
 am/are the rightful owner of the property located at
2702 N IH 35, SAN MARCOS, TX 78666 (address).

I hereby authorize Benjamin L. Green, P.E. (agent name) on behalf of
Kimley-Horn (agent company) to file this application for
Zoning Change (application type), and, if necessary, to work with
 the Responsible Official / Department on my behalf throughout the process.

DocuSigned by:



FEBF1A132F424D3...

DocuSigned by:



07BFC876EED54F2...

DocuSigned by:

Signature of Owner: Allan Wehrman 11/2/2022 Date: _____

 1B0A6E00CA90430...

Printed Name, Title: _____

Signature of Agent:  Date: 11/03/2022

Printed Name, Title: Benjamin L. Green, P.E.

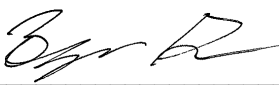
Form Updated October, 2019

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: 

Date: 11/03/2022

Print Name: Benjamin L. Green, P.E.

Form Updated October, 2019

\$ 7.00

KWG
att #13095

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258450
ASSUMPTION DEED

FILED
HAYS COUNTY, TEXAS
87 NOV 25 PM 1 08

Donna W. Wally
COUNTY CLERK

THE STATE OF TEXAS §
§
THE COUNTY OF HAYS §

WHEREAS, the grantee herein, Laurel Ann Wehrman, was one of three beneficiaries of the Testamentary Trust created under the will of Kitty P. Yarrington; under the terms of such Trust, the portion of the trust estate held for each beneficiary is to be delivered to each beneficiary upon attaining the age of twenty-one (21) years, and

WHEREAS, Laurel Ann Wehrman has recently attained the age of twenty-one (21) years, and

WHEREAS, the said Trust was created for the benefit of Laurel Ann Wehrman, Laurence Allan Wehrman and any other child born to Jean Wehrman and Larry Wehrman prior to the death of Kitty P. Yarrington; Nathan Lyle Wehrman was born to Larry Wehrman and Jean Wehrman prior to the death of Kitty P. Yarrington; therefore, the original interest of Laurel Ann Wehrman in the trust estate was a one-third (1/3) interest and her interest in the above described 7.505 acre tract is a one-sixth (1/6th) interest,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that LARRY WEHRMAN, TRUSTEE UNDER THE WILL OF KITTY P. YARRINGTON, of the County of Hays and State of Texas, in accordance with the provisions of the above referenced Testamentary Trust and in consideration that the grantee hereby assumes and promises to pay, according to the terms thereof, one-sixth (1/6th) of all principal and interest now remaining unpaid on that one promissory note in the original principal sum of \$88,591.55, dated December 3, 1984, executed by Larry Wehrman, Trustee under the Will of Kitty P. Yarrington, Deceased, and Jean Wehrman, and payable to the order of The First National Bank of San Marcos, and secured by a deed of trust of even date therewith to Lawrence T. Franks, Jr., Trustee, recorded in Volume 520, pages 834-838, of the Real Property Records of Hays County, Texas, and grantee also assumes and promises to keep and perform all covenants and obligations of grantors named in said deed of trust, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto LAUREL ANN WEHRMAN, a single woman, of the County of Hays, and State of Texas, whose mailing address is P. O. Box 273, San Marcos, Texas 78667, AN UNDIVIDED

Real Property Records
Hays County Texas

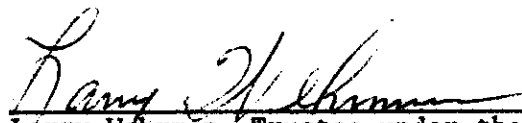
ONE-SIXTH (1/6th) INTEREST IN AND TO all of the following described real property in Hays County, Texas to-wit:

Being 7.505 acres of land out of the Joel Miner Survey, Hays County, Texas, more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

TO HAVE AND TO HOLD an undivided one-sixth (1/6th) interest in and to the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, her heirs and assigns forever; and I do hereby bind myself, my heirs, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, her heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the grantor herein expressly reserves and retains for himself, his heirs, successors and assigns, the Vendor's Lien, as well as the Superior Title in and to the above described property, premises and improvements until the note and indebtedness herein assumed by the grantee has been fully paid according to the face, tenor, effect and reading thereof, when this deed shall become absolute, but that a release of said note and indebtedness and the liens securing same by the owner and holder thereof shall be sufficient to release the lien herein retained without the joinder of the grantor herein, his heirs, successors and assigns.

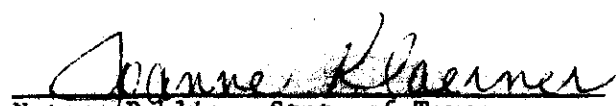
EXECUTED this 24th day of November, 1987.


Larry Wehrman, Trustee under the Will
of Kitty P. Yarrington, Deceased

THE STATE OF TEXAS §
§
THE COUNTY OF HAYS §

BEFORE ME, the undersigned authority, on this day personally appeared Larry Wehrman, Trustee under the Will of Kitty P. Yarrington, Deceased, known to 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 stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 24th day of November, 1987.


Notary Public - State of Texas

JOANNE KLAERNER
NOTARY PUBLIC, State of Texas
My commission expires 8-16-89



S. CRAIG HOLLMIG, INC.
CONSULTING ENGINEERS - SURVEYORS
410 N. SEGUN STREET
NEW BRAUNFELS, TEXAS 78130-9088

708 3

TEXAS SOCIETY OF PROFESSIONAL ENGINEERS
AMERICAN SOCIETY OF CIVIL ENGINEERS

TEXAS SURVEYORS ASSOCIATION
TELEPHONE (512) 217-0706

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR

A 7.505 acre tract of land out of the Joel Miner Survey and also being out of a tract called 339.0 acres, called Second Tract, recorded in Volume 95, Page 493, said 339.0 acre tract being out of a tract called 555.0 acres described in Volume 94, Page 577 all of the Deed Records of Hays County, Texas, and being more particularly described as follows:

BEGINNING: At an iron pin set in the Southeast fenced line of above referenced tract, for the East corner of this tract, said point being S 45° 31' 39" W 440.05 feet, S 45° 56' 01" W 505.14 feet, and S 45° 32' 08" W 1595.16 feet from the most Eastern fence corner of above referenced tract;

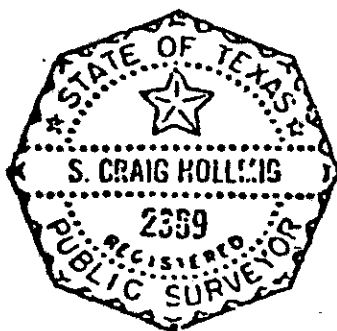
THENCE: S 45° 32' 08" W 282.26 feet to an existing fence corner being used as a corner of above referenced tract, for the South corner of this tract;

THENCE: N 44° 48' 39" W 1106.64 feet, along existing fence line, to a point in the Southeast Right-of-Way line of Interstate Highway No. 35, for the West corner of this tract;

THENCE: N 25° 23' 00" E 300.0 feet, along the Southeast Right-of-Way line of Interstate Highway No. 35, to an iron pin set in same for the North corner of this tract;

THENCE: S 44° 48' 39" E 1210.0 feet to the Point of Beginning and containing 7.505 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, December 12, 1983.

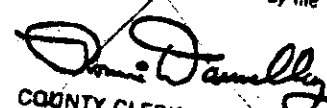



S. Craig Hollmig
Registered Public Surveyor

EXHIBIT "A"

STATE OF TEXAS
COUNTY OF HAYS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Hays County, Texas, as stamped hereon by me




COUNTY CLERK
HAYS COUNTY, TEXAS

NOV 9 0 1987

708 4

STATE OF TEXAS
COUNTY OF HAYS

I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Hays County, Texas, as stamped hereon by me



Doni Dambly
COUNTY CLERK
HAYS COUNTY, TEXAS

NOV 3 0 1987

946 • 568

WARRANTY DEED

THE STATE OF TEXAS §
§
COUNTY OF HAYS §

327340

WHEREAS, the grantee herein, LAURENCE ALLAN WEHRMAN, was one of three beneficiaries of the Testamentary Trust created under the will of KITTY P. YARRINGTON; under the terms of such Trust, the portion of the trust estate held for each beneficiary is to be delivered to each beneficiary upon attaining the age of twenty-one (21) years, and

WHEREAS, LAURENCE ALLAN WEHRMAN has recently attained the age of twenty-one (21) years, and

WHEREAS, the said Trust was created for the benefit of LAUREL ANN WEHRMAN, LAURENCE ALLAN WEHRMAN and any other child born to JEAN WEHRMAN and LARRY WEHRMAN prior to the death of Kitty P. Yarrington; NATHAN LYLE WEHRMAN was born to LARRY WEHRMAN and JEAN WEHRMAN prior to the death of KITTY P. YARRINGTON; therefore, the original interest of LAURENCE ALLAN WEHRMAN in the trust estate was a one-third (1/3) interest and his interest in the below described 7.505 and 90.164 acre tracts is a one-sixth (1/6th) interest.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that LARRY WEHRMAN, TRUSTEE UNDER THE WILL OF KITTY P. YARRINGTON, of the County of Hays and State of Texas, in accordance with the provisions of the above referenced Testamentary Trust, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto LAURENCE ALLAN WEHRMAN, a single man, of the County of Hays and State of Texas, whose mailing address is P.O. Box 273

San Marcos 78667, AN UNDIVIDED ONE-SIXTH (1/6th) INTEREST IN AND TO all of the following described real property in Hays County, Texas, to-wit:

TRACT I: Being 7.505 acres of land out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "A" attached hereto and made a part hereof for all purposes.

