TRAVIS CO. RLD. SK. NO. (40)
(in flat folder)
Abstract of title to part of
Thomas J. Chambers Grant
Received July 24, 1957
See S.F. 15919

counter 49195

RECEIVED
JUL 24 1957
GENERAL LAND OFFICE

No. 10,558

Abstract of Title

to

Part of Thomas J. Chambers Grant

Travis County, Texas

FROM: THE PATENT

TO: August 14, 1953 at 8 A.M.

Prepared by

PHOTO RECORD ABSTRACT & TITLE CO., INC.

Phone 2-2463

Austin, Texas

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Photo-Record Abstract & Title Company, Inc.
303 West 6th Street
Austin, Texas

Caption

ABSTRACT OF TITLE

No. 10,558

[TO]

Property: Being that part of the Thomas J. Chambers Grant, Abstract No. 7, more fully described in Warranty Deed, Lee O. Allen, Sheriff to Sophie Wendlandt, dated June 2, 1936, recorded in Book 544 Page 294 of the Travis County Records, and more fully described as "First Parcel" in the Deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Travis County Records, SAVE AND EXCEPT, however those portions of said land which have been conveyed out of said tract of land and shown as exhibits herein on pages, 139, 142, 147, 149, and 152.

From THE PATENT

To the 14th day of August 1953 at 8 o'clock A. M.

counter 79197

Ira R. Lewis, Genl.
Comr. for State of
Coahuila and Texas
To
Thos. J. Chambers

Spanish Grant
Dated June 20, 1836
Filed October 12, 1848
Recorded in Vol.C, page 419
Travis County Deed Records

GRANTS: 8 Leagues of land in Travis Co., Texas, commencing on margin of Colorado River 2 vrs. above mouth of Cascade Creek (Arroyó Cascadero) and taking the course to the North run 1500 vs. where set a land mark from here continued with the bearing of the N. 45 deg E. 25000 vs. where fixed another land mark making a corner from this point taking the bearing to the S. 45 deg E. and continued 1500 vrs. where made a land mark from here continued 1500 vrs. with the bearing to the S. 22 1/2 deg E. and set another land mark forming a corner from there taking the bearing to the South and run 1500 vs. where formed a land mark from this point continued 1500 vs. with the bearing to the S. 22 1/2 W where established another land mark from this point took the bearing to the S. 45 deg W. and run 1500 vs. making a land mark from there continued to the River with the bearing to the S 22 1/2 deg W. where set another land mark making a corner and from here taking up the margin of the River following its meanders until terminated at the beginning.

(Sgd) Ira R. Lewis

Witnesses: Manual Ma Valdes
William L. Cazneau

Acknowledgment: Statutory by Ira R. Lewis, 19 June, 1838, before Sewelan D. Edwards, Chief Justice & Ex Officio Notary Public, Matagorda County.

Note: This title was previously recorded in Spanish 6 April, 1846 in Book "B" page 173 Travis County Deed Records.

counter 79198

Thomas J. Chambers et al

To and with

Each Other

Agreement
Dated May 21, 1850
Filed May 21, 1857
Recorded in Book L, pages 392-3
Travis County Deed Records

The State of Texas #
Bastrop County # Done in duplicate.

Know all men by these presents that we, Thomas Jefferson Chambers and David Thomas both citizens of the above named State, have agreed as follows, that whereas the above named parties did agree on or about the first day of May A.D. 1850 that the said David Thomas should from that time afterward remain upon and occupy the 8 league tract of land belonging to said Chambers and cultivate the place known as the Mormon Mill in Travis County on the east bank of the Colorado river nearMount Bonnell and hold the said tract of eight leagues of land as the property of the said Chambers to the present time and the said David Thomas wishing to continue to hold use and cultivate the same it is hereby further agreed that he the said David Thomas shall so remain hold use and cultivate the same as the property of the said Chambers as heretofore from year to year until the said Chambers may wish to occupy the said place himself when he shall give the said Thomas 6 months notice of his intention and it is further agreed that the said Thomas shall pay to the said Chambers one bushel of corn per annum as rent for the use of the same.

In testimony whereof we have hereunto set our hands and seals this 21st day of May A.D. 1850, in the presence of the undersigned witnesses:

(Sgd) T. J. Chambers
David Thomas

Phil Claborn
David Holdeman

Acknowledgment, Statutory by T.J. Chambers and David Thomas, both gentlemen, 13 Dec. 1855 before F.T. Duffau, Notary Public, Travis County, Texas.

counter 49/99

L. B. Moore
To
Evan Williams

Special Warranty Deed
Dated June 3, 1860
Filed October 20, 1860
Recorded in Vol. O, page 557
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents, that I, L.B. Moore in the County of Travis for and in consideration of the sum of $300. to me in hand paid by these presence do grant, sell unto Evan Williams all my right, title and interest in & to a certain parcel of land being a part of three hundred & twenty acre preemption originally settled by Marion Medlin transferred to said Burton on the 20th day of Oct. 1854 thence by said Burton to me situate at the mouth of Mill Creek in Travis County & designated as follows, to-wit: Beginning at a large cedar tree 65 varas south of a corner of a survey made for J. Lee thence a little south if east to said creek, to include the improvements of Isaac Huckaby thence with the meanders of said creek about 40 rods to the first bend where the same turns towards the Colorado River thence due east to the East of said pre emption claim made by the said Medlin thence running with the line of sd preemption claim so as to include all the saidclaim lying north of the line just designated and I hereby --- myself my heirs and assigns to warrant & defend the title to the above described land unto the saidEvan Williams from the lawful claims of all persons claiming the same by or from me.

In testimony whereof I have hereunto set my hand and scroll for a seal this 3rd day of June 1859.

(Sgd) L. B. Moore

Attest: H. McLaurin
James T. McLaurin

The State of Texas #
Travis County # Before me James T. McLaurin, Clerk of Travis County Court on this day personally appeared Larkin B. Moore, to me well known who signed the within and foregoing deed bearing date the 3rd day of June, A.D. 1859, and acknowledged the same to be his act and deed for all the uses purposes and considerations therein stated and at length set forth.

In testimony whereof I hereunto set my hand and the seal of said County Court at office in Austin, City this 3rd day of June, A.D. 1860.

J.T. McLaurin, Clerk Travis
County Court - - - - - - -

(L.S.)

counter 49200

John S. Burton

To

Ernst Schewtte

Special Warranty Deed
Dated August 12, 1856
Filed September 2, 1856
Recorded in Book "K" page 704
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents: that I, John S. Burton, of the County of Travis for and in consideration of the sum of $450. to me in hand paid, the receipt of which is hereby acknowledged, have soldand by these presents do grant & sell unto Ernst Schewtte a certain parcel of land out of the preemption claim to Marion Medlin situated in the County of Travis at the mouth of Bull or Mill Creek and described as follows towit:

Beginning on the left bank of the Colorado River on a stake about 25 feet above the Water mark from which a hackberry 1 inch in dia. marked x bearsN 16 deg 20' E. 47 links and a ditto 5 inch in diam marked x bears N 83 deg 35' E. 44½ links thence North 25 deg 20' E. 13 chains and 61 links to the south edge of an elm 9 inches in diameter from where a leaning spanish oak 8 inches in ciameter marked x bears N. 12 deg 45' W. 35½ links and a spanis oak 7 inch diam marked x bears N 34 deg 20' E. 51 links thence north 44 deg E 7 chains to a stake and stone mound from which a spanish oak 3 inch diam marked x bears S 35½ deg E 28½ links and a Live oak 1 inch diam marked x bears N 88 E 57 links thence North 71 deg 7' E. 24 chains & 35 links thence N 32 deg W 12 chains & 61 links to mill creek thence down said creek with its meanders & down the Colorado river with its meanders to the beginning, containing 65 acres.

To have and to hold the above described land together with all & singular the rights & privileges thereunto belonging or in anywise appertaining to the only proper use, benefit and behoof of the said Schwette, his heirs & assigns forever. And I hereby bind myself, my heirs & assigns to warrant and defend the title to the above described land unto the said Schewette His heirs & assigns from the lawful claims of all persons whomsoeverclaiming the same by or from me and not otherwise.

In testimony whereof I have hereunto set my hand & scrawl for a seal this 12th day of August,A.D. 1856.

(Sgd) J. S. Burton

Attest:
Witnesses: N.C. Bengener
E.R. Peck

State of Texas #
Travis County # Personally appeared before me Joseph Lee, a Notary Public, John S.Burton and declared thathe signed sealed and delivered the above instrument for the consideration and purposes therein expressed. The words "and not otherwise" being interlined.

In testimony whereof I hereto set my hand and seal of office this 1st day of September, A.D. 1856.

Joseph Lee Notary Public
Travis County - - - -

(----)

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counter 49201

Mrs. Abby C. Thompson
et vir
To
C. W. Whitis et al

Administratrix' Deed
Dated July 28, 1869
Filed September 8, 1869
Recorded in Vol.S, pages 314-316
Travis County Deed Records

The State of Texas #
County of Galveston # This Indenture made and entered into on this 28th day of July A.D. 1869, by and between Mrs. Abby C. Thompson Administratrix of the Estate of T.J. Chambers decd. of the first part and her husband Cyrus Thompson herein acting with her of the County and State aforesaid and C.W. Whitis and James H. Raymond of the County of Travis in said State of the second part Witnesseth, that whereas under and by virtue of a decretal order of sale made in the matter of the Estate of T.J. Chambers decd. by the Hon. the County Court of Galveston County at its last May Term A.D. 1869, the said parties of the first part and representing said Estate as aforesaidoffered for sale among other, the following property of said Estate, viz: No. 17, a tract of 1872 acres out of the 8 league grant made to Thomas J. Chambers, deceased, in Travis County, Texas, bounded as follows, viz: Beginning at the N.W. corner of a tract of 120 acres out of said grant, heretofore sold to H.N. Duble, a small cherry tree for corner,from wich a spanish oak 3 in. in dia. mkd. X brs. N. 76 deg E. 1½ vs. another 4 in. in dia. mkd X bears N 20 deg W 5 vrs distance thence S 60 deg E 272 vs to the SW corner of the J.). Davis survey; thence N. 30 deg E 2114 vs to a corner of the G.W. Davis survey; thence N 60 deg W 4139 vs to the SW corner of the R. Compton survey; thence N. 30 E. 1200 vs to a point on the NW line of said 8 league grant; thence S 45 deg W. with said line 2479 ---to a corner; thence S 960 vs to the NW corner of a 277 acre tract, sold out of said grant to H.N. Duble; thence E 936 vs to the NE corner of said last named tract. thence S 24¼ E. 1614 vs to the East corner of said last named tract, a pile of rocks from wich a spanish oak 6 in in dia on Bluff Creek of a rock branch of Dry creek mkd. L brs S 75 deg E 9 vs. and another spanish oak 6 in in dia. from the same root mkd. "P" brs S 79 deg E 9 vs. Thence S. 26½ deg E. 1511 vs. with a 200 acre tract heretofore sold to H.N. Duble; and continuing the same course till it intersects the upper line of the A . Silsbee survey; thence N 30 deg E 939 vs passing the N. corner of said Silsbe survey 1181 vrs. to a corner; thence S 60 deg E 672 vs. to the place of beginning; wich said property was so offered for sale on a credit of 12 months at public auction in front of the Court house door of said County of Galveston on the first Tuesday (6th) day of July A.D. 1869, between the hours of 10 o'clock A.M. and 4 P.M. of said day, having prior thereto given the 20 days notice as required by law and the said order of sale and whereas at said sale the C.W. Whitis and James H. Raymond parties of the second part offered and bid for said tract of land one dollar and eighteen cents and the fraction of a cent per acre amounting to $2152.00 wich wich was the highest and best bid made therefor and no person offering or bidding more the said land was sold, struck off ahd adjudged to the said C.W. Whitis and James H. Raymond and they were declared therightful and legal purchasers of the same and whereas at the following July term (1869) of said Court a duly verified report of said sale was made according to law by said parties of the first part and the same on inspection examination and hearing thereof by

counter 49202

said Court was in all things approved and ordered to be recorded and said sale was then and there satisfied approved and confirmed and said Administratrix was therein and thereby ordered to make conveyance of said property to the said C.W. Whitis and James H. Raymond the purchasers thereof on their complying with the terms of sale, wich said decree of confirmation was made rendered and recorded in the minutes of said Court on the 26th day of July A.D. 1869 on pages from 707 to 724 inclusive. And by these refe- rence and reciation is mad- a part and portion of this conveyance and the said C.W. Whitis and James H. Raymond parties of the secon part having refused and declined to avail themselves of the cre- dit of 12 months and prefering to pay in cash the amount of their bid and having now fully paid the same amounting to the sum of $2152.50, the receipt whereof ishereby acknowledged.

Now therefore this indenture further witnesseth that in consideration ofsaid immediate cash payment and the premises afore said, we the said parties of the first part hereby grant bargain sell alien and convey to the said C.W. Whitis and James H. Ray- mond the said tract of land hereinbefore designated and described.

To have and to hold the same together with all the rights privileges appurtenances and hereditaments thereon and thereto in- cident appertaining or belonging to them the said C.W. Whitis and James H. Raymond and their heirs executors administrators and as- signs to his and their own proper use benefit and behoof forever.

Witness our hands and scrolls for seals at Galveston on the day and date first aforesaid.

(Sgd) Abbey Thompson Administratrix of the Est. of T.J. Chambers, Decd.
Cyrus Thompson

The State of Texas #
County of Galveston # Before me, Edward T. Austin, a Notary Pub- lic, for Galveston County at Galveston on the 29th day of July 1869 personally came Mrs. Abby Thompson, Administrator of Estate of Thomas J. Chambers, decd.and her husband Cyrus Thompson both to me known and severally acknowledged that they had executed and delivered the foregoing deed bearing date the 28th July '69 as the act of the Administrator of the said Estate for the purposes and considerations therein ex- pressed.

Given under my hand and Notarial seal this the 29 July 1869.

Edward T. Austin, Notary Public

(L.S.)

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counter 49203

C. W. Whitis et al

To

John Hancock

Special Warranty Deed
Dated November 20, 1872
Filed November 25, 1872
Recorded in Book "X" pages 179-180
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents that we, C.W. Whitis and James H. Raymond of the City of Austin, of the County of Travis, State of Texas, for and in consideration of $1000.00 to us paid by John Hancock of the County of Travis, State of Texas, the receipt whereof is hereby acknowledged, have sold and conveyed and by these presents do sell, convey and deliver unto said Jno. Hancock, his heirs and assigns all that tract or parcel of land, lying and being in the County of Travis, to-wit:

The undivided one half of 1872 acres out of the 8 league grant made to Thomas J. Chambers, bounded as follows: Beginning &C. (here follow field notes as in deed recorded in Vol. S, pages 314-316, Travis County Deed Records).

To have and to hold &c. &c (warrantstitle "by, through or under us."

(Sgd) C. W. Whitis
Jas. H. Raymond

Acknowledgment, Statutory by C.W. Whitis and James H. Raymond 22nd Nov. 1872, before James R. Johnson, N.P. Travis County, Texas.

counter 49204

T. L. Wren & Elizabeth Huling surviving wife and admrx. of Est of Marcus Huling, Decd.
VS #4258
John E. Campbell, County Surveyor, Travis Co., Texas.

In District Court of
Travis County, Texas.

Petition filed 31 Dec. 1874, states that on 29 Oct. 1874, plffs. were legal holders & owners of the unlocated Bal. of Dup. land Cert. for 19,730,156 sq. vs. being No. 32/206 to Absalom Gram by J.J. Groos, Commr. of Genl. Land Office on 28 Sept. 1874, being the Dup. of 3824/3925 1st class, & on 27 Oct 1874 made application to deft in his official capacity to locate about 2350 acres bounded by other surveys as follows:

Beg. at the mouth of Bull Creek on bank of Colorado River; thence down said River to S.W. cor. of A. Silsbe sur; thence N 30 deg E. to N.W. cor. of said sur; thence N. 60 E. 700 vs. more or less to N.E. cor. of same; thence S.E. with the East line of same to S.E. cor. of D.J. Gilbert sur. on bank of the river; thence N.E. with the West line of Gilbert Sur. to N.W. cor. of same; thence S. 60 W. 100 vs. more or less to the S.W. corner of Jas. P. Davis sur.; thence N 60° 2100 vs. to S.W. cor. of Robt. Compton Sur.; thence N. 30 E. 1400 vs. more or less to the N.W. cor. of said Compton sur. on line of W. Bell sur; thence S. 60 W. to the Chambers grant line (so called); thence S.W. with Chambers grant line 2400 vs. more or less; thence S.E. with said line 1200 vs. more or less to beginning or mouth of Bull Creek; that said tract was vacant public land subject to location &c. that their application was in regular form & they paid the legal fees &c. &c. & pray writ of mandamus compelling deft. to survey said tract & return field notes to Genl. Land Office for patenting.

Answer Deft. filed 4 Feby 1875 - demurs and denies-

Minute "L" page 482: 7 Oct. 1875, Deft. has leave to amend-

Amended answer of Deft: Filed 6 Oct. 1875- States said land is covered by the T.J. Chambers grant and also by Austin Colony, and that he as surveyor is prohibited from locating any title, Headright or Bounty Cert. on said land. Also that saidCert. is null & void because it was not returned to Genl. Land Office before 1 Jany 1875.

Minute "M" page 32: 21 Feby 1876- Dismissed for non compliance with rule for cost-

Minute "M" page 38: 23 Oct. 1876- on motion restored on docket

Minute "M" page 200- 2 Dec. 1876- Deft. has leave to amend.

Amended Petition: Filed 1 Nov. 1876- States that the T.J. Chambers Grant is fraudulent & is and always was so regarded by Comr. of

counter #205

Genl. Land Office and has been so decided by the Courts of State of Texas, & that the cert. was revived in full force by constitution of 1876.

Amended Answer: Filed Dec. 4, 1876: Demurs, excepts and denies to plffs. amended petition.

Decree: Minute "M" page 207: 11 Dec. 1876- and now came the partie to the above entitled and numbered cause and announced themselves ready for trial, the plaintiffs by Carleton & Robertson their attorneys, the defendant by Hancock, West & North and thereupon came on to be heard the defendant's demurrer and exceptions to the plaintiff's pleadings and the same having been considered by the Court, because it was the opinion of the Court that the law is for the defendant, it is ordered adjudged and decreed that plaintiffs take nothing by their said suit, that defendant have and recover all his costs in this behalf expended and that he go hence without day and that plaintiffs pay all costs of court, for which let execution issue; to which rulings of the Court the plaintiffs then and there except and in open Court give notice of an appeal to our Supreme Court.

Note: Nothing to show that appeal was ever perfected.

J. Hancock et al

To

E. Williams

Warranty Deed
Dated March 2, 1870
Filed June 4, 1870
Recorded in Book "T" page 338
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents, that we John Hancock, James H. Raymond & C.W. Whitis of the County of Travis, in the State aforesaid for and in consideration of the sum of $1. to us in hand paid by E. Williams of the County of Travis, in the State of Texas, have granted, bargained, sold and released and by these presents do grant, bargain, sell, release and convey unto the said Williams all that tract or parcel of land situate in said County.

Beginning 900 vs. North from mouth of Bull Creek. Thence North 600 varas to cor. of J. Jettrow, thence N. 45 E. 295 vs. from which a cedar brs. S. 47 E. 7 vrs. do brs. South 4 vrs. Thence East496 vs. south 816 vrs. stone mound. Thence West 712 vrs. cor. from which a cedar 5 in dia. brs. North 60 W 7 vrs. do 10 in. dia. brs. S. 54 W. 8 vs. to the beginning corner containing 99 acres.

Together with all and singular, the rights, members, hereditaments and appurtenances to the same belonging orin anywise incident or appertaining.

To have and to hold all and singular the premises above mentioned unto the said Williams, his heirs and assigns and do hereby bind executors and administrators to warrant and forever defend al and singular the said premises unto the said Williams his heirs and assigns against every person or persons whomsoever lawfully claiming or to claim the same or any part thereof.

Witness -- hand- this the 2nd day of Mch. A.D. 1870.

(Sgd) Raymond & Whitis
John Hancock

Witnesses: John B. Costa
M.C. Baird

State of Texas #
County of Travis # Before me, L.W. Collins, a Notary Public, Travis County, personally appeared Raymond and Whitis and John Hancock to me well known who acknowledged that they signed and delivered the within deed for all theuses purposes and considerations therein stated.

In testimony whereof I hereunto set my hand and affix the seal of my office this 6th day of April, A.D. 1870.

L.W. Collins, Notary Public

(L.S.) T.C.

counter 49207

Jas. H. Raymond et al

To

John Hancock

Warranty Deed
Dated November 27, 1875
Filed December 3, 1875
Recorded in Book 31, pages 56-57
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents that we, James H. Raymond and Charles W. Whitis of Austin City of the County of Travis State of Texas for and -- consideration of $3000.00 to us in hand paid by John Hancock of Austin City of the County of Travis, State of Texas, the receipt whereof is hereby acknowledged, have sold and conveyed, and by these presents do sell convey and deliver unto said John Hancock his heirs and assigns one undivided half of all that tract or parcel of land lying and being in the County of Travis and a part of the T.J. Chambers grant in said County being the tract of land conveyed to us by Mrs. Abbey C. Thompson as surviving testatrix of the estate of T.J. Chambers deceased on the 28th day of July 1869, by deed recorded in Book "S" pp. 314, 315, 316 of Travis County records to which reference is here made for a full description of said land, less however, that certain parcel of land out of said land heretofore conveyed by us, and said John Hancock to one ---- Williams being a parcel containing 99 acres more or less. And the said John Hancock is to bear the expenses of the litication now pending in the courts of this state, concerning said T.J. Chambers grant so far as the same may be chargeable to the within described land.

To have and to hold &c &c

(Sgd) Jas. H. Raymond
C. W.Whitis

Acknowledgment, Statutory by Jas. H. Raymond and C.W. Whitis, 30th Nov. 1875, before Jas. R. Johnson, N.P. Travis County, Texas.

counter 49208

John Hancock

To

A. C.Champion

Warranty Deed
Dated December 1, 1877
Filed October 23, 1890
Recorded in Book 99, pages 240-241
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents, that I, John Hancock of the State and County above written in consideration of the sum of $70 to me actually in hand paid the receipt of which is hereby acknowledged by A.C. Champion of the same County and State have granted bargained, sold and conveyed and by these presents do grant, bargain, sell and convey and confirm unto the said A.C. Champion all that certain tract or parcel of land situate in the County of Travis and State of Texas, which is described as follows:

Beginning at a high Bluff on Bull Creek thence North 200 varas to Williams S.W. corner; thence East 500 varas Williams S.E. corner, thence North with Williams line 210 varas Bull Creek; thence down the creek with its meanders to opposite the high bluff to the place of beginning, containing 17-3/4 acres of land.

To have and to hold &c &c

(Sgd) John Hancock

Witness: L.N. Goldbeck
C.A. Kuechler

The State of Texas #
County of Travis # Before me, Irving Eggleston, a Notary Public for said County of Travis and State of Texas on this day personally appeared L.N. Goldbeck, known to me to be the person whose name is subscribed as a witness to the foregoing instrument and after being duly sworn by me stated on oath that he saw John Hancock subscribe the same and that he signed the same as a witness at the request of the grantor.

Given under my hand and seal of office this 31st day of October, A.D. 1883.

(Sgd) Irving Eggleston, Notary Public
Travis County, Texas.

(----)

Counter 49209

Abby Chambers, by atty.

To

Richard G. Paris

Deed of Trust
Dated May 14, 1868
Filed May 15, 1868
Recorded in Book "R" pages 285-287
Records of Travis County, Texas

This agreement in writing made and entered into at the City of Austin, State of Texas, this the 14th day of May in the year of our Lord 1868 by and between Abby Chambers of the County of Galveston in said State, acting by her agent and attorney in fact, Thomas Chubb of the first partand Richard G. Paris of the County of Travis, State of Texas, of the second part and C.R. Johns of the County of Travis, State of Texas,of the third part, Witnesseth: That the said Abby Chambers of the first part has granted, bargained sold released and conveyed and by these presents does grant, bargain, sell release and convey unto the said Richard G. Parish of the second part a certain tract or parcel of land situated in said County of Travis out of the 8 league tract granted to Thomas J. Chambers upon the East bank of the Colorado River opposite the falls in said river, near and above the City of Austin the tract so sold contains 277 acres and is included within the following lines, viz: Beginning at themouth of Bull Creek on the North side of the Colorado river at the original South west or west corner of said Chambers Grant thence down theriver with its meanders south sixty and a quarter degrees East 270 varas South 46 deg East 410 varas south 33 deg West 37 varas a cypress on Bluff bank, south 9½ deg East 165 varas south Seuth 20-3/4 deg East 170 varas, South 30 1/4 deg Est 175 varas, south 25 deg East 20 varas, South 33 3/4 deg East 70 varas South 29 deg East 35 varas South 33 3/4 deg East 270 varas South 66 deg West thirteen varas to a elm 15 inches in diameter marked L standing on the bank of the river, and on the South side of a small ravine for the lower or southern corner of this survey from wich a elm marked x bears South 19 deg East 1 vara and another elm close at Wateredge marked X bears South 8 deg East 19 varas thence north 66 deg East 775 varas to the East corner of this survey, thence North 24 1/4 deg West 1614 varas to a corner thence West 936 varas to the North west corner of this survey on the west line of said Chambers grant. Thence South 540 varas to the beginning.

To have and to hold the said described two hundred and seven ty seven acres to the said Richard G. Paris and his heirs and assigns forever and the said Abby Chambers binds herself her heirs, executors and administrators forever warant and defend the title of said premises unto said Richard G. Paris and his heirs and assigns against the claims of all persons whomsoever and the said Abby Chambers also binds herself herheirs, executors, and administrators to procure for said Parish a further title and conveyance for the said premises from the estate of Thomas J. Chambers deceased who was the original grantee of said land from the State of Coahuila and Texas.

The consideration of said sale and undertakings by the said Abby Chambers in the sum of $790.37 wich the said Richard G.

Parish promises to pay to said Abby Chambers on or before the 25th day of December 1869 for wich sum the said Parish has this day executed and delivered to said Abby Chambers his promissory note with a condition therein that said Parish may pay and discharge dishharge the same by delivering to said Abby Chambers thirty ounces and one hundred and sixty five grains troy weight of Gold bullion equal in fineness and quality to thegold coinage of the United States and also the further sum of $846.37 wich the said Paris promises to pay to said Abby Chambers on or before the 25th day of December 1870 for wich sum the said Parish has this day executed and delivered to said Abby Chambers his promissory note with a condition therein, that Parish may pay and discharge the same by delivering to said Abby Chambers 32 ounches and 237 grains Troy weight of gold bullion equal in fineness and quality to the Gold coinage of the United States. To secure the prompt payment of said two notes as they shall severally become due, the said Richard G. Parish for and in consideration of the sum of $10 to him in hand paid by the said Abby Chambers the receipt whereof is hereby acknowledged, hereby grants, bargains sells and conveys unto the said C.R. Johns of the third part the said described 277 acres of land with all the privileges and appurtenances thereunto belonging.

To have and to hold the said described promises unto the said C.R. Johns and his heirs and assigns forever, conditioned nevertheless that if the ---- Richard G. Paris his heirs executors or administrators shall pay the said notes as they shall severally become due then this conveyance and sale to the said C.R. Johns shall become absolutely null and void but if the said Parish shall make default in the payment of either ofsaid notes as they shall severally become due then the said C.R. Johns shall when required by the said Abby Chambers her heirs, executors or administrators sell the said premises or so much thereof as may be necessary to pay the amount then due on said notes and the cost of making the sale at public auction to the highest bidder for cash at the usual place of makingsales under execution in said County of Travis after giving public notice of the time and place of such sale by advertizing the same in some newspaper printed in said County for 20 days previous to the sale day and in case any such sale shall be made thesaid C.R. johns shall first pay from the proceeds thereof the costs of such sale and then pay over the residue in this charge of saidnotes but if there shall be any overplus after paying the cost of such sale and the entire amount of said noteshe shall pay the same to said Parish his heirs, executors and administrators should any such sale be made the said C.R. Johns shall make to the purchaser or purchasers of the property sold a deed of conveyance for the same wich shall vest in such purchaser or purchasers an absolute title to the same.

In witness whereof the said parties hereto sign their names and affix their scrawls as seals this the date first herein written.

(Sgd) T. Chubb Agent and Attorney in fact for Abby Chambers

counter 49211

In presents of:
Thad McRae
A. Lockett

R. G. Paris
C. R. Johns

State of Texas #
County of Travis # Before me, L.W. Collins, a Notary Public, Travis ----- personally appeared T. Chubb, as Agent and Attorney in fact for Abby Chambers also appear R.G. Parish and C.R. Johns all to me well known who acknowledged that they signed, sealed and delivered the above and foregoing instrument of writing for all the uses, purposes and consideration therein stated.

In testimony whereof I setmy hand and affix the seal of my office this the 15th day of May A.D. 1868 at the City of Austin.
(Seal) L.W. Collins, Notary Public, T.C.

Mrs. Abby Chambers, Admrx.

To

H. N. Duble

Administratrix' Deed
Dated February 20th, 1869
Filed September 1st, 1869
Recorded in Book "S" pages 290-294
Travis County Deed Records

The State of Texas #
County of Galveston # This indenture made and entered into on the 20th day of February A.D. 1869 by and between Mrs. Abby Chambers as Administratrix of the estate of Thomas J. Chambers of the first part of the County and State aforesaid and H.N. Duble of the same place of the secondpart, Witnesseth:

That whereas the said party of the first part and as administratrix as aforesaid according to law and in pursuance of a decree or order of sale made therefor by the Hon. County Court of Galveston County sold at the First tuesday of November A.D. 1868 at public auction in front of the Court House door of said County of Galveston and between the hours prescribed by law the following designated and described property viz: (Among other property)

No. 6. Part of the same eight league tract and included within the following lines viz: Beginning at the mouth of Bull Cree on the north side of the Colorado River at theoriginal south west or west corner of said tract of Eight leagues thence down the river with its meanders south 63 1/4 deg East 270 varas South 46 deg E 410 varas, south 33 deg West 37 varas a cypress on Bluff Bank South 9-1/4 deg East 165 varas, south 20 1/4 deg East 170 varas, South 30 1/4 East 173 varas south 25 deg East 20 varas, South 33 1/4 deg --- S 29 deg E 35 vs S 33 1/4 E 270 vs. S 60 East 70 varas South 660 deg West 13 varas to an elm 15 inches in

counter49212

diameter marked L standing on the Bank of the River and on the south side of a small ravine for the lower or south corner of this survey from which an Elm marked X bears South 8 deg East 19 varas, thence North 66 deg East 775 varas to the Eastcorner of this survey, thence North 24 1/4 deg West 1614 varas to a corner, thence West 936 varas to the North west corner of this survey on the West line of said eight league tract, thence South 540 varas to the place of beginning, containing 277 acres.
No. 7 Part of the same eight league tract included within the following lines, viz: Beginning at the North bank of the Colorado River at the south or lower corner of a tract of 277 acres, surveyed out of the same eight league tract an elm 15 inches in diameter marked L standing on said bank on the south side of a small ravine from which an Elm marked X bears South 19deg East 1 varas and another Elm close to Waters edge marked X bears South 8 deg East 19 varas; thence down the river with its meanders South 8 deg East 19 varas South 20 deg East 92 varas South 24 3/4 East 300 varas North 66 deg East 20 varas, South 28 3/4 East 120 varas South 26 1/2 East 370 varas S 71 deg E 40v, S 24 1/4 W 20 vs. S 25 1/4 E 240 vs. South 29 East 180 varas, south 18½ deg East 111 varas to a hackberry 6 inches in diameter marked L for corner from which a hackberry 5 inches in diameter marked X bears North 70 deg West 5 varas and an elm 8 inches in diameter marked X bears south 21 deg East 9½ varas; thence south 66 deg East 180 varas to foot of mountain at 775 varas to the East corner of the said tract of 277 acres, N 26½ W 1470 vs. thence with the line of said tract south 66 deg West 775 varas to the place of beginning, containing 200 acres and whereas at said sale so made as aforesaid and each of the afore tracts of land being offered and sold separately the said H.N. Duble offered and bid for each the sum of $2 per acre amounting to the sum of $4,876 and the 2438 acres and the said sum of $2 per acre being the highest and best bid and the said H.N. Duble the highest and best bidder each of said tracts was struck of- and adjudged to the said Duble the rightful purchaser therefor. And whereas at the December term of said County Court of Galveston County a duly verified report of said sale was made and on examination thereof said sale was duly ratified approved and confirmed and a decree of Confirmation duly entered and recorded in the Minute and Record book of said Court on pages 617, 618, 619, 620, 621 and 622, and the said Administratrix was ordered to make and execute title and conveyance to the said H.N. Duble as the purchaser of ssid property as aforesaid on his complying with the terms of said sale and where said sale was made on a credit of 12 months and the said Duble has declined and refused to avail himself thereof and has selected to pay cash although it was duly advertised and announced that said lands was sold on a twelve months credit at the time of the sale thereof. And whereas the said Duble has paid the amount of his bids amounting in the aggregate to the sum of $4,876. the receipt whereof is hereby acknowledged.

counter 19213

Now in consideration of the premises this indenture further witnesseth that I, the said Mrs. Abby Chambers Administratrix of the Estate of T.J. Chambers hereby grant, bargain, sell, alien and convey to the said H.N. Duble all of the herein before designated and described tract of land.

To have and to hold to him the said H.N. Duble, together with all the rights, privileges and appurtenances and hereditaments thereto incident, appertaining or belonging to him andhis heirs executors administrators and assigns to his and their own proper use and benefit and behoof forever.

Witness my hand and scroll in lieu of seal on the day and date first aforesaid.

The interlineations of words "North" page 78 and 2nd page 100 3rd page East 4th page West 6 page made before execution also the erasures on said pages.

(Sgd) Abby Chambers, Administratrix of the Estate of T.J.Chambers, decd.

Witness: Thos. M. Joseph

The State of Texas #
County of Galveston# Before me, Oscar Farish, Clerk of the County Court of Galveston County on this day appeared Abby Chambers, to me known who acknowledged the foregoing deed to be her act and deed as administratrix of the Estate of T.J. Chambers deceased for the consideration andpurposes therein stated.

In witness whereof I, Oscar Farish Clerk of the County Court of Galveston County, hereto subscribe my name and affix the seal of said County Court this the 27 day of February, A.D. 1869.

Oscar Farish, Clk.

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counter 49214

R. G. Paris

To

Abby Thompson et vir

Release
Dated September 1, 1869
Filed September 1, 1869
Recorded in Book "S" page 290
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents that I, R.G. Paris, of the County of Travis, State of Texas, for and in consideration of the sum of $10 to me in hand paid by Abby Thompson and her husband Cyrus Thompson, her husband hereby accept-- this deed from H.N. Duble in lieu of and as a full compliance with all the obligations entered into by the said Abby Thompson previously Abby Chambers in a certain deed executed in my favor for the same tract of land described in the foregoing deed on the 14th day of May 1868 and recorded in the office of Clerk of the County Court of Travis County, the 1st day of May 1868 and hereby for the consideration aforesaid release and discharge the said Abby Chambers from all further performance of the obligation named in said deed.

In witness whereof I hereto sign my name and affix my scrawl as a seal this the first day of September, A.D. 1869.

(Sgd) R. G. Paris

Signed sealed and delivered
in presence of: E.M. Pease

Acknowledgment, Statutory by R.G. Paris; 1 September 1869
before Elbridge Perry, Notary Public,
Travis County, Texas.

H. N. Duble

To

R. G. Parish

Special Warranty Deed
Dated June 21, 1869
Filed - - - - -
Recorded in Book S, pages 289-290
Travis County Deed Records

The State of Texas #
County of Galveston # Know all men by these presents: That I, H.N. Duble of said County and State for and in consideration of the sum of $10 to me in hand paid by R.G. Parrish of Travis County in said State and the future payment by saidParish of two notes heretofore executed by said Parish and delivered to Abby Chambers both of wich notes are Austin, Texas, 14" May 1868 and payable to Abby Chambers one or before the 25" day of December 1869 for thesum of $790.57 but may be discharged by delivering to the payee thirty ounces one hundred and sixty five grains Troy weight of Gold buillion equal in fineness and quality to the Gold coinage of the United States the other on or

counter 49215

before the 25" day of December 1870 for the sum of $846.37 but may be discharged by delivering to the payee 32 ounches and 237 grains Troy weight of gold buillion equal in fineness and quality to the gold coinage of the United States both of wich notes were given by the said Parish for the tract of land hereinafter describedand are secured by adeed of trust on said land wich is of record of the Clerk of the County Court of Travis County in said State, have granted, bargained, sold released and conveyed and by these presents do grant, bargain, sell, release and convey unto the said R.G. Parish a certain tract or parcel of land being part of an 8 league grant of land to Thomas J. Chambers and situated in Travis County in said Statefronting on the East bank of the Colorado river against the falls thereof and covering the foot of the Mountains above the City of Austin wich tract here sold is bounded as follows viz: Beginning &c (field notes same as shown in Vol. S pages 290-294, Travis County Deed Records) except 1st call herein recites "Thence down the river with its meanders South 63 1/4 deg East &c.) containing 277 acres being part of the land bought by me at public sale made by the Administratrix of the estate of Thomas J. Chambers deceased made under an order of sale from the County Court of Galveston County on the first Tuesday in November 1868, to have and to hold the said described tract of land, with all its improvements and appurtenances unto the said R.G. Parrish and his heirs and assigns forever subject however to the deed of trust executed by the said Parish in favor of C.R. Johns to secure the payment of t he two notes hereinbefore described wich deed of trust is of records in the office ofthe Clerk of the County Court of Travis County in said Stae and is here referred to and made a part of this deed and I hereby bind myself my heirs, executors and administrators to warrant and defend the said premisesunto the said R.G. Paris and his heirs and assigns againstall claims from through or under me or my legal representatives.
In witness whereof I hereto sign my name and affix my scrawl as a seal this the 21 day of June A.D. 1869.

(Sgd) H.N. Duble

State of Texas #
County of Galveston # Before me, Edward T. Houston, a Notary Public for Galveston County at Galveston, on this 22nd June 1869, personally came Henry N. Duble to me well known and acknowledged that he had executed & delivered the foregoing deed bearing date June 21 1869 as his act for the purposes and considerations therein expressed.

Given under my hand and notarial seal this the 22d June, 1869.

Edward T. Austin, Notary Public

(L.S.)

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counter 49216

C. R. Johns

To
Thomas Chubb

Deed
Dated May 11, 1870
Filed May 12, 1870
Recorded in Book "T" pages 271-5
Travis County Deed Records.

The State of Texas #
County of Travis # Know all men by these presents, that I, C.R Johns of the said State and County by virtue of the authority vested in and conferred upon me by a deed of trus executed by Richard G. Parris also of said County and State in my favor on the 14th day of May in theyear 1868 authorizing me to sell the tract of land herein described upon certain terms and conditions in case said Parris should make default in the payment of either of 2 notes described in said deed of trust when they become due all of which will more fully appear by reference to said Deed of Trust which is recorded in the office of the Clerk of the County Court of Travis County in said State in Book R pages 285 and 286 and is made a part of this tract and on the 19th day of April 1870 publish an advertizement in the Daily Austin Republic a newspaper printed in the City of Austin, stating that I would sell at Austin on the 11th day of May 1870 the tract of land herein described or so much thereof has might be necessary to pay the amount due on the saidnotes which said advertizement was continued in the daily issue of said paper from the said 19th day of April until the 11th day of May 1870, having been requested to make said sale by Abby Thompson formerly Abby Chambers and her husband Cyrus Thompson to sell the said premises or so much thereof asmight be necessary to pay the first of said notes for the sum of $797.37 with legal interest thereon from the 25th day of December 1869 when it became due in the payment of which note the said Parris had made default. I the said C.R. Johns did on said 11th day of May 1870 at the hour of twelve o'clock at Noon at the south east corner of Block No. 70 in the said City of Austi offer for sale at public auction to the highest bidder the following described tract of land viz: 277 acres of land out of the upper corner of the Colorado River of the 8 league tract in said County granted by the Government to Thomas J. Chambers, deceased. Beginning at the original south west corner of said grant at the mouth of Bull Creek, thence down the said river with its meanders to an elm tree 15 inches in diameter marked L standing on the bank of said river and on the south side of a small ravine from which an Elm mkd X bears South 19 deg East on- vara distant and another Elm close at waters edge marked X bears South 8 deg East 19 varas distant. Thence North 66 deg East 775 varas to the east corner of this tract. Thence North 24 1/4 deg West 1614 varas thence West 936 varas to the west line of said Chambers Grant thence west 936 varas to the west lne of said Chambers grant, thence, south 540 varas to the place of beginning or so much of said land as would bring an amount sufficient to pay the said note last herein described and the interest due thereon, John Thomas Chubb bid for the whole of said tract of land the sum of $500 in gold which was the highest and best bid offered for said land or any part of it, whereupon I declared the said tract sold to said

counter 49217

Thomas Chubb and I did then and there sell the same to him for the amount of his said bid and the said Thomas Chubb having paid the said sum of $500 in gold it was paid over to the said Abby Thompson who gave a credit on said last described note for that amount paid on the 11th day of May 1870 from the proceeds of this sale.

Now therefore I the said Johns for and in consideration of the premises, have granted, sold released and conveyed and by these presents do grant, bargain, sell release and convey unto the said Thomas Chubb, the said described tract of land. To have and to hold the same unto the said Thomas Chubb and his heirs and assigns forever.

In witness whereof I hereto sign my name and affix my scrawl as a seal this 11th day of May, A.D. 1870.

(Sgd) C. R. Johns-----

Acknowledgment, Statutory by C.R. Johns ----- 13 May, 1870 before L.W. Collins, Notary Public, Travis County, Texas.

Thomas Chubb
To
B. J. Jones

Warranty Deed
Dated May 12, 1870
Filed May 23, 1870
Recorded inBook "T" pages 305-7
Travis County Deed Records

The State of Texas #
County of Travis # This agreement in writing made and entered into this the 12th day of May in the 1870 by and between Thomas Chubb of the first part andB.J. Jones of the second part and C.R. Johns of the third ---- witnesseth, that the said Thomas Chubb of the first part for and in consideration of the sum of $1200 to be paid by the said B.J. Jones of the second part in the following manner viz: the sum of $400 in gold coin of the United States with interest thereon at 10% per annum from this date until paid to be paid on or before the 12th day of May 1871. The further sum of $400 in gold coin of the United States with interest thereon at 10% per annum from this date until paid to be paid on or before the 12th day of May A.D. 1872 and the further sum of $400 gold coin of the United States with interest thereon at 10% per annum from this date until paid to be paidon or before the 12th day of May 1873 for which payments the said Jones has this day executed and delivered to the said Chubb his 3 several promissory notes has granted, bargained, sold, released and conveyed and by these presents does grant, bargain, sell, release and convey unto the said B.J. Jones a certain tract orparcel of land being a part of the Eight League tract of land granted by the Government to Thomas J. Chambers decd. situated in Travis County, bounded as follows, viz:

counter 49218

Beginning at the upper corner of the Colorado river of the ssid Grant. Thence down the said river with its meanders to an El. tree 15 inches in diameter marked L standing on the bank of the said river and on the south side of a small ravine from which an Elm marked X bears South 19 deg east one vara, and another elm close at water edge marked X bears South 8deg East 19 varas thence North 66 deg East 775 varas to the east corner of this tract. Thence North 24 1/4 West 1614 varas thence west 936 varas the " West line of the Chambers grant, thence south 540 varas to the beginning, containing 277 acres being the same tract bought by the said Chubb at a public sale made by C.R. Johns as Trustee of R.G. Paris on the 11th day of May, A.D. 1870.