TRACT II: A tract of 87.524 acres, consisting of a 96.824 acre tract less tracts of 6.66 acres and 2.64 acres described as follows:

Being 96.824 acres of land out of the JOEL MINER SURVEY and also being out of the Eastern portion of a tract called 339 acres, called Second Tract, recorded in Volume 95, page 493, said 339.0 acre tract being out of a tract called 555.0 acres described in Volume 94, page 577 of the Deed Records of Hays County, Texas, and being more particularly described by metes and bounds in EXHIBIT "B" attached hereto and made a part hereof for all purposes; LESS AND EXCEPT 6.66 acres of land, being a portion of the above described 96.824 acre tract out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "C" attached

OFFICIAL PUBLIC RECORDS
Hays County, Texas

hereto and made a part hereof for all purposes; and LESS AND EXCEPT 2.64 acres of land, being a portion of that tract called 339.0 acres out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "D" attached hereto and made a part hereof for all purposes.

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: Any and all restrictions, covenants, conditions and easements, if any relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

TO HAVE AND TO HOLD an undivided one-sixth (1/6th) interest in and to the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, his heirs and assigns forever; and I do hereby bind myself, my heirs, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 5th day of September, 1992.

Larry Wehrman
LARRY WEHRMAN, Trustee under the Will
of KITTY P. YARRINGTON, Deceased

THE STATE OF TEXAS §
§
COUNTY OF HAYS §

BEFORE ME, the undersigned authority, on this day personally appeared LARRY WEHRMAN, Trustee under the Will of Kitty P. Yarrington, Deceased, known to 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 stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 5th day of September, 1992.

H. C. Kyle III
NOTARY PUBLIC - STATE OF TEXAS



Prepared in the Law Office of:
H. C. Kyle, III
KYLE, WALKER & GOSSETT
East Side of Courthouse Square,
P. O. Box 1708
San Marcos, Texas 78667

946 · 570

S. CRAIG HOLLMIG, INC.
CONSULTING ENGINEERS - SURVEYORS
410 N. SEGUN STREET
NEW BRAUNFELS, TEXAS 78130-9088

TEXAS SOCIETY OF PROFESSIONAL ENGINEERS
AMERICAN SOCIETY OF CIVIL ENGINEERS

TEXAS SURVEYORS ASSOCIATION
TELEPHONE (817) 637-7036

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR

A 7.505 acre tract of land out of the Joel Miner Survey and also being out of a tract called 339.0 acres, called Second Tract, recorded in Volume 95, Page 493, said 339.0 acre tract being out of a tract called 555.0 acres described in Volume 94, Page 577 all of the Deed Records of Hays County, Texas, and being more particularly described as follows:

BEGINNING: At an iron pin set in the Southeast fenced line of above referenced tract, for the East corner of this tract, said point being S 45° 31' 39" W 440.05 feet, S 45° 56' 01" W 505.14 feet, and S 45° 32' 08" W 1595.16 feet from the most Eastern fence corner of above referenced tract;

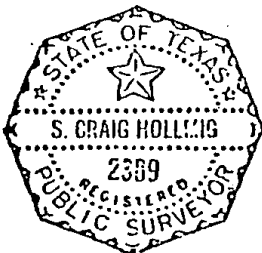
THENCE: S 45° 32' 08" W 282.26 feet to an existing fence corner being used as a corner of above referenced tract, for the South corner of this tract;

THENCE: N 44° 48' 39" W 1106.64 feet, along existing fence line, to a point in the Southeast Right-of-Way line of Interstate Highway No. 35, for the West corner of this tract;

THENCE: N 25° 23' 00" E 300.0 feet, along the Southeast Right-of-Way line of Interstate Highway No. 35, to an iron pin set in same for the North corner of this tract;

THENCE: S 44° 48' 39" E 1210.0 feet to the Point of Beginning and containing 7.505 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, December 12, 1983.





S. Craig Hollmig
Registered Public Surveyor

EXHIBIT "A"

EXHIBIT "A"

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR
A 96.824 ACRE TRACT

Being a 96.824 acre tract of land out of the Joel Miner Survey and also being out of the Eastern portion of a tract called 339 acres, called Second Tract, recorded in Volume 95, Page 493, said 339 acre tract being out of a tract called 555.0 acres described in Volume 94, Page 577, all of the Deed Records of Hays County, Texas, said 96.824 acre tract also being out of a tract of 97.840 acres described in Appointment of Substitute Trustee recorded in Volume 710, Pages 450-453 of the Real Property Records of Hays County, Texas, and being more particularly described as follows and all bearings given in this description are rotated to and based upon a bearing of N 24° 08' 30" E as shown on strip maps of Interstate Highway No. 35 prepared by the Texas Highway Department;

BEGINNING: At the most Eastern fenced corner of the above referenced 339 acre tract and the above referenced 555.0 acre tract, for the most Eastern corner of the above referenced 97.840 acre tract, for the most Eastern corner of this tract;

THENCE: Along the Southeast line of the above referenced tracts, S 44° 17' 09" W 440.05 feet, S 44° 41' 31" W 505.14 feet and S 44° 17' 38" W 1595.16 feet to an iron pin set in December of 1983, in same, for the South corner of the above referenced 97.840 acre tract, for the South corner of this tract;

THENCE: Along the Southwest line of the above referenced 97.840 acre tract, N 46° 03' 09" W 1210.00 feet to an iron pin set in December of 1983, in the Southeasterly line of Interstate Highway No. 35, for the West corner of the above referenced 97.840 acre tract, for the West corner of this tract;

THENCE: Along the Southeasterly line of Interstate Highway No. 35, N 24° 08' 30" E 1329.53 feet to an iron pin found in same for a corner of this tract, said point being a point of intersection of the Southeasterly line of Interstate Highway No. 35 with the Southeasterly line of a tract of 10.67 acres conveyed to the State of Texas by Kitty Page Yarrington and described in State Highway Department of Texas Right-of-Way Deed recorded in Volume 110, Pages 219-221 of the Deed Records of Hays County, Texas;

THENCE: Along the Southeasterly line of said 10.67 acre tract and a curve to the right, having a central angle of 08° 08' 07", a radius of 2925.0 feet, an arc length of 415.32 feet, a tangent of 208.01 feet, and a chord bearing and distance of N 55° 56' 04" E 414.97 feet to the East corner of said 10.67 acre tract, for an interior corner of this tract;

THENCE: Along the Northeast line of said 10.67 acre tract, N 47° 55' 30" W 229.79 feet to an iron pin found in the Southeasterly line of Interstate Highway No. 35, for a corner of this tract, a concrete highway monument found bears S 36° 50' 48" W 5.27 feet;

THENCE: Along the Southeasterly line of Interstate Highway No. 35, N 24° 08' 30" E 951.22 feet to the North corner of the above referenced 97.840 acre tract, for the North corner of this tract;

THENCE: Along the Northeast fenced line of the above referenced tracts, S 45° 56' 47" E 2145.09 feet to the Point of Beginning and containing 96.824 acres of land, more or less.

These field notes were prepared from surveys made in December, 1983, and May 8, 1992.



S. Craig Hollmig
S. Craig Hollmig
Registered Professional Land Surveyor #2389

EXHIBIT "B"

Field notes describing a tract of land out of the Joel Miner Survey, Hays County, Texas, being a portion of that certain tract called 339 acres, called second tract recorded in Volume 95, Page 493, of the Deed Records of Hays County, Texas. Said acres being more particularly described as follows:

Beginning at an iron pin in the fence corner for the East corner of said 339 acre tract and being the East corner of the herein described tract;

Thence S 45°31'30" W, 295.76 feet along the Southeasterly line of said 339 acre tract to a fence post at an angle point on the herein described tract;

thence S 45°49'14" W, 94.55 feet along the Southeasterly line of said 339 acre tract to an iron pin for the South corner of the herein described tract;

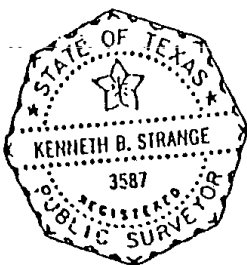
Thence N 44°42'17" W, 691.57 feet to an iron pin for the West corner of the herein described tract;

Thence N 30°46'06" E, 403.20 feet to an iron pin on the Northeasterly line of said 339 acre tract for the North corner of the herein described tract;

Thence S 44°42'17" E, 794.75 feet along said Northeasterly line to the point of beginning.

Containing 6.66 acres, more or less.

I, Kenneth B. Strange, Registered Public Surveyor, do hereby certify that the above-described tract of land was surveyed on the ground under my personal supervision during the month of April, 1985.



Kenneth B. Strange
 Kenneth B. Strange
 Registered Public Surveyor, No. 3587
 State of Texas

2.64 ACRE ROADWAY EASEMENT IN
THE HIGH RIDGE DEVELOPMENT

557 · 175

A tract of land out of the Joel Miner Survey, Hays County, Texas, being a portion of that certain tract called 339 Acres, called Second Tract, recorded in Volume 95, Page 493, of the Deed Records of Hays County, Texas. Consisting of a 70 foot road right-of-way and a portion of an 80 foot road right-of-way lying adjacent to a 6.66 acre parcel as recorded in Volume 523, Pages 484-486, being more particularly described as follows:

Commencing at an iron pin found in the fence corner for the East corner of said 339 acre tract also being the East corner of said 6.66 acre parcel;

Thence, N 44°42'17" W, 794.75 feet along the Northerly line of said 339 acres to the Northerly corner of said 6.66 acre parcel, also being a point on the Easterly line of said 80 foot road right-of-way and the Point of Beginning.

Thence, S 30°46'06" W, 403.20 feet along Easterly line of said 80 foot right-of-way and the Westerly line of said 6.66 acre parcel;

Thence, N 59°13'54" W, 80.00 feet across said 80 foot right-of-way;

Thence, N 30°46'06" E, 30.00 feet along the Westerly line of said 80 foot right-of-way;

Thence, 31.42 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 90°00'00", the chord of which bears N 14°13'54" W, 28.28 feet to a point on the Southerly right-of-way of said 70 foot right-of-way.

Thence, along the Southerly line of said 70 foot right-of-way, 342.71 feet along the arc of a curve to the left having a radius of 1,965.00 feet, a delta of 09°59'34", the chord of which bears N 64°13'41" W, 342.28 feet;

Thence, N 69°13'27" W, 412.99 feet along the Southerly line of said 70 foot right-of-way;

Thence, along the Southerly line of said 70 foot right-of-way, 163.65 feet along the arc of a curve to the right, having a radius of 2,035.00 feet, a delta of 04°36'27", the chord of which bears N 66°55'14" W, 163.60 feet;

Thence, N 64°37'00" W, 199.54 feet along the Southerly line of said 70 foot right-of-way;

Thence, along the Southerly line of said 70 foot right-of-way, 31.42 feet along the arc of a curve to the left, having a radius of 20.00, a delta of 90°00'00" to a point on the Easterly right-of-way of Interstate Highway No. 35;

EXHIBIT "D"

Thence, N 25°23'00" E, 110.00 feet along said Easterly right-of-way of Interstate Highway No. 35, to a point on the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta of 90°00'00"; the chord of which bears S 19°37'00" E, 28.28 feet;

Thence, S 64°37'00" E, 199.54 feet along the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 158.02 feet along the arc of a curve to the left, having a radius of 1,965.00 feet, a delta of 04°36'27", the chord of which bears S 66°55'14" E, 157.98 feet;

Thence, S 69°13'27" E, 412.99 feet along the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 354.92 feet on the arc of a curve to the right, having a radius of 2,035.00 feet, a delta of 09°59'34", the chord of which bears S 64°13'41" E, 354.47 feet;

Thence, 31.42 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 90°00'00", the chord of which bears N 75°46'06" E, 28.28 feet to a point on the Westerly line of said 80 foot right-of-way;

Thence, N 30°46'06" E, 283.93 feet along the Westerly line of said 80.00 foot right-of-way to a point on the Northerly line of said 339 acres.

Thence, S 44°42'17" E, 82.64 feet along the Northerly line of said 339 acres across said 80 foot right-of-way to the Point of Beginning.

Containing 2.64 acres, more or less.

STATE OF TEXAS
COUNTY OF HAYS
I hereby certify that this instrument was FILED on
this date and at the time stamped hereon by me and was duly
RECORDED in the Volume and Page of the record RECORDS
of Hays County, Texas, as stamped hereon by me.

SEP 8 1992



COUNTY CLERK
HAYS COUNTY, TEXAS

EXHIBIT "D"

SPECIAL WARRANTY DEED

DATE: March __, 1999

GRANTOR: Larry Wehrman

GRANTOR'S MAILING ADDRESS (including county):

2700 North IH 35
San Marcos, Texas 78666
in Hays County

GRANTEE: Laurel Ann Wehrman, Laurence Allan Wehrman and Nathan Lyle Wehrman

GRANTEE'S MAILING ADDRESS (including county):

2700 North IH 35
San Marcos, Texas 78666
in Hays County

CONSIDERATION:

TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration and the love and affection of Grantor for Grantee, his three children.

PROPERTY (including improvements):

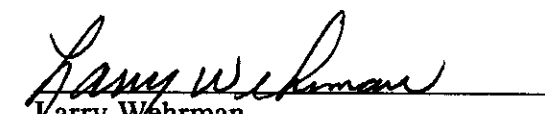
All of Grantor's undivided interest in a tract of 3.00 acres of land out of the JOEL MINER SURVEY, Hays County, Texas, as more particularly described in field notes labeled Exhibit "A" and attached hereto.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Any and all restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, SELLS, and CONVEYS to Grantee the property, 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. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the ³property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

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

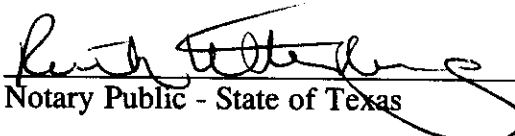

Larry Wehrman

STATE OF TEXAS §
 §
COUNTY OF HAYS §

1512 316

This instrument was acknowledged before me on the 16 day of March, 1999, by Larry Wehrman.




Notary Public - State of Texas

PREPARED IN THE LAW OFFICE OF:

H. C. Kyle, III
KYLE, WALKER & GOSSETT
P. O. Box 1708
San Marcos, Texas 78667

AFTER RECORDING, RETURN TO:

H.C. Kyle, III
P.O. Box 1708
San Marcos, Tx 78667

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WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR
A 3.00 ACRE TRACT

Being a 3.00 acre tract of land out of the Joel Miner Survey, Hays County, Texas, and being out of the Western portion of a tract of 128.361 acres described in Warranty Deed recorded in Volume 1223, Page 566 of the Official Public Records of Hays County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of N 45° 32' 35" E along the Northwest line of the above referenced tract, said 3.00 acre tract of land being more particularly described as follows:

BEGINNING: At an iron pin set at a nail found at fence post, for the West corner of the above referenced 128.361 acre tract, for the West corner of this tract;

THENCE: Along the Northwest line of the above referenced tract, partly along the Southeast line of a remainder of a tract called Second Tract, called 339 acres, recorded in Volume 95, Page 493 of the Deed Records of Hays County, Texas, and partly along the Southeast line of a tract of 97.84 acres recorded in Volume 714, Page 603 of the Official Public Records of Hays County, Texas, N 45° 32' 35" E 482.26 feet to an iron pin set in same, for the North corner of this tract;

THENCE: Into the above referenced 128.361 acre tract, S 45° 00' 00" E 270.97 feet to an iron pin set for the East corner of this tract;

THENCE: S 45° 32' 35" W 482.26 feet to an iron pin set in the Southwest line of the above referenced 128.361 acre tract, for the South corner of this tract;

THENCE: Along the Southwest line of the above referenced 128.361 acre tract, the Northeast line of a tract called 216.50 acres recorded in Volume 728, Pages 115-122 of the Official Public Records of Hays County, Texas, N 45° 00' 00" W 270.97 feet to the Point of Beginning and containing 3.00 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, August 19, 1997. Reference plat prepared this same date of this 3.00 acre tract.



Job #97355A

Richard A. Goodwin
Richard A. Goodwin, RPLS #4069

EXHIBIT "A"

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Lee Carlisle
3-16-99 11:15 AM 9905827
KLEEN \$13.00
LEE CARLISLE, County Clerk
HAYS COUNTY

946 • 568

WARRANTY DEED

THE STATE OF TEXAS §
 COUNTY OF HAYS §

327340

177 KUYG
 CR 16541

FILED

HAYS COUNTY, TEXAS
 '92 SEP 3 PM

WHEREAS, the grantee herein, LAURENCE ALLAN WEHRMAN, was one of three beneficiaries of the Testamentary Trust created under the will of KITTY P. YARRINGTON; under the terms of such Trust, the portion of the trust estate held for each beneficiary is to be delivered to each beneficiary upon attaining the age of twenty-one (21) years, and

WHEREAS, LAURENCE ALLAN WEHRMAN has recently attained the age of twenty-one (21) years, and

WHEREAS, the said Trust was created for the benefit of LAUREL ANN WEHRMAN, LAURENCE ALLAN WEHRMAN and any other child born to JEAN WEHRMAN and LARRY WEHRMAN prior to the death of Kitty P. Yarrington; NATHAN LYLE WEHRMAN was born to LARRY WEHRMAN and JEAN WEHRMAN prior to the death of KITTY P. YARRINGTON; therefore, the original interest of LAURENCE ALLAN WEHRMAN in the trust estate was a one-third (1/3) interest and his interest in the below described 7.505 and 90.164 acre tracts is a one-sixth (1/6th) interest.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that LARRY WEHRMAN, TRUSTEE UNDER THE WILL OF KITTY P. YARRINGTON, of the County of Hays and State of Texas, in accordance with the provisions of the above referenced Testamentary Trust, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto LAURENCE ALLAN WEHRMAN, a single man, of the County of Hays and State of Texas, whose mailing address is P.O. Box 273

San Marcos 78667, AN UNDIVIDED ONE-SIXTH (1/6th) INTEREST IN AND TO all of the following described real property in Hays County, Texas, to-wit:

TRACT I: Being 7.505 acres of land out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "A" attached hereto and made a part hereof for all purposes.

TRACT II: A tract of 87.524 acres, consisting of a 96.824 acre tract less tracts of 6.66 acres and 2.64 acres described as follows:

Being 96.824 acres of land out of the JOEL MINER SURVEY and also being out of the Eastern portion of a tract called 339 acres, called Second Tract, recorded in Volume 95, page 493, said 339.0 acre tract being out of a tract called 555.0 acres described in Volume 94, page 577 of the Deed Records of Hays County, Texas, and being more particularly described by metes and bounds in EXHIBIT "B" attached hereto and made a part hereof for all purposes; LESS AND EXCEPT 6.66 acres of land, being a portion of the above described 96.824 acre tract out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "C" attached

OFFICIAL PUBLIC RECORDS
 Hays County, Texas

hereto and made a part hereof for all purposes; and LESS AND EXCEPT 2.64 acres of land, being a portion of that tract called 339.0 acres out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "D" attached hereto and made a part hereof for all purposes.

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: Any and all restrictions, covenants, conditions and easements, if any relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

TO HAVE AND TO HOLD an undivided one-sixth (1/6th) interest in and to the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said grantee, his heirs and assigns forever; and I do hereby bind myself, my heirs, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 5th day of September, 1992.

Larry Wehrman
LARRY WEHRMAN, Trustee under the Will
of KITTY P. YARRINGTON, Deceased

THE STATE OF TEXAS §
§
COUNTY OF HAYS §

BEFORE ME, the undersigned authority, on this day personally appeared LARRY WEHRMAN, Trustee under the Will of Kitty P. Yarrington, Deceased, known to 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 stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 5th day of September, 1992.