To have and to hold the said tract of landwith its improvements and appurtenances unto the said B.F. Jones and his heirs and assigns forever. And the ssid Chubb binds himself his heirs, executors and administrators forever to warrant and defend the said premises againstall claims whatsoever unto the said Jones and his heirs and assigns and for the purpose of securing the payment of the said consideration for said deed and sale the said B.J. Jones does for the further consideration of the sum of $10 to him in hand paid by the said C.R. Johns, the receipt of which is hereby acknowledged hereby grant, bargain, sell and convey the said described tract of land unto the said C.R. Johns and his heirs and assigns forever and the said Jones binds himself his heirs, executors and administrators to warrant and defend the said premis unto the said C.R. Johns and his heirs and assigns againstall claim from through or under saidJones and his heirs.

In Trust Nevertheless and upon the followingterms and conditions viz; that if the said Jones shall well and truly pay the said three notes and the interest thereon as they shall severally becon due then this deed to said C.R. Johns shall become absolutely null and void. But if the said Jones shallmake default in the payment of either of said notes and the interest thereon as they shall become due and payable then the said C.R. Johns shall when requested by the holder of any note upon defaultmay have been made proceed to sell the said premises at public auction to the highest bidder in gold coin of the United States at the usual place of making sales under execution said County of Travis advertizing such sale for 20 days in some newspaper printed in the City of Austin, and from proceeds of such sale the said Johns shall first pay the cost and charges attending such saleand he shall then pay to the holder or holders of any of saidnotes attending such sale and he shall then paid to the holder or holders of any of said notes whatever may then remaining unpaid, on the same and if there be any excess he shall pay the same to the said Jones his heirs, executors or administrators and upon making such sale the said Johns shall make the purchaser a deed of conveyance which shall vest in him an absolute title. And the recital in such deed thatall the prerequisites for sale have been complied with shall be full proof thereof and until it shall become necessary to make such a sale by the said C.R. Johns the saidJones shall have the use and enjoyment of the said premises except that he

counter 19219

shall not have the right to sell any time from the said tract of land nor any wood cut thereof unless by the written permission of the said C.R. Johns, without which permission he shall only have the right to cut wood for fires on the place and timber for rails to be used on saidplace or for building on said place.

In witness of all of which the said Chubb and the said Jones hereto sign their names and affix their scrawls as seals this date first herein written.

(Sgd) T. Chubb
B. J. Jones

The State of Texas #
County of Travis # Personally came and appeared before me, L.W. Collins, a Notary Public, for said County and State, duly commissioned and qualified, Thomas Chubb and B.J. Jones, both to me personally known, who severally acknowledged that they had severally signed, sealed, executed and delivered the annexed instrument of writing which contains a deed from said Chubb to said Jones and a deed of trust from said Jones to C.R. Johns to which instrument there are attached four dollars and fifty cents in internal revenue stamps canceled by said parties and that ---- had severally signed, sealed executed and delivered said instrument for the purposes and considerations therein expressed.

To certify which I hereto sign my name and affix my official seal this 22nd day of May A.D. 1870.

L.W. Collins, Notary Public
(L.S.) T. C.

B. J. Jones et al

To and with

Each Other

Partition Deed
Dated May 2, 1870
Filed May 10, 1870
Recorded in Book T, page 259
Travis County Deed Records

The State of Texas #
County of Travis # Whereas we, J.B. Sedwick and B.J. Jones of said County are the joint owners of two tractsof land in said County of the Chambers eight league grant in said County one containing 277 acres on the Colorado river near the upper falls now occupied by us and the other containing 87 acres just below the Mount Bonnell Crossing ofShoal Creek both of which were purchased by us jointly and both of which are bound by deeds of trust for the payment of five notes to Abby Thompson formerly Abby Chambers, 3 for $575.00 each, dated September 10 186 one for $790.37 due on or before the 25th day of December 1869 and

one for eight hundred and forty six dollars and thirty seven cent due on or before the 25th day of December 1870 the two last dated 14th May 1868 and executed by R.G. Paris- and the three first executed by us. The first tract being bound by said deed of trust for the payment of said two last described notes and the last tract being bound by deed of trustfor the payment of thesaid three first described notes. And whereas we haveagreed to a partition of our interest in said two described ---- in accordance with the following conveyances viz: the said J.B. Sedwick for and in consideration of the sum of $10 to him in hand paid by the said B.J. Jones has and by these presents does grant, bargain, sell and convey to the said B.J. Jones the said tract of 277 acres with all and singular its improvements and appurtenances unto the same belonging. To have and to hold the said premises unto the said B.J. Jones and his heirs and assigns forever. He the said Jones being bound to pay and discharge the said two described notes executed by the said R.G. Paris and save me harmless from any loss or damage on account of any liability I may be under to pay said notes. And the said B.J. Jones for and in consideration of the sum of $10 to him in hand paid by the said J.B. Sedwick has and by these presents does grant, bargain, sell and convey to the said J.B. Sedwick, the said described tract of 87 acres with all and singular its improvements and appurtenances unto the same belongir To have and to hold the said premises unto the said J.B. Sedwick and his heirs and assigns forever. He the said J.B. Sedwick being bound to pay and discharge the said three described notes for $575 each and to save me harmless from any loss or damage on account of my liability for the payment of said notes.

In witness whereof we hereto sign our names and affix our sceawls for seals this the second day of May, A.D. 1870.

(Sgd) B. J. Jones
J. B. Sedwick

The State of Texas #
Travis County # Before me, the undersigned authority personally appeared B.J. Jones and J.B. Sedwick to me known to be the individuals whose names appear appearto the foregoing instrument of writing and who acknowledged to me that they signed and executed the same for the purposes and considerations therein expressed.

In witness whereof I hereunto place my official signature and the seal of the District Court of Travis County at Austin, this 10th day of May, A.D. 1870.

A. R. Morris, Clk. Dist.
(L.S.) C.T.C. by James Brown Deputy.

counter 49221

B. J. Jones et ux

To

John Hancock

Warranty Deed
Dated November 18, 1871
Filed November 20, 1871
Recorded in Book "V" pages 629-630
Travis County Deed Records.

The State of Texas #
Travis County # Know all men by these presents that we B.J. Jones and M.E. Jones his wife of said County and State for and in consideration of the sum of $2000. to us in hand paid by John Hancock of the same County and State the receipt of which is hereby acknowledged have granted, bargained, sold and conveyed and by thes- presents do grant, bargain, sell & convey unto him said Hancock the following tract or parcel of land situate lying and being in said Travis County on the East margin of the Colorado River being part of an Eight League's of land granted to T.J. Chambers, bounded and described as follows, to-wit: Beginning &c. (field notes as in deed recorded in Vol. S, pages 290-294, Travis County Deed Records) containing 277 acres to him said Hancock and his heirs.

To have and to hold &c &c

(Sgd) B. J. Jones
M. E. Jones

Attest: John B. Costa
Jesse Cass

Acknowledgment, Statutory by B.J. Jones and wife, M.E. Jones, 18 Nov. 1871, beforeJames W. Smith, Notary Public, Travis County, Texas.

Estate of John Hancock
Non Compos Mentis
No. 1605

In Probate Court

Travis County, Texas

Application filed 26 Sept. 1891 (Rec. Prob. Min. S, page 480: by E.B. Hancock, representing to the Court that John Hancock is about 69 years of age & a person of unsound mind by reason of disease of the brain &c. is owner & possessor of a large estate, real & personL 7c. Petitioner prays to be appointed Guardian of said Est.

23. Oct. 1891. Minute Book S, page 480: 13 Oct. 1891, E.B. Hancock is appointed Guardian of the person & estate of John Hancock & above is follows by filing & recording of an inventory numerous applications & orders to sell real estate- but nothing was ever done affecting title to property described in caption hereto except to authorize its sale, but same was never sold or reported sold by said Guardina. The guardianship was closed, guardian discharged and proceedings opened on Estate of John Hancock, decd.

counter49222

No. 1605 Estate of
John Hancock, Deceased

In Probate Court,
Travis County, Texas

Application filed 9 Sept. 1893 by E.B. Hancock, who represents to the Court that his father John Hancock, departed this life on the 19" July 1893, at his home and residence in TravisCo., Texas that decd. was possessed of goods and estate in said County and elsewhere in said State of Texas, of probable value of $200,000. 00, that decd. left a widow whose name is Susan E. Hancock and as his only heirs at law and next of kin are the said widow and petitioner E.B. Hancock, whose residence is in Travis County and who is over 21 years of age; that said decd. left a will which is herewith presented for probate and your petitioner prays that same may be proved and allowed and recorded as provided by the Statutes in such cases.

(Sgd) Respectfully E.B. Hancock

Sept. 8th, 1893.
I, E.B. Hancock, the only heir at law besides the ---- of said deceased's estate hereby waive notice of the filing of said application for probate of said will.

E. B. Hancock

Minute Book "U" page 361: On this 7th day of October, A.D. 1893, came on to be heard the application for the probate of the last will and testament of said deceased and for letters hereon, filed herein 9th day of Sept. A.D. 1893, and it appearing to the Court that legal notice of said Application had been issued and posted in the manner and for the length of time required by law, and no one came to contest same, and it further appearing from the testimony of E.B. Hancock, Irving Eggleston & N.G. Shelley, sworn to and subscribed in open Court and filed herein that said John Hancock decd. died in the County of Travis in the State of Texas where his residence and principal estate are situated, on the 19th day of July A.D. 189- that said deceased at the time of executing said will was over 21 years of age and of sound mind; that said Will was executed with the formalities and solemnities and under the circumstances required by law to make it a valid will and that such will had not been revoked by said testater it is therefore ordered and decreed by the Court that said Will is hereby proven and established as the last will and testament of said John Hancock deceased and that Susan E. Hancock named in said will, is appointed executrix of said will and estate and that Irving Eggleston, H.M. Little and H.M. Metz are appointed appraisers of said Estate and that said application, notice and return thereon, testimony and will be recorded in the Minutes of this Court. (Here follows record of application, as set out on preceding sheet, then follows notice & sheriff's return thereon & testimony)

Will: Minute Book "U", page 367: "Be it known by these presents, that I, John Hancock of Austin, State of Texas, being sound in body and mind, Blessed by Allmight God - I am about making a

counter 19223 26

voiage across the Atlantic Ocean, from which I trust by guidance and protecting hand of Providence to safely return, but should be so protective, I make and publish this my Last Will and Testament and First, I commend my Soul to God, -- gave it, praying his mercy and forgiveness and return my body to the earth from which it came and Second; My worldly goods and chattels, lands and tenements, I may die seized and possessed of, I will, give and bequeath to my beloved wife Susan E. Hancock, to be by her possessed & enjoyed as to her may seemedand to be administered and disposed of as in her discretion she may believe each I would wish each Fall to be done. It is my will that the Courts have no further authority or control of my estate than to probate & record this Will and an appraisement & inventory8 thereof as the law directs, This May 28th, 1890.

(Sgd) John Hancock

(Note): From inspection of the original will, we find that errors were made by Recording Clerk as follows: (See 14th line preceding page hereof) the word each (indicated by #)should not appear - it is no on the original, and the word "Fall" indicated thus ##) should have been written & all".

Minute Book "U" page 411: On this 14th day of Oct. A.D. 1893, it is ordered that the Inventory and Appraisement, filed herein on the 13th day of October, 1893, be and the same is hereby approved and ordered recorded _ (Then follows Inventory as below)

Inventory and Appraisement of the Estate of John Hancock, deceased, late of Travis Co., Texas, made and rendered pursuant to an Order of the probate Court, of date Oct. 7" 1893, The Estate of John Hancock decd. consists of the following lands, goods & chattels towit:

A. Property situated in the City of Austin, Travis Co., Texas.

1. Lot 1 and 3 feet of Lot 2 in Block 55 - $35,000.00
2. One half interest in one half of Lots9 to 12 in Block 70 $22,500.0 0
3. Lot 8 and West 1/3 of Lot 7 in Block 73 $ 2,500.00
4. Lot 2 in Block 123 $10,000.00

"B" Lands situated in Travis County, other than Austin City Real Estate. 1. 2100 acres of T.J. Chambers Grant, $10,000.00 2. 246 acres, Jas. P. Davis Survey, at $35. $8610.00. 3. 142 acres Geo. W. Davis at $5.00: $710.00. 4. 56 acres Danl. Gilbert at $40.00; $2240.00; 5. 75 acres Jas. M. Mitchell $375.00 6. 1715 acres of the Geo. W. Spear #40 $68,600.00. 7. 30 acres Jas. P. Wallace at $40. $1200.00.

C. Lands situated in Counties of Texas,, other than Travis County - - -

All the above inventoried property is community property of said John Hancock deceased and wife Susan E. Hancock-

Subscribed & sworn to by Irving Eggleston & H.M. Little.

12 Oct. 93: Then follows list of claims due the Estate.

Sworn to by Susan E. Hancock.

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Minute Book "U", page 414: On this 14" day of October, 1893, it is ordered thatthe Oath filed herein Oct. 13, 1893, be approved and here recorded, as follows, to-wit:

"I, Susan E. Hancock do solemnly swear that the writing which has been offered for probate is the last will of John Hancock deceased so far as I know or believe, and that I will well and truly perform all the duties of executrix of said will of the estate of said John Hancock, deceased.

(Sgd) Susan E. Hancock

Sworn to and subscribed before me, by said Susan E. Hancock, this 12 day of October, 1893.

(Sgd) Chas. J. Fisher, Notary Public
Travis Co., Texas.

Susan E. Hancock, Extrx.

To

E. B. Hancock

Power of Attorney
Dated October 23, 1893
Filed December 13, 1893
Recorded in Book 108, pages 277-8
Records of Travis County, Texas

State of Texas #
County of Travis # Be it known by these presents, that I, Susan E. Hancock, Independent executrix and sole devisee of the Estate of John Hancock, deceased, reposing trust and confidence in my son, E.B. Hancock, and further in consideration of the fact that I do not wish to undertake the management and control of said estate because of the inconvenience and annoyance to me, hereby name, constitute and appoint said E.B. Hancock, my true and lawful agent and attorney in fact for me and in my name, place and stead to do and perform any and every act that I might or could do in and about themanagement and control of said estate, to sell and convey any real or personal property belonging to the same for the purpose of payment of debts of said estate and for proper and judicious investments and management of the property of said estate; also, whenever my said Attorney shall deem it proper to sell for any other purposes and to make good and sufficient warranty deed or deeds of conveyance to such realty and to enter into contracts for the lease of the same, or any part thereof, and to execute any and all contracts with reference to said estate or any part thereof, and to enter into and make all compromises with reference thereto, in like manner as if I myself were personally present and acting; hereby ratifying and confirming any and all acts of my said agent and attorney in fact as binding and obligatory upon me, where I legally done, as if done by me in proper person.

Witness my hand at Austin, in the County of Travis and State of Texas, this 23rd day of October, A.D. 1893.

(Sgd) Susan E. Hancock

Acknowledgment, Statutory by Susan E. Hancock (personally) 23rd Oct. 1893, before H.M. Little, N.P. Travis County, Texas.

counter 19226

Jas. H. Raymond & Co.
Vs #10969
Maddox Bros. & Anderson
et al

In District Court

Travis County, Texas

Petition filed 18th Feb. 1893, states that Jas. H. Raymond, Jas R. Johnson and Frank Hamilton, doing business under the firm name of Jas. H. Raymond & Co. are plffs. that Jno. W. Maddox, Frank M. Maddox and Chas. E. Anderson, doing business under the firm name of Maddox Bros. & Anderson, and E.B. Hancock, Guardian of the person and Est. of John Hancock, a person of unsound mind, are defts. that plffs. & defts. are all residents of Travis County, Texas- that on 30th Jan. 1889 - defts. executed their promissory note for $3750. due one year after date to City Natl. Bank of Austin, Texas, 8% int. from maturity & 10% attys fees &c. that on 30 Jan. 1889, said note was by endorsement transferred to plffs. and that same is now due and unpaid to plffs. damage in the sum of $8000. that on 26th Sept. 1891, John Hancock became of unsound mind and E.B. Hancock was appointed guardian of his person and est. and that said Guardian refused to allow said claim against said Est. wherefore plffs.pray defts. be cited and on final hearing they have judgment &c &c
Defts. personally cited 20 Feb. 1893-
Answer of E.B. Hancock Gdn. filed 7 Mch. 1893- demurs and says plffs petition is insufficient that John Hancock was surety only, on said note and prays for Judgment against Maddox Bros. & Anderson, in event Judgment be obtained against him &c &c
Minute "X" page 184: On this 13th day of March, A.D. 1893, came the plffs. by D.W. Doom their atty and the deft. E.B. Hancock Gdn. of the person and estate of John Hancock, a person of unsound mind, by Messrs. Fisher & Towners, his Attys and announced ready for trial and the defts. John W. Maddox, Frank M. Maddox and Charles E. Anderson after having been duly served with citation according to law, having failed to appear and answer in this behalf, but wholly made default, wherefore the said plffs. ought to recover against the said defts. John W. Maddox, Frank M. Maddox and Charles E. Anderson, partners under the firm name and style of Maddox Bros. & Anderson, and against each of them individually, their damages by occasion of the premises; and no jury having been demanded and the pleadings, evidence and argument of counsel thereon having been heard and fully understood by the Court and it appearing to the Court that the said defts. John W. Maddox, Frank M. Maddox, and Charles E. Anderson, partners under the firm name and style of Maddox Bros. & Anderson, and the said deft. E.B. Hancock, as guardian of the person and estate of the said John Hancock, a person of unsound mind, are indebted to the plffs on the promissory note sued on in the sum of $4685, principal and interest due on said promissory note, to this date and the further sum of $468.50 for attys. fees as provided in said promissory note, in all $5163.50 and that the said promissory note bears interest at the rate of 8% per annum; it is therefore considered, ordered, adjudged and decreed by the Court that the

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said plffs. James H. Raymond, James R. Johnson and Frank Hamilton partners under the firm name and style of Jas. H. Raymond & Co. do have and recover of the said defts. John W. Maddox, Fran M. Maddox and Charles E. Anderson partners under the firm name and style of Maddox Bros. and Anderson and each of them individually and of the said deft. E.B. Hancock as guardian of the person and estate of the said John Hancock a person of unsound mind, the said sum of $5153.50 with interest thereon from this date until paid at the rate of 8% per annum, together with all costs of suit, and that plff, have their execution against the said defts. John W. Maddox, Frank M. Maddox and Charles E. Anderson partners under the firm name and style of Maddox Bros. and Anderson and against each of them individually and that this judgment as against thesaid deft E.B. Hancock, guardian of the person and estate of the said John Hancock a person of unsound mind, be paid in the due course of administration and that as to him no execution shall issue on this judgment, but the same shall be certified to the County Court ofTravis County, Texas, sitting in matters of probate in which the guardianship of the said John Hancock, a person of unsound mind, is pending to be there enforced in accordance with law; and it fubther appearing to the Court that as between the said defts. John W. Maddox, Frank M. Maddox, and Charles E. Anderson partners under the firm name and style of Maddox Bros. and Anderson and the said deft. E.B. Hancock, as Guardian of theperson and estate of the said John Hancock a person of unsound mind, the said defts. John W. Maddox, Frank M. Maddox, and Charles E. Anderson partners under the firm name and style of Maddox Bros, and Anderson, are the principals in said promissory note sued on in this cause and that the said John Hancock executed the said promissory note as surety and the said deft. E.B. Hancock as guardian ofhis person and estate, is entitled to the benefit of the statute in such cases made and provided, it is therefore further considered, ordered, adjudged and decreed by the Court that in case any payment is made by the said E.B. Hancock, as guardian of the person and estate of the ssid John Hancock, a person of unsound mind, which is applied on the judgment by reason of the suretyship of the said John Hancock on said promissory note, that this judgment shall not be discharged by said peyment, but shall remain in full force and be prosecutedto execution for the use of the said E.B. Hancock as guardian as aforesaid against the said defts. John W. Maddox, Frank M. Maddox and Charles E. Anderson partners under the firm name and style of Maddox Bros. and Anderson and against each of them individually to the amount of such payment and interest thereon and all costs. Endorsed on Margin of Record: June 29th 1893, for value received judgment transferred to R.L. Brown as per transfer this day filed, Jas. P. Hart, Clk D C T C T Feb 4/1896 for value received this judgment transferred to Mrs. Susan E. Hancock executrix of the will and estate of John Hancock decd. as per transfer this day filed with the papers in this cause. (Sgd) Jas. P. Hart, Clerk.

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R. L. Brown

To

Jno. Hancock Estate

Release
Dated January 2, 1894
Filed January 17, 1894
Recorded in Book 119, page 312
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents; that whereas in the 26th Judicial District Court, of Travis County, at the March Term 1893, in a certain cause No. 10969 on the docket of said Court in which said suit Jas. H. Raymond & Co. a firm composed of Jas. H. Raymond, Jas. R. Johnson and Frank Hamilton were plffs. and John W. Maddox, Frank M. Maddox and Chas. E. Anderson, partners under the firm name and style of Maddox Bros. & Anderson and each of them individually and E.B. Hancock as guardian of the person and estate of John Hancock a person of unsound mind were defts. on the 3d day of March 1893 a judgment was rendered for $5153.50 together with costs of suit, said judgment to bear interest at the rate of 8% per annum from its date which said judgment was rendered in favor of the plffs. against all of the defts and judgment over in favor of the deft. E.B. Hancock as guardian against his co-defts. for any sum he might be compelled to pay on said judgment which said judgment is found in Book "X" pages 184, 185 and 186 of the District Court records and which said Judgment is recorded in book No. 3, on page 309 and indexed and cross indexed in Judgment index Vol. 1, in the Travis County records - and whereas for a valuable consideration the said firm of Raymond &Co. the judgment creditors transferred assigned and set over said judgment to R.L. Brown by transfer properly filed with the papers in saidcause and duly entered upon the judgment record in said District Court and whereas said John Hancock departed this life on July 19th, 1893, and the said Guardianship over the person and estate of said Hancock was closed and whereas Susan E. Hancock became by will duly probated, the independent executrix of the estate of said John Hancock, deceased, and as such chargeable with the said judgment against E.B. Hancock as guardian and whereas said Susan E. Hancock on the 29th day of December 1903, has paid to me, R.L. Brown the legal owner and holder of said judgment the full amount of said judgment and interest and costs for and in behalf of the Estate of John Hancock.

Now, therefore in consideration of the premises and the payment of said judgment by and in behalf of the Estate of John Hancock, I, R.L. Brown, the legal owner and holder of said judgment hereby release & relinquish all my right, title and interest in and to said judgment as well as all liens arising by reason of said judgment and its record in the judgment records of any and all counties where same may be recorded by reason of said judgment for and in behalf of the estate of John Hancock and acknowledged and agree that this release be entered of record

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and that it be therein stated that said judgment was paid by and in behalf of said Estate of John Hancock and that theEstate of said John Hancock is entitled to have the validity of the judgment and its record and lien preserved for the purpose of enforcing said judgment against the other defts. in above styled and numbered suits, towit: John W. Maddox, Frank M. Maddox, and Chas. E. Anderson, individually and as a firm under the style of Maddox Bros. & Anderson in conformity with the judgment rendered in this cause and that the estate of said John Hancock is hereby entitled to all the rights and remedies by virtue of said judgment which before the said payment belonged to me as the owner of said judgment.

In witness whereof I hereunto set my hand this 2nd day of January, 1894.

(Sgd) R. L. Brown

State of Texas #
County of Travis # Before me, the undersigned authority on this day personally appeared R.L. Brown, known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the ssme for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 2nd day of January, 1894.

Franz Fiset, Notary Public
(Seal) Travis County, Texas.

counter 49230

Susan E. Hancock et al

To

City of Austin

Release
Dated August 2, 1893
Filed February 28, 1894
Recorded in Book 120, page 342
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents; that we, Susan E. Hancock and E.B. Hancock of said County and State for and in consideration of the sum of $537.50 to us in hand paid by the City of Austin the receipt of which is hereby duly acknowledged, have this day released anddo by these presents release and acquit said City of Austin of all claim for damages that we now have or may hereafter have against said City of Austin for damages or injury done or that may be done to the tract of land hereinafter described, by reason of the construction by said City of Austin of a dam across the Colorado river, whether said injury arising from the submersion of said land or otherwise, said land being described as follows towit: being all that portion of land out of the Thomas Jefferson Chambers 8 league grant, in Travis County, Texas, belonging to the estate of John Hancock, deceased which fronts on the Colorado River and Bull Creek about 6 miles above said city of Austin, which is affected by the back water, resulting from the construction of the dam across the Colorado River by said city, and in consideration of said sum of $537.50 paid to us by the City of Austin as aforesaid we do hereby grant and give to the said City of Austin or its assigns the right and privilege to remove and use the trees timber and underbrush, of every kind at all points in said land below the place where the water line will be on said land when said Dam is completed, it being our purpose to accept said sum of $537.50 in full satisfaction of all claims against said city of Austin accruing to us by reason of the construction of said dam, and to give it or its assigns the right to remove and use the trees timber and underbrush of every kind from said land below the place where said water line will be when said Dam is completed.

Witness our hands this 2nd day of August A.D. 1893.

(Sgd) Susan E. Hancock
E. B. Hancock

Acknowledgment, Statutory by Susan E. Hancock and E.B. Hancock, 2nd Aug. 1893 before Chas. J. Fisher, N.P. Travis County, Texas.

counter 19231

Susan E. Hancock et al
To

W. C. Belcher et al

Power of Attorney
Dated July 1, 1897
Filed June 14, 1898
Recorded in Book 108, page 428
Travis County Records

This instrument entered into on this day by and between Mrs Susan E. Hancock, as Independent Executrix of the Estate of John Hancock, deceased and in her individiaul capacity as party of the first part, and W.C. Belcher, and Guy A. Collett, jointly parties of the second part, all residents of Travis County, State of Texas, witnesses: said party of the first part, under the conditions for the considerations and for the purpose hereinafter stipulated and specificed, has constituted and appointed and by these presents does constitute and appoint, the said parties of the second part, joinly as her agents for selling in bulk or in parcels, as it may be deemed properly by said Agents, the following described real estate to-wit: (Describing among other property) 2100 acres out of the Thomas Jefferson Chambers 8 league in Travis County, said land lying west of and adjoining said last above named tract and extending to the west and north of the Colorado River and Bull Creek- and further said agents are authorized to dispose of any deposits of rock, mineral or other substances, or timber, available for fire wood, posts railroad timber or any other profitable use, which may be found on any of said lands above described, without passing the title to the land upon which said substances may be found such agent to continue for a period of 30 months from this date and no longer, unless sooner terminated under the provisions of this instrument. The purpose for which this selling agency is given is as follows, the 1st party is indebted at this time in sum of $45,000 of which sum $38,000 is held & controlled by the State Nat. Bank of Austin $7000. by other parties &c &c the undertaking of the 2d parties is to sell the above described property for the purpose of discharging said debt & all interest, and such commissions as are hereinafter provided for their services- then follows stipulations as to price, terms of sale, expenses incident thereto disposition of proceeds &c. compensation to 2d parties to come out of proceeds &s sale to be approved by 1st party &c

(Sgd) Susan E. Hancock, Executrix of Estate of John Hancock, Decd.
Susan E. Hancock
W.C. Belcher Guy A. Collett

Acknowledgment, Statutory by W.C. Belcher, Guy A. Collett and Susan E. Hancock, both for herself and as independent executrix of Est. of John Hancock, decd. 1 July 1897, before C.M. Kelle, N.P. Travis County, Texas.

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W. C. Belcher and
Guy A. Collett
To
Susan E. Hancock as independent Executrix &c.

Release
Dated August 9, 1898
Filed September 24, 1898
Recorded in Vol. 153, page 421
Travis County Deed Records

Recites the contract entered into between these parties giving date book & page of record &c. &c.(a s recorded in Book 108, page 428, Travis County Deed Record) And whereas part performance of said Contract to said W.C. Belcher and whereas, all services under said contract have been paid for in full by said Susan E. Hancock and the further operation of said Coitract has been by mutual consent of all parties abandoned-

Now, therefore, We, W.C. Belcher and Guy A. Collett, acknowledge hereby payment in full by said Susan E. Hancock, as independent executrix and individually for all services rendered under said contract, and in consideration thereof, we have released and by these presents do release and relinquish any and all rights accruing to us under said contract and any and all real or apparent liens which said Contract provided for, and any and all liens are hereby expressly released and relinquished and the said Contract is hereby declared to be discharged and cancelled and no further rights or obligations exist thereunder on the part of any of the parties to said contract.

Witness our hands &c &c

(Sgd) W.C. Belcher
Guy A. Collett

Acknowledgment, Statutory by W.C. Belcher, and Guy A. Collett, 9th Aug. 1898, before Thomas F. Taylor, N.P. Travis County, Texas.

(No revenue stamps on this instrument.

Counter 49233

Susan E. Hancock, Extr.
&c
To
J. W. Beard et al

Warranty Deed
Dated June 12, 1899
Filed July 6, 1899
Recorded in Book 152, page 188
Travis County Deed Records
$1.00 U.S. Int. Rev. Stamps Canc

Exhibit

The State of Texas #
County of Travis #

Know all men by these presents:- That I, Susan E. Hancock, acting herein individually and as executrix of the Estate of John Hancock, deceased, of the County of Travis and State of Texas, in consideration of the sum of $120.00 cash to me in hand paid by James W. Beard and J.W. Rutledge, the receipt of which is hereby acknowledged, and their execution and delivery to me of their certain four promissory notes of even date herewith, payable to Susan E. Hancock - each for the sum of $105.00 maturing respectively on or before January 2nd, 1900, 1901, 1902 and 1903 bearing 8% interest from July 1st 1899, payable annually, providing for maturity of all in case of the non-payment of one or any part thereof, and providing for 10% attorneys fees, if collected by suit after maturity, which said notes on their face are expressly secured by a vendors lien on the land hereinafter described and a vendors lien to secure the payment of said notes is hereby expressly retained and given on the property hereinafter described, have granted, sold and conveyed, and by these presents do grant, sell and convey unto the said James W. Beard and J.W. Rutledge, of the County of Travis and State of Texas, all that certain tract or parcel of land situated in Travis County, State of Texas, which is part of the T.J. Chambers grant in said Travis County, Texas, and is part of the estate of John Hancock, deceased, and using an allowanceof 9 deg 15' east for a variation, is described as follows: Beginning at the S.E. corner of a tract of land sold Jos. McGehee; a S.M. on the west bdry of the Geo. W. Davis survey at the foot of the mountains, from which an elm 8 in. dia. mkd. X brs. N. 27-3/4 deg W. 11 vs. thence S. 28-3/4 deg W. 644 vs. to the N.W. corner of the Jas.P. Davis survey now a division corner between land owned by Walter Davis and Vann; thence S. 29 deg 52' W. 959 vs. to Vann's S.W. corner from which an elm mkd. X brs. S. 30 E 49 vs; thence N. 60 deg W 14-4/10 vs to a point in the west margin of the Burnet road; thence with ssme S. 37 deg W. 356 vs. and S. 29-3/4 deg W. 100 vs. to the north bdry of Thieles land; thence N. 61-1/4 W. pasing the N.W. corner of Thieles land at 914-3/10 vs. and 1330 vs. to a S.M. for the S.W. corner of this tract of land, from which a cedar tree 8 in. dia. mkd. X brs. S 59-1/4 E. 1 va; thence N. 28-3/4 E. at 260 vs. cross the Dry Creek road, at 270 vs. across Dry Creek, at 309-3/5 vs. N.E. corner of a survey made for Walden; 2121-4/10 vs to a S.M. in a ravine near its head and against the south bluff bank of same, from which an elm 10 in. dia. mkd x brs. N. 31-1/4 deg E 4 vs. thence S. 61-1/4 E. 87 vs. to a corner of a tract of land sold

counter 49234

Jos. McGehee; thence S. 28-3/4 deg W 67-2/5 vs to the S.W. corner of McGehee's tract of land; thence with the south bdry of Jos. McGehee's tract, S. 61-1/4 deg E. 1326 vs. to the place of beginning, containing in all 508-1/4 acres of land, more or less.

To have and to hold &c &c

(Sgd) Susan E. Hancock, Executrix of the Estate of John Hancock Decd.
Susan E. Hancock

Acknowledgment, Statutory by Susan E. Hancock, for herself individually and as executrix of the estate of John Hancock, deceased, 22 June 1899, before C.M. Kella, N.P. Travis County, Texas.

Susan E. Hancock et al

To

J. H. Walden

Warranty Deed
Dated March 5, 1898
Filed May 23, 1898
Recorded in Book 144, pages 463-4
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents; that I, Susan E. Hancock of said State and County, acting for myself individually and as sold devisee and independent executrix of the will of John Hancock, deceased, for and in consideration of the sum of $301.95 to me paid and to be paid by J.H. Walden of State and county aforesaid as follows, to-wit: the sum of $70. to me in hand paid, receipt whereof is hereby acknowledged and the execution and delivery to me by said Walden of his three promissory notes of even date herewith, due in 1, 2 and 3 years from date respectively, each for the sum of $77.32 and bearing interest from date at the rate of 8% per annum, interest payable annually, and providing for an additional 10% as attorneys fee, and further providing that default in payment of interest or principal, or any part thereof, when due shall mature all of said notes at option of holder, to secure the payment of which notes, principal, interest and attorneys fees a vendors lien is hereby given and retained upon the premises herein conveyed;

have granted, sold and conveyed and do by these presents

hereby grant, bargain, sell and convey unto the said J.H. Walden his heirs and assigns the following described tract or parcel of land, to-wit:

Being 201 3/10 acres out of the T.J. Chambers grant in Travis County, Texas, using an allowance for variation of 9 deg 15' E. and Beginning at the S.W. corner of a tract of 508-1/4 --- of land surveyed for Beard and Rutledge a stone md from which a cedar tree 8 in. dia. mkd X brs. S. 59-1/4 E. 1 vs. thence with the W. line of Beard and Rutledge tract of land N. 28-3/4 deg E. at 260 vs. cross Dry Creek road at 270 --- cross Dry Creek and 309-3/5 vs. to a stone and for the most northerly N.E. croner of this susey; thence N. 61-1/4 deg W. at 200 vs. cross a branch at 654 vs. cross another branch and 806-3/4 vs. to a stone md for the N.W. corner of this tract of land; thence S. 28-3/4 deg W. at 486 vs. recross said Dry Creek road, at 566 vs. Cross a branch of Dry Creek and 631-3/10 vs. to a stone md on the N. line of a tract of land owned by R.M. Thomson et al for the S.W. corner of this tract of land; thence with said boundary of said tract of land owned by Thomson and others S. 26-1/4 deg E. 1460-3/10 vs. to the S.W. cor. of a tract of land owned by Lewis Hancock, thence N. 30 deg E. at 222 vrs. pass the N.W. cor. of a tract of said Lewis Hancock's tract of land and the S.W. cor.w of Thiele's tract of land 1144-7/10 vs to the N.W. cor. of Thieles' tract of land for the most easterly N.E. cor. of this tract on the S. line of ssid tractof 508-1/4 acres of land surveyed for James Beard and William Rutledge; thence with same N. 61-1/4 deg E 415-7/10 vs to the place of beginning, containing 201-3/10 acres of land.

To have and to hold &c. &c

(Sgd) Susan E. Hancock, Executrix
of the Will of John Hancock decd
Susan E. Hancock

Acknowledgment, Statutory by Susan E. Hancock, as executrix of the will of John Hancock deceased and in her individual capacity, 26 April 1898 before H.M. Little, N.P. Travis County, Texas.

counter 49236

Susan E. Hancock

To

J. H. Walden

Release
Dated April 27, 1900
Filed April 28, 1900
Recorded in Book 161 pages 365-7
Travis County Deed Records

The State of Texas #
County of Travis # Whereas, J.H. Walden did purchase from me, Susan E. Hancock individually and as executrix of the Estate of John Hancock deceased 201 3/10---- of land part of the T.J. Chambers grant situated in Travis County, State of Texas, and said deed of conveyance being dated the 5th day of March 1898 and recorded in the records of deeds of the County of Travis County, State of Texas, in book No. 144 pages 463 to 464 thereof to which said deed reference is here made for better description of said land conveyed therein and whereas a vendor's lien was retained in said deed of conveyance on the land therein conveyed to secure the payment of three certain promissory notes bearing same date of the aforesaid deed payable to me Susan E. Hancock each for the sum of $77.32 maturing respectively 1, 2 and 3 years from date respectively, bearing interest from 5th day of March 1898 payable annually &c. Two first one of said notes have been paid in full and the last one of said three is still unpaid but not due; and whereas the County of Travis in State of Texas, is desiring to purchase and has purchased from the said J.H. Walden a certain strip of land for road purposes for the public through said land above described upon which I hold said vendors lien, which said strip of land is described in a certain deed of conveyance of even date hereof executed by the said J.H. Walden conveying to A.S. Walker, Jr., County Judge of Travis County, Texas, and his successors in office for the use of the public as a public road said strip of land, which said description of said strip in said deed of conveyance is made a part hereof and for that purposes reference is here made to the same.

Now then for the purpose of releasing the vendors lien afore said on said strip of land conveyed to the County of Travis by the aforesaid conveyance for public road purposes and I being the legal holder and owner of the aforesaid note; therefore know all men by these presents that I, Susan E. Hancock do hereby release and acquit J.H. Walden his heirs and assigns that certain strip of land this day conveyed by J.H. Walden to Travis County in State of Texas, as aforesaid and the description of said strip of land as described in said deed is made a part hereof and for that purpose reference is made to the same free from all lien created by reason of saidnotes or the deed of conveyance conveying said land to the said J.H. Walden, and it is here expressly understood that the release of the vendors lien is only upon that certain strip of land which is to be used by the County of Travis for a public road and none other- all of which I have done in consideration of $1. this day to me in hand paid by the said J.H. Walden the receipt of which is

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Counter 49237

hereby acknowledged.
Witness my hand this 27th day of April, A.D. 1900.
(Sgd) Susan E. Hancock, Executrix of the Will of John Hancock deceased.
Susan E. Hancock

Acknowledgment, Statutory by Susan E. Hancock, for herself individually and as executrix of the estate of John Hancock, deceased, 28 Apl. 1900 before H.M. Little, N.P. Travis County, Texas.

Susan E. Hancock

To

J. H. Walden

Release
Dated July 26, 1900
Filed August 20, 1900
Recorded in Book 162, page 343
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents, that I, Susan E. Hancock, individually & as Executrix of the will of John Hancock decd. hereby acknowledge payment in full of the three notes and interest described in a certain deed executed by me individually & as executrix of the will of John Hancock decd. to J.H. Walden the 5th day of March 1898 and recorded in Book 144 pages 463 & 464 Records of Travis County, Texas, being the legal holder and owner of the same and --- do hereby release and acquit to said J.H. Walden his heirs and assigns the property described in said instrument, viz: 201-3/10 acres of land out of the T.J. Chambers grant in Travis County, Texas, for a more particular description reference being made to said deed free from all lien created by reason of said notes or the instrument above mentioned.
Witness my hand at Austin, Texas, this 26 day of July 1900.
(Sgd) Susan E. Hancock, Executrix of the Will of John Hancock decd.
Susan E. Hancock

Acknowledgment, Statutory by Susan E. Hancock, as executrix of the will of John Hancock deceased and in her individual capacity, 26 July 1900 before H.M. Little N.P. Travis County, Texas. 10¢ U.S. I.R. Stamp cancelled.

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Thos. J. Chambers
Vs #26
Josiah Fisk et al

In District Court

Travis County, Texas

No Papers on file

Minute "B" page 272- Apl. 1850, on motion of plff. that land in controversy be surveyed and plat and field notes thereof be returned at next term of this Court, Jas. P. Hester appointed surveyor &c Apl. 1850.
Minute "B" page 272 on motion of heirs of Gideon White, heirs of George W. Spear made parties to this suit.
Minute "C" page 149- 17 Oct. 1851: On this day came the parties, the plff. in his own proper person and his motion for continuance being overruled, the defts. (many hames follows: among them Geo.W. Davis) who are in possession under said intestate, whose name iith others were to be permitted to sever from the other defts in trial of this cause; which motion is granted by the Court and thereupon came a jury &c and returned the verdi
"We the Jury find for the defts."
It is therefore ordered adjudged and decreed that said plff. go hence without day and take nothing by his said complaint, and defts. (above named) do have & recover of & from plff. Thos. J. Chambers all costs expended & that they do have execution therefor.

Minute "C" page 183- 25 Oct. 1851, order overruling plffs motion to set aside verdict & for new trial, plffs. excepts and gives notice of appeal to Supreme Court.

Minute "E" page 725; L Feb. 1856, Order granting plffs motion for change of venue to Williamson Co., Texas. Executions, three were issued and all levied upon 8 leagues of land, property of T.J. Chambers and returned in obedience to writ of supersedes.

Note: No final results of suits appear in re cords of Travis County, Texas, and no specific part of the Chambers grant is mentioned in the suit - we cannot state positively whether it covers the land in Caption, but infer so from names of parties to the suit.

Abstractor.

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T. J. Chambers

To

J. Fisk

Warranty Deed
Dated September 10, 1860
Filed May 10, 1866
Recorded in Book "Q" page 464
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents; That I, T.J. Chambers for and in consideration of the sum of $2000 to me in hand paid the receipt of which is hereby acknowledged have sold & by these presents do grant and sell unto Josiah Fisk two certain parcels of land out of the eight league tract granted to me by the State of Coahuila & Texas as Superior Judge, situated in the County of Travis, & described as follows, to-wit: The 1st (describing same) The second includes the land surveyed by virtue of the Headright certificate of Robt. Company & described as follows, to-wit:

Beginning at the N.W. corner of a survey made by virtue of Certificate of George W. Davis, at a post oak 20 inches in dia. Thence south 30 West 1950 vs. thence North 60 West 1950 vs. thence North 30 East 1950 vs. thence S. 60 E. 1950 vs. to the beginning.

And I hereby bind myself and my heirs to warrant and defend the title to the above described land unto the said Fisk, his heirs & assigns from the lawful claims of all persons whomsoever.

In testimony whereof, I have hereunto set my hand and scrawl for a seal this 10th day of Sept. 1860.

(Sgd) T.J. Chambers

Acknowledgment, Statutory by T.J. Chambers, 18 Sept. 1860, before Levi Pennington, Clerk County Court, Williamson County, Texas.

Robt. Compton

To

Josiah Fisk

Transfer of Certificate
Dated June 6, 1841
Filed August 1, 1857
Recorded in General Land Office.
Consideration: $59 cash

Conveys: "All my right, title, interest & estate of me & my heirs & assigns, in and to my unconditional certificate for 640 acres No. 326, granted me by the Board of Land Commrs. of Jasper Co. on 1st Jany 1840 to be located on any vacant land.

S. W. Ralph
John L. Baker

(Sgd) Robt. Compton

Acknowledgment, Statutory by Robt. Compton, 10 June 1846, before James Delleney, Notary Public, Jasper County, Texas.

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Variation 10 deg 30' East

State of Texas #
Travis County #

Survey No. 32, made for Robt. Compton, by virtue of headright Certificate No. 326, issued by the Board of Land Commr's for Jasper County, for 640 acres of land, situated East of the Colorado River, about 5 miles North of the City of Austin, in the District of Travs - Beginning on the North West corner of the George W. Davis Survey No. 15; thence N. 60 deg W. 1431 vs to S.W. corner of Davis Survey, 1973, vs to a stone mound on the brow of a hill; thence S. 30 deg W. 1821 vs to a stone mound & S.W. cor. of the Sur. thence S. 60 deg E. 1973 vs to a stake & mound for the south west corner of the Geo. W.Davis Sur, thence N. 30 deg E. following the west boundary line of said Survey 1831 vs to the beginning.

P. Millican - Edward #Chainers

I,James R. Pace, District Surveyor, declare under my official Oath that the foregoing Survey was made according to law, in March 1850 and the corners, marks, bounds and limits, natural and artifical are truly represented &c.
Given under my hand in the City of Austin, this 19" day of March A.D. 1850. (Sgd) James R. Pace, Dist. Cur.Tra.Dist.
I, James R. Pace, district surveyor, Travis District do hereby --- that I have examined the foregoing plat and field notes and find them. correct. Given under my hand at Austin, 27th day of May A.D. 1850. (Sgd) James R. Pace, District Sur. Tra.Dis
The above and foregoing field notes appear of record in Book "B" page 35, in Office of County Surveyor of Travis Co., Texas.
REMARKS: The Certificate by virtue of which the above survey was located does not appear on file with the Transfer of same but same was withdrawn from the file 31 Aug. 1858, by Josiah Fisk, and was not returned by him, and no patent was ever issued for the above described survey- neither does this survey appear on the official map of Travis County, Texas, on file in General Land Office of the State of Texas. Abstracter.

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A. B. Langerman, Plff. In District Court
Vs. No. 10863
John E. Wallace et al Travis County, Texas

Petition: Filed December 17, 1892. Petition praying for writ of Mandamus to compel deft. Jno. E. Wallace County Surveyor to survey and make field notes for Donation Certificates Nos. 230 231, 232 and 233 for 640 acres each, issued Jno. M. Swisher 31 Dec 1887, according to application made by plff. 7 Nov. 1892, on all that unappropriated land in Travis Co. West of the Albert Silsby Sur. south of Geo. W. Davis & Jas. M. Mitchell Surs. and E. of Jas. Jett and ---- sug and North of the Colorado River, he refusing to make the Sur. &c &c
7 Mch 1893; answer filed by deft. Wallace, demurs, denies &c. and states that the land is covered by T.J. Chambers titled grant and is in possession of (here follows long list of names among whom is mentioned Lewis Hancock, but P.C. Sisson and Elizabeth L Hancock not mentioned &c.) and that they ought to be made parties hereto &c &c
11 Febry 1893. Amended petition filed by plff. making the above named Lewis Hancock et al parties they claiming some interest in the land.
19 May 1893, Affidavit filed by plff. that the Chambers title is a forgery.
Decree, 26 May 1893, Minute "X" page 303: Be it remembered that on Friday the 26th day of May, 1893, there came on to be heard and tried, the above styled and numbered cause, and came the plaintiff A.B. Langerman and announced ready for trial, and came the defendants, John E. Wallace, Jas.H. Raymoknd, Jr., Frank Raymond, R.M. Tomson, T.A.Tomson, Chas. J. Fisher, Malcolm Graham, Lewis Hancock, Herny Ladd, N.S. Walton and E.B. Hancock, the latter as guardian of the estate of John Hancock and annonnced themselves ready for trial. The defendants B.F. Newman, J.M. Wolf, Chas. Marshall, A.C. Champion, Mary A. Champion, R.J. Hill as assignee of the estate of P.C. Taylor, and the Austin Real Estate Company, came not but wholly made default, whereupon, came a jury of twelve good and lawful men consisting of T.A. Burdette and eleven others, who were duly tried, empaneled and sworn by the Court according to law, and the pleadings of the above parties, were read before the Court and jury and the introduction of testimony was begun, and before all the testimony was introduced, the Court adjourned regularly until the succeding day, May 27th, 1893; that upon May 27th, 1893 the trial of said cause was again resumed and continued from day to day until this May 31st, 1893, when the Court delivered to the jury its charge, and the said jury, after having heard the pleadings, evidence, argument of counsel, and charge of the court, retired, in charge of an officer, to consider of their verdict, and on the same day returned into open court thefollowing verdict: "A.B. Langerman vs. John E. Wallace et al. Austin, Texas, May 31, 1893. We the jury, having decided in favor of the defendants

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on the issues submitted to us as to the T.J. Chambers title, find for the defendants, T.A. Burdette, foreman."
Which verdict was received and approved by theCourt, and filed: Wherefore, it is considered and adjudged by the Court; that the land sought to be appropriated by the plaintiff is covered by the Chambers eight league grant, and is titled land and not vacant, unappropriated and unreserved public domain of the State of Texas, and that the same is not now and on the 7th day of November 1892 was not subject to location by the plaintiff, and that the writ of mandamus sought in this case by the plaintiff must be and the same is denied. It is further considered, ordered, and adjudged by the Court, that the plaintiff, A B. Langerman, take nothing by this suit, and that the defendants go hence without day and cover of and from him, the said A.B. Langermann, all costs in this behalf expended or incurred, and for which let execution issue.

J. Fisk

To

J. Wall Exhibit

Warranty Deed
Dated April 22, 1853
Filed April 28, 1853
Recorded in Book "G" page 158
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents: That I, Josial Fisk, of the County of Travis, for andin consideration of the sum of $83 to me in hand paid the receipt of which is hereby acknowledged, have sold and by these presents do grant, and sell unto James Wall a certain parcel of land, out of the Headright of Robert Compton, situated in the County of Travis and described as follows, towit:

"Beginning at a stone mound, the N.W. cor. of a George W. Davis Headright and the N.E. cor. of this sur. thence S. 30 deg W. 712 vs. to a stone md. in Davis W. line, from which a Live Oak 8 ins. in dia. brs. W. 5 vs. thence N. 60 deg W. 330 vs to a stone md. thence N. 30 deg E. 712 vs to a stone md. in J.M. Mitchell's survey; thence S. 60 deg W. 330 vs to the beginning, containing 41 acres more or less. And I hereby bind myself my heirs and assigns to warrant and defend the title to the above described land unto the said Wall. his heirs and assigns from the lawful claims of all persons whatsoever.

(Sgd) Josiah Fisk

Acknowledgment Statutory by Josiah Fisk, 28 Apl. 1853, before Francis T. Duffau, Notary Public, Travis County, Texas.

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Josiah Fisk

To

J. G. Burney

Warranty Deed (Special)
Dated June 25, 1900
Filed June 29, 1900
Recordedin Book 161, pages 496-7
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents: That I, Josiah Fisk of the County of La Salle, State of Illinois, for and in consideration of the sum of $50 to me in hand paid, the receipt of which is hereby acknowledged, have granted, sold and conveyed and by these presents dogrant, sell and convey unto J.G. Burney of the County of Travis, State of Texas, all that certain tract or parcel of land lying and situated in Travis County, State of Texas, on the waters of Bull Creek about 8 miles N.W. of the City of Austin, being out of the Thos. J. Chambers 7 league grant, the same being all of what is known as the Robt. Comptom survey, except 41 acres of same heretofore conveyed by me to Jas.Wall out of the N.E. corner of said survey and more particularly described by metes and bounds as follows:

Beginning at the S W. corner of the George W. Davis, a stone mound from which a P.O. bears S. 10 deg W. 3 vrs. thence North 30 deg E. with the W. line of the George W. Davis survey 1190 vrs to the S.W. cor. of 41 acres tract conveyed by me to Jas. Wall. Thence N. 60 deg W. 330 vrs to S.W. cor. of said 41 acre tract, thence N. 30 deg E. to theintersection of the James Mitchell S. line the N.W. cor. of the aforesaid 41 acre tract; thence N. 60 deg W. with the S. line of James Mitchell survey and the south line of J. Colman survey passing the S.W. cor. of Mitchell which is also the S.E. cor. of J. Colman 1643 vs. to N.W. cor. same being the N.E. cor. of Wm. H. Bell, thence S. 30 deg W. 1831 vrs to S.W. cor. thence S. 60 deg E. 1973 vs to the place of beginning, containing 559 acres of land, more or less.

To have and to hold &c &c (warrantsy title "by, through, or under me").

(Sgd) Josiah Fisk

Acknowledgment, Statutory by Josiah Fisk, 25 June 1900, before J.A. Quam, Notary Public, La Salle County, Illinois.

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Susan E. Hancock

To

W. C. Belcher

Special Warranty Deed
Dated August --, 1898
Filed August 9, 1898
Recorded in Book 153, page 316-7
Travis County Deed Records
$1.00 U.S. Int. Rev. Stamps Canc.

The State of Texas #
County of Travis # Know all men by these presents: that I, Susan E. Hancock as independent executrix of the estate of John Hancock deceased and acting also herein in my individual capacity, resident of Travis County, Texas, for valuable consideration received by me from W.C. Belcher, the receipt of which is hereby acknowledged have granted, sold and conveyed and by these presents do grant, sell and convey unto the said W.C. Belcher of Travis County, State of Texas, all that certain tract or parcel of land situated in Travis County State of Texas, which is a part of the T.J. Chambers grant, and which is intended to embrace the 277 acres of said grant belonging to the estate of John Hancock deceased and all of the 1872 acre tract which is now unsold and not under contract or sale. The tract so conveyed is described as follows, to-wit:

Beginning at the most northerly N.E. corner of Walden's 201 acre tract, on the west boundary of a 508-1/4 acre tract, surveyed for Beard & Rutledge;

Thence N. 28-3/4 deg E. 1811 8 vs to its N.W. corner on the south line of Geo. W. Davis survey;

Thence N. 60 deg W. with said line of the Geo. W. Davis survey, passing its S.W. corner 2726 vs. more or less to the S.W. corner of the R.G. Compton survey;

thence with the West line of the R G. Compton survey N. 30 deg E. 1200 vs to a point on the N.W. line of the T.J. Chambers grant;

Thence with said line of the T.J. Chambers grant S 45 deg W @L*$ VS. MORE OR LESS TO THE MOST NORTHERLY CORNER OF THE ((ACRE TRACT, CONVEYED BY Hancock et al to E. Williams;

Thence E. 496 vs to its N.E. corner;

Thence with its east bdry S. 606 vs to the middle of Bull Creek;

Thence down the middle of Bull Crek to the S.W. corner of 15-3/4 acres, conveyed by John Hancock to A.C.Champion;

Thence with the west bdry. of the T.J. Chambers grant, S. down Bull Creek passing the N.W. corner of the 277 acre tract, part of the estate of John Hancock at 160 vs. and 700 vs to S.W. corner at the mouth of Bull Creek;

thence down the Colorado river S. 63-1/4 deg E. 270 vs. S. 46 deg E. 410 vs. S. 33 deg W. 27 vs to cypress on bluff bank;

Thence S. 9½ deg E. 165 vs.
Thence S. 20-3/4 deg E. 170 vs;
Thence S. 30-1/4 deg E. 175 vs;
Thence S. 25 deg E. 20 vs;
Thence S. 33-3/4 deg E. 70 vs;

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Thence S. 29 deg E. 35 vs;
Thence S. 33-3/4 deg E. 270 vs;
Thence S. 66 deg E. 13 vs to an elm 15 in. dia. mkd L. on bank of the river, on the south side of a small ravine, the lower and S.E. corner of said 277 acre tract from which an elm mkd X brs S 19 deg E 1 vs a do mkd X brs S 8 deg E. 19 vs;
Thence with the S.E. line of said277 acre tract N 66 deg E 775 vs to its most easterly corner;
Thence N. 26-1/4 deg W. to the S.W. corner of a tract of 201 acres of land sold to Wladen;
Thence N. 28-3/4 deg E. 631.3 vs to the N.W. corner of Waldon's tract;
Thence S. 61-1/4 deg E. 806-3/5 vs to the beginning.
To have and to hold &c &c (warrants title "by, through or under me, either as executrix of the estate of John Hancock deceased or in my individual capacity").

(Sgd) Susan E. Hancock Executrix of the estate of Jno. Hancock, decd.
Susan E. Hancock

Acknowledgment, Statutory by Susan E. Hancock as executrix of the estate of John Hancock deceased and in her individual capacit; 9 Aug. 1898, before H.M. Little, N.P. Travis County.

W. C. Belcher

To

F. A. Cooper

Contract of Sale
Dated December 28, 1898
Filed June 29, 1899
Recorded in Book 159, pages 68-70
Travis County Deed Records
$1.50 U.S. Int. Rev. Stamps Canc

State of Texas #
County of Travis # This memorandum of agreement entered into by and between W.C. Belcher of Travis Co., Texas party of the first part and F.A. Cooper of Bastrop Co., Texas, party of the second part witnesseth: that first party has agreed to sell to second party a certain tract of land hereinafter described for the sum of $650. $100 of ssid sum having been paid the receipt of which is hereby acknowledged and $100 more is to be paid within on year fromdate of this contract, and the remaining $450 are to be paid as follows: $100 in 2 years from date of this contract, $100 in 3 years from date of this contract $100 in four years from date of this contract, and $150 in 5 years from date of this contract. The deferred payments to bear 8% interest from date of contract until p id, saidinterest to be paid annually; should second party pay the $100 with all

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accrued interest on the same and the interest on the $450 at the expiration of 1 year as specified, then first party does hereby bind and obligate himself to execute a good and sufficient deed to said land, and second party hereby agrees to execute said four notes, three of $100 each and one for $150 as aforesaid, the same to be secured by vendors lien on the land conveyed. Until the $100 as herein expressed to be paid within 1 year from the date of this contract together with all accrued interest on all the deferred payments is paid the title to said land shall remain in first paty and if same is not paid at maturity then after 60 days notice to second party, first party shall have full right to possession of said land and second party agrees in such event to vacant said land and forfeit all right to the $100 PAID. The land herein to be conveyed is described as follows: All that certain parcel or tract of land situated in Travis County Texas, being a part of the T.J. Chambers grant fronting on the Colorado River near the mouth of Bull Creek- Beginning at a cedar stake on the East bank of Bull Creek and on the N. bank of the Colorado River at the junction of the two streams; thence N. 45 deg E. 162 vs. to a stone md for corner from which a cedar 4" in dia. brs. S. 47 W. 12 vs; thence N. 18 W. 126 vs to a stone md for corner from which a L.O. brs. N. 72 E. 13 vs. and a hackberry N 82 E 15 vs (bearings md X) thence N. 72 E. 700 vs to stone md for corner; thence S. 18 E. 800 vs to a stone md for corner; thence S. 72 W. to the Colorado Rier to stone mound on North bank for corner; thence in a general northwesterly direction with the meanderings of said river to the place of beginning, containing 100 acres or land more or less.
Witness our hands at the City of Austin this the 28 day of Dec. A.D. 1898. (Sgd) F.A. Cooper
It is agreed that the field notes of the tract of land herein conveyed be changed so as to give the 100 acres south of the Bull Creek road and at the same time leave a passway to the mouth of Bull Creek. Field notes to be agreed upon when the land is surveyed. This Dec. 28th, 1898.

F.A.Cooper W.C. Belcher

Received on the within contract the sum of $100 and int. on the said $100 from date of this contract this the 17th day of June A.D. 1899. (Sgd) J. G. Burney

The State of Texas #
Travis County # For a valuable consideration viz, three hundred and fifty ($350) dollars to me paid by Ira C. Ives the receipt of which is hereby acknowledged, I here by transfer all the right title interest and claim I have in and to the tract of land described inthe foregoing instrument of writing and this day conveyed to Ira C. Ives by J.G. Burney for a particular description of said land reference is hereby made to said deed of this date, executed by J.G. Burney to Ira C. Ives.
Witness my hand June 29, 1899. (Sgd) F.A. Cooper
Acknowledgment, Statutory by F.A. Cooper, 30 June 1899, before Z.T. Fulmore, N.P. Travis County, Texas.

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W. C. Belcher
To
J. G. Burney

Special Warranty Deed
Dated June 7, 1899
Filed June 8, 1899
Recorded in Book 152, page 183
Travis County Deed Records
$1.00 U.S.I.R.Stamps Canc.

The State of Texas #
County of Travis # Know all men by these presents: that I, W.C. Belcher of the County of Travis and State of Texas, in consideration of a valuable consideration to me in hand paid by J.G. Burney the receipt of which is hereby acknowledged, have granted, sold and conveyed and by these presents do grant, sell and convey unto the said J.G. Burney of the County of Travis and State of Texas, all that certain lot, tract or parcel of land situate, lying and being in the County of Travis, in the State of Texas, and more particularly described as follows: Beginning at a point on the N.W. line of the T.J. Chambers grant atthe most Northerly cor. of a 99 acre tract conveyed by John Hancock and Raymond and Whitis to E. Williams a cedar 6 in. in dia. brs. S. 47 deg E. 7 vs. do brs. S. 4 vs; thence N. 45 E. with the N.W. line of the said Chambers grant, 2184 vs more or less to the most Northerly corner of the R.G. Compton sur; thence S. 60 E. 1973 vs to the Most easterly cor. of same; thence S 60 W. 1831 vs to the W. cor of the Geo. W. Davis survey; thence S. 60 E. with the S. line of said Davis survey 932 vs to the N.W. cor. of a 508-1/4 acre tract surveyed for Beard and Rutledge; thence S. 28-3/4 W. 1811 8/10 vs to the most northerly N.E. cor of a 201 acre tract for Jno. Walden; thence N. 61 1/4 W. 806-3/5 vs to the N.W. corner of said Walden tract; thence S. 28 3/4 W 631-3/10 vs to the S.W. corner of Walden tract; thence S. 26¼ E. to the most Easterly corner of a 277 acre tract in the name of John Hancock; thence S. 66 deg W. with the S.E. line of said Hancock tract 775 vs to an Elm on the N. bank of the Colorado River mkd L, the lower S.E. cor. of said 277 acre tract, from which an Elm mkd X brs S 19 deg E 1 vs, do mkd X brs S 8 deg E 19 vs; thence up the Colorado River in a general North Westerly direction to the mouht of Bull Creek; thence with the west boundary line of the J.T. Chambers grant passing the N.W. cor of the 277 acre tract aforesaid to the S.W. cor. of 15-3/4 acres conveyed by John Hancock to A.C. Champion; thence up the middle of Bull Creek to the intersection of the East line of the E. Williams---; thence with said E. line of the E. Williams-- N. 606 vs to the N.E. cor of sam;e thence west with the North line of E. Williams survey 496 vs to the place of beginning, containing 1200 acres more or less, and being out of the T.J. Chambers Grant and includes herein the 277 acres at the mouth of Bull Creek in the name of John Hancock.

To have and to hold &c. &c (warrants title "by, through or under me").

(Sgd) W. C.Belcher

Acknowledgment, Statutory by W.C. Belcher, 8 June, 1899 before F.H. Raymond, N.P., Travis County, Texas.

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J. H. Walden

To

Travis County

Warranty Deed
Dated April 27, 1900
Filed April 28, 1900
Recorded in Book 163, page 296
Travis County Deed Records.

Exhibit

The State of Texas #
County of Travis # Know all men by these presents: That I, J.H. Walden, of the County of Travis and State of Texas, in consideration of the sum of Seventy five Dollars, this day cash to me in hand paid, by the County of Travis in the State of Texas, the receipt of which is hereby acknowledged, have granted, sold and conveyed and by these presents do grant, sell and convey unto the said A.S. Walker, Jr. County Judge of Travis County, in the State of Texas, and his successors in office for the use and benefit of said Travis County, in said State of Texas all that certain strip of land forty feetwide situated in Travis County, State of Texas and being a part of and extending from the East line to the West line of a certain tract of land conveyed to me by Susan E. Hancock acting for herself and as executrix of the Estate of John Hancock, deceased, by deed dated 5th day of March 1898, which said deed is of record in the records of deeds of Travis County, Texas, in record Book #144 pages 463 to 464 which said tract of land so conveyed to me contains in all 201-3/10 acres of land and being a part of the T.J. Chambers grant in said Travis County, State of Texas, the above described deed is hereby made a part hereof for a full and better description of said tract of land of which said strip is a part and said strip is more particularly described as follows:

Beginning for center line of saidstrip at a point in the East line of said 201 3/10 acre tract (using an allowance of 8 deg 15' East for all lines and bearings) 46½ vs. S. 28 deg 15' W. from N.E. corner of said 201 3/10 acre tract. Thence N. 81 deg 19' W. 15½ vs to a stake. Thence N. 69 deg 59' W. cross Dry Creek at 10 4/5 vs 78 vs stake. Thence S 82 deg 24' W. 100½ vrs. Thence S. 40 deg 50 W. 249 7/10 vs. Thence S. 82 deg 01 W 138 vs. L.O. 30 in dia mkd X N. 22 deg 12' W. 6 2/5 vrs. Thence N. 61 deg 54' W. 122½ vrs. Thence S. 65 deg 15' W. 118 2/5 vrs. Thence S. 60 deg 30' W. 78 vrs. Thence N. 44 deg 58' W. 77 vrs. Thence N. 17 deg 51' W. 120 vrs. Thence N. 47 deg 35' W. cross West line of said 201 3/10 acre tract at 48 varas, said West line being also an East line of the J.G. Burney tract of 1200 acres of land.

To have and to hold the above described premises, together with all and singular the righ s and appurtenances thereto in anywise belonging unto the said A.S.Walker, Jr., County Judge of Travis County, Texas, and his successors in office for the purpose of a public road, reserving however the right to the timber on said strip of land, and should said strip be discontinued at any time as a public road then the same shall revert to me. I do hereby bind myself, my heirs, executors and administrators to warrant and forever defend all and singular the said

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premises unto the said A.S. Walker, Jr. County Judge Travis County, Texas, and his successors in office against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness my hand at Austin, Texas, this 27th day of April, A.D. 1900.

(Sgd) J. H. Walden

Acknowledgment, Statutory by J.H. Walden, 27 April 1900, before Wm. von Rosenberg, Jr., N.P. Travis County, Texas.

J. H. Walden et ux
To
J. G. Burney

Warranty Deed
Dated October 5, 1901
Filed October 22, 1901
Recorded in Book 168, page 278
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: that we, J.H. Walden and Mary Walden wife of J.H. Walden of the County of Travis State -- Texas, for and in consideration of the sum of $500 paid and secured to be paid by J.G. Burney as follows: $250 in cash paid the receipt of which is hereby acknowledged and the execution and delivery to us of 2 certain promissory notes for the sum of $250 due and payable in 2 annual installments of $125 and in 1 and 2 years from this date respectively, have granted, sold and conveyed and by these presents do grant, sell and convey unto the said J.G. Burney of the County of Travis and State of Texas, all that certain parcel or tract of land to-wit: Being 201-3/10 acres out of the T.J. Chambers grant in Travis County meted and bounded as follows: using an allowance for variation of 9 deg 15' E. Beginning &c. (Field notes as in deed recorded in Vol.144, pages 463-464, Travis County Deed Records, except last call herein reads - "Thence with said south line N 61¼ deg W 415-7/10 vrs to the place of beginning.
To have and to hold &c. But it is expressly agreed and stipulated that the vendors lien is retained against the above described property premises and improvements until the above described note and all interest thereon are fully paid according to its face and tenor, effect and reading when this deed shall become absolute.

(Sgd) J.H. Walden Mary Walden

Acknowledgment, Statutory by J.H. Walden, 5 Oct. 1901 before August E. Huppertz, N.P. Travis County, Texas.
Acknowledgment, Statutory by Mary Walden, wife of J.H. Walden, 5 Oct. 1901 before August E. Huppertz, N.P. Travis County, Texas.

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J. H. Walden et ux

To

J. G. Burney

Release
Dated October 29, 1903
Filed October 29, 1903
Recorded in Book 175, page 341
Travis County Deed Records

The State of Texas #
County of Travis # Whereas, by deed dated October 5th, 1901, recorded in the County Clerk's office of Travis County, Texas, in book 168 page 278 J.H. Walden and his wife Mary Walden conveyed to J.G. Burney 201 3/10 acres of land fully described in said deed, to which reference is hereby made, retaining therein a vendor's lien, securing payment of Two Hundred and fifty and 00/100 Dollars, for which said J.G. Burney executed his promissory notes as follows:
1st for $125 due Oct. 5th, 1902
2d for $125 due Oct. 5th, 1903
Both payable to J.H. Walden and bearing 8 % interest perannum and whereas said J.G. Burney has paid the said notes in full satisfaction of said incumbrance:

Now, therefore, we, J.H. Walden and Mary Walden do hereby release the above described property from the vendor's lien aforesaid.

In witness whereof we have hereunto set our names at Austin this 29 day of October, 1903.

(Sgd) J. H. Walden
Mary Walden

Acknowledgment, Statutory by J.H. Walden and wife, Mary Walden, 29 Oct. 1903, before W.H. Cullen, N.P. Travis County, Texas.

J. G. Burney et al

To

J. W. Beard

Warranty Deed
Dated July 17, 1902
Filed July 17, 1902
Recorded in Book 188, page 174
Travis County Deed Records

EXHIBIT

The State of Texas #
County of Travis # Know all men by these presents: That we, J.G. Burney and M.A. Burney his wife of the County of Travis and State of Texas, in consideration of thesum of $287.50 paid and secured to be paid by J.W. Beard of Travis Co. State of Texas as follows: $200 cash in hand the receipt of which is hereby acknowledged and one principal promissory note executed by the said J.W. Beard for the sum of $87.50 payable to J.G. Burny payable on or before 1 year from this date, said note to bear 8%

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interest payable annually and to retain a vendors lien have grant ed sold and conveyed and by these presents do grant, sell and convey unto the said J.W. Beard of the County of Travis and State of Texas, all that certain parcel or tract of land situated on Dry Creek in Travis Co., being a part of a tract of 201-3/10 acres out of the T.J. Chambers grant conveyed by Mrs. Susan E. Hancock Executrix and Susan E. Hancock to J.H. Walden by deed dated Mar. 5, 1898. And recorded in Deed Records of Travis Col. Vol. 144 pages 463 and 464 and conveyed by the said J.H. Walden and Mary Walden his wife to J.G. Burney by deed dated Oct.5,1901 and recorded in Deed Records of Travis Co. Vol. 168 page 278. The part of said tract herein conveyed is more particularly described by metes and bounds as follows: Beginning at a stone md in S.W. line of said 201-3/10 acre tract N. 26-1/4 W. from the intersection of said line with the Channel of Dry Creek 70 vrs. from which a Spanish Oak brs S 22 deg E. 20 vrs. Thence N. 26 deg E. to the intersection of the channel of Dry Creek- thence with the meanders of said Dry Creek up stream in a general North Easterly direction to the intersection of the N line 39-3/5 vrs S 28-3/4 deg W. from the N.E. corner of said survey; said corner being on the west line of a 508-1/4 acre tract surveyed for Beard and Rutledge; thence S. 28-3/4 deg W. 270 vrs to the S.W. corner of said 508-1/4 acre tract; thence S. 61¼ deg E. 415 7/10 vs to the N.W. corner of Thieles tract of land- thence S. 30 deg W. 1144-7/10 vs to the S E corner of this survey - same being the S.W. corner of a tract owned by Lewis Hancock; thence N. 26-1/4 W. to the place of beginning with the N. line of a tract of land owned by R.M. Thompson et al 110 acres more or less. To have and to hold &c. But it is expressly agreed and stipulated that the vendors lien is retained against the above described property, premises and improvements until the above described notes, and all interest thereon are fully paid according to its face and tenor, effect and reading when this deed shall become absolute.

(Sgd) J.G. Burney M.A. Burney

Acknowledgment, Statutory by J.G. Burney 17 July 1902 before Guy A. Collett, N.P. Travis County, Texas

State of Texas #
County of Travis # Before me Guy A. Collett a Notary Public in and for above State & County on this day personally appeared M.A. Burney wife of J.G. Burney known to me to be the person whose name is subscribed to the foregoing instrument & after having the same fully explained to her she the said M.A. Burney acknowledged the same to be her act & deed & that she had willing-- signed for the purpose & consideration therein expressed & did not wish to retract it.

Given under my hand & seal of office this 17 day of July A.D. 1902.

Guy A. Collett, N.P.
Travis Co. Tex.

(Seal)

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Jas. W. Beard et al

To

Travis County

Right of Way, Release
Dated February 21, 1900
Filed March 6, 1900
Recorded in Book 159, pages 586-9
Records of Travis County, Texas

The State of Texas #
County of Travis # Whereas James W. Beard and J.W. Rutledge did purchase from me Susan E. Hancock individually and as executrix of the Estate of John Hancock, deceased 508-1/4 acres of land, more or less, part of the T.J. Chambers grant situated in Travis County, State of Texas, and said deed of conveyance being dated 12th day of June, A.D. 1899, and recorded in the records of deeds of the County of Travis, State of Texas, in Book No. 152 page 188 thereof to which said deed reference is here made for better description of said land conveyed therein, and whereas a vendors lien was retained in said deed of conveyance on the land therein conveyed to secure the payment of four certain promissory notes bearing same date of the aforesaid deed payable to me Susan E. Hancock each for the sum of $150.00maturing respectively on or before January 2nd 1900, 1901, 1902 and 1903, bearing 8% interest from July 1st, 1899 payable annually &c. And whereass the County of Travis in State of Texas is desiring to purchase and has purchased from the said James W. Beard and J.W. Rutledge a certain strip of land for road purposes for the public through said land above described upon which I hold said vendors lien, which said strip of land is described in a certain deed of conveyance of even date hereof executed by the said James W. Beard and J.W. Rutledge conveying to A.S.Walker County Judge of Travis County, Texas, and his successors in office for the use of the public as a public road said strip of land which said description of said strip in said deed of conveyance is made a part hereof and for thatpurpose reference is here made to the same.

Now, then, for the purpose of releasing the vendors lien aforesaid on said strip of land conveyed to the county by the aforesaid conveyance for public road purposes and I being the legal holder and owner of the aforesaid notes, therefore, know all men by these presents that I, Susan E. Hancock, do hereby release and acquit James W. Beard and J.W. Rutledge their heirs and assigns that certain strip of land this day conveyed by James W. Beard and J.W. Rutledge to Travis County, in State of Texas, as aforesaid, and the description of said strip of land as described in said deed is made a part hereof and for that purpose reference is--- to the same free from all lien created by reason of said notes or the deed of conveyance covering said land to the said James W. Beard and J.W. Rutledge. And it is here expressly understood that the release of the vendor's lien only upon that certain strip of land which is to be used by the County of Travis for a public road, and none other. All of whic- I have done in consideration of one dollar this day to me in hand paid by the said James W. Beard and J.W. Rutledge the receipt of which

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is hereby acknowledged.
Witness my hand this 21st day of February A.D. 1900.
(Sgd) Susan E. Hancock, Executrix of
Estate of John Hancock Decd.
Susan E. Hancock

Acknowledgment, Statutory by Susan E. Hancock for herself individually and as executrix of the Estate of John Hancock, deceased, 21st Feby 1900, before C.M. Kella, N.P., Travis County, Texas.

The State of Texas #
County of Travis # Know all men by these presents- That we, James W. Beard and J.W. Rutledge, all of the County of Travis and State of Texas, in consideration of the sum of $5.00 this day cash to us in hand paid by the County of Travis, in the State of Texas, the receipt of which is hereby acknowledged, have granted, sold and conveyed, and by these presents, do grant, sell and convey unto the said A.S.Walker, County Judge of Travis County, in the State of Texas, and his successors in office for the use and benefit of said Travis County, in the said State of Texas, all that certain strip of land 40 feet wide situated in Travis County, State of Texas, and being a part of la: extending from the East line to the West line of a certain tract of land conveyed to us by Susan E. Hancock acting for herself and as executrix of the Estate of John Hancock, deceased, by deed dated 12th day of June, A.D. 1899, which said deed is of record in the record of deed of Travis County, Texas, in record book #152 page 188, which said tract of land so conveyed to us containing in all 508-1/4 acres of land, more or less, and being a part of the T.J. Chambers grant in said Travis County, Texas, the above described deed is hereby made a partthereof for a full and better description of said tract of land of which said strip is a part and said strip is more particularly described as follows:

Beginning for center line of said strip at a point in the East line of said 508-1/4 acre tract and on the west line of the Austin and Burnet road via Jollyville, from which said point (using an allowance of 8 deg 15' East for all lines and bearings) an Elm 14 in. dia. mkd X brs. North 35 5/10 vs. & a L.O. 10 in dia. mkd X brs. S. 50 deg. 04' W. 21 1/5 vs. which said point of beginning 7-1/5 vs. S. 61½ deg E. 100-3/5 vs. N. 28 deg 28' E. and 86 vs. N. 35 deg 20' E. from the S.E. corner of said 508-1/4 acre tract of land. Thence N 8 deg 16' W 489-7/10 vs to a L.O. 24 in dia. mkd. X. Thence N. 47 deg 51' W. 83-3/5 vs. to the brow of a hill; thence N. 58 deg 36' W. 41-3/10 vs. Thence N. 17 deg 17' W. 130-3/5 vs; thence N. 47 deg 56' W. 136-4/5 vs. Thence N. 39 deg 38' W. 34-4/5 vs a cedar 10 in. dia mkd. X brs. N. 57 deg 52' W. 16-2/5 vs; thence N. 66 deg 24' W. 67-3/5 vs. Thence N. 51 deg W. 91 vs. a cherry tree 14 in. dia.

mkd X brs S. 13 deg W. 8-2/5 vs. a do 8 in. mkd. X brs. N. 71½ deg E. 1-1/2 vs. thence N. 73-1/2 deg W. 63-1/2 vs. Thence S. 64 deg 12' W. 185-3/5 vrs. Thence S. 45 deg W. 273-2/5 vs to a cedar tree blazed S. 62-3/4 W. 60 vs. Thence N. 84 deg W. 82-3/5 vs. to an elm 24 in. dia. Thence N. 68-3/4 W. 60 vs. Thence N. 39 deg 12' W. 81-7/10 vs. Thence N. 81 deg 19' W. Cross the west line of the said 508-1/4 acre tract and E. line of Walden's tract.

To haveand to hold the above described premises together with all and singular the rights and appurtenances thereto in anywise belonging unto the said A.S. Walker, County Judge Travis County, Texas, and his successors in office for the purpose of a public road, reserving however the right to the timber on said strip or road, and should said strip be discontinued at any time as a public road, then the same shall revert to us. We do hereby bind ourselves, our heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said A.S.Walker County Judge Travis County, Texas,and his successors in office against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness our hands at Austin, Texas, this 21st day of February, A.D. 1900.

(Sgd) J. W. Rutledge
J. W. Beard

Acknowledgment, Statutory by J.W. Rutledge and J.W. Beard, 21st Febry 1900, before Wm. von Rosenberg, Jr. N.P. Travis County, Texas.

J. G. Burney et ux
To
Walter L. Davis

Special Warranty Deed
Dated February 24, 1900
Filed February 24, 1900
Recorded in Book 160 page 24
Travis County Deed Records
50 cts. U.S.Int. Rev. Stamps Canc.

Exhibit

The State of Texas #
County of Travis #

Know all men by these presents: that we, J.G. Burney and Mary A. Burney, his wife, of the County of Travis, and State of Texas, in consideration of the sum of $150 paid and secured to be paid as follows: $25. cash in hand paid, the receipt of which is hereby acknowledged and one certain principal promissory note for $125 executed in my favor of even date herewith, bearing interest at the rate of 8% per annum and payable on or before Nov. 15th, 1900, And it is expressly agreed that the vendors lien is retained against the following described property, premises and improvements until the above described notes and all interest thereon is fully paid when this deed shall become absolute, have granted, sold and conveyed and by these presents do grant, sell, and convey unto Walter L. Davis of the County of Travis, and State of Texas, all that certain lot, tract or parcel of land situate lying and being in the County of Travis, in the State of Texas, and more particularly described as follows: A part of the T.J. Chambers grant and lying and being out of the S.E. corner of what is known as R.G. Compton survey; about 7 miles N.W. from the City of Austin, and more particularly described by metes and bounds as follows: Beginning at the S.W. corner of the Geo. W. Davis survey, the same being the S.E. corner of the R.G. Compton survey, thence N. 30 deg E. 1119 vrs for corner, thence N. 60 deg W. 504 5/10 vrs for corner, thence S. 60 deg W. 1119 vrs. to S. line of R.G. Compton survey, thence S. 60 deg E. with south line of said Compton and the North line of 147 acres surveyed for Alfred Glenn 1119 vrs. to the place of beginning, containing 100 acres more or less.

To have and to hold &c &c (warrants title "by, through or under me").

(Sgd) J.G. Burney
Mary A. Burney

Acknowledgment, Statutory by J.G. Burney and wife Mary A. Burney 24 Feb. 1900 before Guy A. Collett, Notary Public, Travis County Texas.

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J.G. Burney
To
Ira C. Ives Exhibit

Special Warranty Deed
Dated June 29, 1899
Filed June 29, 1899
Recorded in Book 154, page 555
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents; that I, J.G. Burney of the County of Travis and State of Texas in consideration of the sum of $820 paid and secured to be paid as follows: $370 cash in hand paid, the receipt of which is hereby acknowledged and the receipt of four certain promissory not made and executed to me by Ira C. Ives of Travis County, State of Texas, as follows #1 for $100; #2 for $100; #3 for $100. #4 for $150. Said notes become due and payable Jan. 1st, 1901, 1902, 1903 & 1904 respectively, and bear 8% interest payable semi annual ly; interest to begin from date of said notes, have granted, sold and conveyed and by these presents do grant, sell and convey unto the said Ira C. Ives of the County of Travis and State of Texas all that certain lot, tract or parcel of land situate lying and be ing in the County of Travis, in the State of Texas, and more par- ticularly described as follows: Beginning at a stone md in the Dry Creek Road 203 vs West and 54-3/10 vs. S7 deg W from the NW corne: of the Jno. Hancock 277 acre tract a part of said Chambers grant from which a cedar 6" in dia. mkd X brs N 53½ W 8-7/10 vs. cedar mkd X brs S 66-3/4 deg W 19-3/10 vs. thence W. 733 vs to the intersection of the James Jett East line for corner (now submerg- ed) Thence S with the E. line of the James Jett and the W. line of the Chambers Grant 500 vs. to the nS.E. corner of the James Jett and the SW corner of the Chambers Grant at the mouth of Bull Creek; thence N. 42 deg 24' E, to a stake on the shore of Lake McDona;d thence down and along said shore S. 61½ E. 80 vs. S. 5-3/4 deg E. 59 vs. S. 46 deg E. 40 vs. S. 5½ deg E. 24 vs. S. 54½ deg E. 84 vs. N. 85-3/4 deg E. 25 vs. S. 65-1/4 deg E. 94 vs. S. 19-3/4 deg E. 40 vs S 38-3/4 deg E 150 vs. and S. 20 deg 13' E. 396 vs to a stone md on high bluff shore; thence N. 49 deg E. 212 vs. stone md in Dry Creek road; thence with said road N 47½ deg W 102--- N 24 deg W 91 vs. N. 11-3/4 E. 116-3/5 vs. N. 39 deg E. 122 vs. N. 30½ W. 218-2/5 and N 4 deg W 420 vs to the place of beginning, containing 100 acres of land, more or less. But it is expressly agreed and stipulated that the vendors lien is retained against the above described property premises and im- provements until the above described notes and all interest and attorneys fees thereon are fully paid, according to their face and tenor, effect and reading when this deed shall become absolute.

To have and to hold &c (warrants title "by through or under me").

(Sgd) J.G. Burney

Acknowledgment, Statutory by J.G. Burney, 29 June 1899 before F.H. Raymond, N.P., Travis County, Texas.

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J. G. Burney Exhibit Warranty Deed
To Dated April 27, 1900
Travis County Filed April 28, 1900
Recorded in Book 163, page 297
Travis County Deed Records.

CONVEYS: Unto A.S.Walker Jr. County Judge of Travis County and his successors in office for the use and benefit of said Travis County in said State of Texas, all that certain strip of land 40 feet wide situated in Travis County, State of Texas, and being a part of and extending from the J.H. Walden west line being also an East line of a certain tract of land conveyed to me by W.C. Belcher by deed dated 7th day of June, 1899, which said deed is of record in the records of deeds of Travis County, Texas, in record Book #152 page 183, which said tract of land so conveyed to me contains in all 1200 acres of land, more or less and being a part of the T.J. Chambers grant and 277 acres in the name of John Hancock included therein, situated in Travis County, Texas, said strip extendingfrom said Walden line to the Mt. Bonnel Road on he aforesaid land. The above described deed is hereby made a part hereof for full and better description of said tract of land of which said strip is a part and said strip is more particularly described as follows: Beginning for center line of said strip at a point in the west line of the J.H. Walden tract and one of the East lines of this 1200 acre tract, said point being in the center of a 40 foot strip ending on the said line and this day conveyed to Travis County, Texas, by said Walden for public road and the strip herein conveyed is to be the continuation of said public road and for the purpose of fixing the beginning point of the center line of this strip herein conveyed reference is here made to the said deed this day executed and delivered by J.H. Walden to Travis County, Texas (using an allowance of 8 deg 15' East for all lines and bearings; thence N. 47deg 35' W. 96 vs. a drain 105-1/2 vs. stake; thence S. 25 deg 14' W. 71 1/10 vs. Thence S. 50 deg 12' W. pass 6 mile stone at 64 vs. 179 vs. stake; thence N. 84 deg 02' W. 58-4/5 vs; thence N. 49 deg 10' W. 44-2/5 vs; thence N. 28 deg 43' W. 165-1/10 vs. L.O. 18 in dia. mkd X brs S 72 deg 20' W 25-2/5 vs. thence leaving the old road S. 85¼ W. 244-3/5 vs to a point in the center of the Mt. Bonnel Road 1/2 vara S. 46 deg E. from a cedar stump & where a cedar 5 in dia brs N. 31-3/4 E. 9-3/5 vs. mkd X.

To have and to hold &c

Witness my hand at Austin, Texas, this 27th day of April, A.D. 1900.

(Sgd) J.G. Burney

Acknowledgment, Statutory by J.G. Burney, 27 April 1900 before Wm. von Rosenberg, N.P. Travis County, Texas.