H. C. Kyle III
NOTARY PUBLIC - STATE OF TEXAS



Prepared in the Law Office of:
H. C. Kyle, III
KYLE, WALKER & GOSSETT
East Side of Courthouse Square,
P. O. Box 1708
San Marcos, Texas 78667

946 · 570

S. CRAIG HOLLMIG, INC.
CONSULTING ENGINEERS - SURVEYORS
410 N. SEGUN STREET
NEW BRAUNFELS, TEXAS 78130-9088

TEXAS SOCIETY OF PROFESSIONAL ENGINEERS
AMERICAN SOCIETY OF CIVIL ENGINEERS

TEXAS SURVEYORS ASSOCIATION
TELEPHONE (IN 214) 277-7336

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR

A 7.505 acre tract of land out of the Joel Miner Survey and also being out of a tract called 339.0 acres, called Second Tract, recorded in Volume 95, Page 493, said 339.0 acre tract being out of a tract called 555.0 acres described in Volume 94, Page 577 all of the Deed Records of Hays County, Texas, and being more particularly described as follows:

BEGINNING: At an iron pin set in the Southeast fenced line of above referenced tract, for the East corner of this tract, said point being S 45° 31' 39" W 440.05 feet, S 45° 56' 01" W 505.14 feet, and S 45° 32' 08" W 1595.16 feet from the most Eastern fence corner of above referenced tract;

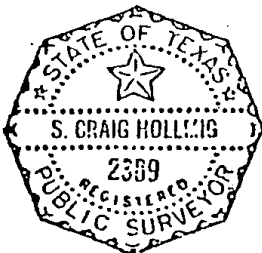
THENCE: S 45° 32' 08" W 282.26 feet to an existing fence corner being used as a corner of above referenced tract, for the South corner of this tract;

THENCE: N 44° 48' 39" W 1106.64 feet, along existing fence line, to a point in the Southeast Right-of-Way line of Interstate Highway No. 35, for the West corner of this tract;

THENCE: N 25° 23' 00" E 300.0 feet, along the Southeast Right-of-Way line of Interstate Highway No. 35, to an iron pin set in same for the North corner of this tract;

THENCE: S 44° 48' 39" E 1210.0 feet to the Point of Beginning and containing 7.505 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, December 12, 1983.





S. Craig Hollmig
Registered Public Surveyor

EXHIBIT "A"

EXHIBIT "A"

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR
A 96.824 ACRE TRACT

Being a 96.824 acre tract of land out of the Joel Miner Survey and also being out of the Eastern portion of a tract called 339 acres, called Second Tract, recorded in Volume 95, Page 493, said 339 acre tract being out of a tract called 555.0 acres described in Volume 94, Page 577, all of the Deed Records of Hays County, Texas, said 96.824 acre tract also being out of a tract of 97.840 acres described in Appointment of Substitute Trustee recorded in Volume 710, Pages 450-453 of the Real Property Records of Hays County, Texas, and being more particularly described as follows and all bearings given in this description are rotated to and based upon a bearing of N 24° 08' 30" E as shown on strip maps of Interstate Highway No. 35 prepared by the Texas Highway Department;

BEGINNING: At the most Eastern fenced corner of the above referenced 339 acre tract and the above referenced 555.0 acre tract, for the most Eastern corner of the above referenced 97.840 acre tract, for the most Eastern corner of this tract;

THENCE: Along the Southeast line of the above referenced tracts, S 44° 17' 09" W 440.05 feet, S 44° 41' 31" W 505.14 feet and S 44° 17' 38" W 1595.16 feet to an iron pin set in December of 1983, in same, for the South corner of the above referenced 97.840 acre tract, for the South corner of this tract;

THENCE: Along the Southwest line of the above referenced 97.840 acre tract, N 46° 03' 09" W 1210.00 feet to an iron pin set in December of 1983, in the Southeasterly line of Interstate Highway No. 35, for the West corner of the above referenced 97.840 acre tract, for the West corner of this tract;

THENCE: Along the Southeasterly line of Interstate Highway No. 35, N 24° 08' 30" E 1329.53 feet to an iron pin found in same for a corner of this tract, said point being a point of intersection of the Southeasterly line of Interstate Highway No. 35 with the Southeasterly line of a tract of 10.67 acres conveyed to the State of Texas by Kitty Page Yarrington and described in State Highway Department of Texas Right-of-Way Deed recorded in Volume 110, Pages 219-221 of the Deed Records of Hays County, Texas;

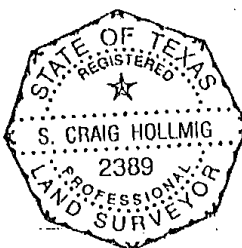
THENCE: Along the Southeasterly line of said 10.67 acre tract and a curve to the right, having a central angle of 08° 08' 07", a radius of 2925.0 feet, an arc length of 415.32 feet, a tangent of 208.01 feet, and a chord bearing and distance of N 55° 56' 04" E 414.97 feet to the East corner of said 10.67 acre tract, for an interior corner of this tract;

THENCE: Along the Northeast line of said 10.67 acre tract, N 47° 55' 30" W 229.79 feet to an iron pin found in the Southeasterly line of Interstate Highway No. 35, for a corner of this tract, a concrete highway monument found bears S 36° 50' 48" W 5.27 feet;

THENCE: Along the Southeasterly line of Interstate Highway No. 35, N 24° 08' 30" E 951.22 feet to the North corner of the above referenced 97.840 acre tract, for the North corner of this tract;

THENCE: Along the Northeast fenced line of the above referenced tracts, S 45° 56' 47" E 2145.09 feet to the Point of Beginning and containing 96.824 acres of land, more or less.

These field notes were prepared from surveys made in December, 1983, and May 8, 1992.



S. Craig Hollmig
Registered Professional Land Surveyor #2389

EXHIBIT "B"

Field notes describing a tract of land out of the Joel Miner Survey, Hays County, Texas, being a portion of that certain tract called 339 acres, called second tract recorded in Volume 95, Page 493, of the Deed Records of Hays County, Texas. Said acres being more particularly described as follows:

Beginning at an iron pin in the fence corner for the East corner of said 339 acre tract and being the East corner of the herein described tract;

Thence S 45°31'30" W, 295.76 feet along the Southeasterly line of said 339 acre tract to a fence post at an angle point on the herein described tract;

thence S 45°49'14" W, 94.55 feet along the Southeasterly line of said 339 acre tract to an iron pin for the South corner of the herein described tract;

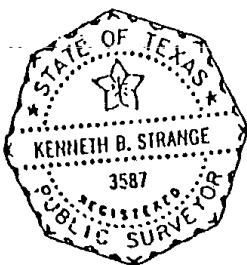
Thence N 44°42'17" W, 691.57 feet to an iron pin for the West corner of the herein described tract;

Thence N 30°46'06" E, 403.20 feet to an iron pin on the Northeasterly line of said 339 acre tract for the North corner of the herein described tract;

Thence S 44°42'17" E, 794.75 feet along said Northeasterly line to the point of beginning.

Containing 6.66 acres, more or less.

I, Kenneth B. Strange, Registered Public Surveyor, do hereby certify that the above-described tract of land was surveyed on the ground under my personal supervision during the month of April, 1985.



Kenneth B. Strange
 Kenneth B. Strange
 Registered Public Surveyor, No. 3587
 State of Texas

2.64 ACRE ROADWAY EASEMENT IN
THE HIGH RIDGE DEVELOPMENT

557 · 175

A tract of land out of the Joel Miner Survey, Hays County, Texas, being a portion of that certain tract called 339 Acres, called Second Tract, recorded in Volume 95, Page 493, of the Deed Records of Hays County, Texas. Consisting of a 70 foot road right-of-way and a portion of an 80 foot road right-of-way lying adjacent to a 6.66 acre parcel as recorded in Volume 523, Pages 484-486, being more particularly described as follows:

Commencing at an iron pin found in the fence corner for the East corner of said 339 acre tract also being the East corner of said 6.66 acre parcel;

Thence, N 44°42'17" W, 794.75 feet along the Northerly line of said 339 acres to the Northerly corner of said 6.66 acre parcel, also being a point on the Easterly line of said 80 foot road right-of-way and the Point of Beginning.

Thence, S 30°46'06" W, 403.20 feet along Easterly line of said 80 foot right-of-way and the Westerly line of said 6.66 acre parcel;

Thence, N 59°13'54" W, 80.00 feet across said 80 foot right-of-way;

Thence, N 30°46'06" E, 30.00 feet along the Westerly line of said 80 foot right-of-way;

Thence, 31.42 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 90°00'00", the chord of which bears N 14°13'54" W, 28.28 feet to a point on the Southerly right-of-way of said 70 foot right-of-way.

Thence, along the Southerly line of said 70 foot right-of-way, 342.71 feet along the arc of a curve to the left having a radius of 1,965.00 feet, a delta of 09°59'34", the chord of which bears N 64°13'41" W, 342.28 feet;

Thence, N 69°13'27" W, 412.99 feet along the Southerly line of said 70 foot right-of-way;

Thence, along the Southerly line of said 70 foot right-of-way, 163.65 feet along the arc of a curve to the right, having a radius of 2,035.00 feet, a delta of 04°36'27", the chord of which bears N 66°55'14" W, 163.60 feet;

Thence, N 64°37'00" W, 199.54 feet along the Southerly line of said 70 foot right-of-way;

Thence, along the Southerly line of said 70 foot right-of-way, 31.42 feet along the arc of a curve to the left, having a radius of 20.00, a delta of 90°00'00" to a point on the Easterly right-of-way of Interstate Highway No. 35;

EXHIBIT "D"

Thence, N 25°23'00" E, 110.00 feet along said Easterly right-of-way of Interstate Highway No. 35, to a point on the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta of 90°00'00"; the chord of which bears S 19°37'00" E, 28.28 feet;

Thence, S 64°37'00" E, 199.54 feet along the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 158.02 feet along the arc of a curve to the left, having a radius of 1,965.00 feet, a delta of 04°36'27", the chord of which bears S 66°55'14" E, 157.98 feet;

Thence, S 69°13'27" E, 412.99 feet along the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 354.92 feet on the arc of a curve to the right, having a radius of 2,035.00 feet, a delta of 09°59'34", the chord of which bears S 64°13'41" E, 354.47 feet;

Thence, 31.42 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 90°00'00", the chord of which bears N 75°46'06" E, 28.28 feet to a point on the Westerly line of said 80 foot right-of-way;

Thence, N 30°46'06" E, 283.93 feet along the Westerly line of said 80.00 foot right-of-way to a point on the Northerly line of said 339 acres.

Thence, S 44°42'17" E, 82.64 feet along the Northerly line of said 339 acres across said 80 foot right-of-way to the Point of Beginning.

Containing 2.64 acres, more or less.

STATE OF TEXAS
COUNTY OF HAYS
I hereby certify that this instrument was FILED on
this date and at the time stamped hereon by me and was duly
RECORDED in the Volume and Page of the record RECORDS
of Hays County, Texas, as stamped hereon by me.

SEP 8 1992



COUNTY CLERK
HAYS COUNTY, TEXAS

EXHIBIT "D"

SPECIAL WARRANTY DEED

DATE: March __, 1999

GRANTOR: Larry Wehrman

GRANTOR'S MAILING ADDRESS (including county):

2700 North IH 35
San Marcos, Texas 78666
in Hays County

GRANTEE: Laurel Ann Wehrman, Laurence Allan Wehrman and Nathan Lyle Wehrman

GRANTEE'S MAILING ADDRESS (including county):

2700 North IH 35
San Marcos, Texas 78666
in Hays County

CONSIDERATION:

TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration and the love and affection of Grantor for Grantee, his three children.

PROPERTY (including improvements):

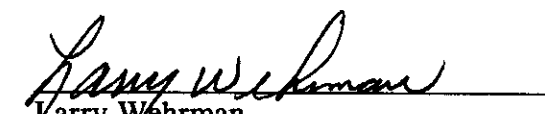
All of Grantor's undivided interest in a tract of 3.00 acres of land out of the JOEL MINER SURVEY, Hays County, Texas, as more particularly described in field notes labeled Exhibit "A" and attached hereto.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Any and all restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, SELLS, and CONVEYS to Grantee the property, 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. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the ³property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

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

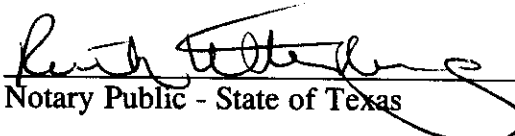

Larry Wehrman

STATE OF TEXAS §
 §
COUNTY OF HAYS §

1512 316

This instrument was acknowledged before me on the 16 day of March, 1999, by Larry Wehrman.




Notary Public - State of Texas

PREPARED IN THE LAW OFFICE OF:

H. C. Kyle, III
KYLE, WALKER & GOSSETT
P. O. Box 1708
San Marcos, Texas 78667

AFTER RECORDING, RETURN TO:

H.C. Kyle, III
P.O. Box 1708
San Marcos, Tx 78667

HC:rw
c:\wpdocs\re\hc12300

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR
A 3.00 ACRE TRACT

Being a 3.00 acre tract of land out of the Joel Miner Survey, Hays County, Texas, and being out of the Western portion of a tract of 128.361 acres described in Warranty Deed recorded in Volume 1223, Page 566 of the Official Public Records of Hays County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of N 45° 32' 35" E along the Northwest line of the above referenced tract, said 3.00 acre tract of land being more particularly described as follows:

BEGINNING: At an iron pin set at a nail found at fence post, for the West corner of the above referenced 128.361 acre tract, for the West corner of this tract;

THENCE: Along the Northwest line of the above referenced tract, partly along the Southeast line of a remainder of a tract called Second Tract, called 339 acres, recorded in Volume 95, Page 493 of the Deed Records of Hays County, Texas, and partly along the Southeast line of a tract of 97.84 acres recorded in Volume 714, Page 603 of the Official Public Records of Hays County, Texas, N 45° 32' 35" E 482.26 feet to an iron pin set in same, for the North corner of this tract;

THENCE: Into the above referenced 128.361 acre tract, S 45° 00' 00" E 270.97 feet to an iron pin set for the East corner of this tract;

THENCE: S 45° 32' 35" W 482.26 feet to an iron pin set in the Southwest line of the above referenced 128.361 acre tract, for the South corner of this tract;

THENCE: Along the Southwest line of the above referenced 128.361 acre tract, the Northeast line of a tract called 216.50 acres recorded in Volume 728, Pages 115-122 of the Official Public Records of Hays County, Texas, N 45° 00' 00" W 270.97 feet to the Point of Beginning and containing 3.00 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, August 19, 1997. Reference plat prepared this same date of this 3.00 acre tract.



Job #97355A

Richard A. Goodwin
Richard A. Goodwin, RPLS #4069

EXHIBIT "A"

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Lee Carlisle

3-16-99 11:15 AM 9905827
KLEEN \$13.00
LEE CARLISLE, County Clerk
HAYS COUNTY

THE STATE OF TEXAS §
COUNTY OF HAYS §

1253 857

WHEREAS, the Grantee herein, NATHAN LYLE WEHRMAN, was one of three beneficiaries of the Testamentary Trust created under the will of Kitty P. Yarrington; under the terms of such Trust, the portion of the trust estate held for each beneficiary is to be delivered to each beneficiary upon attaining the age of twenty-one (21) years, and

WHEREAS, NATHAN LYLE WEHRMAN has attained the age of twenty-one (21) years, and

WHEREAS, the said Trust was created for the benefit of LAUREL ANN WEHRMAN, LAURENCE ALLAN WEHRMAN and any other child born to JEAN WEHRMAN and LARRY WEHRMAN prior to the death of Kitty P. Yarrington; NATHAN LYLE WEHRMAN was born to LARRY WEHRMAN and JEAN WEHRMAN prior to the death of Kitty P. Yarrington; therefore, the original interest of NATHAN LYLE WEHRMAN in the trust estate was a one-third (1/3) interest and his interest in the below described 7.505 and 94.184 acre tracts is a one-sixth (1/6th) interest.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that LARRY WEHRMAN, Trustee under the Will of Kitty P. Yarrington, of the County of Hays and State of Texas, in accordance with the provisions of the above referenced Testamentary Trust, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto NATHAN LYLE WEHRMAN, a single man, of the County of Hays and State of Texas, whose mailing address is P.O. Box 273, San Marcos, Tex AN UNDIVIDED ONE-SIXTH (1/6TH) INTEREST IN AND TO all of the following described real property in Hays County, Texas, to-wit:

TRACT I: Being 7.505 acres of land out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "A" attached hereto and made a part hereof for all purposes.

TRACT II: A tract of 94.184 acres, consisting of a 96.824 acre tract less a tract of 2.64 acres described as follows:

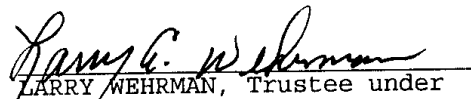
Being 96.824 acres of land out of the JOEL MINER SURVEY and also being out of the Eastern portion of a tract called 339 acres, called Second tract, recorded in Volume 95, page 493, said 339.0 acre tract being out of a tract called 555.0 acres described in Volume 94, page 577 of

the Deed Records of Hays County, Texas, and being more particularly described by metes and bounds in EXHIBIT "B" attached hereto and made a part hereof for all purposes; LESS AND EXCEPT 2.64 acres of land, being a portion of that tract called 339.0 acres out of the JOEL MINER SURVEY, Hays County, Texas, more particularly described by metes and bounds in EXHIBIT "C" attached hereto and made a part hereof for all purposes.

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: Any and all restrictions, covenants, conditions and easements, if any relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

TO HAVE AND TO HOLD an undivided one-sixth (1/6th) interest in and to the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, his heirs and assigns forever; and I do hereby bind myself, my heirs, successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 10th day of September, 1996.

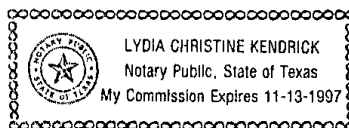

LARRY WEHRMAN, Trustee under
the Will of Kitty P. Yarrington,
Deceased

STATE OF TEXAS §
 §
COUNTY OF HAYS §

BEFORE ME, the undersigned authority, on this day personally appeared LARRY WEHRMAN, Trustee under the Will of Kitty P. Yarrington, Deceased, known to 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 stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 10th day of September, 1996.


Notary Public - State of Texas



1253 859

PREPARED IN THE LAW OFFICE OF:

H. C. Kyle, III
KYLE, WALKER & GOSSETT
East Side of Courthouse Square
P. O. Box 1708
San Marcos, Texas 78667

HC:lck
c:\wpdoc\re\hc7150

AFTER RECORDING, RETURN TO:

H.C. Kyle, III
KYLE, WALKER & GOSSETT
118 N. LBJ
P.O. Box 1708
San Marcos, Texas 78667

946 570

S. CRAIG HOLLMIG, INC.
CONSULTING ENGINEERS - SURVEYORS
410 N. SEGUIN STREET
NEW BRAUNFELS, TEXAS 78130-8088

1253 860

TEXAS SOCIETY OF PROFESSIONAL ENGINEERS
AMERICAN SOCIETY OF CIVIL ENGINEERS

TEXAS SURVEYORS' ASSOCIATION
TELEPHONE: (512) 837-7734

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR

A 7.505 acre tract of land out of the Joel Miner Survey and also being out of a tract called 339.0 acres, called Second Tract, recorded in Volume 95, Page 493, said 339.0 acre tract being out of a tract called 555.0 acres described in Volume 94, Page 577 all of the Deed Records of Hays County, Texas, and being more particularly described as follows:

BEGINNING: At an iron pin set in the Southeast fenced line of above referenced tract, for the East corner of this tract, said point being S 45° 31' 39" W 440.05 feet, S 45° 56' 01" W 505.14 feet, and S 45° 32' 08" W 1595.16 feet from the most Eastern fence corner of above referenced tract;

THENCE: S 45° 32' 08" W 282.26 feet to an existing fence corner being used as a corner of above referenced tract, for the South corner of this tract;

THENCE: N 44° 48' 39" W 1106.64 feet, along existing fence line, to a point in the Southeast Right-of-Way line of Interstate Highway No. 35, for the West corner of this tract;

THENCE: N 25° 23' 00" E 300.0 feet, along the Southeast Right-of-Way line of Interstate Highway No. 35, to an iron pin set in same for the North corner of this tract;

THENCE: S 44° 48' 39" E 1210.0 feet to the Point of Beginning and containing 7.505 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, December 12, 1983.