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J.G. Burney
To
A. C.Champion

Special Warranty Deed
Dated August 18, 1902
Filed Dec. 31, 1902
Recorded in Book 183, page 135
Travis County Deed Records

EXHIBIT

CONVEYS: All that certain parcel or tract of land out of the Thos J. Chambers grant on Bull Creek about 8 mi. North West of the City of Austin, described as follows: Beginning at a stone mound in Bull Creek road about 70 vrs south of the south end of the cut in said road under Cat Mountain from which a cedar tree 6" in diameter bears N. 53½ W. 8-7/10 vrs. do S 66 3/4 W. 19-3/10 vrs. the same being the N.E. corner of a tract conveyed to Ira C Ives by J.G. Burney on June 28th, 1899. thence West 733 vrs to the intersection of the East line of the James Jett survey the same being the west line of the Chambers grant and also the West line of Jno. Hancock 277 acres tract out of said grant. Thence up Bull Creek with the meanders of same to the intersection of of the East line of the E. Williams survey. Thence North with said line to the intersection of Bull Creek road. And thence with the meanders of said road in an Easterly direc ion in Crescent shape to the place of beginning, containing about 20 acres of land more or less. Also a triangular tract out of said Chambers grant on the West side of Bull Creek East of A.C. Champions field and North of the E. Williams survey containing 3 acres more or less.

J.G. Burney
To
F. Boatright

Special Warranty Deed
Dated December 27, 1906
Filed: February 11, 1909
Recorded in Book 215, pages 284-5
Travis County Deed Records.

Exhibit

Conveys: All that certain lot, tract or parcel of land situate, lying and being in the County of Travis in the State of Texas, and more particularly described as follows: A part of a tract of land of 201 3/10 acres out of the T.J. Chambers grant in Travis Co., situated on Dry Creek about 7 miles N.W. of the City of Austin. The land herein conveyed being all that portion of said 201 3/10 acre tract lying west of Dry Creek and south of the Bull Creek road triangular in shape and containing about 25 acres more or less. And for a more particular description of said triangular tract reference is here made to Deed by which said 201 3/10 acres was conveyed to J.G. Burney by J.H. Walden and Mary Walden his wife recorded in Deed Records of Travis Co. in Vol. 168, page 278 of same.

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J. G. Burney

To

Jewel P. Lightfoot

EXHIBIT

Quit Claim Deed
Dated June 10, 1914
Filed July 28, 1914
Recorded in Book 267, page 467
Travis County Deed Records.

CONVEYS: All that certain tract or parcel of land towit: A part of the Thomas J. Chambers 8 league grant of land in Travis County Texas, described as follows towit: Beginning at the common corner of the Thomas J. Chambers and James Jett surveys on the east margin of the Colorado River at a point 2 varas above the mouth of Bull Creek, thence down the original margin of said river S. 63 1/4 E to a point thereon which is S. 38 deg 25' W. from the lower corner of a 30 acre tract conveyed by Max J. Vrueggermann et al to Jewel P. Lightfoot by deed dated April 1st, 1914. Thence N. 38 deg 25' E. to the shore line of Old Lake McDonald. Thence in a Northwesternly direction with the meanders of the shore line of Ole Lake McDonald to a point for corner. Thence S. 42 deg 24' W. to the place of beginning.

J.G. Burney
To
Joseph Stumpf &
Louis Marcuse

Exhibit

Warranty Deed
Dated September 26, 1901
Filed September 26, 1901
Recorded in Book 172, page 347
Travis County Deed Records

CONVEYS: All that certain parcel or tract of land out of the Thos. J. Chambers grant containing one hundred and forty seven acres of land and situated on the waters of Dry Creek in Travis County about 6 miles N.W. of the City of Austin, and more particularly described by metes and bounds as follows: Beginning at the N.W. corner of a 508 1/4 acre tract owned by J.W. Beard & J.W. Rutledge near Cotton Wood Spring at the Head of Dry Creei . Thence N. 61 1/4 W. 84 6/10 vrs. to stone mound for corner. Thence N 30 E. 95 vrs to stone mound in south line of Geo. W.Davis survey for corner.Thence N. 60 deg W. with south line of Geo. W. Davis at 847 4/10 vrs. passing S.W. corner of said survey 1264 vrs. to stone mound on bluff for corner. Thence S. 28 3/4 W. 622 vrs to corner (a stone mound). Thence S. 60 E. 1348 vrs. to the intersection of Beard and Rutledge N.W. line. Thence N. 28 3/4 E. with said line 527 vrs to the place of beginning, containing 147 acres of land more or less out of portion of tract of 1872 acres conveyed by Deed from Susan E. Hancock to W.C. Belcher Aug. 9, 1898 and recorded in Deed Records of Travis Co. Book #153, pp. 316 & 317, and conveyed by said W.C. Belcher to J.G. Burney by deed dated June 7" 1899 and recorded in Deed records of Travis Co. in Book #152, pp. 183.

counter 49260

J. G. Burney
To
Mrs. Nancy Jones

Special Warranty Deed
Dated July 24, 1900
Filed January 2, 1902
Recorded in Book 172, page 478
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents that I, J.G. Burney of the County of Travis, State of Texas for and in consideration of the sum of $50. to me in hand paid, the receipt of which is hereby acknowledged, have granted, sold and conveyed and by these presents do grant, sell and convey unto Mrs. Nancy Jones of the County of Travis, and State of Texas, all that certain tract or parcel of land lying and being situated in Travis County, State of Texas, on the Waters of Bull Creek about 9 miles N.W. of the City of Austin, more particularly described by metes and bounds as follows: Beginning at the N.E. corner of a 100 acre tract in the name of E. Williams now owned by heirs of Gen. W.H. Mabry a stone mound from which a large cedar stump bears N. 5 vrs. and L.O. N. 88-1/2 deg E. 15 vrs. Thence N. 9 deg E. 672 vrs. to N.E. corner of James Jett survey a stone mound from which a L.O. bears N. 11½ deg W. 35 vrs. Thence S. 45 deg W, with the west line of the Chambers league 726 vrs to the intersection of Channel or Bull Creek. Thence in a southerly direction with the middle of the Channel of said Creek 144 vrs. to the intersection of the N. line of aforesaid E. Williams survey. Thence with said line E. 324 vrs to the place of beginning, containing 35 acres of land.

To have and to hold &c (by, through or under me."

Witness my hand at Austin, Texas, this the 24th day of July A.D. 1900.

(Sgd) J.G. Burney

Acknowledgment, Statutory by J.G. Burney, 24th July A.D. 1900, before Guy A.Collett, N.P. Travis County, Texas.

Memo: In Cause No. 2881", in District Court, Travis County, Texas, T.H. Davis , Receiver of Union Trust Co. vs. J.G. Burney, said Receiver seeks an endorcement of contract, by which deft. agreed to convey 2000 acres of land, in Travis County, Texas, fronting Colorado River, about 15 miles above Austin; said Cause is consolidated with Cause No. 29735, in said Court, and therein Judgment is rendered for deft. same is appealed to Supreme Court and Judgment affirmed.

Abstractor.

counter 49261

James G. Burney
To
M.C. Jeffrey

Deed of Trust
Dated January 27, 1919
Filed: March 5, 1919
Recorded in Book 310, pages 298-301
Records of Travis County, Texas
Consideration: $10 debt & trust

CONVEYS: All of the following described real estate, lying and being situated in the County of Caldwell & Travis, in the State of Texas, te-wit: First Tract: 2000 acres out of the Chambers League in Travis Co., conveyed to me by W.C.Belcher et al by deeds recorded in Vol. 152, page 183, Vol. 168, page 278, Vol. 161, page 496, deed records of Travis Co. to which reference is here made for a better description of said lands (and other property)
IN TRUST: To secure payment of one certain promissory note of even date herewith for the sum of $59,293.79, bearing 8% int. payable May 1st, 1919, payable to Lockhart State Bank, and to secure and protect Lockhart State Bank endorser on note executed by J.G. Burney, to Commonwealth Bank Trust Co. of San Antonio, Texas, aggregating $15,000 bearing interest after maturity. And whereas, it is contemplated that said J.G. Burney may hereafter become indebted unto said party of the third part in further sum or sums, which said indebtedness now accrued or to accrue in future it is agreed shall all be payable at Lockhart, Tex. and bear interest at the rate of 8% per annum, from date of accrual until paid, by whater means the same shall accrue and this conveyance is made for the security and enforcement of the payment of said present and future indebtedness. Provides for payment of taxes, and for insurance &c. &c. Recites: It is further agreed and stipulated that the security herein and hereby provided shall not affect, nor be affected by any other or further security taken or to be taken for the same indebtedness, or any part thereof; and the said party of the first part hereby declare that the property hereinbefore mentioned and conveyed to said party of the second part forms no part of any property by me owned, used, or claimed, as exempted from forced sale under thelaws of the State of Texas, and disclaim and renounce all and every claim thereto under any such law or laws, and hereby designate the following described property, to-wit: Property heretofore designated by instrument recorded in Vol. -- page -- deed records of Caldwell Co. Tex. as -- homestead, and as constituting all the property (of nature similar to that herein conveyed owned used or claimed by -- as exempt under said laws.
"Power of sale in case of default after 20 days notice &c &c
(Sgd) J.G. Burney

Acknowledgment, Statutory by J.G. Burney, Jan. 27, 1919, before H.W. Fielder, Notary Public, Caldwell Co., Texas.

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counter 49262

M. C. Jeffrey, Trustee
To
J.G. Burney

Release
Dated March 15, 1920
Filed March 16, 1920
Recorded in Book 317, pages 449-50
Travis County Deed Records

The State of Texas #
County of Caldwell # Whereas, on the 27th day of January, A.D. 1919, J.G. Burney of the County of Caldwell State of Texas, did execute, acknowledge and deliver to M.C. Jeffrey, Trustee for benefit of The Lockhart State Bank of the County of Caldwell, State of Texas, a certain deed of trust on the following described real estate, situate, lying and being in the County of Travis, in said State of Texas, to-wit: 2000 acres out of the Chambers League in Travis County, theretofore conveyed to him by W.C.Belcher et al by deeds recorded in Vol. 152, page 185 Vol. 168 page 278, and Vol. 161, page 496, of deed records of Travis Co. to which reference is made for a more particular and better description of said land, to secure the prompt payment of one certain promissory note executed by the said J.G. Burney and payable to the order of Lockhart State Bank as follows: One note for $59293.79 due first day of May A.D. 1919 also to secure and protect Lockhart State Bank as endorser on note executed by J.G. Burney to Commonwealth Bank & Trust Co. of San Antonio, Tex. for $15000. 00 with interest after maturity, and bearing interest from maturity at the rate of 8 per cent per annum. And whereas said notes with accrued interest thereon have been fully paid to Lockhart State Bank the legal and equitable holder and owner of such notes, now therefore, know all men by these presents that we, M.C. Jeffrey Trustee and Lockhart State Bank by A.J. Storey Cashier, of Caldwell County, State of Texas, in consideration of the premises and of the full and final payment of said notes, the receipt of which is hereby acknowledged have this day and do by these presents release, discharge, and quitclaim unto the said J.G. Burney his heirs or assigns all the right, title, interest and estate in and to the property above described which we have or may be entitled to by virtue of said Deed of Trust and do hereby declare the same fully released and discharged from any and all liens created by virtue of said deed of trust above mentioned.

Witness our hands this 15 day of March, A.D. 1920.

M. C. Jeffrey -------
Lockhart State Bank
By A. J. Storey, Cashier

Acknowledgment, Statutory: by M.C. Jeffrey, Trustee, and in the capacity therein set forth Mch 15, 1920, before J.S. Davis, Clerk District Court, of Hays County, Texas, by J.C. McBee, Deputy.

The State of Texas #
County of Caldwell # Before me, Roy T. Clark ---- of the County of Caldwell in the State of Texas on this day personally appeared A.J. Storey, Cashier of the Corporation of

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Lockhart State Bank 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 set forth.

Given under my hand and seal of office, this 15th day of March, A.D. 1920.

Roy T. Clark, Notary Public
Caldwell Co., Tex.

(Notary Seal)

J. G. Burney

To

D. B.Gracy, Trustee
for C. Wendlandt

Deed of Trust
Dated March 25, 1920
Filed April 6, 1920
Recorded in Book 311, pages 403-5
Records of Travis County Texas
Consideration: $1.00 Debt & Trust

CONVEYS: The following described property: First Tract. 1460.42 acres in Travis County, Texas, described as follows: Beginning at the most northern corner of a 100 acre tract sold by J.G. Burney to Walter Davis as per deed recorded in Volume 160 page 24, deed records of Travis County, a stone md at a corner of the pasture fence, thence S. 60 E. with fence on N. line of said 100 acre tract 176 vs. to a stone md. from which a cedar brs. S. 60 E. 3 vrs. and a cedar brs. N. 60 W. 5½ vs; thence N. 30 E. 480- -- to an old stone md. on the S. line of the Jas. Mitchell league from which an X in a solid stone brs. W. 4 vrs; thence N. 60 W. at 527 vs an old stone md on high bluff at 1351 vs. another old stone md. on high bluff next to Bull Creek at 1639 vs. an old stone md N. slope of a high point; thence S. 30 W. 1714 vs to a stone md on W. face of a mountain at the intersection of the N.W. line of the T.J. Chambers league; thence S. 45 W 220 vrs. with the Chambers line to the N.E. corner of the James Jett survey; thence S. 8 W. 672 vs to a stone md on the N. line of the E. Williams tract. Thence E. along the Williams line 10 vs to his N.E. corner; thence along the E. line of the Williams tract S. 0 deg 15' E. 526 vs to Bull Creek road; Thence along said Bull Creek road with the meanders thereof as follows towit: S. 33 deg 37' E. 74 vs. S. 75 deg 12' E. 41 vs. S. 51¼ E. 104 vs. S. 76 3/4 E 31 vs. S. 28½ E. 57 vs. S. 19 deg 19' E. 152 vs. S. 11 deg 23' E. 156 vs. S. 51½1/4 deg W. 45 vs. S. 8-1/4 W. 47 vs. S. 53½ W. 32½ vs. S. 37¼ W. 49 vs. S. 43 W. 50 vs. S. 64 W. 228 vs to a point from which the N.W. corner of the Cooper tract bears S. 6 deg 27' W. 61 vs. Thence S. 3 deg 33' W. 471 vs. S. 26 deg 42' E. 109 vs. S. 36 deg 9' E. 116 vs. S. 36½ W. 118 vs. S. 15 W. 106 vs. S. 12 deg 9' E. 89 vs to a point from which Mt. Bonnell brs. S. 19 deg 4' E. a Live Oak marked X bears N. 8

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deg 7' W. 50 vs. Thence S. 39½ E. 87vs. S. 46 E 118 vs with old road to Brueggerman-- N.E. corner; thence S. 49 W. with his E line 30 vs to a point in new road, thence with road S. 53 E. 214 vs. S. 40½ E. 180 vs. S. 81½ E. 60 vs. N. 85½ E. 160 vs. S. 28-3/4 E. 165 vs. S. 49-1/4 E. 44 vs. S. 84 E. 59 vs. N. 50 1/4 E. 179 vs. N. 25-1/4 E. 71 vs. N. 47-1/2 E. 153 vs. Mrs. Robinson corner N. 17-3/4 E. 120 vs. N. 45 E. 77 vs. N. 60 1/2 E. 78 vs N. 65 1/ 4 E. 118 vs. S. 62 E. 123 vs. N. 82 E. 138 vs. N. 40 3/4 E. 250 vs. N. 82 1/2 E. 100 vs. S. 70 E. 78 vs. S. 81-1/4 E. 15 vs. to intersection of road with E. line of the the John Walden 201 acre tract for corner, thence N. 28 deg 43' E. at 10 vs. cross Dry Creek at 50 vs. pass an old stone md for the original N.E. corner of said 201 acre tract at 1240--- to S.E. corner of a 147 acre tract sold to Jos. Strimpf by J.G. Burney, thence N. 60 W. with fence on S. line of said 147 acre tract 1348 vs. to S.W. corner of same, thence N. 28 deg 45' E. 622 vs. to corner on S. line of the Walter Davis 100 acre tract, thence N 60 W. along the S. line of Davis tract 88 vs to his SW corner, thence N. 30 E. with the W. line of the Davis 100 acre tract 1119 vs. to the beginning. Second Tract. All of of the Thomas J. Chambers Grant in Travis County, Texas, Abstract No. 7 owned by me and between the Bull Creek road and the Colorado River and a part of the tract conveyed by Susan E. Hancock to W.C. Belcher by deed dated August 1898, and recorded in Book 153, page 316, of the Deed records of Travis County, Texas, all improvements on the above described property are also herein and hereby conveyed. IN TRUST: To secure payment of one certain promissory note bearing even date herewith for the sum of $5000. payable to the order of C. Wendlandt, in Austin, Texas, 5 years after date, with the privilege of paying $1000.00 or any multiple thereof on the principal on said note at any interest paying date prior to maturity of said note after giving 60 days written notice, bears interest from date until paid at the rate of 8% per annum, payable annually, provides for 10% attys fees &c and for maturity clause &c Power of sale after legal notice &c. I hereby state and declare that the property herin conveyed forms no part of my homestead and is not used, claimed or enjoyed by me as such my homestead being 1702 Congress Avenue in the City of Austin, Travis County Texas, part of Outlot No. 44, in Division E, in the said City and I hereby state and declare that me said homestead is in the said Outlot No. 44, I understand that the said C. Wnedlnadt is relying on this statement in making the above mentioned loan to me.

Witness my hand this the 25th day of March A.D. 1920.

(Sgd) J.G. Burney

Acknowledgment, Statutory by J.G. Burney, April 5, 1920, before Jno. A. Gracy, Notary Public, Travis County, Texas.

counter 19265

J. G. Burney et ux
To
M. J. Terry, Trustee
for Lockhart State Bank

Deed of Trust
Dated February 14, 1921
Filed February 21, 1921
Recorded in Book 325, pages 319-23
Records of Travis County, Texas.
Consideration: $10. Debt & Trust

CONVEYS: All of the following described real estate, lying and being situated in the County of Caldwell, in theState of Texas, towit and in County of Travis, Texas. (Describes among other property) Fourth Tract. Situated in Travis County, Texas, being the land conveyed by W.C. Belcher to J.G. Burney June 7, 1899 by deed recorded in Vol. 152, page 183 of deed records Travis County, Texas. Begins &c. (field notes same as in Fourth Tract in Deed of Trust recorded in Vol.341, page 299, Records of Travis County, Texas) containing 1200 acres being out of T.J. Chambers grant and includes herein the 277 acres at the mouth of Bull Creek in name of Jno. Hancock. Fifth Tract. Being the tract situated in Travis Co., Texas, conveyed by Josiah Fisk to J.G. Burney, June 25, 1900 by deed recorded in Vol. 161, page- 496-7 deed records of Travis County, Texas, being out of the T.J. Chambers 7 league grant about 8 miles N.W. Austin being all of what is known as the Robt. Compton Survey except 41 acres conveyed to Jas. Wall out of the N.E. corner. Begins &c. (field notes same as in Fifth Tract in Deed of trust recorded in Vol. 341, page 299 Records of Travis County, Texas) containing 559 acres. This deed of trust is given for the purpose of taking up and extending the time of payment of those notes described in deed of trust executed by J.G. Burney to M.C. Jeffrey trustee dated Jany 27, 1919, Book 310, page - 298-301 deed records of Travis Co., Texas, and the notes described in a second deed of trust executed by J.G. Burney to Roy T. Clark trustee, dated June 16, 1920 and recorded in Vol. V, page - 433-5 deed records, Caldwell County, Texas together with all improvements thereon, or hereafter to be placed thereon and all and singular the rights and appurtenances to the same belonging or in anywise incident or appertaining.
In Trust, Whereas J.G. Burney the said party of the first part is justly indebted to Lockhart State Bank party of the third part herein as evidenced by certain promissory notes executed by the said party of the first part, and payable to the order of the said party of the third part, as follows, towit: One note for $22,359.08 due Aug. 15, 1921 bearing interest from maturity at 10% One note for $16,390.92 due Aug. 15, 1921 bearing interest from date at 10%. Four notes endorsed by J.G. Burney to Lockhart State Bank as follows: One note for $500 executed by G.L. Ward dated Nov. 25, 1920 due Aug. 15, 1921, bearing 10% interest from date. One note for $1065.00 dated Jan. 29, 1921, due Sept. 1, 1921, executed by Carl Strawn, payable to J.G. Burney, One note for $175 executed by T.F.Etheridge payable to J.G. Burney dated Feb. 14, 1921, due Aug. 15, 1921 bearing 10% interest from date. One note for $500 executed by W.S. and Annie Powell payable to J.G. Burney dated Feb. 14, 1921 due Aug. 15, 1921 bearing 10% from date.

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All of said notes providing usual 10-- attorneys fees. And to secure said J.G. Burneys indebtedness in the form of bills of Exchange in the aggregate sum of $17,567.78 with interest thereon at 10% said interest being charged up to bills of exchange on the 28th day of each month. All of said indebtednessbeing payable at Lockhart, Texas, at the office of Lockhart State Bank. and whereas, it is contemplated that said J.G. Burney may hereafter become indebted unto said party of the third part in further sum or sums, which said indebtedness now accrued or to accure in future it is agreed shall all be payable at Lockhart, Texas and bear interest at the rate of 8% per annum from date of accrual until paid, by whatever means the same shall accrue and this conveyance is made for the security and enforcement of the payment of said present and future indebtedness.
Power of sale in case of default &c &c
Appointment of substitute trustee &c
Payment of taxes, insurance & c

It is further agreed and stipulated that the security herein and hereby provided shall not affect, nor be affected by any other or further security taken or to be taken for the same indebtedness, or any part thereof; and the said party of the first part hereby declare that the property hereinbefore mentioned and conveyed to said party of the second part forms no part of any property by me owned, used or claimed as exempted from forced sale under the laws of the State of Texas and disclaim and renounce all and every claim thereto under any such law or laws and hereby designate the following described property towit: 250 acres of land out of the Moore and Warnell Surveys in Caldwell and Bastrop Counties being Block #16 out of the Joseph D. Sayers Ranch fully described by metes and bounds in a designation of Homestead executed by J.G. and Mary A. Burney which designation is duly recorded in deed records of Caldwell County, Texas, Volume 72 page 501 deed records of said County, to which reference is here made for a better description of said homestead, as my homestead and as constituting all the property (of nature similar to that herein conveyed) owned, used or claimed by me as exempt under said laws.

J.G. Burney
Mary A. Burney

The State of Texas #
County of Caldwell# Before me, the undersigned authority in and for said County and State, on this day personally appeared J.G. Burney 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.

Given under my hand and seal of office this 14th day of Feby A.D. 1921.

H.W. Fielder Notary Public
Caldwell Co., Texas.

(Notary Seal)

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The State of Texas #
County of Caldwell # Before me, the undersigned authority in and for said County and State on this day personally appeared Mary A. Burney, wife of J.G. Burney known to me to be the person whose name is subscribed to the foregoing instrument and having been examined by me privily and apart from her husband and having the same fully explained to her, she, the said Mary A. Burney acknowledged said instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

Given under my hand and seal of office this 14th day of Feby 1921.

A.H. Gomillion Notary Public
Caldwell Co., Tex.

(Notary Seal)

J.G. Burney et ux

To

M. J. Terry, Trustee for Lockhart State Bank

Deed of Trust
Dated November 1, 1922
Filed December 8, 1922
Recorded in Vol. 341 pages 299-304
Records of Travis County, Texas
Consideration: $10. Debt & Trust

CONVEYS: All of the following described real estate, lying and being situated in the County of Bastrop, Caldwell & Travis Counties, in the State of Texas, to-wit: (Describes among other property) Fourth Tract: Situated in Travis County, Texas, being the land conveyed by W.C. Belcher to J.G. Burney, June 7, 1899 by deed recorded in Vol. 152, pages 183 of deed records of Travis County, Texas. Begins at a point on the N.W. line of T.J. Chambers grant most Northerly corner of a 99 acre tract conveyed by Jno. Hancock et al to E.W. Williams, a cedar 6 in. in dia. bears S. 47 E. 7 vrs. do brs S 4 in. Thence N. 45 E. 2184 vrs to most Northerly corner of R.G. Compton survey. Thence S. 60 E. 1973 vrs. to most Easterly corner of same; thence S. 60 W. 1831 vrs to W. corner of Geo. W. Davis Survey; thence S. 60 E. with south line Davis Sur. 932 vrs. to corner. Thence S. 28 3/4 deg W. 1811.8 vrs. to Jno. W. Walden's N.E. corner of 201 acre tract. Thence S. 28 3/4 deg W. 631.3 vrs. to the S.W. corner of same. Thence S. 26-1/4 deg E. to most Easterly corner of Jno. Hancock 277 acre tract. Thence S. 66 W. 775 vrs to an elm in North bank of Colorado River marked L, lower S.E. corner of 277 acre tract. Thence up river to mouth of Bull Creek; thence with west boundary of J.T. Chambers grant passing N.W. corner of 277 acre tract to S.W.

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corner of 15 3/4 acres conveyed by Hancock to A.C. Compton, Thence up middle of Bull Creek to intersection East line of E. Williams tract. Thence with East line of E. Williams --- 606 vrs. to N.W. corner of same, Thence West with North line of E. Williams survey 496 vrs. to beginning containing 1200 acres being out of the T.J. Chambers grant and includes herein the 277 acres at the Mouth of Bull Creek in name of Jno. Hancock.

Fifth Tract. Situated in Travis County, Texas and conveyed by Josiah Fisk to J.G. Burney June 25, 1900 by deed recorded in Vol 161 pages 496-7 deed records of Travis County, Texas and being out of the T.J. Chambers 7 league grant aboutb8 miles N.W. of Austin being all of what is known as the Robt. Compton survey except 41 acres conveyed to Jas. Wall out of the N.E. corner. Begins at the S.W. corner of Geo. W. Davis tract a stone mound from which a P.O. bears S. 10 W. 3 vrs. Thence N. 30 E. with Davis West line 1119 vrs to the S.E. corner of 41 acre tract. Thence N. 60 W. 330 vrs to the S.W. corner of 41 acre tract. Thence N. 30 E. to intersection of James Mitchell line to N.W. corner of 41 acre tract. Thence N. 60 W. with Mitchell south line passing S.W. corner 1643 vrs to the N.E. corner of Wm. H. Bell; Thence S. 30 W. 1831 vrs to S.W. corner; Thence S. 60 E. 1973 varas to beginning, containing 559 acres. Save and except such tracts as heretofore been sold by J.G. Burney out of the above tracts #4 and 5. The last four tracts above described being the same land that was conveyed by J.G. Burney and Mary Burney to M.J. Terry trustee for Lockhart State Bank by trust deed dated Feb. 14, 1921 and recorded in Vol W, page- 206-11 trust deed records of Caldwell County and it is hereby expressly agreed that the Lockhart State Bank shall be subroga ed to all the rights and remedies set out in said deed of trust this instrument being intended as an extension of the indebtedness described therein.

IN TRUST: Whereas, J.G. Burney the ssid party of the firstpart is justly indebted to Lockhart State Bank party of the third part herein as evidenced by 7 certain promissory notes executed by the said party of the first part and payable to the order of the said party of the third part as follows, to-wit: All of even date herewith and No. 1 being for $2000 due one year, No. 2 for $2100.0 due in two years, No. 3 for $2200.00 due in three years, No. 4 for $2300.00 due in four years, No. 5 for $2400.00 due in 5 years and No. 6 for $2500.00 due in six years and No. 7 for $3500.00 due in seven years, all of said notes bearing 7% interest from date and providing that in case of deffult in payment of any note or any installment of interest thereon shall at the option of the holder thereof mature all of said notes and providing for 10% attorneys fees if placed in the hands of an attorney for collection after maturity, or if suit is brought thereon or same is collected through the probate courts. Said notes being given in lieu of and as an extension of the balance due on notes described in deed of trust executed by us Feb. 14, 1921, recorded in Vol. W page- 206-11 deed-- trust records, Caldwell Co., Texas.

counter 49269

Power of sale in case of default after 20 days notice in Caldwell County, Texas &c &c
Appointment of substitute trustee &c &c
Payment of taxes, insurance &c &c

It is further agreed and stipulated that the security herein and hereby provided shall not affect nor be affected by any other or further security taken or to be taken for the same indebtedness or any part thereof; and the saidparty oftye first part hereby declare that the property hereinbefore mentioned and conveyed to said party of the second part forms no part of any property by us owned, used or claimed as exempt from forced sale under the laws of the State of Texas and disclaim and renounce all and every claim thereto under any such law or laws, and hereby designate the following described property, towit: 250 acres of land out of the Moore and Warnell surveys in Bastrop County being Block #16 out of the Joseph D. Sayers Ranch fully described by metes and bounds in a designation of homestead executed by J.G. & Mary A. Burney, duly recorded in Deed Records of Caldwell County, Texas, Vol. 72, page 501 to which record reference is here made for a better description on which we now live and occupy, as our homestead and as constituting all the property (of nature similar to that herein conveyed) owned, used or claimed by us as exempt under said laws.

J.G. Burney Mary A. Burney

The State of Texas #
County of Caldwell Before me, the undersigned authority in and for said County and State, on this day personally appeared J.G. Burney 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.

Given under my hand and seal of office this 16th day of November, 1922.

G.W. Mills Notary Public
(Notary Seal) Caldwell Co., Texas.

The State of Texas #
County ofCaldwell # Before me, the undersigned authority in and for said County and State, on this day personally appeared Mary A. Burney wife of J.G. Burney, known to me to be the person whose name is subscribed to the foregoing instrument and having been examined by me privily and apart from her husband and having the same fully explained to her she the said Mary A. Burney acknowledged said instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

Given under my hand and seal of office this 16th day of November, 1922.

G.W. Mills Notary Public
(Notary Seal) Caldwell County, Texas.

counter 49270

C. Wendlandt
To
J. G. Burney

Release
Dated January 30, 1928
Filed January 30, 1928
Recorded in Vol. 413, page 283
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That I, C. Wendlandt, hereby acknowledge payment in full by J.G. Burney, of the One (1) note for Five Thousand and 00/100 Dollars, and interest described in deed of trust executed by J.G. Burney to D.B. Gracy, Trustee the 25th day of March 1920 and recorded in Book 311, pages 403-405, Records of Travis County, Texas, being the legal holder and owner of the same, and I do hereby release and acquit to J.G. Burney his heirs and assigns, the property described in said instrument, viz: Fourteen Hundred Sixty and 42/100 acres of land, more or less, in Travis County, Texas, parts of the Thos. J. Chambers 8 League Grant and what is known as the Robert Compton Survey, free from all lien created by reason of said note or the instrument above mentioned.
Witness my hand at Austin, Texas, this 30th day of January, 1928

C. Wendlandt

The State of Texas #
County of Travis # Before me, L. Heiligbrodt, a Notary Public, in and for Travis County, Texas, on this day personally appeared C. Wendlandt, 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.
Given under my hand and seal of office, at Austin, Texas, this 30th day of January A.D. 1928.

L. Heiligbrodt Notary Public
Travis County, Texas.

(Notary Seal)

Lockhart State Bank
To
C. Wendlandt

Subordination Agreement
Dated January 24, 1928
Filed February 3, 1928
Recorded in Vol. 413, pages 351-2
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That whereas J.G. Burney and wife, Mary A. Burney, by their deed of trust bearing date February 14, 1921, and recorded in Book 325, pages 319,323 of the records of Travis County, Texas conveyed to M.J. Terry, Trustee 1200 acres of land out of the T.J. Chambers Grant, in Travis County, Texas, and 559 acres the Robert Compton Survey, except 41 acres conveyed out of the N.E. corner of said survey, which said property is fully described by metes

and bounds in the said deed of trust, and to which reference is here made for description, in Trust to secure the payment of certain notes in favor of the Lockhart State Bank and fully described in said deed of trust, to which reference is here made for particulars; and

Whereas, the said J.G. Burney, and wife, Mary A. Burney, by their deed of trust dated November 1, 1922, and recorded in Book 341, pages 299-304, of the Records of Travis County, Texas, conveyed to M.J. Terry, Trustee, among other property the property mentioned in the deed of trust hereinbefore mentioned, to secure the payment of seven promissory notes fully described in said deed of trust and which were given in extension and in lieu of the indebtedness mentioned in the deed of trust hereinbefore first mentioned and described, and

Whereas the said J.G. Burney and wife Mary A. Burney, by their deed of trust dated January 24, 1928 conveyed to Chas. Wendlandt, Jr. Trustee for C. Wendlandt, among other property a part of the property mentioned in the two first mentioned deeds of trust, and it is the desire of all parties that the said last mentioned deed of trust shall be the first and superior lien upon the property to secure the payment of the indebtedness therein mentioned and described in favor of C. Wendlandt, to which deed of trust reference is here made for particulars and description.

Now, therefore, in consideration of the premises andfor value received from C. Wendlandt, the Lockhart State Bank (a corporation duly incorporated, organized and existing under and by virtue of the laws of the State of Texas, and havings its principal place of business in the City of Lockhart, Caldwell County, Texas) acting herein by and through B.J. Bellamy, its president, by authority of a resolution of the Board of Directors of said Corporation, hereby agrees that the liens of the deeds of trust hereinbefore first mentioned shall be second subordinate and inferior to the lien of the deed of trust hereinbefore last mentioned in favor of the said C.Wendlandt, and the lien of the said deed of trust in favor of the said C. Wendlandt, shall be the first and superior lien upon the property, it not being the intention however, to in any manner affect the liens of the two first mentioned deeds of trust, except that said liens shall be subordinated to the lien of the deed of trust last mentioned and described in favor of the said C. Wendlandt.

In witness whereof, the said Lockhart State Bank has caused these presents to be signed by B.J. Bellamy, its President, and its common corporate seal affixed, all on the 24th day of January, A.D 1928.

Lockhart State Bank
By B. J. Bellamy, President

(Corporate Seal)

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The State of Texas #
County of Caldwell # Before me, Herman W. Hoffman, a Notary Public, within and for the said State and County, on this day personally appeared B.J. Bellamy, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he, as President of the Lockhart State Bank, executed the same for the purposes and consideration therein expressed, and that the same is the act of the said Lockhart State Bank.

Given under my hand and seal of office, this 28th day of January A.D. 1928.

Herman W. Hoffman Notary Public
Caldwell County, Texas.

(Notary Seal)

J. G. Burney et ux

To

Chas. Wendlandt, Jr., Trustee for C. Wendlandt

Deed of Trust
Dated January 24, 1928
Filed January 30, 1928
Recorded in Vol. 420, pages 229-232
Records of Travis County, Texas
Consideration: $1.00 Debt & Trust

CONVEYS: The following descrived tracts or parcels of land lying and being in the County of Travis, and State of Texas, described as follows: First Tract: 1460.42 acres in Travis County, Texas, described as follows: Beginning at the most northern corner of a 100 acre tract sold by J.G. Burney to Walter Davis as per deed recorded in Volume 160, page 24, deed records of Travis County, Texas, a stone md. at cornerof the pasture fence; thence S. 60 E. with fence on N. line of said 100 acre tract 176 vs. to a stone md. from which a cedar brs. S. 60 E. 3 vrs; and a cedar brs. N. 60 W. 5½ vs; thence N. 30 E. 480 --- to an old stone md. on the S. line of the Jas. Mitchell league from which an X, in a solid stone brs. W. 4 vrs; thence N. 60 W. at 527 vrs. an old stone md. on high bluff at 1351 vs. another old stone md. on high bluff next to Bull Creek at 1639 vrs. an old stonemd. N. slope of a High point; Thence S. 30 W. 1714 vs to a stone md. on W. face of a mountain at the intersection of the N.W. line of the T.J. Chambers league; thence S. 45 W. 220 vs. with the Chambers line to the N.E. corner of the James Jett Survey; Thence S. 8 W 672 vs. to a stone md. on the N. line ofthe E. Williams tract. Thence E. along the Williams line 10 vs. to his N.E. corner; thence along the E. line of the Williams tract S. 0 deg. 15' E. 526 vrs. to Bull Creek road; Thence along said Bull Creek Road with the meanders thereof as follows, to-wit: S. 33 37' E. 74 vs. S. 75 12'

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E. 41 vs. S. 51 1/4 E. 104 vs. S. 76 3/4 E. 31 vs. S. 28½ E. 57 vs. S. 19 19' E. 152 vs. S. 11 23' E. 156 vs. S. 51 1/4 W. 45 vs. S. 8 1/4 W. 47 vs. S. 53½ W. 32½ vs. S. 37¼ W. 49 vs. S. 43 W. 50 vs. S. 64 W. 228 vs. to a point from which the N.W. corner of the Cooper tract bears S. 6 27' W. 61 vs. Thence S. 3 33' W. 471 vs. S. 26 42' E. 109 vs. S. 36 9' E. 116 vs. S. 36½ W. 118 vs. S. 15 W. 106 vs. S. 12 9' E. 89 vs to a point from which Mt Bonnell brs. S. 19 4' E. a live oak marked X bears N. 8 7' W 50 vs. Thence S. 39½ E. 87 vs. S. 46 E. 118 vs. with old road to Brueggerman N.E. corner; thence S. 49 W. with his E. line 30 vs. to a point in new road; thence with road S. 53 E. 214 vs. S. 40½ E. 180 vs. S. 81½ E. 60 vs. N. 85½ E. 160 vs. S. 28 3/4 E. 165 vs. S. 49¼ E. 44 vs. S. 84 E. 59 vs. N. 50 1/4 E. 179 vs. N. 25¼ E. 71 vs. N. 47½ E. 153 vs. Mrs. Robinson corner N. 17 3/4 E. 120 vs. N. 45 E. 77 vs. N. 60½ E. 78-- N. 65¼ E. 118 vs. S. 62 E. 123 vs. N. 82 E. 138 vs. N. 40 3/4 E. 250 vs. N. 82½ E. 100 vs. S. 70 E. 78 vs. S. 81 1/4 E. 15 vs. to intersection of road with E. line of the John Walden 201 acre tract for corner; Thence N. 28 43' E. at 10 vs. across Dry Creek at 50 vs. pass an old stone md. for the original N.E. corner of said 201 acre tract at 1240 -- to S.E. corner of a 147 acre tract sold to Jos. Strimpf by J.G. Burney; Thence N. 60 W. with fence on S. line of said 147 acre tract 1348 vs. to S.W. corner of same; Thence N. 28 45' E. 622 vs. to corner on S. line of the Walter Davis 100 acre tract; thence N. 60 W. along the S. line of Davis tract 88 vs. to his S.W. corner; thence N. 30 E. with the W. line of the Davis 100 acre tract 1119 vs. to the beginning.

Second Tract: All of the Thomas J. Chambers grant, in Travis County, Texas, Abstract No. 7, owned by me and between the Bull Creek Road and the Colorado River and a part of the tract conveyed by Susan E. Hancock to W.C. Belcher by deed dated August -- 1898, and recorded in Book 153, page 316, of the Deed Records of Travis County, Texas; all improvements on above described property are also herein and hereby conveyed.

IN TRUST HOWEVER, for the following purposes: Whereas, I, J.G. Burney, have for a valuable consideration made, executed and delivered to C. Wendlandt, of Travis County, Texas, my five (5) certain promissory notes, bearing even date herewith, Notes Nos. 1, 2, 3, 4 and 5, each for the sum of One Thousand and 00/100 Dollars ($1000.00) payable to the order of C. Wendlandt, at Austin, Texas, each 5 years from date, with the privilege of paying same at any time after one year by giving 60 days notice of such intention to make payment, bearing interest from date thereof at the rate of eight per cent (8%) per annum payable annually, and defaulting interest to bear the same rate of interest as the principal, and if the said notes or any of them shall be placed in the hands of an attorney for collection after maturity, an additional ten per cent (10%) on the amount to be collected for attorneys fees, and the said notes providing that if any of said notes or any installment of interest thereon shall not be paid when due, then, at the option of the holder thereof, all of said

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notes then remaining unpaid, principal and interest then accrued shall at once become due and payable and the holder thereof may proceed to collect the same by foreclosure of this deed of trust, given to secure the same, either under the power of sale herein contained, or by suit, or other proceedings in court as such holder may elect.
And we hereby covenant and agree with the said C. Wendlandt, and with the said Chas. Wendlandt, Jr., Trustee, and his assigns, and his successor hereinafter designated, and the assigns of said successor, that the said property hereinbefore described and conveyed, or any part thereof, is not our homestead is not now and has never been occupied by us as our homestead; and we have no intention of occupying the said property as our homestead; our homestead being located at 1702 Congress Avenue, in the City of Austin, in Travis County, Texas, being part of Outlot No. 44, in Division E, in said City of Austin, where we now reside, which we own, having a fee simple title thereto, and which we have designated as our homestead by continued an actual occupation of the same as such homestead, and we do now hereby designate the said property upon which we now reside as our homestead.
And we hereby agree and bind ourselves to pay all taxes, of every kind and character, on the said property hereinbefore described and conveyed as the same severally become due and payable during the continuance of this deed of trust, and in case we fail to pay the said taxes or any part thereof as the same severally become due and payable during the continuance of this deed of trust then the holder of such notes, at the option of such holder, without being under any obligation to do so, may pay such taxes, for and on our account, and any such taxes paid by the holder of said notes on the said property during the continuance of this deed of trust, shall from the time of such payment constitute a debt against us in favor of such holder paying the same for the amount so paid, which shall bear interest from the time of such payment at the rate of eight per cent (8%) per annum, and the payment of such debt and interest shall also be secured by this deed of trust.
Provides for power of sale in case of default after legal notice &c &c, payment of taxes, substitute trustee &c
Witness our hands, at Austin, Texas, this 24th day of January A.D. 1928. J.G. Burney Mary A. Burney
The State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared J.G. Burney, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the ssme for the purposes and consideration therein expressed;;and also can Mary A. Burney, wife of the said J.G. Burney, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her said husband and having the same fully explained to her, she, the said Mary A.Burney acknowledged such instrument to be her act and deed and declared that she had willingly signed the s me for the purposes and consideration therein expressed, and that she did not wish to retract it.Given under my hand and seal of office, this 30 day of Jan. A.D. 1928.Emilie Limberg Notary Public, Travis County, Texas
(Seal)

Counter 49275

Estate of Carl Wendlandt Decd. No. 6870 — In the Probate Court Travis County, Texas

Application of Sophie Wendlandt filed Feb. 11, 1929, Rec. Prob. Min. Vol. 62, page 49, States: Carl Wendlandt died Feb. 3, 1929, leaving an estate of real and personal property of the probable value of $25,000.00 and leaving a will in which applicant is named Independent executrix &c. That she is not disqualified wherefore she prays notice be given, said will probated and letters issue to her &c.
Notice of Application and sheriff's return showing execution by legal posting Rec. Prob. Min. Vol. 62, page 50.
Order Probating Will: Rec. Prob. Min. Vol. 62 page 49.

On the 4th day of April 1929 in open court, at the regular April 1929 Term came on in regular order to beheard the application of Sophie Wendlandt, resident of Travis County, Texas, for the probate of a certain instrument in writing , dated August 16, 1906 and now produced in court, having been filed herein with said application on the 11th day of February 1929, purporting and alleging to be the last will and testament of Carl Wendlandt, deceased, said deceased being some time known as C. Wendlandt and due proof being taken in the manner required by law and it being proved to the satisfaction of the Court that this court has jurisdiction of this estate that citation has been duly issued, served and returned in the manner and for the length of time required by law; that the testator Carl Wendlandt, also known as C. Wendlandt, at the time of executing said will was at least 21 years of age, was of sound mind, and died on the 3rd day of February 1929 at Austin in Travis County, Texas, that such testator executed such will with the formalities and solemnities and under the circumstances required by law to make it a valid will; that the same has not been revoked by such testator, and that it is entitled to probate; and it further appearing that the applicant, Sophie Wendlandt was named in said will as sole executrix, without bond, and free from control of this court and that she is entitled by law to letters testamentary upon the estate of said deceased and is not disqualified by law from accepting letters testamentary and that there is a necessity for an administration upon said estate; it is therefore, ordered, adjudged and decreed tjat saod will now on file herein, be and the same is hereby admitted to probate, and recorded as the last will and testament of the said Carl Wendlandt, also known as C.Wendlandt, deceased and the testimony given in this proceeding is ordered recorded in the minutes of this court. It is further ordered, adjudged and decreed by the Court that letters testamentary of the estate of Carl Wendlandt (also known as C.Wendlandt) be granted to the said Sophie Wendlandt she having first taken the required oath, and that she be adjudged not required to give any bond or other security as executrix of said estate, and that no other action shall be had in this court in the administration of said estate than to return into this court an inventory and appraisement of said estate ---

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a list of claims. And it further appearing to the Court that Walter Stachely, L. Heiligbrodt, and Leonard Robbins are citizens of Travis County, Texas, and disinterested persons in said estate, it is therefore, ordered that they, or any two of them, be and are hereby appointed to appraise the estate, both real andpersonal of said Carl Wendlandt, deceased. Approved, ordered filed and recorded.

G.S. Matthews County Judge

Proof of Will: By Mrs. Willy Bradshaw, formerly Miss Willy McCullough Rec. Prob. Min. 62, page 52.

Will: Filed Feb. 11, 1929. Rec. Prob. Min. 62, page 51

The State of Texas #
County of Travis # Know all men by these presents: That I, Carl Wendlandt, of the County of Travis, and State of Texas, being in good health and of sound and disposing mind and memory, do make and publish this, my last will and testament, hereby revoking all wills by me at any time heretofore made. First, I direct that all my just debts and funeral charges shall, by my executrix, hereinafter named, be paid out of my estate, as soon after my decease as shall by her be found proper and convenient. Second: I give and bequeath to my beloved wife, Mrs. Sophie Wendlandt, all of my property and estate of whatsoever kind, real, personal and mixed, wheresoever situated, it being my intention to give and bequeath unto my said beloved wife all property of whatsoever kind, and all interest and claim of all property of whatsoever kind, that I may die seized and possessed of or have any right, title or interest in, and that she have and hold the same to her own separate use and benefit forever to control and dispose of absolutely in any way that she may deem proper. Third: I hereby constitute andappoint my said beloved wife, Mrs. Sophie Wendlandt, sole executrix ofthis my last will and testament, and direct that no bond or security shall be required of her as such executrix, it being my will and intention to exempt my said executrix from giving bond and security as provided in Article 1946 of the Revised Statutes of 1895 of the State of Texas, and I direct that said Article 1946 of said Revised Statutes be read in and taken as a part of this, my last will and testament, the same as if it was copied herein, and I hereby make it a part of this section of my said last will and testament. Fourth: It is my will and I further direct that no action shall be had in the County Court, or in any other probate court or in any other court in relation to my last will and testament and to the settlement, of my estate, or the administration of my estate, other than the probating and recording of this my last will and testament, and the return of an inventory and appraisement of my estate and a list of claims as provided in Article 1995 of the Revised Statutes of 1895 of the State of Texas, it being my will and direction that my estate shall be administered out of and free from the control of the probate court, or any other court, as provided in said Article 1995 ofsaidRevised Statutes

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and I direct that said Article 1995 of said Revised Statutes be read in and taken as a part of this my last will and testament the same as if said Article was copied herein, and I hereby make it a part of this section of my last will and testament. The above and foregoing instrument I hereby declare to be my last will and testament, in witness whereof, I have hereto set my hand and subscribed my name this the 16th day of August, A.D. 1906, in the presence of Miss Willy McCulloch and Chris Kofahl whom I have requested to sign this my last will and testament as attesting witnesses and who attest the same at my request.

C. Wendlandt

The above instrument as the last will and testament of Carl Wendlandt of the City of Austin, Travis County, Texas, was now here subscribed by the said Carl Wendlandt, as testator, in our presence, and we at his request and his presence and in the presence of each other sign our names hereto as attesting witnesses, this the 16th day of August, A.D. 1906

Miss Willy McCulloch
Chris Kofahl
Attesting Witnesses.

Oath of Executrix: Recorded Prob. Min. Vol. 62, page 52. Prob. Min. 62, page 220. On this the 15 day of April, A.D. 1929, in open court came on to be considered inventory, appraisement and list of claims filed herein on the 15th day of April A.D. 1929 by Sophie Wendlandt, Independent Executrix of the Estate of Carl Wendlandt, deceased, and the same having been examined by the Court and the Court being satisfied that it should be approved, it is accordingly ordered that such Inventory, appraisement and list of claims be, and the same is hereby approved, and that it be recorded in the Probate Minutes of this Court.

Inventory: Rec. Prob. Min. Vol. 62, pages 217 to 220.

Prob. Min. Vol. 62, page 53: And now comes Sophie Wendlandt and Theodore Wendlandt, both of Travis County, Texas, being all the distributees of the estate of the above named decedent and all the persons corporations and associations interested in the amount of Inheritance Tax to be paid by said Estate, and each individual being of full age andunder no disability hereby waive the appointment of appraisers and request you as County Judge of said County and the State Comptroller to appraise the property of said decedent for inheritance tax purposes as provided in Section 19 of the Inheritance Tax Act of 1923. Dated this the 4 day of April A.D.1929

Sophie Wendlandt
Theodore Wendlandt, Both by their attorneys, Garrett, Brownlee & Goldsmith, Attys per M.H.Goldsmith

Prob. Min. Vol. 62, page 355: On this the 21 day of May 1929 came on to be considered the matter of determining the cash value of said estate and the amount of inheritance tax to which the same is liable and after having heard testimony and considered the inventory and the report of appraisement and after having heard all the parties desiring to be heard, and uponthe whole record, and being fully advised; find and determine that said deceased died on the 3rd day of February 1929 and that said estate has been appraised at its actula market value as provided by law; it is therefore ordered that the said report of appraisement together with the recommendations for taxation and exemption by said appraisers, be and the same is hereby approved and it is further ordered upon said report that the cash value of the several successions, estates, annuities, gifts, transfers, appeint ments, interest, etc., subject to taxation or exemption by reason of the death of the decedent under the laws ofthis State andthe tax to which the same are severally liable, be and the same are hereby assessed and fixed as follows:

Beneficiary and Relationship to Decedent	Appraixed Actual Market value	Exemption	Taxable Cash value	Rate	Tax Fixed
Sophie Wendlandt	42,056.70	25,000.	17,056.70	1%	170.56
Theodore Wendlandt	8,411.35	25,000.	None		
Total tax Assessed					170.56

Wherefore it is ordered that the administrator (Executor) be and he is hereby authorized and directed to pay and deliver forthwith to the County Tax Collector the sum of $170.56 as and for inheritance tax to which said heirs, legatees or devisees are liable and charge the same to the respective shares as taxed herein. It is further ordered that said Appraisers compensation and expense incurred be fixed at --- Dollars.

G.S. Matthews, County Judge
Travis County, Tex.

Examined and approved this the 24 day of May, 1929.
(Seal) S.H. Terrell, State Comptroller

Inheritance Tax of $170.56 paid on June 7th, 1929.

-Costs Paid-

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Charles Wendlandt, Jr.
et al To
Mrs. Sophie Wendlandt

Special Warranty Deed
Dated February 14, 1929
Filed February 18, 1929
Recorded in Book 430 pages 639-41
Travis County Deed Records

State of Texas #
County of Travis # Know all men by these presents; Whereas Carl Wendlandt (also known as C.Wendlandt) of Travis County, Texas, was never married but one time and then to Mrs Sophie Wendlandt, his surviving widow; and Whereas, unto the said Carl Wendlandt and his wife, Sophie Wendlandt, were born six children as follows: Charles Wendlandt, Jr., born March 16, 1894; Henry Wendlandt, born May 18, 1896; Alvin Wendlandt, born August 22, 1901; Emma Wendlandt, a feme sole, and Edward Wendlandt, (twin born February 14, 1904, and Theodore Wendlandt, born September 20, 1906; and whereas the said Carl Wendlandt died in Austin, Texas, on Februaru 3, 1929, leaving a will bearing date August 16, 1906, application to probate which will has been filed, in which said will all of his property of every kind and character is devised to Mrs. Sophie Wendlandt, his surviving wife; and Whereas, the said Theodore Wendlandt, notwithstanding said will was made before his birht, wishes and desires that his mother, nevertheless, shall have all of the Estate of said Carl Wendlandt deceased, and Whereas, the other five children, as hereinabove named, recognize the validity of said will and in addition to recognizing its validity, also wish and desire that their mother irrespective of whether said will is valid or not, shall have all of the estate of said Carl Wendlandt, deceased;

Now therefore, know all men by these presents; that we, Charles Wendlandt, Jr., Henry Wendlandt, Emma Wendlandt, a feme sole, Edward Wendlandt, and THEODORE Wendlandt, all of Travis County, Texas, and Alvin Wendlandt of Smith County, Texas, all of whom are more than 21 years of age, and of sound mind and memory, and being, save and except our mother, Mrs. Sophie Wendlandt, sole heirs at law of Carl Wendlandt, deceased for and in consideration of the sum of $10.00 cash to us in our hands paid by Mrs. Sophie Wendlandt, our mother, the receipt of which is acknowledged, and in further consideration of the love and affection which we have for our mother, have granted, bargained, sold, conveyed and delivered and by these presents, do hereby grant, bargain, sell, convey and deliver unto the said Mrs. Sophie Wendlandt, a widow of Travis County, Texas, all the following real and personal property, towit: All of our interest of every kind and character which we have or could have, in and to the estate of our deceased father, Carl Wendlandt, including all property, real, personal and mixed, tangible and intangible, and wheresover the same may be situated.

To have and to hold all and singular the foregoing described property, together with all rights and appurtenances thereto in anywise belonging unto the said Mrs. Sophie Wendlandt, her heirs and assigns forever, and we do hereby bind ourselves, our heirs, executors and administrators to warrant and forever defend all and

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singular said property unto the said Mrs. Sophie Wendlandt, her heirs and assigns forever against every person whomsoever lawfully claiming or to claim the same by thru or under us.

Witness our hands, this the 14th day of February, 1929.

(Sgd) Charles Wendlandt, Jr.
Alvin Wendlandt
Edward Wendlandt
Henry Wendlandt
Emma Wendlandt
Theodore Wendlandt

State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared Charles Wendlandt, Jr. Henry Wendlandt, Emma Wendlandt, a feme sole, Edward Wendlandt and Theodore Wendlandt, known to me to be the persons whose names are subscribed to the foregoing instrument, and each of them severally acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 15th day of February, 1929.

L. Heiligbrodt, Notary Public in and for Travis County, Texas

(Notary Seal)

State of Texas #
County of Smith# Before me, the undersigned authority, on this day personally appeared Alvin Wendlandt, 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.

Given under my hand and seal of office, this the 16th day of February, 1929.

Gus F. Taylor, Jr. Notary Public in and for Smith County, Texas.

(Seal)

counter 4928/

J. G. Burney
To
First National Bank
of Lockhart, Texas

Extension
Dated October 29, 1931
Filed May 31, 1935
Recorded Vol. 523, pages 176-177
Travis County Deed Records

The State of Texas #
County of Caldwell# Know all men by these presents: Whereas, on the 1st day of November, 1922, J.G. Burney and Mary A. Burney did make, execute and deliver to M.J. Terry, Trustee, seven certain notes payable to the order of Lockhart State Bank and described as follows:

All dated Nov. 1st, 1922 and No. 1 being for $2,000.00 due in one year, No. 2 for $2,100.00 due in two years, No. 3 for $2,200.00 due in three years, No. 4 for $2,300.00 due in four years, No. 5 for $2,400 due in five years, No. 6 for $2,500.00 due in six years and No. 7 for $3,500.00 due in seven years, all of said notes bearing 7 per cent interest from date and providing that in case of default in payment of any note or any installment of interest, shall at option of holder mature all notes said Note being secured by a deed of trust lien on the following described real estate, lying and being situated in the County of Bastrop, Caldwell & Travis, State of Texas, to-wit:

Five certain tracts of land situated in the Counties of Bastrop, Caldwell, & Travis, State of Texas and fully described in deed of trust which is record in Vol. Y pages 15-20 of the Deed of Trust Records of Caldwell County, Texas; and Vol. 341, pages 299-304 of the Deed of Trust Records of Bastrop County, Texas, And Whereas, Notes Nos. 1, 2, 3, 4 have been paid in full and No. 5, reduced by payments to $1,000.00 and J.G. Burney is desirous of having the date of payment of the remaining unpaid notes extended so as same shall become due and payable as follows: Note No. 5 for the sum of $1,000.00 to mature October 1st, 1932; NoteNo.6 for the sum of $2,500.00 to mature November 1st, 1933, Note No. 7 for the sum of $3,500.00 to mature November 1st, 1934. to which extension First National Bank of Lockhart, Texas the present owner and holder of said Note has consented

Now, Therefore, know all men by these presents: That I, J.G. Burney in consideration of the extension of the date of payment of said notes as aforesaid, do hereby agree to and with the said First National Bank of Lockhart, Texas, that I will well and truly pay off and discharge the aforesaid notes on the maturity dates as herein extended and will, in the meantime, pay the interest on same as it becomes due, according to thetenor and effect thereof. And I also agree to and with the said First National Bank of Lockhart, Texas that the lien, given and retained to secure the payment ofsaid note and all the agreements and covenants herein, shall remain in full force and effect.

Witness my hand this 29th day of October, A.D. 1931.

J.G. Burney

The State of Texas #
County of Caldwell # Before me, the undersigned, a Notary Public in and for ssid County and State, on this day personally appeared J.G. Burney, known to me to be the person

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whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 29th day of October, A.D. 1931.

C. M. McDonald Notary Public in and for Caldwell County, Texas.

(Notary Seal)

J. G. Burney et al
Vs. No. 55,186
Chas. Wendlandt, Jr.

Lis Pendens Notice
Dated March 19, 1935
Filed March 19, 1935
Recorded in Vol. 2, pages 106-107
Travis County Lis Pendens Records

J.G. Burney et al
Vs No. 55,186
Chas. Wendlandt Jr. et al

Cause Pending in the 98th District Court of Travis County, Texas

Notice is hereby given thatin Cause #55,186 pending in the 98th District Court of Travis County, Texas, styled J.G. Burney et al versus Chas. Wendlandt, Jr. et al H.C. Garrison, Mrs. Hulda Alsup, Miss Bernice Alsup and Mrs. A. Klein have each filed interventions in said cause in which H.C. Garrison claims to be the owner and holder of two of the notes described in the second deed of trust mentioned in Plaintiff's Original Petition. Mrs. Hulda Alsup claims to own one of the notes, and in which Mrs. Hulda Alsup and Miss Bernice Alsup jointly claim to own one of the notes, and Mrs. A. Klein claims to own one of the notes,and in which suit each of the said Interveners ask for judgment, against Plaintiffs, J.G. Burney and wife, Mary A. Burney, to recover principal, interest and attorneys fees on their respective notes, and in which each of said Interveners seek to foreclose their deed of trust lien executed by J.G. Burney and wife, Mary A. Burney, to Chas. Wendlandt, Jr., Trustee, dated the 24th day of January, 1928, on two tracts of land lying and situated in Travis County, Texas, and more particularly described in said deed of trust, which is recorded in Volume 420, pages 229 et seq Deed of Trust Records of Travis County, Texas, to which said deed of trust and the record thereof reference is here made for a more particular description of saidproperty. All matters set up in said intervention are more fully set forth in the original pleadings of said Interveners filed in the above court on the 19th day of March A.D. 1935 and to which said pleadings reference is here made for a more particular description of the contentions made by said Interveners and for all other pertinent purposes.

Dated at Austin, Texas, this the 19th day of March A.D. 1935.

Smith, Brownlee & Goldsmith
Attorneys for Interveners
By M.H. Goldsmith

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J.G. Burney et al
Vs. #55186
Chas. Wendlandt, Jr.
et al

In the District Court of

Travis County, Texas

Original Petition: Filed March 5, 1935. J.G. Burney & wife, Mary A. Burney Plaintiffs, complaining of Chas. Wendlandt, Jr. and Sophie Wendlandt, a widow, defendants, represent: That all parties are residents of Travis County, Texas; that on March 25th, 1920, J.G. Burney executed to C. Wendlandt his one certain promissory note for $5,000.00 payable five years after datt with privilege of paying $1000.00 or any multiple thereof on the principal of said note at any interest paying date by giving sixty days written notice of such intentsion &c. That contemporaneous with the execution of said note, plaintiff gave deed of trust to D.B. Gracy, Trustee conveying the following property: First Tract: 1460.42 acres in Travis County, Texas, described as follows: (here follow field notes same as shown in deed of trust recorded in Vol. 311, pages 403-5 of the Deed of Trust of Travis County, Texas.) Second Tract: All of the Thomas J. Chambers Grant in Travis County Texas, Abstract No. 7, owned by J.G. Burney and Mary A. Burney and between the Bull Creek Road and the Colorado River anda part of the tract conveyed by Susan E. Hancock to W.C. Belcher by deed dated August 1898, and recorded in Book 153, page 316, of the Deed Records of Travis County, Texas; That said deed of trust to D.B. Gracy, Trustee was recorded in Vol. 311, page 403, of the Deed of Trust Records of Travis County, Texas; that on January 24, 1928, Plaintiff executed to C. Wendlandt his five certain promissory notes for $1000.00 each payable five years from date for the purpose of renewing andextending the $5000.00 note &c. That contemporaneous with the execution of said five notes Plaintiffs executed their deeds of trust to Chas. Wendlandt, Jr. Trustee which is recorded in Vol. 420 page 229 of the Deed of Trust Records of Travis County, Texas. That the transaction as evidenced by said notes and deeds of trust was usurious from its inception in that at the time of the execution of the $5000.00 note plaintiff received from said C. Wendlandt only $4800.00 of the $5000.00 note by reason of the accelerating clause in said note in the event of default at the end of the first year &c. That plaintiffs have made payments to said Wendlandt &c. That notwithstanding the usury in said transaction as hereinbefore alleged the said Chas. Wendlandt, Jr. as such trustee and under the direction of the owner and holder of said notes has advertised ssid propebty for sale March 5thy 1935 between 10 A.M. and 4 P.M. at the Court House door of TravisCounty. That there only remains unpaid on said indebtedness $250.00; that plaintiffs are willing to pay said sum if the Court so determines; that said sale will be consummated unless said Defendants are restrained by proper order of this Court &c. Wherefore, plaintiff brings this suit and pray:
1. That the said defendants may be cited to answer this petition according to law.
2. That the promissory notes hereinbefore mentioned and described

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be by decree of this Court declared usurious, and that plaintiffs have judgment crediting the principal of said notes with all interest paid thereon and all commissions and bonuses paid by plaintiffs as hereinbefore alleged, and for all costs of suit.
3. That this Court issue a writ of injunction restraining the defendants and each of them from selling the said property under the power of sale given in said deeds of trustuntil this Cause can be heard on its merits and the rights of all parties properly determined therein.

And plaintiffs pray for general relief.

D.H. Doom, Attorney for Plaintiffs

The State of Texas #
County of Travis # Before me, Mary E. Reed a Notary Public within and for the said State and County, on this day personally appeared J.G. Burney and Mary A. Burney, plaintiffs in the foregoing petition, and after being by me duly sworn upon their oaths, depose and say that the allegations contained in the foregoing petition are true.

J. G. Burney
Mary A. Burney

Sworn to and subscribed before me by the said J.G. Burney and Mary A. Burney on this 4th day of March, A.D. 1935. Given under my hand and seal of office.
(Notary Seal)

Mary E. Reed, Notary Public
Travis County, Texas

Writ of Temporary Injunction, issued March 5, 1935. Filed March 12 1935. Sheriff's return shows came to hand on the5th day of March 1935 and executed the same day by personal service on Chas. Wendlandt, Jr., at Austin, Travis County, Texas. Lee O. Allen, Sheriff, Travis County, Texas, by Sam W. Rogers, Deputy.

Writ of Temporary Injunction, issued March 5, 1935. Filed March 12 1935. Sheriff's return shows came to hand on the 5th day of March 1935, and executed the same day by personal service on Sophie Wendlandt at Austin in Travis County, Texas. Lee O. Allen, Sheriff Travis County, Texas, by Sam W. Rogers, Deputy.

Answer and Cross-Action of theDefendants, Chas.Wendlandt, Jr. et al: Filed March 19, 1935. Except to plaintiffs original petition and say that same is insufficient &c. Demurs, denies &c. That plaintiff request C.Wendlandt to act as his agent in procuring the $5000.00 loan and said Wendlandt did procure said loan from Dr. H.C. Garrison. That Wendlandt in this matter acted as agent for the Plaintiff and Plaintiffs agreed and did pay to said Wendlandt $150.00 not interest as alleged by Plaintiffs by a fee or commission to said Wendlandt for obtatining sadloan from Dr. Garrison &c. That at this time said H.C. Garrisonwho made the loan is the owner of notes One and Two, Mrs. Hulda Alsup a widow is the owner of Note No. Three and shethe ssid Mrs. Hulda Alsup and Miss Bernice Alsup jointly own Note No. Five and Mrs. A. Klein a widow is the owner of Note No. Four &c. Defendants pray that citation be served against the owners of said notes and that upon final hearing he have and recover from Plaintiffs $500.00 damages, together with costs of suit &c.

Original Pleadings in the Nature of Intervention by Mrs. Hulda Alsup, et al. Filed March 19, 1935. Mrs. Hulda Alsup, a widow,

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Miss Bernice Alsup, a feme sole, and Mrs. A. Klein, a widow intervenors show: That the First National Bank of Lockhart, Assignee of the Lockhart State bank, a corporation duly incorporated and domiciled in Caldwell County, Texas and Mrs. James R. Hamilton individually and as Executrix under the will of James R. Hamilton deceased are proper parties to this suit &c. That Sugarland Industries, a trust estate of which T.H. Kempner W.T. Eldridge and J.D. Ulrich are Trustees are also necessary parties. That the above parties hold their liens secondary and suborinate to the intervenors deed of trust lien on the lands hereinbefore mentioned and described and prays for foreclosure against all of them&c.
Disclaimer of Sugarland Industries, a Trust Estate. Filed March 19, 1935.
Disclaimer of Mrs. James R. Hamilton, Individually and as Executrix Under the Will of James R. Hamilton, Deceased. Filed March 19, 1935
Waiver by plaintiffs of the Issuance and service of Citation as to Cross-Action and for affirmative relief alleged and prayed for by defendants and interveners, filed March 19, 1935.
Original petition and intervention of the intervener, H.C. Garrison: Filed March 19, 1935. H.C. Garrison prays joinder of parties as did Mrs. Hulda Alsup, et al, and alleges by way of intervention as did Mrs. Hulda Alsup and states as answer or pleadings as did Chas. Wendlandt, Jr. et al with reference to property, notes and deeds of trust &c.
Plaintiffs Answer to plea of intervention of Hulda Alsup, et al. Filed March 23, 1936. Demur and say thatsame is insufficient in law and pray judgment of the court, and demur tosaid petition and intervention because it appears therefrom there was no privity of contractbetween plaintiffs and intervenor.
Plaintiffs answer to plea of intervention of H.C. Garrison. Filed March 23, 1936. Same as answer to plea of intervention of Hulda Alsup et al
Plaintiffs answer to Cross Action of Chas. Wendlandt, Jr., filed March 23, 1936. Same as answer to plea of intervention of Hulda Alsup et al.
Plea of intervention Lockhart State Bank. Filed April 16, 1935. That intervenor owns and holds a $5000 indebtedness against Plaintiff J.G. Burney secured by a valid subsisting deed of trust lien against said tract of land hereinbefore described &c.
Plea Intervention First National Bank. Filed June 4, 1935. Represents that Nov. 1st, 1922 plaintiff J.G. Burney executed to the Lockhart State Bank his seven promissory notes aggregating $17,000.00 and executed his deed of trust on the hereinbefore described property &c.
Judgment: Filed March 27, 1936. Recorded in Dist. Ct. Min. 58, page 534: Be It Remembered that on this the 23rd day of March, A.D. 1936, in open court, at the regular February 1936 term, came on to be heard the above numbered and entitled cause, in which J.G. Burney and his wife Mary A. Burney, are plaintiffs, and Charles Wendlandt, Jr. and Sophia Wendlandt are the defendants, and in which, with leave of the court first had and obtained, H.C. Garrison, Mrs. Hulda Alsup, a feme sole, Mrs. A. Klein, a feme

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sole and Bernice Alsup, a feme sole, are intervenors, and in which cause impleaded by said intervenors as additional defendants are Mrs. James R. Hamilton, a feme sole, individually and as independent executrix of the estate of James R. Hamilton, deceased, Sugarland Industries, a trust estate, of which T.H. Kempner, W.T.Eldridge and J.D. Ulrich are Trustees, and First National Bank of Lockhart, Texas, a banking corporation duly incorporated and existing under the Acts of Congress of the United States of America and having its principal placeof business in Lockhart, Caldwell County, Texas, and also in which case Lockhart State Bank, a banking corporation, being organized and existing under the laws of the State of Texas and having its principal plac of business in Lockhart, Caldwell County, Texas, originally filed a plea of intervention, but which intervention withdrawn without a trial with the consent of the court, said First National Bank of Lockhart, Texas, having acquired the interest in this suit by assignment from said Lockhart State Bank.

And came parties plaintiffs and defendants and intervenor defendants, being all the parties to said suit, and announced ready for trial and waived a jury and agreed that all matters of fact as well as of law should be heard by the Court.

And then came on for hearing in due order the general demurrer filed herein by defendants, Charles Wendlandt, Jr. and Sophia Wendlandt, and by intervenors H.C. Garrison, Mrs. Hulda Alsup, Mrs. A. Klein and Bernice Alsup to Plaintiffs' original petition, and the court having considered ssid demurrer, finds the same is not well taken and overrules it, to which actio of the court defendants Charles Wendlandt, Jr. and Sophia Wendlandt and intervenors H.C. Garrison, Mrs. Hulda Alsup, Mrs. A. Klein and Bernice Alsup in open court excepted.

And came plaintiffs J.G. Burney and Mary A. Burney and presented to the court their general demurrer to the answer and cros action of defendants Charles Wendlandt, Jr. and Sophia Wendlandt which having been considered by the court, is in all things overruled, to which action of the court plaintiffs then and there in open court excepted.

And also came in due order the special demurrer of plaintiff J.G. Burney and Mary A. Burney to the answer and cross action of Charles Wendladnt, Jr., seeking to recover from plaintiffs a commission of One Hundred Seventy-five and no/100 ($175.00) Dollars and attorney's fees amounting to Three Hundred Twenty-five and no/100 ($325.00) Dollars, which special demurrer having been by the court considered, is by the court in all things sustained, to which action of the court defendant Charles Wendlandt, Jr. in open court excepted.

Then came on in due order to be heard by the court general demurrer filed herein by plaintiffs J.G. Burney and Mary A. Burney to the intervention petitions of H.C. Garrison, Mrs. Hulda Alsup, a feme sole, Mrs. A. Klein, a feme sole, and Bernice Alsup a feme sole, which said general demurrers and each of them having been considered by the court, are in all things overruled, and to which action of the court plaintiffs in open court excepted.

And thereupon this cause proceeded to trial on its merits,

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without any amendment or additions to pleadings by the parties, and the court having heard the pleadings and the evidence, took the issues of law and of fact under advisement until this the 27 day of March A.D. 1936; and now, on this the 27thday of March, A.D. 1936, the court, after having duly deliberated and further considered the facts and law at issue on the merits of the case, it is by the court Ordered, Adjudged and Decreed as follows: That plaintiffs, J.G. Burney and Mary A. Burney and each of them, take nothing by reason of their suit against Charles Wendlandt, Jr. and Sophia Wendlandt, and that the temporary injunction heretofore granted by this court against the said Sophia Wendlandt and Charles Wendlandt, Jr. be and the same is in all things hereby dissolved and held for nought;

That defendant Charles Wendlandt, Jr. take nothing by reason of his suit for commissions and attorney's fees sought to be recovered of and from plaintiffs J.G. Burney and Mary A. Burney;

That defendants Charles Wendlandt, Jr. and Sophia Wendlandt, and each of them, be adjudged to have no interest in or title to the notes sued upon and described in cross action of intervenors H.C. Garrison, Mrs. Hulda Alsup, Mrs. A. Klein and Bernice Alsup and no lien of any kind and character uponthe property hereinafter described, and upon which it hereafter adjudged that intervenors have a lien to secure the payment oftheir notes, for which judgment is hereafter rendered against plaintiffs J.G.Burney and Mary A. Burney;

That impleaded defendantsMrs. James R. Hamilton, a feme sole individually, and as independent executrix, of the estate of James R. Hamilton, deceased and Sugarland Industries, a trust estate, each of them having filed disclaimers herein, be adjudged to have no right, title, interest, lien or claim in and to the property hereinafter described.

That intervenors H.C. Garrison, Mrs. Hulda Alsup, Mrs. A. Klein and Bernice Alsup be adjudged to have a valid and subsisting lien on the hereinafter described property as of date January 24, 1928 as against plaintiff J.G. Burney and his wife, Mary A. Burney, and all other parties to this suit, to secure the payment pro rata of the judgment hereinafter rendered by the court in their favor, it being expressly adjudged by the court that such lien is first and superior to the lien assebted on the same property by impleaded defendant, The First National Bank of Lockhart, Texas, assignee of Lockhart State Bank, and that said First National Bank of Lockhart, Texas, be and the same is hereby adjudged to have a lien on said property second and inferior to the lien of intervenors H.C. Garrison, Mrs. Hulda Alsup, Mrs. A. Klein and Bernice Alsup as against plaintiffs J.G. Burney and Mary A. Burney, and as against all other parties to this suit, save andexcept H.C. Garrison, Mrs. Hulda Alsup, Mrs. A. Klein and Bernice Alsup, to secure the payment of judgment hereinafter rendered by the court in favor of said First National Bank of Lockhart, Texas against plaintiffs J.G. Burney and Mary A.Burney.

And it is further ordered, adjudged and decreed by the court that intervenor H.C. Garrison, upon the notes sued upon and described in his intervention petition, do have and recover of and

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from plaintiff J.G. Burney the sum of Three Thousand Two Hundred Seventy-four and 74/100 ($3,274.74) Dollars together with interest on the sum of Two Thousand Nine Hundred Seventy-seven and 4/100 ($2,977.04) Dollars, from the 27th day of March, A.D. 1936 until paid at the rate of eight per cent per annum, and upon the sum of Two Hundred Ninety-seven and 70/100 ($297.70) Dollars of said amount from the 27th day of March A.D. 1936 until paid at the rate of six per cent per annum;

And thatintervenor Mrs. Hulda Alsup, upon one of the notes sued upon and described in herintervention petition, do have and recover of and from plaintiff, J.G. Burney the sum of One Thousand six hundred thirty-seven and 37/100 ($1,637.37) Dollars together with interest on the sum of One Thousand Four Hundred Eighty-eight and 52/100 ($1,488.52) Dollars from the 27th day of March A.D. 1936 until paid at the rate of eignt per cent per annum and upon the sum of One Hundred Forty-eight and 85/100 ($148.85) Dollars of said amount from the 27th day of March A.D. 1936 until paid at the rate of six per cent per annum;

And that intervenors Mrs. Hulda Alsup and Bernice Alsup, jointly, upon one of the notes sued upon and described in their intervention petition, do have and recover of and from plaintiff J.G. Burney the sum of One Thousand Six Hundred Thirty-seven and 37/100 ($1,637.37) Dollars, with interest on thesum of One Thousand Four Hundred Eighty-eight and 52/100 ($1488.52) Dollars from the 27th day of March A.D. 1936 until paid at the rate of eight per cent per annum, and upon the sum of One Hundred Forty-eight and 85/100 ($148.85) Dollars of said amount from the 27th day of March, A.D. 1936 until paid at the rate of six per cent per annum;

And that intervenor, Mrs. A. Klein, upon one of the notes sued upon and described in her intervention petition, do have and recover of and from plaintiff J.G. Burney, the sum of One Thousand and Six Hundred thirty-seven and 37/100 ($1,637.37) Dollars, together with interest on the sum of One Thousand Four Hundred Eighty eight and 52/100 ($1,488.52) Dollars from the 27th day of March A.D. 1936 until paid at the rate of eight per cent per annum, and upon the sum of One Hundred Forty-eight and 85/100 ($148.85) Dollars of said amount from the 27th day of March A.D. 1936 until paid at the rate of six per cent per annum.

It is further ordered, adjudged and decreed by the court that said Intervenors H.C. Garrison, Mrs. Hulda Alsup, Mrs. Hulda Alsup and Bernice Alsup jointly,and Mrs. A. Klein are adjudged to have a first and superior lien of equal dignity upon the hereinafter property as he same existed on January 24, 1928, and as the same still exists as against all other parties to this suit and any other person or persons claiming by, through or under any one of them during the pendency of this suit, to secure, pro rata, the payment of their respective judgments.

It is further ordered, adjudged and decreed by the court that intervenor The First National Bank of Lockhart, Texas, a corporation duly incorporated, being organized and existing under the Acts of Congress of the United States of America and having its principal place of business in Lockhart, Caldwell County, Texas, as assignee of Lockhart State Bank, do have and recover of

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and from plaintiff J.G. Burney the sum of Ten Thousand Three Hundred Eight and 66/100 ($10,308.66) Dollars, upon the notes sued upon and described in its petition of intervention, with interest on Nine Thousand Three Hundred Seventy-one and 51/100 ($9,371.51) Dollars of said amount from the 27th day of March, A.D. 1936 until paid at the rate of seven per cent per annum, and with interest on the sum of Nine Hundred Thirty-seven and 15/100 ($937.15) Dollars ofsaid amount from the 275h day of March 1936 until paid at the rate of six per cent per annum.

And it is further ordered, adjudged and decreed by the court that said First National Bank of Lockhart, Texas has a valid and subsisting lien on the hereinafter described property as thesame existed on the 1st day of November, A.D. 1922, andas it still exists, as against all parties to this suit, and any other person or persons claiming by, through or under any one of them during the pendency of this suit, save and except as against intervenors H.C. Garrison, Mrs. Hulda Alsup, Mrs. A. Klein and Bernice Alsup, the lien on said property being here now adjudged to their favor to be superior to the lien of said intervenor First National Bank of Lockhart, Texas.

And it is further Ordered, Adjudged and Decreed by the Court that all costs of court in this behalf expended be andthe same are here now assessed against plaintiff J.G. Burney.

And it is now further Ordered, Adjudged andDecreed by the Court that the first and superior lien on the hereinafter described property in favor of intervenors H.C. Garrison, Mrs. Hulda Alsup, Bernice Alsup and Mrs. A. Klein, as the same existed on the 24th day of January, A.D. 1928, and as it still exists, be and the same is hereby foreclosed as against all other parties to this suit, including among others, Mrs. Mary A. Burney, and any other person or persons claiming by, through or under any one of the parties to this suit during the pendency of this suit;

And it is further ordered, adjudged and decreed by the court that the second lien on the hereinafter described property in favor of intervenor The First National Bank of Lockhart, Texas, as the same existed on the 1st day of November, A.D. 1922, and as it still exists, be and the same is hereby foreclosed as against all other parties to this suit, including among others Mrs. Mary A. Burney, and any other person or persons claiming by, thru or under any one of the parties to this suit,during the pendency of this suit, save and except as against intervenors H.C. Garrison, Mrs. Hulda Alsup, Bernice Alsup and Mrs. A. Klein.

The property hereinabove referred to is more particularly described as follows, to-wit:

All those certain tracts or parcels of land, situated in Travis County in the State of Texas, and particularly described in two tracts as follows, to-wit:

First Tract: 1460.42 acres in Travis County, Texas, described as follows: (here follows field notes same as shown in Deed of Trust recorded in Vol. 311, pages 403-5 of the Deed of Trust Records of Travis County, Texas.) Second Tract: All of the Thomas J. Chambers Grant in Travs County, Texas, Abstract No. 7 owned by J.G. Burney and between the Bull Creek Road and the Colorado River and

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a part of the tract conveyed by Susan E. Hancock to W.C. Belcher, by deed dated -- August 1898, and recorded in Book 153, page 316 of the Deed Records of Travis ---- together with all improvements situated on the above described property; said two tracts of land being the identical property described in deed of trust by J.G. Burney and wife, Mary A. Burney, to Charles Wendlandt, Jr., Trustee, dated the 24th day of January, 1928, recorded in Book 420, pages 229 et seq. Deed of Trust Records of Travis County, Texas, to which said deed of trust and to the record thereof reference is here made for a more particular description.

And it is further ordered adjudged and decreed by the court that the clerk of this court do issue an order of sale, directed to the Sheriff or any Constable of Travis County, Texas, commanding him to seize and sell said above described property as under execution, and that he apply the proceeds thereof first to the payment and satisfaction of all costs in this case incurred, and which may hereafter be incurred, second, to the payment and satisfaction pro rata of the judgments hereinabove rendered in favor of intervenors, H.C. Garrison, Mrs. Hulda Alsup, Mrs. Hulda Alsup and Bernice Alsup jointly, and Mrs. A. Klein, and if said property shall sell for more than sufficient to pay off and satisfy said respective amounts, next to apply the proceeds of said sale to the payment and satisfaction of the judgment hereinabove rendered against J.G. Burney in favor of intervenor First National Bank of Lockhart, Texas; and if said property shall sell for more than sufficient to pay off said sums of money hereinabove mentioned then the officer is hereby directed to pay over the excess to plaintiff J.G. Burney; but if said property shall not sell for enough to pay off and satisfy the respectife judgments herein rendered in favor of said intervenors, and each of them, then the officer shall make the balance, if any, still unpaid on said respective judgments out of any other property of plaintiff J.G. Burney as under execution.

It is further ordered, adjudged and decreed that the officer execution said writ shall place the purchaser of said property in possession thereof within thirty days after the date of ssle and said order of sale when issued shall have all the force and effect of a writ of possession.

To the foregoing judgment and each and every adjudication therein made by the court, plaintiffs J.G. Burney and Mary A. Burney, and each of them, in open court excepted (which exception is allowed by the court), and in open court gave notice of appeal to the Court of Civil Appeals for the Third Supreme Judicial District of Austin, sitting at Austin, Texas.

Entered as of March 27th, 1936.

Approved, Ordered Filed and Recorded:

J.D. Moore, Judge, 98th District Court, Travis County, Texas.

Execution Docket No. 19, page 75: Order of Sale: Issued April 20th 1936. Filed June 8, 1936. Sheriff's return on within order of sale and writ of execution in Cause No. 55,186, styled J.G. Burney vs Chas. Wendlandt, Jr. et al. Came to hand on the 22nd day of April A.D. 1936 at 10 o'clock A.M. and pursuant to the mandates set out in said order of sale and writ of execution, I, Lee O. Allen,

Sheriff of Travis County, Texas, did, upon the 22nd day of April A.D. 1936, at 11 o'clock A.M. execute the same by levying upon, as the property of J.G. Burney and his wife Mary Burney, the following described real estate, to-wit: All those certain tracts or parcels of land, situated in Travis County in the State of Texas, and particularly described in two tracts, as follows, to-wit: First Tract: 1460.42 acres in Travis County, Texas, described as follows: Beginning &c. (here follows field notes same as shown in Deed of Trust recorded in Vol. 311, pages 403-5 of the Deed of Trust Records of Travis County, Texas.)
Second Tract: All of the Thomas J. Chambers Grant in Travis County, Texas, Abstract No. 7, owned by J.G. Burney and between the Bull Creek Road and the Colorado River and a part of the tract conveyed by Susan E. Hancock to W.C. Belcher, by deed dated -- August, 1898 and recorded in Book 153, page 316 of the Deed Records of Travis-- together with all improvements situated on the above described property; said two tracts of land being the identical property described in deed of trust by J.G. Burney and wife, Mary A. Burney to Charles Wendlandt, Jr., Trustee, dated the 24th day of January 1928, recorded in Book 420, pages 229 et seq., Deed of Trust Records of Travs County, Texas, to which said deed of trust and to the record thereof reference is here made for a more particular description.
And, Afterwards, on the 22nd day of April, A.D. 1936, I advertised said land for sale at the courthouse door of Travis County, Texas, fixing the sale date as the 2nd day of June, A.D. 1936, being the first Tuesday of said month, by having a notice of said sale published in the English language once a week for three consecutive weeks preceding such sale, the first publication appearing not less than twenty days immediately preceding the day of sale, in the Pflugerville Press, a newspaper of geneal circulation, which has been continuously and regularly published for a period of not less than one year in the County of Travis and State of Texas, towit: On the 30th day of April, A.D. 1936; on the 7th day of May, A.D. 1936, and on the 14th day of May, A.D. 1936, stating in said advertisement the authority by virtue of which said sale was to be made, the time of levy, the time and place of sale, to-wit: The 2nd day of June, A.D. 1936, a detailed description of the property to be sold, and number of acres. And I also on April 22, 1936, personally served on the defendants J.G. Burney and Mary Burney, and each of them, in Travis County, Texas, a copy of said notice of sale, and I also at the same time mailed to each of the other defendants in said cause a copy of said notice of sale, by placing in the United States Postoffice said copy of said notice of sale to each of said defendants, duly stamped and addressed as follows: To Mrs. James R. Hamilton individually and as independent executrix of the estate of James R. Hamilton, deceased, Austin, Texas; Sugarland Industries, a Trust Estate, Sugarland, Texas; First National Bank, Lockhart, Texas, Lockhart, Texas. And on the 2nd day of June A.D. 1936, between the hours of 10 o'clock A.M. and 4 o'clock P.M., at the courthouse door of Travis County, Texas, in pursuance of said advertisement, I sold said property at public sale to Sophia Wend-

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landt, a feme sole, to whom the same was struc, off for the sum of Two Thousand and no/100 ($2,000.00) Dollars, her bid being the highest secure bid for the same and she having been the highest bidder for the same, and said Sophia Wendlandt, a feme sole, having paid to me the sum of Two Thousand and no/100 ($2,000.00) Dollars in cash so bid by her, I executed to her a deed for said lands. After first satisfying the sheriff's costs accruing under the within writ, amounting to the sum of $67.65 an itemized bill of which appears below, and the further sum of $28.20, original court costs, the remainder being the sum of $1,904.15, was paid out by me pursuant to the mandate in said order of sale and writ of execution, as follows:
towit: To Sophie Wendlandt, assignee of the Estate of H.C. Garrison, deceased, who owned and owns a transfer of judgment rendred in favor of H.C. Garrison, deceased, under transfer to her date June 1, 1936, executed and delivered by H.C. Garrison, Jr., and A.D Garrison, as independent Executors of the Estate of H.C. Garrison, deceased, under appointment of the County Court in Travis County, in Cause #8619, and by Sarah d. Garrison, individually and as sole beneficiary under the terms of the will of H.C. Garrison, deceased, the sum of $761.66; to Hulda Alsup the sum of $380.83; to Hulda Alsup and Bernice Alsup the sum of $380.33; to Mrs. A. Klein the sum of $380.33; and their respective receipts for the same are herewity presented. Being unable to find any other property of the defendant J.G. Burney in Travis County, Texas, subject to execution, I am herewith returning the within writ with a credit of $1,904.15, pro-rated as above detailed on said judgment, together with a printed copy of said notice of sale, together with affidavit of A W. Goerdel, Publisher of the said Pflugerville Press. I dso paid to theDistrict Clerk of Travis County, Texas, the sum of $28.20 original court costs.