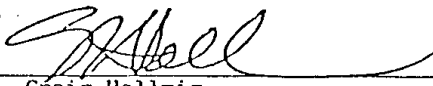

S. Craig Hollmig
Registered Public Surveyor

EXHIBIT "A"

EXHIBIT "A"

WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR
A 96.824 ACRE TRACT

1253 861

Being a 96.824 acre tract of land out of the Joel Miner Survey and also being out of the Eastern portion of a tract called 339 acres, called Second Tract, recorded in Volume 95, Page 493, said 339 acre tract being out of a tract called 555.0 acres described in Volume 94, Page 577, all of the Deed Records of Hays County, Texas, said 96.824 acre tract also being out of a tract of 97.840 acres described in Appointment of Substitute Trustee recorded in Volume 710, Pages 450-453 of the Real Property Records of Hays County, Texas, and being more particularly described as follows and all bearings given in this description are rotated to and based upon a bearing of N 24° 08' 30" E as shown on strip maps of Interstate Highway No. 35 prepared by the Texas Highway Department;

BEGINNING: At the most Eastern fenced corner of the above referenced 339 acre tract and the above referenced 555.0 acre tract, for the most Eastern corner of the above referenced 97.840 acre tract, for the most Eastern corner of this tract;

THENCE: Along the Southeast line of the above referenced tracts, S 44° 17' 09" W 440.05 feet, S 44° 41' 31" W 505.14 feet and S 44° 17' 38" W 1595.16 feet to an iron pin set in December of 1983, in same, for the South corner of the above referenced 97.840 acre tract, for the South corner of this tract;

THENCE: Along the Southwest line of the above referenced 97.840 acre tract, N 46° 03' 09" W 1210.00 feet to an iron pin set in December of 1983, in the Southeasterly line of Interstate Highway No. 35, for the West corner of the above referenced 97.840 acre tract, for the West corner of this tract;

THENCE: Along the Southeasterly line of Interstate Highway No. 35, N 24° 08' 30" E 1329.53 feet to an iron pin found in same for a corner of this tract, said point being a point of intersection of the Southeasterly line of Interstate Highway No. 35 with the Southeasterly line of a tract of 10.67 acres conveyed to the State of Texas by Kitty Page Yarrington and described in State Highway Department of Texas Right-of-Way Deed recorded in Volume 110, Pages 219-221 of the Deed Records of Hays County, Texas;


THENCE: Along the Southeasterly line of said 10.67 acre tract and a curve to the right, having a central angle of 08° 08' 07", a radius of 2925.0 feet, an arc length of 415.32 feet, a tangent of 208.01 feet, and a chord bearing and distance of N 55° 56' 04" E 414.97 feet to the East corner of said 10.67 acre tract, for an interior corner of this tract;

THENCE: Along the Northeast line of said 10.67 acre tract, N 47° 55' 30" W 229.79 feet to an iron pin found in the Southeasterly line of Interstate Highway No. 35, for a corner of this tract, a concrete highway monument found bears S 36° 50' 48" W 5.27 feet;

THENCE: Along the Southeasterly line of Interstate Highway No. 35, N 24° 08' 30" E 951.22 feet to the North corner of the above referenced 97.840 acre tract; for the North corner of this tract;

THENCE: Along the Northeast fenced line of the above referenced tracts, S 45° 56' 47" E 2145.09 feet to the Point of Beginning and containing 96.824 acres of land, more or less.

These field notes were prepared from surveys made in December, 1983, and May 8, 1992.



S. Craig Hollmig

Registered Professional Land Surveyor #2389

EXHIBIT "D"

2.64 ACRE ROADWAY EASEMENT IN
THE HIGH RIDGE DEVELOPMENT

A tract of land out of the Joel Miner Survey, Hays County, Texas, being a portion of that certain tract called 339 Acres, called Second Tract, recorded in Volume 95, Page 493, of the Deed Records of Hays County, Texas. Consisting of a 70 foot road right-of-way and a portion of an 80 foot road right-of-way lying adjacent to a 6.66 acre parcel as recorded in Volume 523, Pages 484-486, being more particularly described as follows:

Commencing at an iron pin found in the fence corner for the East corner of said 339 acre tract also being the East corner of said 6.66 acre parcel;

Thence, N 44°42'17" W, 794.75 feet along the Northerly line of said 339 acres to the Northerly corner of said 6.66 acre parcel, also being a point on the Easterly line of said 80 foot road right-of-way and the Point of Beginning.

Thence, S 30°46'06" W, 403.20 feet along Easterly line of said 80 foot right-of-way and the Westerly line of said 6.66 acre parcel;

Thence, N 59°13'54" W, 80.00 feet across said 80 foot right-of-way;

Thence, N 30°46'06" E, 30.00 feet along the Westerly line of said 80 foot right-of-way;

Thence, 31.42 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 90°00'00", the chord of which bears N 14°13'54" W, 28.28 feet to a point on the Southerly right-of-way of said 70 foot right-of-way.

Thence, along the Southerly line of said 70 foot right-of-way, 342.71 feet along the arc of a curve to the left having a radius of 1,965.00 feet, a delta of 09°59'34", the chord of which bears N 64°13'41" W, 342.28 feet;

Thence, N 69°13'27" W, 412.99 feet along the Southerly line of said 70 foot right-of-way;

Thence, along the Southerly line of said 70 foot right-of-way, 163.65 feet along the arc of a curve to the right, having a radius of 2,035.00 feet, a delta of 04°36'27", the chord of which bears N 66°55'14" W, 163.60 feet;

Thence, N 64°37'00" W, 199.54 feet along the Southerly line of said 70 foot right-of-way;

Thence, along the Southerly line of said 70 foot right-of-way, 31.42 feet along the arc of a curve to the left, having a radius of 20.00, a delta of 90°00'00" to a point on the Easterly right-of-way of Interstate Highway No. 35;

557 176946 567

1253 863

Thence, N 25°23'00" E, 110.00 feet along said Easterly right-of-way of Interstate Highway No. 35, to a point on the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta of 90°00'00"; the chord of which bears S 19°37'00" E, 28.28 feet;

Thence, S 64°37'00" E, 199.54 feet along the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 158.02 feet along the arc of a curve to the left, having a radius of 1,965.00 feet, a delta of 04°36'27", the chord of which bears S 66°55'14" E, 157.98 feet;

Thence, S 69°13'27" E, 412.99 feet along the Northerly line of said 70 foot right-of-way;

Thence, along the Northerly line of said 70 foot right-of-way, 354.92 feet on the arc of a curve to the right, having a radius of 2,035.00 feet, a delta of 09°59'34", the chord of which bears S 64°13'41" E, 354.47 feet;

Thence, 31.42 feet along the arc of a curve to the left having a radius of 20.00 feet, a delta of 90°00'00", the chord of which bears N 75°46'06" E, 28.28 feet to a point on the Westerly line of said 80 foot right-of-way;

Thence, N 30°46'06" E, 283.93 feet along the Westerly line of said 80.00 foot right-of-way to a point on the Northerly line of said 339 acres.

Thence, S 44°42'17" E, 82.64 feet along the Northerly line of said 339 acres across said 80 foot right-of-way to the Point of Beginning.

Containing 2.64 acres, more or less.

STATE OF TEXAS
COUNTY OF HAYS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Hays County, Texas, as stamped hereon by me.

SEP 8 1992



David D. Amelley
COUNTY CLERK
HAYS COUNTY, TEXAS

COUNTY CLERK

Doc# 407093
Pages: 7
Date : 09-16-1996
Time : 03:15:19 P.M.
FILED & Recorded in
Official Records
HAYS COUNTY, TEXAS
COUNTY CLERK
MARGIE T. VILLALBA
92 SEP 8 PM 3:21:00

COUNTY OF HAYS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Hays County, Texas, as stamped hereon by me.

SEP 16 1996

EXHIBIT "C"



Margie T. Villalba
COUNTY CLERK
HAYS COUNTY, TEXAS

SPECIAL WARRANTY DEED

DATE: March __, 1999

GRANTOR: Larry Wehrman

GRANTOR'S MAILING ADDRESS (including county):

2700 North IH 35
San Marcos, Texas 78666
in Hays County

GRANTEE: Laurel Ann Wehrman, Laurence Allan Wehrman and Nathan Lyle Wehrman

GRANTEE'S MAILING ADDRESS (including county):

2700 North IH 35
San Marcos, Texas 78666
in Hays County

CONSIDERATION:

TEN AND NO/100 DOLLARS (\$10.00) cash and other good and valuable consideration and the love and affection of Grantor for Grantee, his three children.