Lee O. Allen, as Sheriff
of Travis County, Texas
By Henry Kluge, Deputy

(Here follows itemized list of Sheriff's Costs totalling $67.65)

The undersigned, acting herein by and thru their duly authorized agent and attorney, hereby acknowledge receipt from Lee O Allen, as Sheriff of Travis County, Texas, of the following sums respectively, representing net proceeds of sale held by him under the foregoing and within order of sale and writ of execution and return, to-wit: Sophia Wendlandt, Assignee of the Estate of H.C. Garrison, deceased $761.66; Hulda Alsup, $380.83 Hulda Alsup and Bernice Alsup, $380.83; Mrs. A. Klein $380.83.

Smith, Brownlee, Goldsmith and
Bagby by Arthur P. Bagby
As agent and attorney for Mrs.
Sophia Wendlandt, Hulda Alsup,
Bernice Alsup and Mrs. A. Klein

-Costs Paid-

counter 79293

Mrs. Hulda Alsup et al

To

Mrs. Sophie Wendlandt

Transfer
Dated June 9, 1936
Filed April 3, 1937
Recorded in Vol. 559, pages 343-4
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That Whereas, in Cause No. 55,186, pending in the 98th District Court of Travis County, Texas, styled J.G. Burney vs. Chas. Wendlandt, Jr., et al, judgment was rendered on the 27th day of March, 1936, in favor of the undersigned Hulda Alsup, a femesole, against the said J.G. Burney, for the sum of $1,637.37; and in favor of the undersigned Hulda Alsup and Bernice Alsup jointly, against the said J.G. Burney, for the sum of $1,637.37; and in favor of the undersigned Mrs. A. Klein, a feme sole, agains the said J.G. Burney, for the sum of $1,637.37; and
Whereas, pursuant to said judgment the property described therein was sold at sheriff's sale on the 2nd day of June,A.D. 1936, resulting in a net credit on said respective judgments, as above set out, of $380.83 toHulda and Bernice Alsup jointly, $380.83; to Mrs. A. Klein, and said respective judgments are entitled to said respective credits thereon as of date June 2, 1936; and Whereas, said judgments and each of them are more fully set forth in theMinute Books of the District Court of Travis County, Texas and in sheriff's return on order of sale and writ of execution in said cause, and to the records of the clerkof the District Court of Travis County, Texas, reference is here made for more particular description of said judgments, and for all other pertinent purposes; and

Whereas, the said Mrs. Sophie Wendlandt, a feme sole, of Travis County, Texas, has paid to each of the undersigned the remainder adjudged to said respective parties in said suit, in consideration of transfer to her without recourse on theundersigned of the unpaid balance of said respective judgments;

Now, premises considered, we, the undersigned Hulda Alsup, a feme sole, Bernice Alsup, a feme sole, and Mrs. A. Klein, a feme sole, all of Travis County, Texas, for and in consideration of the sum of $1.00 cash to each of us paid by Mrs. Sophie Wendlandt, receipt of which is hereby acknowledged and confessed, have Sold, Assigned, and Transferred, and do by these presents hereby Sell, Assign and Transfer, unto Mrs. Sophie Wendlandt, all the unpaid balance of respective judgments above described and rendered in said court in our respective favors against the said J.G. Burney, and hereby autorize and empower the said Mrs. Sophie Wendlandt at her own expense, but in our names, to sue any and all legal remedies forthe collection by her of said respective unpaid balances on said respective judgments against the said J.G. Burney.

Witness our hands at Austin, Texas, this the 9th day of June, A.D. 1936.

97 counter 19294

Mrs. Hulda Alsup
Bernice Alsup
Mrs. Auguste Klein

The State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared Hulda Alsup, a feme sole, Bernice Alsup, a feme sole, and Mrs. A. Klein, a feme sole, known to me to be the persons whose names are subscribed to the foregoing instrument, andeach acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 9th day of June, A.D. 1936.

Henry Wendlandt Notary Public in and for Travis County, Texas.

(Notary Seal)

MEMO: IN Cause No. 8619, in the Probate Court of Travis County, Texas, in the Matter of the Estate of H.C. Garrison, Deceased, application filed May 12, 1936, recorded Probate Minute 82, page 64, Shows H.C. Garrison, died the 4th day of May, 1936. Order probating will, recorded Probate Minute 82, page 64, Will, filed May 12, 1936, recorded Probate Minute 82, page 66, wherein H.C. Garrison, Jr. and A.D. Garrison, are appointed Independent Executors, without bond. Inventory, filed June 4, 1936, recorded Probate Minute 82, page 121, does not described the property covered by this Abstract or any notes affecting the same. Order, recorded Probate Minute 82, page 147, shows no Inheritance Tax Due.

Abstracter.

Counter 49295

H.C. Garrison, Jr., et al as Independent Executors of the Estate H.C.Garrison Deceased. To Sophia Wendlandt

Transfer.
Dated June 1, 1936
Filed June 4, 1936
Recorded Vol. 539, page 597
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That we, H.C Garrison, Jr. of Caddo Parish, Louisiana, and A.D. Garrison, of Harris County, Texas, as Independent Executorsof the Estate of H.C. Garrison, deceased, by appointment of the County Court of Travis County, Texas, in Cause No. 8619, pending on the docket of said court, and Sarah D. Garrison, a feme sole, of Travis County, Texas, individually and as sole beneficiary under the terms of the will of H.C. Garrison, deceased, for and in consideration of the sum of $2559.92 to us in hand paid by Sophia Wendlandt, the receipt of which is hereby acknowledged and confessed, have Transferred and sold, and by thes presents do Transfer and Sell unto thesaid Sophia Wendlandt, a feme sole, of Travis County, Texas, that certain judgment obtained in Cause No. 55,186, in the 98th District Court of Travis County, Texas, on the 27th day of March, 1936, in the caseof J.G. Burney vs. Charles Wendlandt, Jr., et al against J.G. Burney for the sum of $3,284.74, togetherwith interest on the sumof $2,977.04 from the 27th day of March, 1936, until paid at the rate of eight per cent per annum, and upon the sum of $297.70 from the 27th day of March, 1936, until paidat the rate of six per cent per annum, together with all and singularand other rights, liens and privileges conferred upon the said H.C. Garrison, under the terms of said judgment, and together with the right to receive from the Sheriff of Travis County, Texas, the proceeds of the sale of the property ordered sold under the terms of ssid judgment, and with full authority in her name, or in the name of H.C. Garrison, or the Estate of H.C. Garrison, deceased, to collect said judgment at her own expense.

The above described judgment is the same judgment recorded in Vol. 5, pages -- et seq. Minutes of the 98th District Court in and for Travis County, Texas, andI we and each of us do further nominate, constitute and appoint Ed H. Yeiser, of Travis County, Texas, as our agent and attorney in fact, for and in our names and stead to transfer the above described judgment without recourse on us to the said Sophia Wendlandt on the judgment records of said Court; and it is especially agreed and understood among all parties hereto that this transfer and sale is made without recourse in any event upon us, or any one of us.

In Witness whereof we have hereunto signed our names, this the 1st day of June, A.D. 1936.

H.C. Garrison, Jr. as Independent Executor of the Estate of H.C. Garrison, Deceased.
A.D.Garrison, as Independent Executor of the Estate of H.C. Garrison, Deceased.

counter 49296

Sarah D. Garrison Individually and as sole beneficiary under the terms of the will of H.C. Garrison, deceased.

State of Louisiana #
Parish of Caddo# Before me, the undersigned authority, on this day personally appeared H.C. Garrison Jr., 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 1st day of June, A.D. 1936.

Robt. G. Chandler Notary Public in and for Caddo Parish, Louisiana

(Notary Seal)

The State of Texas #
County of Harris # Before me, the undersigned authority, on this day personally appeared A.D. Garrison, 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 that in the capacity therein stated.

Given under my hand and seal of office, this the 3d day of June, A.D. 1936.

C.V. Thompson Notary Public, in and for Harris County, Texas

(Notary Seal)

The State of Louisiana #
Parish of Caddo # Before me, the undersigned authority, on this day personally appeared Sarah D. Garrison, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the ssme for the purposes and consideration therein expressed, and in the capacities therein stated.

Given under my hand and seal of office, this the 1st day of June, A.D. 1936.

Robt. G. Chandler Notary Public in and for Caddo Parish, Louisiana.

(Notary Seal)

counter 19297

J. G. Burney
by Lee O. Allen,
Sheriff
To
Sophia Wendlandt

Sheriff's Deed
Dated June 2, 1936
Filed July 8, 1936
Recorded Vol. 544, pages 294-296
Travis County Deed Records
$2.00 U.S. Int. Rev. Stamps Canc.

The State of Texas #
County of Travis # Know all men by these presents: That, Whereas, by virtue of a certain order of sale and writ of execution issued out of the 98th District Court in and for Travis County, Texas, in favor of H.C. Garrison, Hulda Alsup, Hulda Alsup and Bernice Alsup, and Mrs. A. Klein, on ia certain judgment and foreclosure of deed of trust lien rendered by said court in Cause No. 55,186, on the 27th day of March, A.D. 1936, styled J.G. Burney vs. Charles Wendlandt, Jr., et al, said order of sale andwrit of execution having been directed and delivered to me as sheriff of Travis County, Texas, commanding me to seize and sell as under execution all the right,title and interest as the same existed on the 24th day of January, A.D. 1928, and as the same still exists, of J.G. Burney, Mary Burney, Mrs. James R. Hamilton, individually and as independent executrix of the Estate of James R. Hamilton, deceased, Sugarland Industries, a Trust Estate, and First National Bank of Lockhart, Texas, (assignee of Lockhart State Bank) in and to the hereinafter described real estate, situated in Travis County, Texas, to make certain monies in said order of sale and writ of execution mentioned, I, Lee O. Allen, as Sheriff as aforesaid, did on the 22nd day of April, A.D. 1936, pursuant to mandates of said order of sale and writ of execution, levy on the premises above mentioned and hereinafter described, as the property of the said J.G. Burney and Mary Burney, and on the 1st Tuesday in June, A.D. 1936, the same being the 2nd day of June, A.D. 1936, within the hours prescribed by law, sold s id property at public auction in the County of Travis and State of Texas, at the courthouse door thereof, in Austin, Texas, after having first given public notice of the time and place of sale by causing an advertisement thereof to be published in the English Language in the Pflugerville Press (a newspaper of general circulation, which has been continuously and regularly published in Travis County, Texas, for a period of not less than one year) once a week for three consecutive weeks preceding June 2, 1936, the first publication appearing on the 30th day of April, A.D. 1936, the second on the 7th day of May, A.D. 1936, and the third on the 14th day of May, A.D. 1936, and also by delivering to J.G. Burney and Mary Burney, and each of them, in Travis County, Texas, a copy of said noticeof sale, and also by mailing to Mrs. James R. Hamilton, individually and as Independent Executrix of the Estate of James R. Hamilton, Deceased addressed at Austin, Texas to Sugarland Industries a Trust Estate, addressed Sugarland, Texas, and The First National Bank of Lockhart, Texas, addressed Lockhart, Texas, copies of said notice of sale, by depositing each of said notices of sale so mailed, properly addressed and stamped, in the postoffice at Austin, Texas,

counter 49298

said advertisement notice of sale as aforesaid and each ofsaid other notices of sale personally served and mailed as aforesaid to the parties hereinabove named, each containing the recitation of authority by which said sale was to be made, the time of levy, the time and place of sale, a description of the property, and each of said notices containing all other prerequisites provided for by law; and,

Whereas, at said sale said premises were struck off to Sophia Wendlandt, a feme sole, of Travis County, Texas, for the sum of Two Thousand and no/100 ($2,000.00) Dollars, she being the highest bidder therefor and her bid being the highest bid for the same;

Now, Therefore, in consideration of the premises, and by vir tue of the premises as aforesaid, and of the payment to me in hand as Sheriff of Travis County, Texas, of the sum of Two Thousand and no/10) ($2,000.00) Dollars cash by the said Sophia Wendlandt, a feme sole, the receipt of which is hereby acknowledged and confessed, I, Lee O. Allen as Sheriff as aforesaid, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the saidSophia Wendlandt, a feme sole, of Travis County, Texas, all the right, title, interest and claim of J.G. Burney, Mary Burney, Mrs. James R. Hamilton, individually and as Independent Executrix of the Estate of James R. Hamilton, Deceased, Sugarland Industries, a trust estate, and The First National Bank of Lockhart, Texas, had as of the 24th day of January, A.D. 1928, or at any time thereafter, and also the right, title and interest of any and all persons claiming by, thru and under them, or any one of them, as of date January 24, 1928, or at any time thereafter in and to the following described real estate, situated in Travis County, Texas, to-wit:

First Tract: 1460.42 acres in Travis County, Texas, described as follows: Beginning at the most northern corner of a 100 acre tract sold by J.G. Burney to Walter Davis as per deed recorded in Vol. 160, page 24, Deed Records of Travis County, Texas, a stone md at corner of the pasture fence, Thence S. 60 E. with fence on N. line of said 100 acre tract 176 vs to a stone md. from which a cedar brs. S. 60 E. 3 vrs. and a cedar brs. N. 60 W. 5½ vs; thence N. 30 E. 480 --- to an old stone md. on the S. line of the Jas. Mitchell league from which an X in a sold stone brs. W. 4 vs; thence N. 60 W. at 527 vs. an old stone md. on high bluff at 1351 vs. another old stone md. on high bluff next to Bull Creek at 1639 vs. an old stone md N. slope of a high point; Thence S. 30 W. 171e vs to a stone md on W. face of a mountain at the intersection of the N.W. line of the T.J. Chambers league; Thence S. 45 W. 220 vs. with the Chambers line to the N.E. corner of the James Jett survey; Thence S. 8 W. 672 vs. to a stone md. on the N. line of the E. Williams tract; Thence E. along the Williams line 10 vs. to his N.E. corner; Thence along the E. line of the Williams tract S. 0 deg. 15' E. 526 vs. to Bull Creek road; thence along said Bull Creek Road with the meanders thereof as follows, towit: S. 33 deg. 37' E. 74 vs. S 75 vs. S. 75 deg. 12' E. 41 vs. S. 51 1/4 E. 104 vs. S. 76-3/4 E.

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31 vs. S. 28½ E. 57 vs. S. 19 deg 19' E. 152 vs. S. 11 deg. 23' E. 156 vs. S. 51¼ W. 45 vs. S. 8¼ W. 47 vs. S. 53½ W. 32½ vs. S. 37¼ W. 49 vs. S. 43 W. 50 vs. S. 64 W. 228 vs. to a point from which the N.W. corner of theCooper tract bears S. 6 deg. 27' W. 61 vs. Thence S. 3 deg. 33' W. 471 vs. S. 26 deg. 42' E. 109 vs. S. 36 deg. 9' E. 116 vs s. 36½ W. 118 vs. S. 15 W. 106 vs. S. 12 deg. 9' E. 89 vs to a point from which Mt. Bonnell brs. S. 19 deg. 4' E. a live oak marked X bears N. 8 deg. 7' W. 50 vs Thence S. 39½ E. 87 vs. S. 46 E. 118 vs. with old road to Brueggerman, N.E. corner; Thence S. 49 W. with his E. line 30 vs. to a point in new road; Thence with road S. 53 E. 214 vs. S. 40½ E. 180 vs. S. 81½ E. 60 vs. N. 85½ E. 160 vs. S. 28-3/4 E. 165 vs. S. 49.1/4 E. 44 vs. S. 84 E. 59 vs. N. 50n1/4 E. 179 vs. N. 25 1/4 E. 71 vs. N. 47½ E. 153 vs. Mrs.Robinson corner, N. 17-3/4 E. 120 vs. N. 45 E. 77 vs. N. 60½ E. 78 vs. N. 65¼ E. 118 vs. S. 62 E. 123 vs. N. 82 E. 138 vs. N. 40-3;4 E. 250 vs. N. 82½ E. 100 vs. S. 70 E. 78 vs. S. 81 1/4 E. 15 vs. to intersection of road with E. line of the John Walden 201 acre tract for corner; Thence N. 28 deg. 43' E. at 10 vs. cross Dry Creek at 50 vs. pass an old stone md. for the original N.E. corner of said 201 acre tract at 1220 to S.E. corner of a 147 acre tract sold to Jos. Strimpf by J.G. Burney; Thence N. 60 W. with fence on S. line of said 147 acre tract 1348 vs. to S.W. corner of same; thence N. 28 deg. 45' E. 622 vs. to corner on S. line of the Walter Davis 100 acre tract; Thence N. 60 W. along the S. line of Davis tract 88 vs. to his S.W. corner; Thence N. 30 E. with the W. line of the Davis 100 acre tract 1119 vs to the Beginning.

Second Tract: All of the Thomas J. Chambers Grant in Travis County, Texas, Abstract No. 7 owned by J.G. Burney and between the Bull Creek Road and the Colorado River and a part of the tract conveyed by Susan E. Hancock to W.C. Belcher by deed dated August -- 1898 and recorded in Book 153, page 316 of the Deed Records of Travis County, Texas; together with all improvements thereon situated; said two tracts ofland being the identical property described in deed of trust by J.G. Burney and wife, Mary A. Burney to Charles Wendlandt, Jr., Trustee, dated the 24th day of January, 1928, recorded in Book 420, pages 229, et seq., Deed of Trust Records of Travis County, Texas, to which said deed of trustand to the record thereof reference is here made for a more particular description.

To have and to hold all andsingular, the above described property, together with all rights and appurtenances thereto in anywise belonging unto the said Sophia Wendlandt, her heirs and assigns forever, as fully and as absolutely as I as Sheriff as aforesaid can convey the sameby virtue ofsaid judgment, order of sale and writ of execution.

In Testimony Whereof, I have hereunto set my hand at Austin Texas, this the 2nd day ofJune, A.D. 1936.

Lee O. Allen As Sheriff
of Travis County, Texas.

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The State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared Lee O. Allen, 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 capacities therein stated.

Given under my hand and seal of office, this the 8th day of June, A.D. 1936.

(Notary Seal)

Arthur P. Bagby Notary Public in and for Travis County, Texas.

Sophia Wendlandt

To

Warren S. Freund

Warranty Deed
Dated April 26, 1938
Filed April 30, 1938
Recorded in Vol. 585 pages 529-530
Travis County Deed Records
$2.00 U.S. Int. Rev. Stamps Canc
$ .80 State Note Stamps Canc.

The State of Texas #
County of Travis # Know all men by these presents: That I, Sophia Wendlandt, a feme sole, of the County of Travis, and State of Texas, in consideration of the sum of Two Thousand and 00/100 Dollars, paid and secured to be paid by Warren S. Freund, as follows:

One Thousand and00/100 Dollars ($1000.00) cash in hand paid, the receipt of which is hereby acknowledged and confessed and the remaining sum of One Thousand and 00/100 Dollars ($1000.00) as evidenced by one (1) certain promissory note of even date herewith, executed by the said Warren S. Freund, said note to be due and payable to the order of Sophia Wendlandt at Austin, Texas in annual installments of $250.00 or more the first installment to be due on or before April 26, 1939, bearing interest at the rate of 7% per annum, payable annually, provides for 10% attorney's feee if placed in the hands of an attorney forcollection by suit or otherwise for non payment of principal or interest when due and also retains the vendor's lien on the hereinafter described property and for a more particular description of this note reference here is made to same and it is made a part hereof

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for all necessary purposes, have Granted, Sold and Conveyed and by these presents do Grant, Sell and Convey unto the said Warren S. Freund, of the County of Travis, and State of Texas, all that certain lot, tract or parcel of land, to-wit: an undivided one-sixth (1/6) interest in 1460.42 acres, more orless, being part of the Thomas J. Chambers Grant in Travis County, Texas, and being the same property conveyed by Lee O. Allen, Sheriff, to Sophia Wendlandt by deed dated June 2, 1936 and recorded in Book 544, pages 294-296, of the Deed Recordsof Travis County, Texas, reference to which is hereby made and it is made a part hereof for all necessary purposes.

To have and to hold &c., unto the said Warren S. Freund, his heirs and assigns forever &c. But it is expressly agreed and stipulated that the vendor's lien is retained against the above described property, premises and improvements until the above described note, and all interest thereon, is fully paid, according to its face and tenor, effect and reading, when this deed shall become absolute.

Witness my hand at Austin, Texas, this 26th day of April, A.D. 1938.

Sophia Wendlandt

The State of Texas #
County of Travis # Before me, the undersigned authority, a Notary Public in and for Travis County, Texas, on this day personally appeared Sophia Wendlandt, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 26th day of April, A.D. 1938.

E. Ahlgrimm Notary Public
(Notary Seal) Travis County, Texas.

105

counter 19302

Sophie Wendlandt

To

Henry Wendlandt, Trustee

Warranty Deed
Dated December 31, 1942
Filed December 31, 1942
Recorded in Vol. 709, pages 363-4
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That I, Sophie Wendlandt, a feme sole, of the County of County of Travis and State of Texas, in consideration of the sum of Ten and 00/100 Dollars cash to me in hand paid by Henry Wendlandt, Trustee, have Granted, Sold and Conveyed and by these presents do Grant, Sell and Convey unto the said Henry Wendlandt, Trustee, of the County of Travis and State of Texas, all that certain tract or parcel of land as follows:

1460.42 acres of land part of the Thas. J. Chambers survey in Travis County, Texas, said tract more fully described in warranty deed, Lee O. Allen, Sheriff to Sophie Wendlandt dated June 2, 1936, and recorded in Book 544, pages 294-296, of the Deed Records of Travis County, Texas, reference to which is hereby made, less the part conveyed to R.G. Mueller and less the undivided one-sixth (1/6) interest conveyed to Warren Freund, also

178.47 acres, more or less out of the John Applegate Survey #58, Abstract #29 in Travis County, Texas, conveyed to Mrs. Sophie Wendlandt, a widow, by warranty deed of Ora McCauley et vir, dated April 26, 1937, and recorded in Book 564, pages 284-285 of the Deed Records of Travis County, Texas, reference to which is hereby made, less the part conveyed to the State of Texas for road purposes.

To Have and To Hold &c., unto the said Henry Wendlandt, Trustee, his heirs and assigns forever &c.

Witness my hand at Austin, Texas, this 31st day of December, A.D. 1942.

Sophie Wendlandt

The State of Texas #
County of Travis # Before me, the undersigned authority, a Notary Public in and forTravis County, Texas on this day personally appeared Sophie Wendlandt, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 31st day of December, A.D. 1942.

E. Ahlgrimm Notary Public,
Travis County, Texas.

(Notary Seal)

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counter 19303

J. G. Burney

To and with

Mrs. Mary Collins

Contract
Dated June 29, 1938
Filed August 31, 1938
Recorded in Vol. 600, pages 128-9
Travis County Deed Records

The State of Texas #
County of Travis # This contract made and entered into this 29th day of June, A.D. 1938, between J.G. Burney of Travis County, Texas, party of thefirst part, and Mrs. Mary Collins, of Travis County, Texas, party of the second part, Witnesseth:

In consideration of the covenants herein contained on the part of the said Mrs. Mary Collins, of the second part, and/or her representatives, to be kept and performed, he, the said J.G. Burney, of the first part, does hereby grant, demise and lease to the said Mrs. Mary Collins, a feme sole, of the second part, the following described property with improvements thereon situated in the County of Travis, State of Texas, to-wit:

A parcel or tract of land out of the T.J.Chambers Survey in Travis County, Texas, a part of a tract conveyed to me by J.H. Walden and Mary Walden, his wife, by deed dated October 5, 1901 and recorded in Deed Records of Travis County, Texas, book 168, page 278, also a part of a tract conveyed to me by W.C. Belcher by deed dated June 7, 1899 and recorded in Book 152, page 183, beginning at the South corner of a 277 acre tract in the name of Jno. Hancock an Elm tree on the North bank of the Colorado River marked "L" from which an Elm marked "X" bears South 19 deg. East 1 varas also an Elm marked "X" bears South 8 deg. East 19 varas. Thence North 66 deg. East with the east line of said277 acre tract 775 varas thence with the Northeast line of said 277 acre tract to the Bull Creek road; thence in a westerly direction with the meander of the Bull Creek road and Scenic Loop to a point 150 varas due North from the place of beginning. Thence South 70 deg. West to the Colorado River at mouth of ravine. Thence with said River to place of beginning, containing 15 acres more or less, and includes all that tract within the Scenic Loop West of the West line of a certain tract heretofore known as the Club House tract at mouth of Dry Creek now owned by Mrs. J.H. Bailey.

To have and to hold the said land and premises hereby demised unto the said Mrs. Mary Collins and/or her said representatives from the 1st day of June A.D. 1938, to the 1st day of June A.D 194, during the full term of this lease, yielding and paying the rent of One Hundred ($100.00) Dollars yearly payments in advance, towit: Twenty-five ($25.00) dollars paid on the 29th day of June and Seventy-five ($75.00) dollars on or beforeSeptember 1, A.D. 1938, for the first year's rent and $100.00 on the first day of June, A.D. 1939, and the same sum of money on the first day of June, for each consecutive year thereafter during the term of this agreement and the same rate during the life of said lease and the same for such further time as the said lessee, Mrs. Mary

counter 49304

Collins, a feme sole, and/or any other person or persons claiming under he shall hold the said premisesor any part thereof; and the said Mrs. Mary Collins, of the second part, for herself and her representatives, hereby covenants, and agrees with and to the said J.G. Burney of the first part, that she will, during said term for such further time as the said lessee or any other person or persons claiming under her shall hold the said premises or any part thereof,pay unto the s id lessor, his heirs and assigns, the said yearly rent at the time and the dates hereinbefore mentioned payment thereof, but in the event of the death or incapacity of Mrs. Mary Collins, party of the second part, from carrying on and operating under this lease, then it is expressly understood and agreed that her brother Samuel McClelland, or any one that She may designate may carry on said agreement to the full extent and purpose as though said agreement had so been made with the new party in the first place. It is the intentions of the lessee to have complete control over the whole tract of land. Lessee shall have access to the whole 15 acres and shall have the right to improve said property divide into lots, clear the land and can cut, use and dispose of any and all timber that lessee, and any of her representatives may deem necessary, to make streets and divide into lots and to make any and all improvements that said lessee or her representatives may deem necessary. That said lessee, or her representatives, may sell any and all parts of this tract with the understanding that if at any time $800.00 is paid to the lessor or his heirs, or assigns, administrators, or executors, that said lessor, or his heirs or assigns, or administrators, or executors will give a warranty deed to said lessee, or her representatives, or her heirs, or assigns, administrators, or executors so that lessee may pass title to any and all parts that she may sell. It is clearly understood that any time lessee pays $800.00 to lessor thatlessor will provide lessee with a warranty deed conveying this 15 acres more or less free from all indebtedness and will furnish lessee with an abstract showing marketable title. It is further provide that if at any time lessee has accumulated a fund in the Bank less than $800.00 and lessor shall need any available cash, lessee may pay lessor saidsum requested and lessor agrees to give a warranty deed to a portion of that tract so selected by lessee in proportinn to the whole tract at the full priceor at the ratio of 15 acres to $800.00. That if at the end of ten years lessee does not purchase said land, she may be allowed an option of one year to continue this agreement in full including theoption of purchase providing lessee shall give written notice to anyone of the lessors within thirty days prior to termination of this lease. That at the termination of this lease if said agreement to purchase has not been exercised and said lessee, or her representatives, return said property to said lessor, then all improvements shall inure to the benefit of the lessor, and lessee or her representatives shall not be liable for any timbers cut or any change of topography that may occur, nor be liable for any damage that might

counter 49305

be caused by fire, floods or wind.

Witness my hand at Austin, Texas, this 29th day of June, A.D. 1938.

Dated and correction in amount of 1st payment made before signing.

J. G. Burney
Party of the first part
Mrs. Mary Collins
Party of the second part

The State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared J.G. Burney, 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.

Given under my hand and seal of office this 29th day of June, A.D. 1938.

Walter Greig Notary Public in and for Travis County, Texas

(Notary Seal)

The State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared Mrs. Mary Collins, a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29 day of June, A.D. 1938.

Walter Greig Notary Public in and for Travis County, Texas.

(Notary Seal)

counter 19306

J. A. Woody, Constable
of Precinct No. 3
To
John W. Burney

Constable's Deed
Dated November 4, 1941
Filed November 7, 1941
Recorded in Vol. 684, pages 261-3
Travis County Deed Records.

The State of Texas #
County of Travis # Whereas in that certain cause No. 19,664, in the Justice Court of Precinct No. 3, wherein the Sugarland Industries, a trust estate, is plaintiff, and J.G. Burney, is defendant, a final judgment was rendered on the 28th day of April, A.D. 1932, in favor of said plaintiff against said defendant in the sum of $65.85, with interest at the rate of 8% per annum and all costs of suit, which said judgment was duly assigned by written assignmenton the 20th day of September, A.D. 1939 to John W. Burney, who is the present owner and holder of the same; and on the 3rd day of October, A.D. 1941, a writ of execution issued upon said final judgment for the said sum of $65.85 with interest from the 28th day of April, A.D. 1932, at the rate of8% per annum, together with all costs amounting to $3.70, and said execution was placed in my hands; and on the 4th day of October, A.D. 1941, I proceeded to levy said execution upon the lands hereinafter described,belonging to the said J.G. Burney; and after due advertisement in the Pflugerville Press for the length of time and in the manner prescribed bylaw said lands were duly advertised for sale in the Pflugerville Press on the first Tuesday in November, the same being the 4th day of November, A.D. 1941, between the legal hours of 10 A.M. and 4 P.M.; and a copy of said sale was delivered to the said defendant, J.G. Burney on the 11th day of October, A.D. 1941; that on said 4th day of November A.D. 1941, and in pursuance of said levy and advertisement and notice to the defendant, I, proceeded at the courthouse door of Travis County, Texas, to sell said land for cash at public outcry to the highest and best bidder, and at saidsale upon the third bid, all of said land was knocked off to John W. Burney for the sum of $100.00 cash, that being the highest and best bid at said sale, he, the said John W. Burney, thus becoming the purchaser at said sale, and entitled to have the same deeded to him by me as the law provides;
Now, therefore, know all men by these presents: That I, J.A. Woody, Constable of Precinct No. 3, of Travis County, Texas, by virtue of the authority vested in me by law, for and in consideration of the sum of $100.00 cash to me in hand paid by John W. Burney of Travis County, Texas, the receipt whereof is hereby acknowledged have this day granted, sold andconveyed and by these presents do hereby grant, sell and convey unto the said John W. Burney all of the interest of the defendant,J.G. Burney in and to the following described lands;

All interest of J.G. Burney in 141½ acres of land in three joining parcels of land about 10 miles N.W. of Austin, in Travis County, Texas, viz: 90½ acres out of the Chas. Mitchell Survey. 41 acres out of the Robt. Compton location on Chambers Grant. 10 acres out of the N.W. corner of the Geo. W. Davis Survey, as

counter 49307

shown by deed of Tom Williams, et al to J.G. Burney of date September 21, 1928, recorded in Vol. 419, p. 480, Deed Records of Travis County, Texas, described by metes and bounds as follows:

Beginning at the intersection of the Tom Williams fence with the S. margin of the Austin and Burnet road orTerms Hill road atthe top of Terms Hill also the intersection of said road with the E. line of the Fred G. Rogers tract; thence with Rogers E. line S. 30 deg. W. 756 vrs. to stake for corner in the N. line of Robt. Compton survey; thence S. 60 deg. E. with Compton N. line 195 vrs to stake and stone mound the N.E. corner of J.G. Burney tract; thence S. 30 deg. W. with Burney E. line 480 vrs to stake and stone mound in Walter L. Davis N. line; thence S. 60 deg. E. with Davis N. line 332 vrs. stake and stone mound for corner; in said line; thence N. 30 deg. E. 189 vrs to Elm tree 20"; thence S. 60 deg. E. with Davis N. line 310 vrs to McElroy S.W. corner; thence N. 30 deg E to stake for corner in north line of Geo. W. Davis Survey; thence S. 60 deg. E. with N. line of Geo. W.Davis survey 370 vrs to Trinidad Torres S.W. corner; thence N. 30 deg. E. with west line of the Torres survey to stake in S. margin of Austin & Burnet or Terms Hill road; thence in N.W. direction with the meanders of said road to place of beginning.

Also small triangular tract south of Bull Creek Road at or near the intersection of the Mount Bonnel Road with the Bull Creek Road on Dry Creek out of the Raymond and Whitis tract of the Chambers grant described as follows: Beginning at the N,E. corner of the John Hancock 277 acre tract at a steel pin in margin of Bull Creek road; thence with the south line of the Raymond and Whitis tract S. 26¼ E. 130 vrs to stone mound in coal pit the S.W. corner of the John Walden tract; thence N. 28¼ E. with west line of Walden tract to intersection of Bull Creek Rd 145 3/10 vrs for corner; thence in a westerly direction with the said Bull Creek road 125 vrs to the place of beginning containing 3-1/3 acres, more or less.

Also Lots 4, 5, 9, 10, 11, 12 of Block 13, in the Glenwood Addition to the City of Austin as shown by deed Vol. 580 p. 481. To have and to hold all of said land andall of the interest of the said defendant, J.G. Burney, therein unto the said John W. Burney, his heirs and assigns forever, hereby conveyingall of the interest of said defendant, J.G. Burney, as fully as it is possible for me to convery under the law.

Witness my hand on this the 4th day of November, A.D. 1941.

J.A. Wood Constable ofPrecinct No. 3, Travis County, Texas, by C.R. Sjoberg, Deputy

The State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared C.R. Sjoberg, well and personally known to me to be the person whose name is subscribed to the foregoing instrument and known to me to be the Deputy Constable of Precinct No. 3, Travis County, Texas, and

counter 49308

acknowledged to me that he executed the same for thepurposes and consideration therein expressed and in thecapacity therein stated.

Given under my hand and seal of office this the4th day of November, A.D. 1941.

Leona B. Barnes Notary Public in and for Travis County, Texas.

(Notary Seal)

Jesse G. Burney

To

J. W. Burney

Special WarrantyDeed
Dated September 10, 1942
Filed October 6, 1942
Recorded in Vol. 701, pages 524-5
Travis County Deed Records
$1.10 U.S. Int. Rev. Stamps Canc.

The State of Texas #
County of Travis # Know all men by these presents: That I, Jesse G. Burney, of Travis County, in the State of Texas, for and in consideration of the sum of Ten and no/100 ($10.00) Dollars and other good andvaluable consideration to me this day cash in hand paid by the grantee hereinafternamed, and for which no lien, express or implied, is retained thereceipt of which is hereby acknowledged and confessed, have Granted, Sold and Conveyed and by these presents do Grant, Sell and Convey unto J.W. Burney of the County of Travis, in the State of Texas, all those certain tracts or parcels of land being more particularly described as follows, to-wit:

All interest of J.G. Burney in 141½ acres of land in three joining parcels of land about 10 miles N.W. of Austin, in Travis County, Texas, viz: 90½ acres out of theJas. M. Mitchell Survey. 41 acres out of the Robt. Compton location on Chambers grant. 10 acres out of the N.W. corner of the Geo. W. Davis survey, as shown by deed of Tom Williams, et al to J.G. Burney of date September 21, 1928, recorded Vol. 419, page 480, Deed Records of Travis County, Texas, described by metes and bounds as follows: Beginning at the intersection of the Tom Williams fence with the S. margin of the Austin and Burnet Road on Terms Hill road at the top of Terms Hill also the intersection of said road with the E. line of the Fred G. Rogers tract; thence with Rogers E. line S. 30 W. 756 vrs. to stake for corner in the N. line of Robt. Compton survey, thence S. 60 E. with Compton N. line 195 vrs to stake and stone mound the N.E. corner of J.G. Burney tract; thence S. 30 W. with Burney E. line 480 vrs to stake and stone mound in Walter L. Davis N. line; thence S. 60 E. with Davis N. line 332 vrs stake and stone mound for corner in said line; thence N. 30 E 189 vrs to Elm tree 20"; thence S. 60 E. with Davis N. line 310 vrs to McElroy S.W. corner; thence N. 30 E. to stakefor corner in North line of Geo. W. Davis survey; thence S. 60 E. with N.

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line of Geo. W.Davis Survey 370 vrs to Trinidad Torres S.W. corner; thence N. 30 E. with west line of the Torres Survey to stake in S. margin of Austin & Burnet or Terms Hill Road; thence in N.W. direction with the meanders of said road to place of Beginning.

Also, small triangular tract south of Bull Creek roadat or near the intersection of the Mount Bonnell Road with the Bull Creek Road on Dry Creek out of the Raymond and Whitis tract of the Chambers grant described as follows: Beginning at the N.E. corner of the John Hancock 277 acre tract at a steel pin in margin of Bull Creek Road; thence with the South line of the Raymond and Whitis tract S. 26¼ E. 130 vrs to stone mound in coal pit the S.W. corner of the John Walden tract; thence N. 28¼ E. with west line of Walden tract to intersection of Bull Creek road 145 3/10 vrs for corner; thence in a Westerly direction with the Bull Creek road 125 vrs to the place of beginning, containing 3-1/3 acres, more or less.

Also Lots Nos. Four (4), Five (5), Nine (9), Ten (10), Eleven (11), Twelve (12) in Block No. Thirteen (13) of Glenwood Addition, a subdivision of Outlots Nos. Thirty-two (32) and Thirty-three (33) in Division "B" in the City of Austin, Travis County, Texas, according to the map or plat of record in Vol 2 page 154, of the Travis County Plat Records.

To have and to hold the above describedpremises, together with all rights, hereditaments and appurtenances thereto belonging unto the said grantee above named, his heirs andassigns forever. And I do hereby bind myself, my heirs, executors and administrators to Warrant and Forever Defend the title to the said property unto the said grantee above named, his heirs and assigns against every person whomsoever lawfully claiming or to claim the same orany part thereof, by, through or under me, but not otherwise.

Executed on the 10th day of September, A.D.1942.

Jesse G. Burney

The State of Texas #
County of Travis # Before me, the undersigned authority on this day personally appeared Jesse G. Burney 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.

Given under my hand and seal of office on this 10th day of September, A.D. 1942.

Grace C. Tramp Notary Public
(Notary Seal) Travis County, Texas.

counter 49310

John W.Burney
To
Ed Wallace

Quitclaim Deed.
Dated April 18, 1944
Filed August 12, 1944
Recorded in Vol. 747, page 132
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That I, Jno. W. Burney, of the County of Travis, State of Texas, for and in consideration of the sum of Two Hundred and Fifty ($250.00) Dollars to me in hand paid by Ed Wallace of the County of Travis and State of Texas, the receipt of which is hereby acknowledged, do by these presents Bargain, Sell, Release and Forever Quitclaim unto the said Ed Wallace, his heirs and assigns all my right, title and interest in and unto that tract or parcel of land lying in the County of Travis and State of Texas, described as follows, towit: A partof the Raymond and Whitis Subdivision of the Thomas J. Chambers grant on the Bull Creek Road, about 7 miles N.W. of Austin, being a part of 3 1/3 acres of land conveyed to me by J.G. Burney by constable of date Nov. 7, 1941 and recorded in Vol. 684, P. 261, also by Jesse G. Burne by deed dated Oct. 6, 1942, Vol. 701, page 524 discribed by metes and bounds as follows: Beginning at stone mound S.W. corner of John H. Walden tract in the S.W. line of the Raymond and Whitis Subdivision of Chambers land; thence with said line N. 26¼ W. 130 vrs from pin in margin of Bull Creek road, the most Easterly corner of the Jno Hancock 277 acre sundivision of the Chambers grant; thence with meanders, of the north line of the Old Bull Creek---- to theintersection of North West line of the Jno. H. Walden tract; thence with said line to the place of beginning, containing about 3 acres of land, beingall of 3 1/3 acres heretofore conveyed to me as described herein except that part between the N. line of the Old Bull Creek road and the New Paved Bull Creek Road, at Little Dry Creek.

To have and to hold the said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said Ed Wallace, his heirs and assigns, forever, so that neither I, thesaid Jno. W. Burney nor my heirs, nor any person or persons claiming underme, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof. Witness my hand this 18 day of April, A.D. 1944.

John W.Burney

The State of Texas #
County of Travis # Before me, E.L. Greenwood, a Notary Public in and for Travis County, Texas, on this day personally appeared John W. Burney, 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. Given under my hand and seal of office this 18th day of April, A.D. 1944.

(Notary Seal)

E. L.Greenwood Notary Public,
Travis County, Texas.

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counter 49311

John W. Burney
To
John Small

Quitclaim Deed
Dated April 18, 1944
Filed May 13, 1944
Recorded in Vol. 737, page 423
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That I, John W. Burney, of the County of Travis, State of Texas, for and in consideration of the sum of ($50.00) Fifty Dollars to me in hand paid by John Small of the County of Travis and State of Texas, the receipt of which is hereby acknowledged, do by these presents bargain, sell, release and forever quitclaim unto the said John Small hisheirs and assigns all my right, title and interest in and unto that tract or parcel of land lying in the County of Travis and State of Texas, described as follows, towit:

A part of the Raymond and Whitis Subdivision of the Thomas J. Chambers Grant in Travis County situated about 7 miles northwest of Austin on the Bull Creek Road, being a part of the 3 1/3 acres conveyed to me John W. Burney by J.G. Burney by deed of date Oct. 6th, 1942, and recorded in Vol. 70., page 524, of Deed Records of Travis Co., Tex. also by Constable's deed of date Nov. 7th, 1941, recorded in Vol. 684, page 261, of said records. The part of aforesaid 3 1/3 acres herein conveyed being that part between the north line of the Old Bull Creek Road and the New paved road at Little Dry Creek.

To have and to hold the said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging, unto the said John Small, his heirs and assigns forever, so that neither I, the said John W. Burney nor my heirs nor any person or persons claiming under me shall at any time hereafter, have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Witness my hand this 18th day of April, A.D. 1944.

John W. Burney

The State of Texas #
County of Travis # Before me, E.L. Greenwood, a Notary Public in and for Travis County, Texas, on this day personally appeared John W. Burney 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.

Given under my hand and seal of office this 18th day of April A.D. 1944.

E.L. Greenwood Notary Public
Travis County, Texas.

(Notary Seal)

counter 49312

J. G. Burney et ux
Mary A. Burney
Vs
Charles Wendlandt, Jr., Sophie Wendlandt & Mrs. James R. Hamilton, Indiv'ly & as Ind. Extrx. of Est of James R. Hamilton, Decd; Sugarland Industries, a trust estate & First National Bank of Lockhart

Abstract of Judgment
Dated March 23, 1937
Filed April 3, 1937
Recorded Book 10, pages 405-7
Records of Travis County, Texas

Judgment recorded in 98th District Court, Travis County, Texas, in favor of H.C. Garrison, Intervenor, against J.G. Burney, for $3,274.74, with 8% interest on $2,977.04 from March 27, 1936 & 6% interest on $297.70 from said date.
Mrs. Hulda Alsup & Bernice Alsup intervenors, recovered judgment against J.G. Burney for $1,637.37 with 8% interest on $1,488.52 and 6% interest on $148.85 from March 27, 1936.
Mrs. Hulda Alsup, intervenor, recovered judgment against J.G. Burney, for $1,637.37 with 8% interest on $1,488.52 & 6% interest on $148.85 from March 27, 1936.
Mrs. A. Klein recovered judgment against said J.G. Burney for $1,637.37 with 8% interest on $1,488.52 and 6% interest on $148.85 from March 27, 1936.

The First National Bank of Lockhart, Intervenor, recovered judgment against J.G. Burney for $10,308.66 with 7% interest on $9,371.51 & 6% interest on $937.15 from March 27, 1936.

Said judgment is entitled to following credits: (1) Judgment in favor of H.C. Garrison sum of $761.66; (2) In favor of Hulda Alsup, $380.33; (3) in favor of Hulda Alsup and Bernice Alsup $380.83; (4) In favor of Mrs. A. Klein, the sum of $380.83;

Leaving balance due (in order above named) (1) $2,513.08, (2) $1,256.54 (3) $1,256.54 (4) $1,256.54 (5) $10,308.66 and all costs.

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J. G. Burney et ux
Mary A. Burney
Vs
Charles Wendlandt, Jr.
Sophie Wendlandt & Mrs.
James R. Hamilton, Indiv'ly, & as
Ind. Extrx. of Est. of James R.
Hamilton, Decd; Sugarland Indus-
tries, a trust estate, & First
National Bank of Lockhart

Abstract of Judgment
Dated March 23, 1937
Filed March 31, 1947
Recorded in Vol. 16, pages 399-400
Records of Travis County, Texas

Judgment recovered in 98th District Court, Travis County, Texas, in favor of H.C. Garrison, intervenor, against J.G. Burney, for $3,274.74 with 8% intereston $2,977.04 from March 27, 1936, & 6% interest on $297.70 from saiddate. Mrs. Hulda Alsup intervenor, recovered judgment against J.G. Burney for $1,637.37 with 8% interest on $1,488.52 & 6% interest on $148.85 from March 27, 1936.

Mrs. Hulda Alsup & Bernice Alsup intervenors, recovered judgment against J.G. Burney for $1,637.37 with 8% interest on $1,488.52 and 6% interest on $148.85 from March 27, 1936.

Mrs. A. Klein, recovered judgment against said J.G. Burney for $1,637.37 with 8% interest on $1,488.52 and 6% interest on $148.85 from March 27, 1936.

The First National Bank of Lockhart, Intervenor, recovered 8udgment against *.G. Burney for $10,308.66 with 7% interest on $9,371.51 & 6% interest on $937.15 from March 27, 1936.

Said judgment is entitled to following credits: (1) Judgment infavor of H.C. Garrison sum of $761.66; (2) In favor of Hulda Alsup, $380.83; (3) In favor of Hulda Alsup and Bernice Alsup $380.83; (4) In favor of Mrs. A. Klein, the sum of $380.83;

Leaving balance due (in order above named) (1) $2,513.08 (2), $1,256.54, (3) $1,256.54 (4) $1,256.54 (5) $10,308.66 and all costs.

Said judgment is recorded in Volume 58, page 534, Records of said court.

Note: This judgment has been filed before in Vol. 10/405.

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Henry Wendlandt et al
Vs #82,809
Ed Wallace et al

In the District Court of

Travis County, Texas

Plaintiffs' Original Petition: Filed January 27, 1949. Now come Henry Wendlandt individually, and Warren Freund, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, and Henry Wendlandt as trustee for Ted Wendlandt, Edward Wendlandt, Emma Wendlandt and Henry Wendlandt herein called plaintiff, complaining of Ed Wallace and his wife, Minnie Wallace, herein called defendants, and for cause of action plaintiffs say:

1. All parties reside in Travis County, Texas.

2. Heretofore, on the 1st day of December, 1948, plaintiffs were lawfully seized and possessed of the following described land and premises situated in Travis County, Texas, holding and claiming same in fee simple, to-wit: Being part of the three and one-third (3-1/3) acres out of the Raymond and Whitis Subdivision of the T.J. Chambers Grant in said Travis County, Texas, as described in deed from J.G. Burney to J.W. Burney by Constable's deed dated November 4, 1941, recorded in Vol. 684, page 261 of the Deed Records of Travis County, Texas, and described by metes and bounds as follows: Beginning at stone mound, the southwest corner of the J.H. Walden tract in the southwest line of Raymond and Whitis Subdivision of Chambers land; thence with said line N. 26¼ deg. W. one hundred thirty (130) vrs. from pin in margin of Bull Creek Road, the most easterly corner of the John Hancock 277 acre subdivision of the Chambers Grant; ;thence with meanders of the North line of the old Bull Creek Road to the intersection of the Northwest line of the J.H.Walden tract; Thence with said line to the place of beginning, containing three and one-third (3-1/3) acres, as described, except that part between the North line of the old Bull Creek Road and the new paved Bull Creek Road at Little Dry Creek; And including all or any portion of a certain tract out of the Thomas J. Chambers Grant in Travis County Texas, Abstract No. 7, lying south of the Old Bull Creek Road, and being a part of the tract described as "Second Tract" in a certain deed from Leo Allen, Sheriff of Travis County, To Sophia Wendlandt, said sheriff's deed dated June 2, 1936, recorded in Vol. 544, pages 294-296 of the Deed Records of Travis County, Texa

3. Plaintiffs, and those whose title they hold, have claimed all of said property and the property involved in this suit under a deed or deeds duly registered and under such deed or deeds have had peaceable, continuous and adverse possession of all of said land and tenements, using and enjoying the same, and paying all taxes due thereon, for a period of more than five years before the commencement of this suit and before the date of the wrongs and injuries herein complained of; wherefore, if defendants ever had a claim to any portion of the property involved in this suit, which is not admitted but expressly denied, then same is barred by the statute of limitation of five years.

4. Plaintiffs and those whose title they hold have had peaceable and adverse possession of the land and tenements above described

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and claimed by plaintiffs in this suit, using and enjoying the same for more than ten years before the commencement of this suit and before the date of the wrongs and injuries herein complained of, using and enjoying the same for more than ten years before the wrongs and injuries herein complained of occurred and before the commencement of this suit; wherefore, if defendants everhad a claim to any portion of the property involved in this suit, whic is not admitted but expressly denied, then same is barred by the statutes of limitation for ten years.

5. On the day and year above mentioned, to-wit, on or before the 1st day of December, 1948, the defendants unlawfully entered upon the above described land and ejected plaintiffs from said portion so described and unlawfully withhold from plaintiffs the possessio thereof.

6. By reason of the acts of defendants as aforesaid plaintiffs have been damaged in the sum of Five Hundred Dollars ($500.00).

7. Wherefore, plaintiffs pray judgment of the Court that they have judgment for the title and possession of said above-described tract of land, and that the cloud cast upon plaintiffs' title by the matters complained of be removed, and that writ of restitution issue, and that plaintiffs have judgment for Five Hundred Dollars ($500.00) actual damages, and for other and further relief, general or special, in law and in equity, to which plaintiff may be justly entitled.

W. Trenckmann Attorney for
Plaintiffs.

Citation: Filed February 3, 1949. Summons Minnie Wallace to be an appear before the 98th District Court of Travis County, Texas, to be held at the courthouse of said County in the City of Austin, Travis County, Texas, at 10 o'clock A.M. on the Monday next after the expiration of 20 days from the date of service hereof and answer the petition of plaintiffs a copy of which accompanies this citation in cause number 82809 &c.

Officer's Return shows came to hand on the 27th day of January 1949 and executed at Austin within the County of Travis on the 3rd day of February 1949 by delivering to the within named Minnie Wallace in person, a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Ernest Best, Sheriff
of Travis County, Texas
By R.E. Sundberg, Deputy

Citation: Filed February 4, 1949. Summons Ed Wallace to be and appear before the 98th District Court of Travis County, Texas, to be held at the courthouse of said County in the City of Austin, Travis County, Texas at 10 o'clock A.M. on the Monday next after the expiration of 20 days from the date of service hereof and answer the petition of plaintiffs a copy of which accompanies this citation, in cuase number 82809 &c.

Officers Return: Shows came to hand on the 27th day of January

counter 49316

1949 and executed at Austin, within the County of Travis on the 4th day of February 19-- by delivering to the within named --- in person a true copy of this citation together with the accompany ing copy of the petition having first attached such copy of such petition to such copy of citation and indorsed on such copy of citation the date of delivery.

Ernest Best Sheriff
of Travis County, Texas
By Robert L. Baker, Deputy

Defendant's Original Answer: Filed February 23, 1949.

Now come the defendants in the above entitled and numbered cause and for answer to plaintiffs' original petition, would respectfully show the court the following:

1. Defendants are not guilty of the injury complained of in the petition filed by plaintiffs against them.

2. And for further plea in their behalf the defendants say that the plaintiffs ought not to have and maintain this action against them, because they say that they, the defendants, have had and held peaceable, continuous and adverse possession under title or color of title from and under the State of Texas &c.

3. Defendants claiming the same under deeds duly registered, had peaceable, continuous and adverse possession of the lands and tenements claimed in plaintiffs' petition, cultivating, using and enjoying the same, and paying all taxes as the same became due thereon, for a period of more than 5 years &c.

4. Defendants have had peaceablepossession and enjoying the same for more than ten years after the plaintiffs' alleged cause of action accrued, taken and held under written memorandum of title other than a deed, fixing the boundaries of ssid tract and their claim thereto, and duly recorded on the 21st day of September 1928, in the office of the County Clerk of Travis County, Texas. Wherefore they say that if plaintiffs ever had any such right of action, which is not admitted, but denied, the same is barred by the statute of limitation of ten years &c.

5. Wherefore, premises considered, defendants pray that plaintiffs take nothing by their suit and that the defendants go hence with costs without day and for general relief.

John E.Allen
Attorney for defendants

And now come the defendants, and show the court that they, and those under whom they claim have had adverse possession, in good faith of the premises in controversy for more than one year next before the commencement of this suit, and defendants say that on orabout the 22nd day of September, 1928, J.G. Burney was in possession of said premises claiming under a regular chain of title from one T.J. Chambers to whom the said land was granted by the State of Texas by patent, and said premises were sold under an execution issued out of the Justice Court of Travis County, Precinct 3, under a judgment rendered in said court on or about the 28th day of April 1932 &c.

Defendants caused to be due thereon a water well the reasonable value of said well is $1,500.00 &c.

Defendants have cleared the lands and premises of under-brush and

counter 49317

have now cleared the said land and premises to the extent that there are several nice shade trees and a great amount of grass of a reasonable value of $750.00 &c
Defendants have fenced the tract with a stock proof fence value of the said premises in the amount of $500.00 &c.
Defendants built upon this tract of land two buildings they are reasonable worth $2,000.00 &c
Defendants have cleared rocks from these premises, cleaned up trash that had accumulated over several years prior to this occupancy of a reasonable value of $500.00.

And that the value of such land and premises is thereby increated by five thousand two hundred and fifty ($5,250.00) dollars over that reasonable value of the same land when these defendants took possession in good faith, claiming under the said conveyance heretofore set out.

And defendants pray that they may have judgment for the value of said improvements aforesaid, should judgment be herein rendered for plaintiffs for said premises or any part of the same, on which said improvements are situated.

John E. Allen, Attorney
for Defendants

Notice to Take Deposition: Filed April 6, 1949
Deposition: Filed May 2, 1949
(Here follow answers and depositions)

coenter 19318

LIS PENDENS NOTICE.

FILED: FEB. 1, 1949
RECORDED VOL. 3, PAGE 101
TRAVIS COUNTY LIS PENDENS RECORDS

Notice is hereby given that in the district Court of Travis County, Texas, and of and for the 98th Judicial district of Texas, there is pending a certain suit, entitled Henry Wendlandt et al vs. Ed Wallace, et al, and numbered 82809, wherein Henry Wendlandt individually, and Warren Freund, Ted Wendlandt, and Emma Wendlandt, a feme sole, and Henry Wendlandt, as tustee for Ted Wendlandt, Edward Wendlandt Emma Wendlandt, and Henry Wendlandt are plaintiffs and Ed Wallace and his wife, Minne Wallace, are defendants; that such is in trespass to try title, and involve the title to all that certain real estate situated in Travis County, Texas, known and described as follows, to-wit: Being part of the three and one-third (3-1/3) acres outof the Raymond and Whitis Subdivision of the T.J. Chambers Grant in said Travis County, Texas, as described in deed from J.G. Burney to J.W. Burney by Constable's deed dated November 4, 1941, recorded in Vol. 684, page 261, of the Deed Records of Travis County, Texas, and described by metes and bounds as follows: Beginning at stone mound, the Southwest corner of the J.H. Walden tract in the southwest line of Raymond and Whitis Subdivision of Chambers land; Thence with said line N. 26 1/4 deg. W. one hundred thirty (130) vrs. from pin in margin of Bull Creek Road, the most easterly corner of the John Hancock 277 acre subdivision of the Chambers grant; thence with meanders of the North line of the old Bull Creek Road to the intersection of the Northwest line of the J.H. Walden tract; thence with said line to the place of beginning containing three and one-third (3 1/3 acres as described, except that part between the North line of the old Bull Creek Road and the new paved Bull Creek Road at Little Dry Creek;

And including all or any portion of a certain tract out of the Thomas J. Chambers Grant in Travis County, Texas, Abstract No. 7, lying south of the Old Bull Creek Road, and being part of the tract described as "Second Tract" in certain deed from Leo Allen Sheriff of Travis County, to Sophia Wendlandt, said Sheriff's deed dated June 2, 1936, recorded in Vol. 544, pages 294-296, of the Deed Records of Travis County, Texas; and that the said plaintiffs are seeking an affirmation relief in such cause and that they are therein suing for title to such real estate.

Witness my hand this 28" day of January, 1949.

W.Trenckmann, Attorney for Plaintiff

The State of Texas #
County of Travis # Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared W. Trenckmann, attorney for plaintiffs Henry Wendlandt et al, 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.

Given under my hand and seal of office, the 28th day of January, 1949.

Ona Hopkins Notary Public
in and for Travis County, Texas.

(Notary Seal)

counter 49319

Henry Wendlandt et al
Vs #83513
John Small et ux

In the District Court of
Travis County, Texas

Plaintiffs' Original Petition: Filed May 5, 1949.

Now come Henry Wendlandt individually, and Warren Freund, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole and Henry Wendlandt as trustee for Ted Wendlandt, Edward Wendlandt, Emma Wendlandt and Henry Wendlandt, herein called plaintiffs, complaining of John Small and wife, Ella Small, herein called defendants and for cause of action plaintiffs say:

1. All parties reside in Travis County, Texas.

2. Heretofore, on the --st day of December, 1948, Plaintiffs were lawfully seized and possessed of the following described land and premises situated in Travis County, Texas, holding and claiming same in fee simple, to-wit: Being a part of the Raymond and Whitis subdivision of the Thomas J. Chambers Grant in Travis County, Texas, situated about seven miles northwest of Austin on the Bull Creek road, being a part of the three and one-third acres describe in deed to John W. Burney, from J.G. Burney, dated October 6, 1942, recorded in Vol. 701, page 524, of the Deed Records of Travis County, Texas, and also described in Constable's deed dated November 7, 1941, recorded in Vol. 684, page 261 of the Deed Records of Travis County, Texas, the part of said 3-1/3 acres herein described being that part between the North line of the Old Bull Creek Road and the new paved road at Little Dry Creek.

3. Plaintiffs, and those whose title they hold, have claimed all of said property and the property involved in this suit under a deed or deeds duly registered and under such dead or deeds have had peaceable, continuous and adverse possession of all of said land and tenements, using and enjoying the same, and paying all taxes due thereon, for a period of more than five years before the commencement of this suit and before the date of the wrongs and injuries herein complained of; wherefore, if defendants ever had a claim to any portion of the property involved in this suit, which is not admitted but expressly denied then same is barred by the statute of limitation of five years.

4. Plaintiffs and those whose title they hold have had peaceable and adverse possession of the land and tenements above described and claimed by plaintiffs in this suit, using and enjoying the same for more than ten years before the commencement of this suit and before the date of the wrongs and injuries herein complained of, using and enjoying the same for more than ten years before the commencement of this suit; wherefore if defendants ever had a claim to any portion of the property involved in this suit, which isnot admitted but expressly denied, then same is barred by the statutes of limitation for ten years.

5. On the day and year above mentioned, towit, on or about the 1st day of December 1948, the defendants unlawfully entered upon the above described land and ejected plaintiffs from said portion so described and unlawfully withheld from plaintiffs the possession thereof.

counter 49320

6. By reason of the acts of defendants as aforesaid, plaintiffs have been damaged in the sum of Five Hundred Dollars ($500.00)

7. Wherefore, plaintiffs pray judgment of the Court that they have judgment for the title and possession of said above-described tract of land, and that the cloud cast upon plaintiffs' title by the matters complained to be removed, and that writ of restitution issue, and that plaintiffs have judgment for Five Hundred Dollars ($500.00) actual damages, and for other and further relief general or special, in law and in eqity, to which plaintiffs may be justly entitled.

W. Trenckmann Attorney
for plaintiffs

Citation: Filed May 6, 1949. Summons Ella Small tobe and appear before the 98th District Court of Travis County, Texas, to be held at the courthouse of said County in the City of Austin, Travis County, Texas at 10 o'clock A.M. on the Monday next after the expiration of 20 days from the date of service hereof and naswer the petition of plaintiff a copy of which accompanies this citation, in cause number 83,513 &c.

Officer's return: shows came to hand on the 5th day of May 1949 and executed at Austin within the County of Travis on the 6th dayt of May 1949 by delivering to the within named Ella Small in person, a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and indorsed on such copy of citation the date of delivery.

Ernest Best Sheriff of
Travis County, Texas
By C.S. Shults, Deputy.

Citation: Filed May 7, 1949. Summons John Small to be and appear before the 98th District Court of Travis County, Texas, to be held at the courthouse of ssid County in the City of Austin, Travis County, Texas at 10 o'clock A.M. on the Monday next after the expiration of 20 days from the date of service hereof and answer the petition of plaintiff a copy of which accompanies this citation in cause number 83,513 &c.

Officer;s return: shows came to hand on the 5th day of May 1949 and executed at Austin within the County of Travis on the 6th day of May 1949 by delivering to the within named John Small in person, a true copy of this citation together with the accompanying copy of the petition, having firstattached such copy of such petition to such copy of citation and indorsed on such copy of citation the date of delivery.

Ernest Best Sheriff of
Travis County, Texas
By C.S.Shults, Deputy.

counter 49321

LIS PENDENS NOTICE.
FILED: MAY 10, 1949
RECORDED IN VOL. 3, PAGE 107
TRAVIS COUNTY LIS PENDENS RECORDS

Notice is hereby given that in the district court of Travis County Texas, and of and for the 98th Judicial District of Texas, there is pending a certain suit, entitled Henry Wendlandt, et al vs. John Small et al, and numbered 83,513, wherein Henry Wendlandt, individually and Warren Freund, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, and Henry Wendlandt, as trustee for Ted Wendlandt, Edward Wendlandt, Emma Wendlandt and Henry Wendlandt, are plaintiffs, and John Small and his wife, Ella Small, are defendants that such suit is in trespass to try title and involves the title to all that certain real estate situated in Travis County, Texas, known and described as follows, to-wit:

Being a part of the Raymond and Whitis subdivision of the Thomas J. Chambers Grant in Travis County, Texas, situated about seven miles northwest of Austin on the Bull Creek Road being part of the three and one-third acres described in deed to John W. Burney from J.G. Burney dated October 6, 1942 recorded in Vol. 701, page 524 of the Deed Records of Travis County, Texas, and also described in Constable's deed dated November 7, 1941, recorded in Vol. 684, page 261 of the Deed Records of Travis County, Texas, the part of said 3 1/3 acres herein described being that part between the North line of the old Bull Creek Road and the new paved road at Little Dry Creek;
and that the said plaintiffs are seeking an affirmative relief in such cause and that they are therein suing for title to such real estate.

Witness my hand, this 5th day of May, 1949.

W.Trenckmann
Attorney for plaintiffs

The State of Texas #
County of Travis # Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared W.Trenckman, attorney for plaintiffs Henry Wendlandt et al, 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.

Given under my hand and seal of office this the 5th day of May, 1949.

Ona Hopkins Notary Public in
and for Travis County, Texas.

(Notary Seal)

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counter 49322

John D. Dahlich
To
R. G. Mueller

EXHIBIT

The State of Texas #
County of Travis #

Warranty Deed
Dated; October 21, 1935
Filed: October 21, 1935
Recorded in Vol. 526, page 576
Travis County Deed Records
$3.50 U.S.Int. Rev. Stamps Canc.

Know all men by these presents: That I, John D. Dahlich, a single man, of Travis County, Texas, in consideration of Five Dollars ($5.00) cash to me in hand paid by R.G. Mueller, and other valuable considerations, receipt of which is hereby acknowledged, and for which no lien implied or otherwise shall exist on the hereinafter described property, have sold, granted and conveyed, and by these presents do sell, grant and convey unto the said R.G. Mueller, all that certain lot, tract or parcel of land situated in Travis County, Texas, and more particularly described as follows:

One Hundred (100) acres, more or less, out of the Thomas J. Chambers 8 league Grant, described by metes and bounds as follows:

Beginning at a stone mound in the Dry Creek road 203 varas West and 54.3 varas South 7 deg. West from the N.W. corner of the John Hancock "277 acre tract, described in deed from B.J. Jones and wife, M.E. Jones, to John Hancock, dated November 18, 1871 recorded in the Deed Records of Travis County, Texas, Book "V" pages 629-630, from which a cedar 6 inches in diameter marked X bears North 53½ deg. West 8.7 varas a cedar marked X bears South 66 3/4 deg. West 19.3 varas; thence West 733 varas to the intersection of the James Jett East line for corner (now submerged) thence south with the East line of the James Jett tract and the West line of the Thomas J. Chambers Grant 500 varas to the S.E. corner of the James Jett tract and the S.W. corner of the Chambers Grant as the mouth of Bull Creek; thence North 42 deg. 24' East to a stake on the shore of Lake McDonald (also known as Lake Austin); thence down and along said shore South 61½ deg. East 80 varas; South 5 3/4 deg. East 59 varas; South 46 deg. East 40 varas; South 5½ deg. East 24 varas; South 54½ deg. East 84 varas; North 85 3/4 deg. East 25 varas; South 65 1/4 deg. East 94 varas; South 19 3/4 deg. East 40 varas; South 38 3/4 deg. East 150 varas; and south 20 deg. 13' East 335 varas to a stone mound on high bluff shore; thence North 49 deg. East 212 varas stone mound in Dry Creek Road; thence with said road North 47½ deg. West 102 varas; North 24 deg. West 91 vrs; North 11 3/4 deg. East 116 3/5 varas North 39 deg. East 122 varas; North 30½ deg. West 218 2/5 varas and North 4 deg. East 420 varas, to the place of beginning, containing 100 acres of land, more or less, and being the tracts of land described in deed from Augusta Bruegemann, individually and as independent executrix of the estate of Julius Bruggemann to John D. Dahlich, dated April 17, 1924, recorded in the Deed Records of Travis County, Texas, Book 365, pages 498 499, and in deed from WeWe Moore et al to John D. Dahlich, dated November 28, 1924, recorded in the Deed Records of Travis County, Texas, Book 365, pages 499-501, to which reference is heremade for further description.

counter 49323

The above described tract of land is conveyed subject to submersion deed from Susan E. Hancock et al to City of Austin, dated August 2, 1893, recorded in the Deed Records of Travis County, Texas, Book 120 pages 342-343, and submersion deed from Max. J. Bruegeemann et al to City of Austin, dated December 8, 1917, recorded in the Deed Records of Travis County, Texas, Book 301 pages 369-370 and right of way deed from J.G. Burney to Travis County, dated April 27, 1900, recorded in the Deed Records of Travis County, Texas, book 163, page 297.

To have and to hold the above described property and premises, together with all and singular the rights and appurtenances to the same in anywise belonging unto the said R.G. Mueller, his heirs and assigns forever, and I do hereby bind myself, my heirs, executors and administrators to Warrant and Forever Defendthe title to the above described property and premises unto the said R.G. Mueller, his heirs and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness my hand this 21st day of October,A.D. 1935.

John D. Dahlich

The State of Texas #
County of Travis # Before me, the undersigned authority, on this day personally appeared John D. Dahlich a single man, 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.

Given under my hand and seal of office this the 21st day of October, A.D. 1935.

Jay H. Brown Notary Public
Travis County, Texas.

(Notary Seal)

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counter 49324

Sophia Wendlandt

To

Warren S. Freund

Release
Dated: April 20, 1940
Filed January 13, 1950
Recorded in Vol. 947, page 523
Travis County Deed Records

The State of Texas #
County of Travis # Know all men by these presents: That I, Sophia Wendlandt, a feme sole hereby acknowledge payment in full by Warren S. Freund of the one note for One Thousand and 00/100 Dollars, and interest described in Warranty Deed executed by Sophia Wendlandt to Warren S. Freund the 26th day of April, 1938, and recorded in Book -- page -- Records of Travis County, Texas, being the legal holder and owner of the same, and I do hereby release and acquit to Warren S. Freund his heirs and assigns, the property described in said instrument, viz:

An undivided one-sixth (1/6) interest in 1460.42 acres, more or less, being part of the Thomas J.Chambers Grant in Travis County, Texas.

free from all lien created by reason of said note or theinstrument above mentioned.

Witness my hand at Austin, Texas, this 20th day of April, 1940.

Sophia Wendlandt

The State of Texas #
County of Travis # Before me, the undersigned authority, a Notary Public in and for Travis County, Texas, on this day personally appeared Sophia Wendlandt, a feme sole, known to me to be theperson whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, at Austin, Texas, this 20th day of April, A.D. 1940.

L. Aldgrimm Notary Public,
Travis County, Texas.

(Notary Seal)

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counter 49325

Abby Chambers, Admrx.
To
H. N. Duble

Administratrix Deed
Dated February 20th, 1869
Filed September 1st, 1869
Recorded in Vol. S, page 290
Travis County Deed Records.

Consideration: $4876.00 cash paid.

This indenture made and entered into on the 20th day of Feby A.D. 1869, by and between Mrs. Abby Chambers as Administratrix of the Estate of Thomas J. Chambers of the first part and H.N. Duble of the same place of the second part, witnesseth: that whereas the said party of the first and as administratrix as aforesaid according to law and in persuance of a decree of order of sale made therefor by the County Court of Galveston Co sold at the first Tuesday of November, A.D. 1868, atpublic auction in front of the Court House door of said County of Galveston and between the hours prescribed by law the following designated and described property, viz: No. 1, part of an 8 league tract of land granted to Thomas J. Chambers and situated in Travis County, State of Texas, fronting on the East bank of the Colorado River, against the falls thereof and covering the foot of the Mountains above the City of Austin, included in the following minutes, viz: Beginning on a stone mound and south west corner of Division No. 3 of Gid. Whites 1232 acre tract about one and a half miles above Seiders Spring, from which an elm 8 inches in diameter with an old mark bears North 19 deg. 30' E. 31 vs. an Elm 10 in. dia. mkd X brs. S. 86 W. 187 vs.Thence N. 30 deg. E. 834 vs to a stone mound; thence N. 28 3/4 W. 231 vs. to a stone mound on bluff of Shoal Creek, thence N. 11¼ deg. E. 35 vs. corner; thence N. 15 deg. E. 67 vs to a stone mound a spanish oak 6 in. dia. brs. brs N. 15 deg. E. 5 vs. thence N. 60 deg. W. 378 vs to stake & cor. of W.C Phillips; thence N. 30 deg. E. 108 vs to stake & md. Thence N. 30 deg. W. 393 vs. to stake & md. in East line of theB.J. Gilbert 1/3 Lea. Thence N. 30 deg. E. 455 vs. to a stone mound 217 vs. S. 30 deg. W. from N.E. cor. said D.J. Gilbert 1/3 lea. Thence N. 60 deg. W. 1299 vs to stone mound; thence N. 30 deg. E. 217 vs to N.W. cor. of Gilbert tract, thence N. 60 deg. W. 100 vs to S.W. cor of J.P. Davis Sur. Thence N. 30 deg. E. 453 vs. to stone mound cor. of Thos. Van sur. Thence S. 60 deg. E. 1700 vs. stake in head of a Spring Branch, thence down the same to its junction with Shoal Creek, thence up Shoal Creek to cor. of 18 acres sold to John Hancock, by G.W. Davis; thence S. 60 deg. E. 710 vrs. to stone mound in W. line of the Geo. W. Spear Sur. and continuing 278 vs. in all 988 vs. Thence N. 25 deg. E. 890 vrs. to stone md Thence S. 60 deg. E. 981 vs to a stone mound S.E. cor. of Jas. Doxeys tract; thence N 30 deg. E. 1000 vs to stone mound, Thence S. 60 deg. E. 590½ vs to a stone mound; thence S. 30 deg. W. 397¼ vs to stone mound; thence N. 60 deg. W. 271-1/2 vs to stone mound N.W. cor. of Geo. Hancock; thence S. 30 deg. W. 1072 vs to stake; thence N 60 deg. W. 465 vs. to Shoal Creek, 500 vs

counter 19326

to place of beginning, containing 1442 acres (also containing other tracts of land); and whereas at said sale each of said tracts of land were offered separately and said H.N. Duble bid for each $2.00 per acre amounting to sum of $4876.00 & being the highest & best bid same was struck off to said Duble and whereas, at the December Term of said Galveston Co. Court a report of said sale was made & was dulyratified & confirmed and a decree of Confirmation duly entered & recorded on pages 617 to 622 of Minute Book of said Court and said Admr' was ordered to make & execute title & conveyance to said H.N. Duble as the purchaser of said property as aforesaid on his complying with the terms of said sale and whereas said sale was made on a credit of 12 mos. & said Duble has declined & refused to avail himself thereof and has selected to pay cash and whereas said Duble has paid the amount of his bids amounting to $4876.00 receipt acknowledged.

Now in consideration of the premises I the said Mrs. Abby Chambers, Administratrix of the Estate of T.J. Chambers, hereby Grant bargain sell, alien and convey to the said H.N. Duble all of the herein before designated and described tract of land.

To have and to hold &c &c

(Signed) Abby Chambers, Administratrix of the Estate of T.J. Chambers, Decd.

Witness: Thos. M. Joseph

The State of Texas #
County of Galveston # Before me, Oscar Farish, Clerk of the County Court of Galveston County, this day appeared Abby Chambers to me known who acknowledged the foregoing Deed to be her act and deed as Administratrix of the Estate of T.J. Chambers deceased for the consideration and purposes therein stated.

In witness whereof I Oscar Farish Clerk of the County Court of Galveston County hereto subscribe my name and affix the seal of said County Court this the 27 day of February A.D. 1869.

(---) Oscar Farish, Clk.

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counter 19327

NO. 83,513
HENRY WENDLANDT ET AL
VS.
JOHN SMALL ET UX JUDGMENT: Entered October 25, 1950

This the 25 day of October 1950 in the above entitled and numbered cause, wherein Henry Wendlandt, individually, and Warren Fruend, Ted Wedlandt, Edward Wendlandt and Emma Wendlandt a feme sole, and Henry Wendlandt, as Trustee for Ted Wendlandt, Edward Wendlandt, Emma Wendlandt and Henry Wendlandt, are plaintiffs, and John Small and wife, Ella Small are defendants, came the parties by their attorneys and announced ready for trial whereupon, the parties announced to the court that all of the issues of law and fact in controversy had been finally disposed of and concluded by a compromise settlement agreement and the parties importuned the court to enter a judgment in said cause in conformity with said agreement; and it appearing unto the court that such agreement is fair; that it is advantageous to both the interest of the plaintiffs and the defendants; that it is fairly made and fairly entered into and should be the judgment of this court; it is therefore ordered, adjudged and decreed by the court that the plaintiffs, Henry Wendlandt, individually, and Warren Freund, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, and Henry Wendlandt, as trustee for Ted Wendlandt, Edward Wendlandt, Emma Wendlandt and Henry Wendlandt recover of the defendants John Small, and wife, Ella Small, the title and possession of the premises in Travis County, Texas, described and bounded as follows:

Being the area bounded by and lying between the northerly or westerly sideline of the Old Bull Creek Road and the new paved Bull Creek Road at Little Dry Creek, also known as the North Fork of Dry Creek; such area being formed by the rounding of the sharp turn in the Old Bull Creek at Little Dry Creek, and being the property claimed by defendants under quitclaim deed from John W. Burney to defendant John Small dated April 18, 1944, recorded in Vol. 737 Page 423, of the Deed Records of Travis County, Texas;
for which said premises plaintiffs may have their writ of possession.

It is further ordered, adjudged and decreed that defendants take nothing by their claim of improvements in good faith, and such claim of improvements in good faith is hereby expressly denied and rejected. It is further ordered, adjudged and decreed that plaintiffs take nothing by their claim for use and occupancy of the premises by defendants, and such claim on the part of plaintiffs is hereby expressly denied and rejected. It is further ordered, adjudged and decreed that plaintiffs pay all costs of court in this cause expended, and it appearing to the court that all of such costs have been paid, it is ordered, adjudged and decreed that no execution shall issue therefor.

Chas O. Betts, Judge of the 98th Judicial District Court of Travis County, Texas

Approved as to content, form and substance:

Charles G. Trenckmann, Attorney for Plaintiff
Earl Shelton, Attorney for Defendants

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counter 49328

D. C. 83,513: Agreement:

THE STATE OF TEXAS
COUNTY OF TRAVIS } This contract by and between Henry Wendlandt, individually and as agent for Warrent Freund, and as agent and trustee for Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and Henry Wendlandt, hereinafter called plaintiffs, and John Small and wife, Ella Small, hereinafter called defendants, witnesseth:

That whereas the parties are plaintiffs and defendants, respectively, in the cause of Henry Wendlandt et al against John Small et ux, pending in the 98th District Court of Travis County, Texas, and numbered No. 83,513, on the docket of such court, and whereas plaintiffs are now standing upon their first amended original petition filed on the 5th day of May, 1950, and defendants are now standing upon their original answer filed on the 31st day of May, 1949, said pleadings being hereby referred to and incorporated herein as apart hereof; and whereas plaintiffs and defendants desire to compromise and settle the disputes raised in said pleadings as well as all matters relating thereto, such parties have agreed as follows:

1. Plaintiffs and defendants hereby mutually agree that such suit and all claims asserted therein be, and they are hereby completely compromised and settled and judgment will be rendered in such suit as and only as provided in the judgment annexed hereto appearing on pages 1 to 2 hereof, the draft of such judgment being hereby referred to and made a part hereof for all purposes, and same shall be entered by the court at the earliest practicable date as the final judgment in said cause.

2. Plaintiffs and defendants mutually release and relinquish each unto the other all the dues, claims, demands, or causes of action arising out of the transactions alleged in the pleadings and suit aforementioned and not disposed of by the judgment to be entered herein or this agreement. Defendants further release and relinquish unto plaintiffs all claims or causes of actinn arising out of the attempted purchase of the land in controversy by John W. Burner under constable's deed executed by J. A. Woody, Constable, dated November 4, 1941, recorded in Vol. 684, Page 261 of the Deed Records of Travis County, Texas; the claim of purchase of the premises in controversy by John W. Burney from Jesse G. Burney by instrument dated September 10, 1942, recorded in Vol. 701 Page 524, of the Deed Records of Travis County, Texas; the attempted purchase by defendants of the premises in controversy by quitclaim from John W. Burney dated April 18, 1944, recorded in Vol.737 Page 423 of the Deed Records of Travis County, Texas.

3. As a part of this agreement defendants have by deed of even date herewith conveyed the premises formerly in controversy to plaintiffs.

4. Plaintiffs have paid to defendants the sum of Fifty Dollars ($50.00) in cash, receipt of which ishereby acknowledged.

5. Plaintiffs hereby convey to defendants title to the house or structure erected by defendants on the premises formerly incontroversy absolutely and forever, provided, however, that in the event of failure of defendants to remove said house or structure as provided in paragraph 6 hereof, title to such house or structure is to revert to plaintiffs and said house or structure is to become property of plaintiffs, their heirs and assigns forever, and said house to become a part of the realty.

6. Defendants may occupy the premises formerly in controversy and the house erected by them thereon as tenants at will, such tenancy to be terminated at any time by two weeks advance notice in writing given defendants by David Barrow. Notice of termination may be delivered either to defendants or any of them, personally, or such notice may be affixed in a prominent place to said house or structure now on said premises.

WITNESS OUR HANDS this 21st day of October, 1950.

John Small
Ella Small
Henry Wendlandt,
Individually and as agent for Warren Freund and as Agent and Trustee for Ted Wendlandt, Edward Wendlandt Emma Wendlandt.

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared John Small, and Ella Small hiswife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said EllaSmall, wife of the said John Small, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said EllaSmall, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this the 21st day of October, 1950.

(Seal)

Charles G. Trenckmann,
Notary Public, in andfor Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Henry Wendlandt, Individually, and as Agent for Warren Freund, and as Agent and Trustee for Ted Wendlandt, Edward Wendlandt, Emma Wendlandt and Henry Wendlandt, known to me to be theperson 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 set forth. Given under my hand and seal of office this the 21st day of October, 1950.

(Seal)

Annabel Anderson, Notary Public in and for Travis County, Tex

counter 49330

SOPHIE WENDLANDT ET AL

TO

HENRY WENDLANDT ET AL

WARRANTY DEED
DATED APRIL 28, 1950
FILED MAY 3, 1950
RECORDED VOL. 1046 Pages 245-50

THE STATE OF TEXAS
COUNTY OF TRAVIS) THIS indenture made this 28th day of April, 1950, by and between Sophia Wendlandt, a widow, Henry Wendlandt, Trustee and Individually for Ted Wendlandt, Edward Wendlandt, and EmmaWendlandt, a feme sole, all of the County of Travis and State of Texas, WITNESSETH:

WHEREAS' Sophie Wendlandt, did, on or about December 31, 1942, for the consideration therein mentioned, execute to Henry Wendlandt, Trustee a conveyance of two certain parcels of land situated in Travis County, Texas, the first parcel being:

Located within the Thomas J. Chambers Grant, Abst. 7 and being more fully described in Warranty Deed, Lee O. Allen, Sheriff to Sophie Wendlandt, dated June 2, 1936, recorded in Book 544, Page 294 of the Deed Records of Travis County, Texas, less the part conveyed to R. G.Mueller by contract of May 23, 1938, and less the undivided one-sixth (1/6) interest conveyed to Warren Fruend by deed dated April 26, 1938, recorded in Vol. 585 Page 529, of the Deed Records of Travis County, Texas; and said second parcel being:

178.47 acres, more or less, out of the John Applegate Survey No. 58, Abst. # 29, in Travis County, Texas; which said conveyance is recorded in Vol. 709 Page 363, of the Deed Records of Travis County, Texas; and

WHEREAS, in said conveyance the acreage in said first parcel was erroneously stated to be 1460.42 acres, and

WHEREAS, the sole grantee named in said conveyance was Henry Wendlandt, Trustee; and

WHEREAS, Henry Wendlandt, individually, and Ted Wendlandt Edward Wendlandt, and Emma Wendlandt, a feme sole were the four beneficiaries ofsaid trust, and the sole and only beneficiaries of said trust, each having an equal one-fourth interest thereon; and

WHEREAS, to cure the description of said first parcel and to make more definite and certain the d escription of said first parcel and to terminate said trust as to both of said parties:

NOW THEREFORE, this indenture witnesseth, that Sophie Wendlandt, a widow, and Henry Wendlandt, Trustee, in consideration of the premises and of One Dollar ($1.00) to them paid by Henry Wendlandt, Individually, Ted Wendlandt, Edward Wendlandt a and EmmaWendlandt, a feme sole, hereby GRANT, SELL, and CONVEY AND CONFIRM, share and share alike, unto the said Henry Wendlandt individually, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, their heirs and assigns forever, all of the following described parcels of land situated in the County of Travis, in the State of Texas, to-wit:

counter 19331

FIRST PARCEL: Composed of three tracts as hereinafter described, and being all of the land conveyed by deed from Lee O. Allen, Sheriff to Sophie Wendlandt, dated June 2, 1936, recorded in Vol. 544, Page 294, of the Deed Records of Travis County, Texas, and being both the First Tract and Second Tract described in said deed, less the following portions and undivided interests thereof heretofore parted with by the said Sophie Wendlandt:

(1) a strip of land approximately 150 feet in width lying along the northwest boundary of the Second Tract described in said Sheriff's deed containing 2.16 acres and sold to R. G. Mueller by Sophie Wendlandt and Warren Freund by contract of May 23, 1938;

(2) An undivided one-sixth interest in all of the land conveyed by said Sheriff's deed, such interest having been sold by Sophie Wendlandt To Warren Freund by deed dated April 26,1938 recorded in Vol. 585 Page 529, of the Deed Records of Travis County, Texas;

(3) 18.6 acres claimed by Mary Collins in Cause No. 63, 483 in the District Court of Travis County, Texas, substantially all of which lies southerly and easterly of the Bull Creek Road and being a strip of land 130 varas in width and lying along the southeast boundary of said Second Tract as described in said Sheriff's Deed;

And including the following described land according to survey made by T. A. Jackson Licensed Land Surveyor, the 20th day of August, 1940, to-wit:

FIRST TRACT: Starting at a stone mound on the north edge of Bull Creek Road and located at the northeast corner of a 100 acre tract heretofore conveyed by John D. Dahlich to R. G. Mueller by deed dated October 21, 1935, recorded in Vol. 526, Page 576 of the Deed Records of Travis County, Texas;

THENCE S. 13 deg. 49' East a distance of 58.1 varas for point on the south margin of the Bull Creek Road and northeast corner of a 2.16 acre tract conveyed to R. G.Mueller by Sophie Wendlandt and Warren Freund by contract of May 23,1938, for PLACE OF BEGINNING:

THENCE S. 48 deg. 43' West a distance of 245 varas for corner in the north shore of Lake Austin;

THENCE Southeasterly with the meanders of the shore line of Lake Austin, as follows: S. 20 deg. 39 East 51 varas; S. 26 deg. 31' East 80.6 varas, S. 30 deg. 20' East 71.7 varas; S. 33 deg. 01' East 1o2.5 varas, S. 32 deg. 41' East 181 varas, more or less, for intersection with northwest boundary of said Mary Collins tract;

THENCE N. 66 deg. 00' east along the Northwest boundary of said tract to intersection with the center line of the New Bull Creek Road;

THENCE Northwesterly with the meanders of the center line of said road to a point opposite place of beginning.