PROPERTY (including improvements):

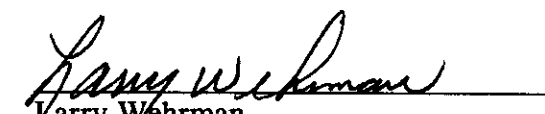
All of Grantor's undivided interest in a tract of 3.00 acres of land out of the JOEL MINER SURVEY, Hays County, Texas, as more particularly described in field notes labeled Exhibit "A" and attached hereto.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Any and all restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, GRANTS, SELLS, and CONVEYS to Grantee the property, 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. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the ³property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

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

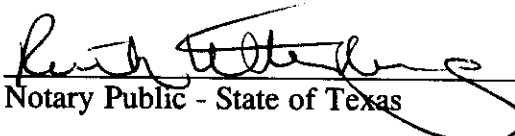

Larry Wehrman

STATE OF TEXAS §
 §
COUNTY OF HAYS §

1512 316

This instrument was acknowledged before me on the 16 day of March, 1999, by Larry Wehrman.




Notary Public - State of Texas

PREPARED IN THE LAW OFFICE OF:

H. C. Kyle, III
KYLE, WALKER & GOSSETT
P. O. Box 1708
San Marcos, Texas 78667

AFTER RECORDING, RETURN TO:

H.C. Kyle, III
P.O. Box 1708
San Marcos, Tx 78667

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WATER SYSTEMS • SEWER SYSTEMS • SUBDIVISIONS • LAND PLANNING • STREETS • DRAINAGE • SURVEYING

FIELD NOTES
FOR
A 3.00 ACRE TRACT

Being a 3.00 acre tract of land out of the Joel Miner Survey, Hays County, Texas, and being out of the Western portion of a tract of 128.361 acres described in Warranty Deed recorded in Volume 1223, Page 566 of the Official Public Records of Hays County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of N 45° 32' 35" E along the Northwest line of the above referenced tract, said 3.00 acre tract of land being more particularly described as follows:

BEGINNING: At an iron pin set at a nail found at fence post, for the West corner of the above referenced 128.361 acre tract, for the West corner of this tract;

THENCE: Along the Northwest line of the above referenced tract, partly along the Southeast line of a remainder of a tract called Second Tract, called 339 acres, recorded in Volume 95, Page 493 of the Deed Records of Hays County, Texas, and partly along the Southeast line of a tract of 97.84 acres recorded in Volume 714, Page 603 of the Official Public Records of Hays County, Texas, N 45° 32' 35" E 482.26 feet to an iron pin set in same, for the North corner of this tract;

THENCE: Into the above referenced 128.361 acre tract, S 45° 00' 00" E 270.97 feet to an iron pin set for the East corner of this tract;

THENCE: S 45° 32' 35" W 482.26 feet to an iron pin set in the Southwest line of the above referenced 128.361 acre tract, for the South corner of this tract;

THENCE: Along the Southwest line of the above referenced 128.361 acre tract, the Northeast line of a tract called 216.50 acres recorded in Volume 728, Pages 115-122 of the Official Public Records of Hays County, Texas, N 45° 00' 00" W 270.97 feet to the Point of Beginning and containing 3.00 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, August 19, 1997. Reference plat prepared this same date of this 3.00 acre tract.



Job #97355A

Richard A. Goodwin
Richard A. Goodwin, RPLS #4069

EXHIBIT "A"

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Lee Carlisle
3-16-99 11:15 AM 9905827
KLEEN \$13.00
LEE CARLISLE, County Clerk
HAYS COUNTY

1. BEARINGS, DISTANCES AND AREAS IN PARENTHESIS ARE FROM RECORD INFORMATION.

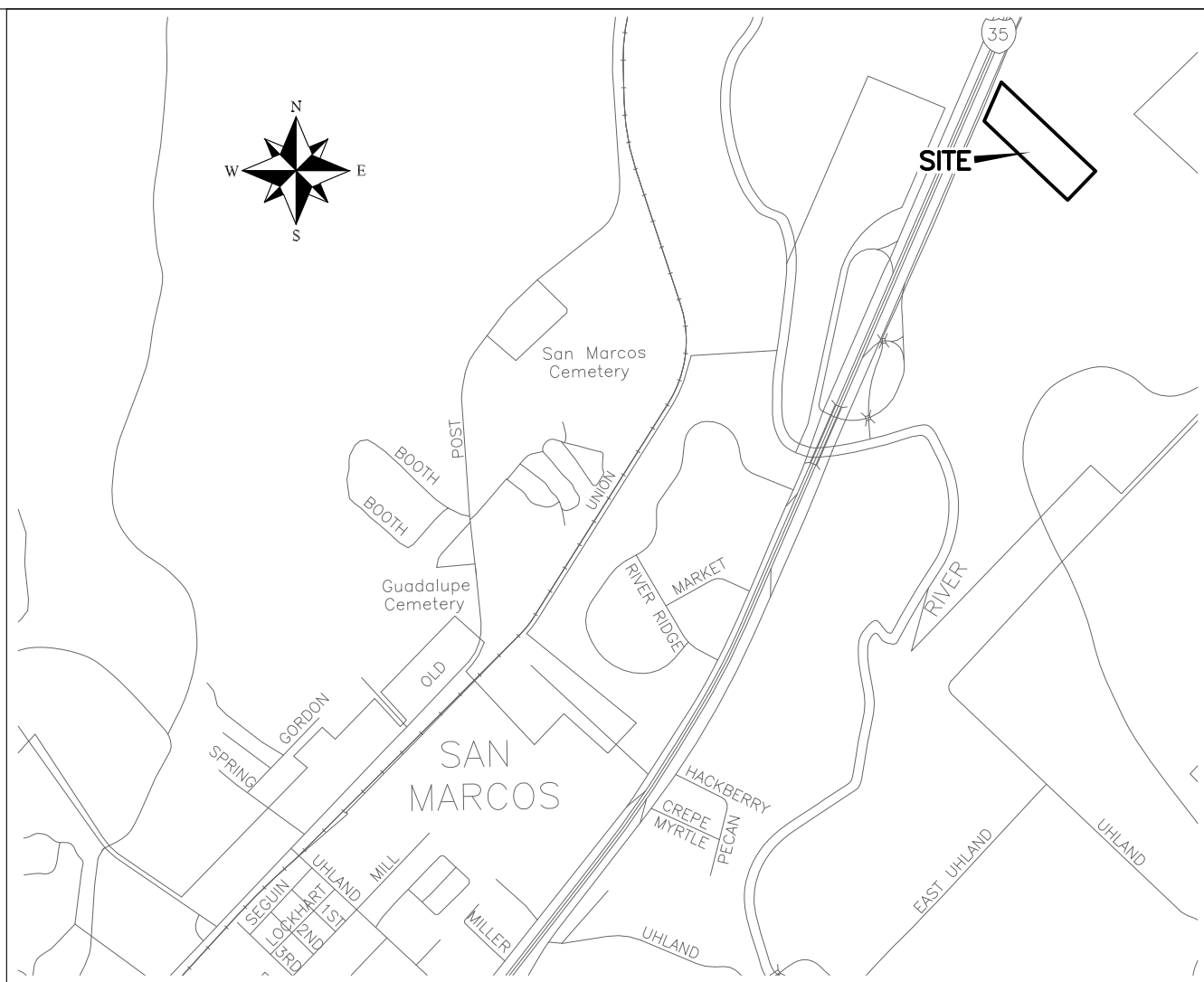
2. ACCORDING TO HORIZONTAL SCALING FROM AUSTIN TO AUSTIN FLOOD INSURANCE RATE MAP NO. 48209C0392Z DATED SEPTEMBER 2, 1985, THIS TRACT DOES NOT LIE WITHIN ZONE A OR ZONE AE.

3. BEARING BASIS: GRID NORTH PER TEXAS COORDINATE SYSTEM (NAD83), ZONE 12B, SOUTH CENTRAL ZONE, BASED ON GPS SOLUTIONS.

COORDINATE BASIS: GRID NORTH PER TEXAS DISTANCES AND AREAS SHOWN HEREON ARE REPORTED AT SURFACE VALUES BASED ON SURFACE MEASUREMENT ADJUSTMENT FACTOR OF 1.00013000.

4. THIS SURVEY WAS DONE IN CONJUNCTION WITH TITLE COMMITMENT G.F. NO. 202201890, DATED MAY 16, 2022 PROVIDING HERITAGE TITLE COMPANY OF AUSTIN, INC. THIS SURVEY DID NOT RESEARCH THE DEEDED RECORDS FOR PROBABLE CONFLICTS WITH OTHER EASEMENTS, THEREFORE, CERTAIN EASEMENTS MAY BE UNDETECTED WHICH ARE NOT REFLECTED HEREON.

5. ATTACHMENTS: METES AND BOUNDS DESCRIPTION 2199--001 FND.



LOCATION MAP
NOT TO SCALE

ALTA/NSPS SURVEY NOTES:

(TABLE A, ITEM 6A AND 6B)
THE INFORMATION SHOWN HEREON (IF ANY) REGARDING ZONING WAS PROVIDED TO THE SURVEYOR BY OTHERS AND IS SHOWN HEREON FOR REFERENCE ONLY. THE SURVEYOR DOES NOT WARRANT OR CERTIFY AS TO ITS COMPLETENESS OR ACCURACY. ZONING REQUIREMENTS ARE SUBJECT TO CHANGE AND SHOULD BE VERIFIED WITH THE CITY BEFORE RELYING ON THIS INFORMATION.

(TABLE A, ITEM 16)
THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT TIME OF GROUND SURVEY.

TITLE COMMITMENT NOTE

THIS SURVEY WAS DONE IN CONJUNCTION WITH TITLE COMMITMENT G.F. NO. 202201890, DATED MAY 16, 2022 PROVIDED BY HERITAGE TITLE COMPANY OF AUSTIN, INC. THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE OR EASEMENT, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.

LEGAL DESCRIPTION PER THE TITLE COMMITMENT

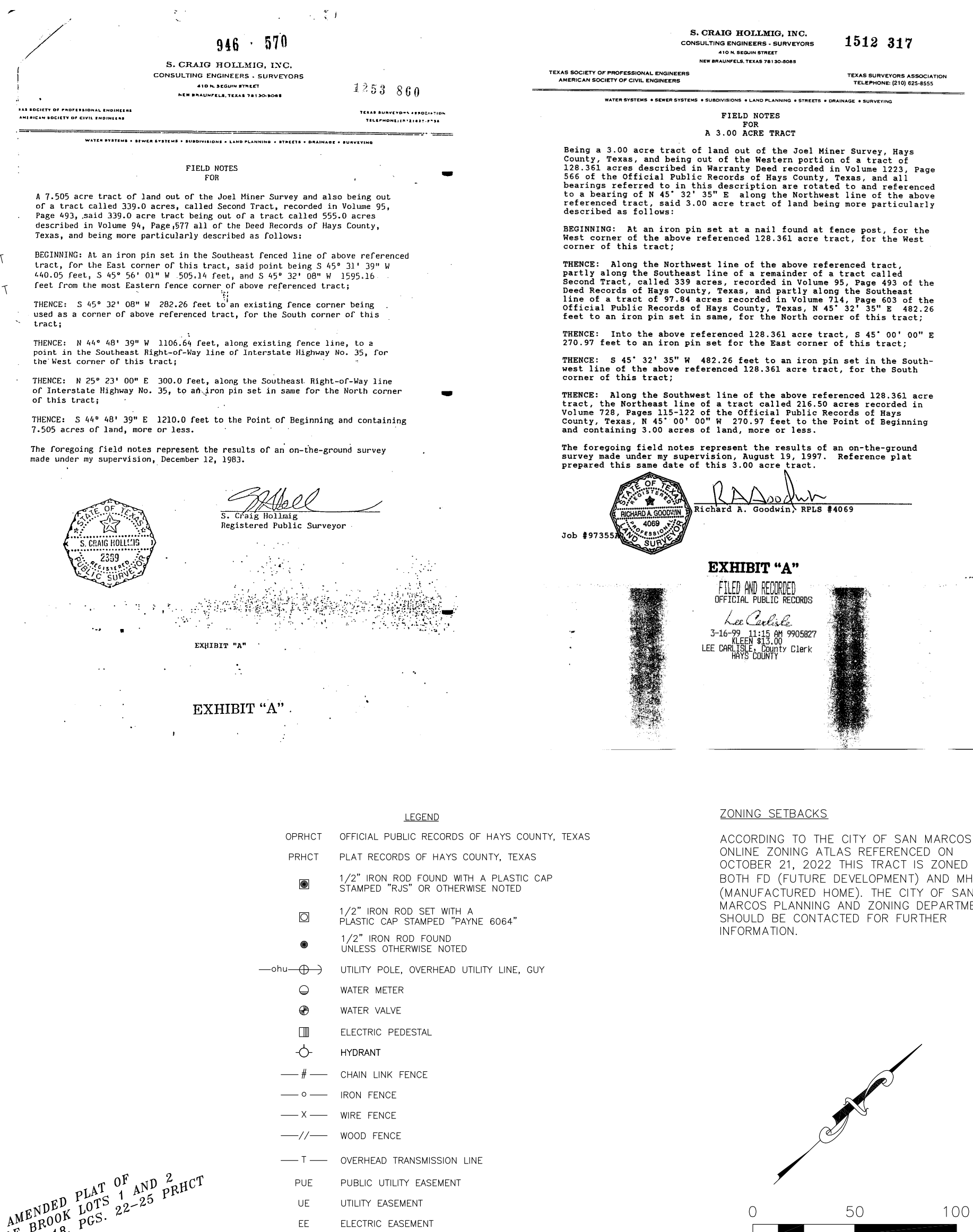
TRACT 1: BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 7.505 ACRES, MORE OR LESS, SITUATED IN THE JOEL MINER SURVEY, ABSTRACT NO. 321, HAYS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TRACT 2: BEING ALL OF THAT CERTAIN TRACT OF PARCEL OF LAND CONTAINING 5.188 ACRES, MORE OR LESS, SITUATED IN THE JOEL MINER SURVEY, ABSTRACT NO. 321, HAYS COUNTY, TEXAS AND BEING A REMAINDER PORTION OF THAT 97.840 ACRE TRACT DESCRIBED IN VOLUME 714, PAGE 603 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS. (SUBJECT TO SATISFACTION OF REQUIREMENT ON SCHEDULE C)

TRACT 3: BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 3.00 ACRES, MORE OR LESS, SITUATED IN THE JOEL MINER SURVEY, ABSTRACT NO. 321, HAYS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

NOTES CORRESPONDING TO SCHEDULE B

- A. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINES EASEMENT GRANTED TO TEXAS POWER AND LIGHT COMPANY, BY INSTRUMENT DATED NOVEMBER 3, 1927, RECORDED IN VOLUME 94, PAGE 454 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1, 2 AND 3). MAY AFFECT SUBJECT PROPERTY.
- B. COMMUNICATIONS LINES EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY, BY INSTRUMENT DATED SEPTEMBER 19, 1942, RECORDED IN VOLUME 144, PAGE 500 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1 AND 2). MAY AFFECT SUBJECT PROPERTY.
- F. PIPE LINE, TELEPHONE AND ELECTRIC TRANSMISSION EASEMENT GRANTED TO THE UNITED GAS PIPE LINE COMPANY, BY INSTRUMENT DATED SEPTEMBER 19, 1949, RECORDED IN VOLUME 144, PAGE 500 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1, 2 AND 3). MAY AFFECT SUBJECT PROPERTY.
- G. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINES EASEMENT GRANTED TO LOWER COLORADO RIVER AUTHORITY, BY INSTRUMENT DATED MAY 10, 1951, RECORDED IN VOLUME 150, PAGE 152 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AS AMENDED BY VOLUME 1329, PAGE 831 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1 AND 2). AFFECTS SUBJECT PROPERTY.
- H. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINES EASEMENT GRANTED TO LOWER COLORADO RIVER AUTHORITY, BY INSTRUMENT DATED MAY 10, 1951, RECORDED IN VOLUME 150, PAGE 152 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AS AMENDED BY VOLUME 1329, PAGE 831 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1 AND 2). AFFECTS SUBJECT PROPERTY.
- I. PIPE LINE, TELEPHONE AND ELECTRIC TRANSMISSION EASEMENT GRANTED TO UNITED GAS PIPE LINE COMPANY, BY INSTRUMENT DATED MARCH 5, 1980, RECORDED IN VOLUME 181, PAGE 130 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1, 2 AND 3). MAY AFFECT SUBJECT PROPERTY.
- J. PIPE LINE, TELEPHONE AND ELECTRIC TRANSMISSION EASEMENT GRANTED TO UNITED GAS PIPE LINE COMPANY, BY INSTRUMENT DATED MARCH 5, 1980, RECORDED IN VOLUME 181, PAGE 130 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND AS FURTHER AFFECTED BY VOLUME 230, PAGE 115 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1, 2 AND 3). DOES NOT AFFECT SUBJECT PROPERTY.
- K. PIPE LINE EASEMENT GRANTED TO MAXWELL WATER SUPPLY CORPORATION, BY INSTRUMENT DATED JULY 6, 1970, RECORDED IN VOLUME 240, PAGE 780 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND AS FURTHER AFFECTED BY VOLUME 658, PAGE 791 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1 AND 2). MAY AFFECT SUBJECT PROPERTY.
- L. THE TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN DEED GRANTING PUBLIC UTILITY EASEMENT DATED SEPTEMBER 29, 1989, RECORDED IN VOLUME 800, PAGE 439 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1 AND 2). MAY AFFECT SUBJECT PROPERTY.
- M. WATER AND WASTEWATER LINES EASEMENT GRANTED TO CITY OF SAN MARCOS, BY INSTRUMENT DATED DECEMBER 17, 1989, RECORDED IN VOLUME 811, PAGE 385 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS. (TRACTS 1 AND 2). MAY AFFECT SUBJECT PROPERTY.
- N. UNDERGROUND PIPELINE CROSSING THE PROPERTY AS SHOWN ON THE PLAT OF RICHARD A. GOODWIN, R.P.L.S. NO. 4069, DATED APRIL 19, 1996 AS SET OUT IN VOLUME 1223, PAGE 566 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (TRACT 3). DOES NOT AFFECT SUBJECT PROPERTY. THIS SURVEYOR DOES NOT HAVE A COPY OF THE GOODWIN SURVEY PLAT TO VERIFY.
- R. ELECTRIC UTILITY EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC., BY INSTRUMENT DATED NOVEMBER 18, 1996, RECORDED IN VOLUME 1488, PAGE 635 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (TRACT 2). DOES NOT AFFECT SUBJECT PROPERTY.
- S. THE TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN WASTEWATER EASEMENT DATED MARCH 28, 2004, RECORDED IN VOLUME 2435, PAGE 336 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (TRACT 1). DOES NOT AFFECT SUBJECT PROPERTY.



G.F. NO. 202201890

ADDRESS:
2700 N IH 35,
SAN MARCOS, TX
JOB NUMBER: 2199-001
CLIENT: BALCONES
REAL ESTATE GROUP
DATE: 10/25/2022
FIELD CREW: SG
OFFICE: LB, PP
FB/PG: SEE FILE

AN ALTA/NSPS LAND TITLE SURVEY OF
16.234 ACRES, MORE OR LESS,
IN THE JOEL MINER SURVEY, ABSTRACT 321,
HAYS COUNTY, TEXAS.



CERTIFIED TO:
ZYDECO ACQUISITIONS, LLC, A TEXAS LIMITED LIABILITY COMPANY AND HERITAGE
TITLE COMPANY OF AUSTIN, INC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS
BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL
REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND
ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 6a, 6b, 6c, 8, 13,
16 AND 18 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON OCTOBER 6, 2022.

Phillip C. Payne 10
PHILLIP C. PAYNE, R.P.L.S.
FIRM NO. 10194453

CITY OF SAN MARCOS,
HAYS COUNTY, TEXAS



502 W. Hopkins, Ste. 1A, San Marcos, TX 78666
(512) 663-0004 www.payne-llc.com