THENCE Southerly across the south one half of said road 14.4 varas to PLACE OF BEGINNING, together with the strip of

counter 19332

land lying between the shore of Lake Austin and the old bank of the Colorado River, such strip being subject to submersion rights, if any, heretofore granted governmental authorities.
SECOND TRACT: Beginning at the Southwest corner of a tract of 201.3 acres conveyed by Susan E. Hancock to J. H. Walden by deed dated March 5, 1898, recorded Vol. 144 Page 463, of the Deed Records of Travis County, Texas, said point being on a high bluff forming the West bank of Little Dry Creek;
THENCE N. 24 deg. 24' West a distance of 3.6 varas for stone mound at northeast corner of a 277 acre tract conveyed by B.J. Jones et ux to John Hancock by deed dated November 18, 1871, recorded Book V, Page 629 of the Deed Records of Travis County, Texas, such corner being also the Northwest corner of the Tobin Clubhouse tract;
THENCE N. 26 deg. 04' West along the Northwest line of said collins 18.6 acre tract 130 varas for iron pin in the margin of the New Bull Creek Road;
THENCE Northereasterly with the course of the New Bull Creek Road to intersection with the West line of said J. H. Walden 201.3 acre tract;
THENCE S. 30 deg. 30' West a distance of 151.4 varas measured from the center line of said road to PLACE OF BEGINNING.
THIRD TRACT: Beginning at a stone mound, the Northeast corner of said Walden 201.3 acre tract;
THENCE N. 30 deg. 30' East intersecting Little Dry Creek at 826 varas and continuing a total distance of 1305.7 varas for corner at old rock mound;
THENCE N. 59 deg. 02' West 1339.7 varas for corner at old rock mound, the southwest corner of the Jos. Stumpf tract described in deed recorded Vol. 172 Page 347, of the Deed Records of Travis County, Texas;
THENCE N. 29 deg. 19' East a distance of 622.5 varas for corner at old rock mound around corner post;
THENCE N. 55 deg. 43' West a distance of 98.7 varas for large rock mound piled around pipe, said point being the Southwest corner of the Walter Davis 100 acre tract more fully described in deed recorded in Vol. 160 Page 24 deed Records of Travis County, Texas;
THENCE N. 30 deg. 44' East a distance of 1123.2 varas for corner at old rock mound at Northwest corner of said Walter Davis tract;
THENCE S. 60 deg. 00' east a distance of 177.0 varas for corner at old rock mound on said Walter Davis North line;
THENCE N. 30 deg. 59' East a distance of 482.4 varas for corner at cedar post set in old rock mound;
THENCE N. 59 deg. 13' West a distance of 1735 varas for corner at old rock mound on North slope of high point;
THENCE S. 30 deg. 17' West a distance of 1405.6 varas for corner at old rock mound on west face of mountain and west line of Thomas J. Chambers Grant;
THENCE S. 46 deg. 58' West a distance of 218.4 varas along said Thomas J. Chambers line for corner at old rock mound same being the Northeast corner of the James Jett Survey;

counter 19333

THENCE S. 9 deg. 58' West a distance of 667.5 varas for corner at old rock mound, the northeast corner of the E. Williams 100 acre tract as described in deed recorded in Vol. T. Page 338 of the Deed Records of Travis County, Texas;

THENCE S. 1 deg. 33' West a distance of 399.9 varas for intersection with north line of New Bull Creek Road at iron pipe set in rock mound;

THENCE at right angles to course of said road a distance of 14.4 varas to center line of same;

THENCE southerly and Easterly with the meanders of the center line of the New Bull Creek Road to intersection with the northwest boundary line of said Mary Collins 18.6 acre tract;

THENCE N. 66 deg. 00' East along such northwest boundary to iron pin set in west half of New Bull Creek Road such point being also in the most westerly corner of the Second Tract hereinbefore described;

THENCE S. 26 deg. 04' East a short distance for intersection with center line of New Bull Creek Road

(continued on next page)

counter 79334

THENCE easterly with the meanders of center line of said road to intersection with the east line of said Walden 201.3 acre tract;

THENCE N. 30 deg. 30' East 42.7 varas to rock mound at PLACE OF BEGINNING:

The First and Second Tracts described above forming part of the second tract appearing in said deed from Lee O. Allen Sheriff to Sophie Wendlandt, and theThird Tract described above is substantially the same as the First Tract described in said Sheriff's Deed;

SECOND PARCEL: Being one tract of 178.47 acres, more or lesss, out of the John Applegate Survey #58, Abstract #29, in Travis County, Texas, and being the land conveyed by Ora McCauley and husband, Claud McCauley to Sophie Wendlandt by deed dated April 26, 1937, recorded in Vol. 564, Pages 284-285, of the Deed Records of Travis County, Texas; less, however, the one-half acre thereof heretofore conveyed by Sophie Wendlandt to the Walnut Creek Baptist Church by deed dated September 25, 1937, recorded Vol. 578, Page 401 of the Deed Records of Travis County, Texas;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

To have and to hold the same unto the said Henry Wendlandt individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt a feme sole their heirs and assigns forever.

And we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said Henry Wendlandt, Individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

It is the intention of thisdeed that each of the four grantees named above is to have an equal one-fourth interest in the land herein conveyed.

IN WITNESS WHEREOF, the said parties have hereunto set their hands the day and year first above written.

Sophie Wendlandt
Henry Wendlandt, Trustee
Henry Wendlandt
Ted Wendlandt
Edward Wendlandt
EmmaWendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, theundersigned a Notary Public in and for said County and State, on this day personally appeared Sophie Wendlandt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 1st day of Ma 1950.

(Notary Seal)

Henry Wendlandt, Jr. Notary Public in and for Travis County, Texas

counter 19335

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned a Notary Public in and for said County and State, on this day personally appeared Henry Wendlandt, Trustee, known to me to the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for thepurposos and consideration therein expressed, and in the capacity therein set forth.

Given under my hand and seal of office this the 1st day of May, 1950.

(Notary Seal)

Henry Wendlandt, Jr., Notary Public in and for Travis County, Texa

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned a Notary Public in and for said County and State, on this day personally appeared Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and EmmaWendlandt, a feme sole, all known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 1st day of May, 1950.

(Notary Seal)

Henry Wendlandt,Jr.
Notary Public, in and for Travis County, Texas

counter 49336

HENRY WENDLANDT ET AL

TO

L. T. BARROW

EXHIBIT

WARRANTY DEED
DATED OCT. 10, 1950
FILED OCT. 23,1950
RECORDED VOL. 1099 Pages 254-6

THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS: That we, Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, of Travis County, Texas, each of the parties owning, occupying and claiming as homestead property in Travis County, Texas,other than the property hereinafter conveyed, for and in consideration of the sum of TEN AND NO/100 ($10.00) DOLLARS, andother good, valuable and sufficient considerations cash to us in hand paid by L. T. Barrow, the receipt of which is hereby acknowledged, and confessed, and for the payment of which no right or lien, express or implied is retained, HAVE GRANTED,SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto L. T. Barrow of Harris County, Texas, all that certain tract or parcel of land lying and being situated in Travis County, Texas, and more particularly known and described as follows, to-wit:

20.1 acres of land, a portion of 1460.12 acre tract of land designated as First Tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed by Lee O. Allen Sheriff to Sophie Wendlandt, as recorded in Book 544, Page 294, Travis County Deed Records, assurveyed by Marlton O. Metcalfe, County Surveyor of Travis County, Texas, and a Registered Professional Engineer, Austin, Texas;

BEGINNING at an iron stake and rock mound in the east line of the Austin-Bull Creek Road as now in use for the Southwest corner of a 100 acre tract, a portion of a 1460.42 acre tract of land designated as FIRST TRACT out of the Thomas J. Chambers grant in Travis County, Texas, as described in a Sheriff Deed by Lee O. Allen,Sheriff to Sophie Wendlandt as recorded in Book 544, Page 294, Travis County, Deed Records, said 100 acre tract described in a deed from Henry Wendlandt et al to D. B. Barrow as recorded in Book 1065, Page 450, Travis County Deed Records:

(1) THENCE with the South line of said D. B. Barrow 100 acre tract, N. 77 deg. 50 min. E. 1793.00 feet to an iron stake and rock mound for corner;

(2) THENCE S. 19 deg. 40 min. E. 350.24 feet to an iron stake and rock mound;

(3) THENCE S. 2 deg. 32 min. E. 516.24 feet to an iron stake and rock mound at point of curve in the east line of the Austin-Bull Creek Road as now in use, from which stake and rock mound an old rock mound at the northeast corner of a 112.13 acre tract, a portion of the Thomas J. Chambers Grant in Travis County,

counter 19337

Texas, as described in a deed from Prudence Bailey to William s. Gatewood as recorded in Book 551, Page 395, Travis County, Tex Deed Records, said old rock mound being also the southeast corner of a 16.65 acre tract, a portion of the Thomas J. Chambers Grant as described in a deed from B. L. Vann to Mrs. Mary Collins as recorded in Book 678, Page 148, Travis County Deed Records; said old rock mound being also the most westerly corner of a 25 acre tract, a part of a 201.3 acre tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a deed from Johnny D. Shannon to Mrs. Emabel Lear Eby as recorded in Book 774, Page 290, Travis County, Texas Deed Records, bears S. 53 deg. 48 min. W. 423.3 feet;

(4) THENCE with the curving northeast line of the Austin-Bull Creek Road an arc distance of 518.56 feet said curve having a radius of 286.88 feet and a chord of which runs N. 70 deg. 13' W. 450.79 feet to an iron stake and rock mound at point of tangency;

(5) THENCE with the Northwest line of the Austin-Bull Creek Road as now in use, S. 58 deg. 00' W. 225.32 feet to an iron stake and rock mound at the intersection of the north line of a16.65 acre tract, a portion of the Thomas J. Chambers Grant in Travis County, Texas, as described in a deed from B. L. Vann to Mrs. Mary Collins as recorded in Book 678, Page 148, Travis County Deed Records;

(6) THENCE with the North line of the said Mrs. Mary Collins16.65 acre tract, S. 68 deg. 18' W. (record bearing S. 66 deg. 00' W. but the line upon the ground is the same, difference in bearing being difference in variation used in making this survey) 249.24 feet to an iron stake and rock mound in the curving north line of the Austin-Bull Creek Road as now in use;

(7) THENCE with the curving northeast line of the Austin-Bull Creek Road as now in use an arc distance of 314.34 feet said curve having a radius of 297.04 feet and a chord of which runs N 59 deg. 55' W. 299.85 feet to an iron stake and rock mount at point of tangency;

(8) THENCE with the East line of the Austin-Bull Creek Road as now in use, N. 29 deg. 36' W. 174.72 feet to an iron stake and rock mound at point of curve;

(9) THENCE with the curving northeast line of the Austin-Bull Creek Road as now in use, an arc distance of 264.98 feet, said curve having a radius of 269.19 feet, and a chord of which runs N. 57 deg. 48' W. 254.41 feet to an iron stake and rock mound at point of tangency;

(10 THENCE with the North line of the Austin-Bull Creek Road as now in ise, N. 86 deg. 00' W. 269.22 feet to an iron stake and rock mound at point of curve;

(11) THENCE with the curving North line of the Austin-Bull Creek Road as now in use, an arc distance of 230.67 feet, said curve having a radius of 480.88 feet, and a chord of which runs N. 72 deg. 16' W. 228.32 feet to the Place of Beginning, containing 20.1 acres of land.

counter 19338

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said L. T. Barrow, his heirs or assigns, forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said L. T. Barrow, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject however, to all valid restrictions and easements which may be of record applicable to the property herein conveyed.

EXECUTED this the 10th day of October, A. D. 1950.

Henry Wendlandt
Ted Wendlandt
Edward Wendlandt
Emma Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS } BEFORE ME, the undersigned authority, on this day personally appeared Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 10th day of October, A. D. 1950.

(Seal)

Henry Wendlandt, Jr.
Notary Public in and for
Travis County, Texas

counter 19339

HENRY WENDLANDT ET AL
TO AND WITH
DAVID B BARROW

EXHIBIT

PARTITION DEED
DATED OCT. 10, 1950
FILED OCT. 10, 1950
RECORDED VOL. 1065 Pages 450-4

THE STATE OF TEXAS:
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS: THAT WHEREAS, Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and EmmaWendlandt, a feme sole, and David B. Barrow have and hold as tenants in common, the said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, owning in common an undifided five-sixths (5/6ths) interest, and the said David B. Barrow owning an undivided one-sixth (1/6th) interest thereto, the lands hereinafter mentioned and described, and the said parties desire to make partition of same so that the said undivided one-sixth (1/6th) interest of the said David B. Barrow may be segregated in the specific property hereinafter alloted and set apart to him, and the said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt. a feme sole, shall own in common the remaining portion of said land not set apart and alloted to the said David B. Barrow.

The land owned in common as above set forth by the parties hereto is known, and designated and described as follows; to-wit

located within the Thomas J. Chambers Grant, Abstract #7, in Travis County, Texas, and being described in two tracts in the Sheriff's Deed of Lee O. Allen, Sheriff to Sphia Wendlandt dated June 2, 1936, and recorded in Volume 544, Page 294 of the Deed Records of Travis County, Texas, less a part thereof conveyed to R. G. Mueller by contract of May 23rd, 1938 containing 2.16 acres. The said land being better described by metes and bounds as First, Second and Third tracts under "FIRST PARCEL" in the correction deed of Sophia Wendlandt, a widow, and Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, dated April 28, 1950, and recorded in Volume 1046 at page 345 of the Deed Records of Travis County, Texas, the said deeds and their respective records being here referred to for description of said land.

It is therefore hereby covenanted, granted, concluded and agreed by and between said parties, and each of them covenants, grants, concludes and agrees for himself, themselves, his and their heirs and assigns that partition of said lands be made as follows, namely:

First: The said David B. Barrow shall from henceforth have, hold, possess and enjoy in severalty, by himself and to him and hisheirs and assigns, for his part, share and proportion of the said lands and premises, all of those two (2) tracts of land situated and described as follows; to-wit:

Tract No. 1: One hundred (100.0) acres of land, 99.97 acres being a portion of a 1460.42 acre tract of land designated as First Tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed by Lee O. Allen, Sheriff to Sophia Wendlandt, as recorded in Book 544, Page 294

counter 49340

Travis County Deed Records, and .03 of an acre being a portion of a 100 a cre tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a deed from John D. Dahlich to R. G. Mueller as recorded in Book 526, Page 576, Travis County Deed Records as surveyed for David B. Barrow by Marlton O. Metcalfe, County Surveyor of Travis County, Texas, and a registered Professional Engineer, Austin, Texas.

Beginning at an iron stake and rock mound at point of curve in the east line of the Austin-Bull Creek Road as now in use, from which stake and rock mound an old rock mound at the original southeast corner of a 100 acre tract, a portion of the Thomas J. Chambers Grant in Travis County, Texas, as described in a deed from John D. Dahlich to R. G.Mueller as recorded in Book 526, Page 576, Travis County Deed Records, said old rock mound being in the old Austin Bull Creek Road now abandoned and being also a corner of a 1460.42 acre tract of land designated as First Tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed from Lee O. Allen, Sheriff to Sophia Wendlandt as recorded in Book 544, Page 294, Travis County Deed Records, and being also the North-east corner of that portion of the Thomas J. Chambers Grant designated as Second Tract in the Sheriff's deed from Lee O. Allen, Sheriff to Sophia Wendlandt as recorded in Travis County Deed Records in Book 544, Page 294 bears N. 25 deg. 34' W. 64.8 feet;

THENCE with the curving east line of the Austin-Bull Creek road as now in use, an arc distance of 661.16 feet, said curve having a radius of 676.46 feet and a chord of which runs N. 20 deg. 42' W. 635.16 feet to an iron stake and rock mound for the Northwest corner of this tract;

THENCE N. 77 deg. 50' E. 3461.76 feet to an iron stake and rock mound for corner;

THENCE S. 12 deg. 10' E. 1323.04 feet to an iron stake and rock mound;

THENCE S. 77 deg. 50' W. 2900.62 feet to an iron stake and rock mound in the curving east line of the Austin-Bull Creek Road as now in use;

THENCE with the curving East line of the Austin-Bull Creek Road as now in use, an arc distance of 131.92 feet, said curve having a radius of 480.88 feet, and a chord of which runs N. 50 deg. 40' W. 131.62 feet to an iron stake and rock mound at point of tangency;

THENCE with the East line of the Austin-Bull Creek Road as now in use, N. 42 deg. 48' W. 419.36 feet to an iron stake and rock mound at an angle point in said road,

THENCE with the East line of the Austin-Bull Creek Road as now in use, N. 48 deg. 42' W. 287.56 feet to the Place of Beginning, containing 100.0 acres of land.

counter 79341

Tract 2: 3.47 acres of land being a portion of that tract of land designated as Second Tract out of the Thomas J. Chambers Grant in Travis County, Texas as described in aSheriff's Deed by Lee O. Allen, Sheriff to Sophia Wendlandt as recorded in Book 544, Page 294, Travis County Texas Deed Records as surveyed for David B. Barrow by Marlton O. Metcalfe, County Surveyor, of Travis County, Texas, and a registered Professional Engineer, Austin, Texas.

Beginning at an iron stake and rock mound in the West line of the Austin-Bull Creek Road as now in use for the Northeast corner of this tract, and from which iron stake and rock mound an old rock mound at the southeast corner of a 100 acre tract out of the Thomas J. Chambers grant in Travis County, Texas, as described in a deed from John D. Dahlich to R. G. Mueller as recorded in Book 526, Page 576, Travis County Deed Records, said old rock mound being in theold Austin-Bull Creek Road now abandoned and being also a corner of a 1460.42 acre tract of land designated as First tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed from Lee O. Allen Sheriff to Sophia Wendlandt as recorded in Travis County Deed Records in Book 544, Page 294, and being also the northeast corner of that portion of the Thomas J. Chambers grant designated as second tract in the Sheriff's deed from Lee O. Allen Sheriff to Sophia Wendlandt as recorded in Travis County Deed Records in Book 544, Page 294, Bears N. 9 deg. 15' W. 165.9 feet;

THENCE with the average of an old fence line, S. 50 deg. 30' W. 680.55 feet to a stake and rock mound at the waters edge of Lake Austin,

THENCE with the waters edge of Lake Austin, S. 18 deg. 52 min. E. 141.67 feet to a stake for corner; THENCE with the waters edge of Lake Austin, S. 24 deg. 44' E. 75.92 feet to a stake and rock mound for corner;

THENCE N. 50 deg. 30' E. 782.96 feet to an iron stake and rock mound at angle point in the West line ofthe Austin-Bull Creek Road as now in use;

THENCE with the West line of the Austin-Bull Creek Road as now in use N. 48 deg. 42' W. 208.44 feet to the Place of Beginning, containing 3.47 acres of land.

And the said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, do hereby grant, release and confirm unto the said David B. Barrow the premises above described.

TO HAVE AND TO HOLD the above described premises, with all and singular the hereditaments and appurtenances thereunto belonging unto the said David B. Barrow, his heirs and assigns forever. And we, the said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, do hereby bind ourselves, our heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said David B. Barrow, his heirs and assigns, against every person whomsoever lawfully claiming or to claim thesame or any part thereof.

counter 49342

Second: The said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, shall from henceforth have, hold, possess, and enjoy as tenants in common by themselves, and to them, and their heirs and assigns, for their part, share and proportion of said lands and premises all the remainder of the said land not herein specifically alloted set apart and segrated to the said David B. Barrow, and I, the said David B. Barrow, do hereby grant, release, and confirm unto the said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, all the land, first above described and referred to, except that portion hereof hereinabove specifically set apart alloted and segregated tome.

TO HAVE AND TO HOLD the same, with all and singular the hereditaments and appurtenances thereunto belonging unto the said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and EmmaWendlandt, a feme sole, their heirs and assigns forever.

And I do hereby bind myself, my heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except that I do not warrant against any rights or claims that may be asserted or established by any parties in those two (2) pending Cuases Nos. 82,808, and 83,513, in the District Court of Travis County, Texas, styled respectively Henry Wendlandt et al vs Ed Wallace et al and Henry Wendlandt, et al vs John Small et ux and it is further agreed that theproperties hel4 ein alloted and set apart are so allotted and set apart to the respective parties free from all implied liens and rights of re-entry on account of the failure of the title to any property set apart to any of the parties hereto, and each of the parties hereto hereby warrants and releases his or heir right to all implied liens or rights of re-tntry to all the property herein set apart and allotted to the other parties hereto; each of the parties hereto acknowledging that the clear and unencumbered title so set apart and alloted to him or her will be of greater value to him or her than any implied liens, or rights of re-entry that may or might hereafter accrue to him or her.

Each of the parties hereto own, occupy and claim as a homestead in Travis County, Texas, other than the properties herein involved.

Executed in Duplicate originals, this the 10th day of October, A. D. 1950.

Henry Wendlandt
Ted Wendlandt
Edward Wendlandt
Emma Wendlandt
David B. Barrow

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counter 49343

THE STATE OF TEXAS
COUNTY OF TRAVIS } BEFORE ME, the undersigned authority, on this day personally appeared Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, a feme sole, known to me to be the persons whose names are subscribed to the foregoing instrument, and they each acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 10th day of October, A. D. 1950.

(Notary Seal)

Henry Wendlandt, Jr.
Notary Public, in and for
Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS } BEFORE ME, the undersigned authority, on this day personally appeared David B. Barrow, 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.

Given under my hand and seal of office this 10th day of October, A. D. 1950.

(Notary Seal)

Henry Wendlandt, Jr.
Notary Public in and for Travis
County, Texas.

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counter 19344

HENRY WENDLANDT ET AL

TO

DAVID B BARROW

EXHIBIT

WARRANTY DEED
DATED OCT. 10, 1950
FILED OCT. 23, 1950
RECORDED VOL. 1067
Pages 106-8

THE STATE OF TEXAS
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS: That we, Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, and EmmaWendlandt, a feme sole of Travis County, Texas, each of said parties owning and occupying and claiming as homestead property in Travis County, Texas, other than the property hereinafter conveyed, for and in consideration of the sum of One Thousand Eighty One and 75/100 ($1,081.75) Dollars cash in hand to us paid by the Grantee hereinafter named, the receipt of which is hereby acknowledged and confessed, and for the payment of which no right or lien, express or implied is retained; and

The Further sum ofTwo Thousand and no/100 ($2000.00) Dollars secured to be paid in accordance with one certain promissory purchase money note of even date herewith, executed by the Grantee herein payable to the order of Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt a feme sole, at Austin, Texas, which said note is due and payable on or before three (3) years after date,together with interest from date until paid at the rate of five per cent (5%) per annum, and said note providing for the usual accleration of maturity and attorney's fees:

HAVE GRANTED, SOLD, AND CONVEYED ,and by these presents do hereby Grant, Sell and convey unto David B. Barrow of Travis County, Texas, all that certain tract or parcel of land lying and being situated in Travis County, Texas, and more particularly known and described as follows:

17.61 acres of land, a portion of 1460.42 acre tract of land designated as First Tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed by Lee O. Allen, Sheriff, to Sophie Wendlandt, as recorded in Book 544 Page 294, of the Deed Records of Travis County, Texas, and more particularly described by metes and bounds as follows; to-wit:

BEGINNING at the Northeast corner of a 100 acre tract, a portion of a 1460.42 acre tract designated as First Tract out of the Thomas J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed by Lee O. Allen, Sheriff, to Sophie Wendlandt, as recorded in Book 544, Page 294, Travis County Deed Records, said 100 acre tract being described in a deed from Henry Wendlandt et al to D. B. Barrow as recorded in Book 1065, Page 450, Travis County Deed Records;

(1) Thence with the North line of said D. B. Barrow 100 acre tract, S.77 deg. 50 min. W. 1519.12 feet to an iron stake and rock mound in the bed of a branch:

Thence up the said branch with its meanders as follows, courses numbering 2 to 3 inclusive:

counter 19345

(2) N. 41 deg. 07' W. 157.42 feet to an iron stake and rock mound;
(3) N. 19 deg. 57' W. 365.62 feet to an iron stake and rock mound in the bed of said branch;
(4) Thence N. 77 deg. 50' E. 1507.99 feet to a stake and rock mound in the bed of a branch;
Thence down the center of said branch with its meanders, courses numbering 5 to 6 inclusive;
(5) S. 31 deg. 28' E. 296.48 feet to a cross cut in rock in the bed of said branch;
(6) S. 4 deg. 21' E. 160.5 feet to an iron stake and rock mound;
(7) Thence S. 56 deg. 37' E. 85.85 feet to the Place of Beginning, containing 17.61 acres of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said David B. Barrow, his heirs or assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators to Warrant and Forever Defend all and singular the said premises unto the said David B. Barrow, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, to all valid restrictions and easements which may be of record applicable to the property herein conveyed.

But it isexpressly agreed and stipulated that the vendor's lien is retained against the above described property, premises and improvements, until the indebtedness above mentioned and described, as evidenced by the hereinbefore described note, principal and interest, is fully paid according to its face and tenor, effect and reading, when this deed shall become absolute.

The Grantors herein are to pay all taxes on the above described property for the years up to and including the year 1949, and the Grantee herein is to assume the payment of the taxes for the year 1950, the same having been prorated as of the date of this deed.

Executed this the 10th day of October, A. D. 1950.

Henry Wendlandt
Ted Wendlandt
Edward Wendlandt
Emma Wendlandt

($3.85 U. S. I. R. Stamps Can)

THE STATE OF TEXAS
COUNTY OF TRAVIS } BEFORE ME, the undersigned authority, on this day personally appeared Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, known to me to be thepersons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 10th day of October, A. D. 1950.

(Notary Seal)

Henry Wendlandt, Jr. Notary Public in and for Travis County, Texas

counter 49346

HENRY WENDLANDT ET AL

TO

FRED O. CLARK

WARRANTY DEED
DATED OCT. 4, 1951
FILED OCT. 8, 1951
RECORDED VOL. 1203 Pages
334-6

EXHIBIT

THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS: That we, Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole of Travis County, Texas, each of said parties owning, occupying and claiming as homestead property in Travis County, Texas, other than the property hereinafter conveyed, for and in consideration of the sum of Ten ($10.00) Dollars cash and other valuable consideration to us in hand paid by the Grantee hereinafter named, the receipt of which is hereby acknowledged and confessed, and for the payment of which no right or lien, express or implied is retained;

And the further sum of Thirteen Thousand Nine Hundred Seventy Seven and 50/100 ($13,977.50) Dollars secured to be paid in accordance with one certain promissory purchase money note of even date herewith, executed by the Grantee herein, payable to theorder of Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, at Austin, Texas, which said note is due and payable on or before three (3) years after date, together with interest from date until paid at the rate of five per cent (5%) per annum, payable annually as it accrues; said note providing for the usual acceleration of maturity and attorney's fees;

Have GRANTED, SOLD, and CONVEYED, and by these presents do hereby GRANT, SELL AND CONVEY unto Fred O. Clark of New York City, New York, all that certain tract or parcel of land lying and being situated in Travis County, Texas, and more particularly known and described as follows:

89.85 acres of land being a portion of a 1460.42 acre tract of land designated as first tract out of the T. J. Chambers Grant in Travis County, Texas, as described in a Sheriff's deed by Lee O. Allen Sheriff, to Sophie Wendlandt, as recorded in Book 544, Page 294, TravisCounty Deed Records;

BEGINNING at an iron stake and rock mound in the center of a branch at the northeast corner of a 17.61 acre tract, a portion of a 1460.42 acre tract designated as First Tract ouf of the T. J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed by Lee O. Allen, Sheriff to Sophie Wendlandt as recorded in Book 544, Page 294, Travis County DeedRecords, as described in deed from Henry Wendlandt et al to David B. Barrow as recorded in Book 1067 Page 106, Travis County Deed Records;

THENCE with the North line of the said 17.61 tract, S. 77 deg. 50 min. W. 1507.99 feet to a stake and rock mount in the bed of a branch for the northwest corner of the said 17.61 acre tract;

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counter 49347

THENCE down the center of said branch with its meanders and being the West line of the said 17.61 acre tract as follows, courses numbering 2 to 3 inclusive:

(2) S. 19 deg. 57 mih. W. 365.62 feet to an iron stake and rock mound;

(3) S. 41 deg. 07 min. E. 157.42 feet to an iron stake and r ock mound, for the southwest corner of the said 17.61 acre tract in the north line of a 100 acre tract, a portion of the aforesaid 1460.42 acre tract as described in a deed from Henry Wendlandt et al to David B. Barrow as recorded in Book 1065 Page 450, Travis County Deed Records;

THENCE with the North line of the s aid David B. Barrow 100 acre tract, S. 77 deg. 50 min. W. 1323.9 feet to an iron stake and rock mound for the southwest corner of this tract, and from which stake and rock mound the Northwest corner od the David B. Barrow 100 acre tract bears S. 77 deg. 50 min W. 618.7 feet;

THENCE N. 3 deg. 47 min. E. 1543.1 feet to an iron stake and rock mound;

THENCE N. 31 deg. 36 min. E. 954.4 feet to an iron stake and rock mound on the West slope of Cat Mountain;

THENCE S. 57 deg. 52 min. E. 229.8 feet to an iron stake and rock mound;

THENCE S. 73 deg. 49 min. E. 219.1 feet to an iron stake and rock mound;

THENCE N. 71 deg. 00 min. E. 106.1 feet to an iron stake and rock mound;

THENCE N. 22 deg. 22 min. E. 219.7 feet to an iron stake and rock mound;

THENCE N. 52 deg. 51 min. E. 89.4 feet to an iron stake and rock mound;

THENCE N. 36 deg. 37 min. E. 149.3 feet to an iron stake and rock mound;

THENCE S. 73 deg. 13 min. E. 683.0 feet to an iron stake and rock mound;

THENCE S. 22 deg. 04 min. E. 1429.0 feetto the Place of Beginning, containg 89.85 acres of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Fred O. Clark, his heirs or assigns forever. And we do hereby bind ourselves, our heirs, executors and administrators to Warrant and Forever Defend, all and singular the said premises unto the said Fred O. Clark, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject however, to all valid restrictions and easements, which may be of record applicable to the property herein conveyed.

BUT IT is expressly agreed and stipulated that the vendor's lien is retained against the above described property, premises and improvements until the indebtedness above mentioned and described as evidenced by the hereinbefore described note,

counter 19378

principal and interest, is fully paid according to its face and tenor, effect and reading, when this deed shall become abolute.

EXECUTED this the 4th day of October A. D. 1951.

Henry Wendlandt
Ted Wendlandt
Edward Wendlandt
Emma Wendlandt

($20.90 U. S. I. R. Stamps Can)

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 8th day of October, A. D. 1951.

(Notary Seal)

Henry Wendlandt, Notary Public in and for Travis County, Texas.

counter 19349

HENRY WENDLANDT ET AL

TO

FRED O CLARK

WARRANTY DEED
DATED OCT. 4, 1951
FILED OCT. 8, 1951
RECORDED VOL. 1203 Pages 329-30

Exhibit

THE STATE OF TEXAS
COUNTY OF TRAVIS (KNOW ALL MEN BY THESE PRESENTS: That we, Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, a feme sole, of Travis County, Texas, each of the parties owning, occupying and claiming as homestead property in Travis County, Texas, other than the property hereinafter conveyed, for and in consideration of the sum of TEN ($10.00) DOLLARS, and other good, valuable, and sufficient considerations cash to us in hand paid by Fred O. Clark, the receipt of which is hereby acknowledged and confessed, and for the payment of which no right, or lien, express or implied is retained, have GRANTED, SOLD, and CONVEYED and by these presents we do hereby GRANT, SELL AND CONVEY unto Fred O. Clark of New York City, New York, all that certain tract or parcel of land lying and being situated in Travis County, Texas, and more particularly known and described as follows:

13.13 acres of land (being the summit of Cat Mountain), being a portion of a 1460.42 acre tract of land designated as First Tract out of the T. J. Chambers Grant in Travis County, Texas, as described in a Sheriff's Deed by Lee O. Allen, Sheriff to Sophia Wendlandt, as recorded in Book 544, Page 294, Travis County Deed Records;

BEGINNING at an iron stake and rock mound which is 1429.5 feet, N. 22 deg. 04 min. W. from the northeast corner of a 17.61 acre tract of land being a portion of a 1460.42 acre tract designated as First tract out of the T.J. Chambers Grant in Travis County, Texas, as described in a Sheriff's deed by Lee O. Allen, Sheriff to Sophia Wendlandt as recorded in Book 544, Page 294, Travis County Deed Records as described in deed from Henry Wendlandt et al to David B. Barrow as recorded in Book 1067, Page 106, Travis County Deed Records.

THENCE N. 36 deg. 44 min. E. 163.1 feet to an iron stake and rock mound;

THENCE N. 52 deg. 04 min. W. 886.5 feet to an iron stake and rock mound;

THENCE S. 54 deg. 56 min. W. 588.6 feet to an iron stake and rock mound;

THENCE S. 41 deg. 02 min. W. 489.3 feet to an iron stake and rock mound;

THENCE S. 57 deg. 52 min. E. 229.8 feet to an iron stake and rock mound;

THENCE S. 73 deg. 49 min. E. 219.1 feet to an iron stake and rock mound;

THENCE N. 71 deg. 00 min. E. 106.1 feet to an iron stake and

counter 49350

rock mound
THENCE N. 22 deg. 22 min. E. 219.7 feet to an iron stake and rock mound;
THENCE N. 52 deg. 51 min. E.89.4 feet to an iron stake and rock mound;
THENCE N. 36 deg. 37 min. E. 149.3 feet to an iron stake and rock mound;
THENCE S. 73 deg. 13 min. E. 683.0 feet to the Place of Beginning. containing 13.13 acres of land.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said Fred O. Clark, his heirs or assigns, forever. And we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Fred O. Clark, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, to all valid restrictions and easements which may be of record applicable to the property herein conveyed.

Executed this the 4th day of October, A. D. 1951.

Henry Wendlandt
Ted Wendlandt
Edward Wendlandt
Emma Wendlandt

$8.80 U. S. Int. Rev. Stamps Can

THE STATE OF TEXAS
COUNTY OF TRAVIS } Before me, the undersigned authority, on this day personally appeared Henry Wendlandt, Ted Wendlandt, Edward Wendlandt and EmmaWendlandt, a feme sole, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 8th day of October, A.D. 1951.

(Seal)

Henry Wendlandt, Jr.
Notary Public, in and for Travis County, Texas.

counter 49351

NO. 15,326 IN THE COUNTY COURT
ESTATE OF HENRY WILLIAM WENDLANDT, OF
DECEASED TRAVIS COUNTY, TEXAS

APPLICATION FOR LETTERS OF ADMINISTRATION: Filed June 26, 1952 Probate Min. 156 Page 276: To the Honorable Tom E. Johnson, Judge of Said Court:

Henry Wendlandt, Jr. Petitioner, respectfully shows unto the Court the following:

I. Petitioner resides in Travis County, Texas, and is the only son of Henry William Wendlandt.

II. Henry William Wendlandt is dead. He died in the City of Austin, Travis County, Texas, on June 21, 1952, and at and before his death, the said Henry William Wendlandt resided in said City of Austin, Travis County, Texas, where his principal property was at the time of his death.

III. When he died, the said Henry William Wendlandt was seized and possessed of real and personal property of the probable value of $50,000.00 consisting of real estate, stocks, bonds, notes and cash the exact description of which your petitioner is unable to supply at this time.

IV. There is a necessity for an administration upon the estate of the said Henry William Wendlandt, who, at the time of his death, was indebted to various persons, firms and corporations in amounts to your petitioner unknown.

V. The said Henry William Wendlandt left a written will dated November 14, 1920, witnessed by C. C. Kinney and E. A. Alley, which said will is attached to this application, for identification marked Exhibit A, and made a part herefor for all purposes as fully and completely if here set forth verbatim. By said will Henry William Wendlandt undertook to devise and bequeath to his mother, Mrs. Sophie Wendlandt, all of his property and also to appoint her independent executrix of his estate.

VI. Mrs. Sophie Wendlandt has renounced all right, title, interest, claim or demand in or to any and all property whether real, personal or mixed, attempted to be devised or bequeathed to her under the terms and provisions of the aforesaid will. She has refused to accept and has expressly disclaimed any and all right, title, interest, claim or demand in or to any and all such property. In Addition, the said Mrs. Sophie Wendlandt has declined the appointment as executrix under the aforesaid will of Henry William Wendlandt dated November 14, 1920, and has refused to act under that will. A certified copy of her disclaimer is hereto attached, for identification marked Exhibit B, and made a part hereof for all purposes.

VII. On November 14, 1920 Henry Wendlandt was a single man and he had no child living at that time. Thereafter, and on May 9, 1921, Henry William Wendlandt and Jimmie Whitfield Evans were married to each other. They continued to live together as husband and wife, until the death of Henry William Wendlandt.

counter 49352

Two children, and only two, were born of the marriage of the said Henry William Wendlandt and wife, Jimmie Evans Wendlandt, to-wit: Margaret Eloise Wendlandt, who was born on May 19, 1922, and married Gene Howard on September 19, 1942, and Henry Wendlandt, Jr. who was born January 21, 1924, and married Dora Nan Jones on May 15, 1946. Both Margaret Eloise Howard and Henry Wendlandt, Jr. are living, are over the age of twenty one years and are married. Morever the surviving wife of Henry William Wendlandt, who is the mother of both his children, is not named as a beneficiary in said will. Therefore, under the provisions of Article 8293, Revised Civil Statutes of Texas, your petitioner says that said will is void and is not entitled to probate or record.

VIII. The aforesaid will of Henry William Wendlandt which is attached hereto as Exhibit A, is not offered for probate by petitioner or by any other person, and petitioner alleges that under the facts stated herein, which will be duly proven upon a hearing of this application, said will should not be admitted to probate or record, but that it should be filed and retained among the files of this court as a part of this proceeding.

IX. Your petitioner is not disqualified by law to act as Administrator of the estate of Henry William Wendlandt, deceased, and makes and files this application at the instance and request of his mother, Jimmie Evans Wendlandt, and his sister, Margaret Eloise Howard, both of whom have waived their right to be appoined administratrix and those waivers are herewith presented for filing.

X. Wherefore, premises considered, your petitioner prays that citation be issued to all parties interested in the Estate of Henry William Wendlandt, deceased, as required by law, that letters of administration be issued to your petitioner, and that the court make and enter such other and further orders as may be either necessary or proper.

Henry Wendlandt, Jr.
Petitioner

HART BROWN & SPARKS
902 Brown Building
Austin, Texas
by: Jay H. Brown
Attorneys for Petitioner

EXHIBIT A: IN THE NAME OF GOD AMEN: I, Henry William Wendlandt, of Austin, in the State of Texas, being of sound mind and memory knowing the uncertainty of human life, do make and publish this my last will and testament.

Imprimis: It is my willand I do hereby authorize and direct the person hereinafter named as executor to pay the expenses of my last illness, and of my funeral as soon as practical after my decease.

counter 49353

Secondly: I do hereby will, devise and bequeath all property and estate, real and person or mixed, belonging to me at my deceased, as follows; to be to said Devisees and Legatees, each and all of them, in severally and to their and each of their heirs forever, that is to say:

I do will devise and bequeath to Mrs. Sophie Wendlandt, all of my property.

I do hereby nominate and appoint Mrs. Sophie Wendlandt of Austin, Texas as the Executor of this my last will and testament and do hereby direct that no security shall be required of said Sophie Wendlandt for the performance of her duties as such Executor, and that letters testamentary be issued to her as such executor without bond.

It is my will and I do hereby provide and direct that no other action shall be had in the County Court having jurisdictio. in relation to the settlement of my estate than the publishing and recording of his willand the return of an inventory and appraisement and list of claims of my estate.

And I do revoke any and all former wills by me made, and published and declare this to be my last will and testament at Austin, Texas, this 14th day of November, A. D. 1920.

In Testimony Whereof I do hereby set my name and scroll in lieu of and for seal the date last above written in the presence of the following named persons, who sign the same as witnesses at my request, and in the presence of each other.

Henry William Wendlandt

Witnesses:
C. C.Kinney
E. A. Alley

EXHIBIT B: THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS:

That I, Mrs. Sophie Wendlandt, a widow, of Travis County, Texas state that I am the mother of Henry William Wendlandt who died at Austin, in Travis County, Texas, on June 21, 1952; that I have read and am thoroughly familiar with the contents of the will dated November 14, 1920, signed by the said Henry William Wendlandt and witnessed by C. C. Kinney and E. A. Alley which will I have delivered to Henry Wendlandt, Jr. so that it may be filed in the County Court of Travis County, Texas, but without being offered for probate or probated; that so far as I know or believe the aforesaid will was not revoked or modified by Henry William Wendlandt subsequent to its execution; that with full knowledge of the terms and provisions of the aforesaid will I have renounced and by these presents do renounce all right, title interest claim or demand in or to any and all property, whether real, personal, or mixed, attempted to be devised or bequeathed to me under the terms and provisions of the aforesaid will; and that I refuse to accept and do hereby expressly disclaim any and all right, title, interest, claim, or demand, in or to any and all such property.

Furthermore, I do hereby expressly decline the appointment under the aforesaid will of Henry William Wendlandt, dated November 14, 1920, and hereby refuse to act as such under that will.

counter 49359

Witness my hand this 25th day of June, 1952.
Sophie Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Mrs. Sophie Wendlandt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.
Given under my hand and seal of office this 25th day of June, 1952.
(Notary Seal) Ted Wendlandt, Notary Public, Travis County, Texas
Filed for Record June 26, 1952, at 2;30 P. M.
Recorded June 26, 1952 at 2:40 P.M.

THE STATE OF TEXAS
COUNTY OF TRAVIS) I, Emilie Limberg, Clerk of the County Court of Travis County, Texas, do hereby certify that the above and foregoing is a true and correct copy of a disclaimer of Sophie Wendlandt as the same appears of record in Vol. 1273, Page 169 of the Deed Record of Travis County, Texas.
Witness my hand and seal of office, at Austin, Texas, this the 26th day of June, A. D. 1952.
Emilie Limberg, County Clerk, Travis County, Texas
By: Elsie Pruitt, Deputy.

WAIVER OF RIGHT TO BE APPOINTED ADMINISTRATRIX: Filed June 26, 1952. Probate Min. 156, Page 279: To the Honorable Tom E. Johnson, Judge of said Court: I, margaret Eloise Howard, the only daughter of Henry William Wendlandt, deceased, do hereby renounce my right to administration in said estate in favor of Henry Wendlandt, Jr. who is a qualified person.
This 25th day of June, 1952.
Margaret Eloise Howard

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Margaret Eloise Howard, wife of Gene Howard, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Margaret Eloise Howard, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it. Given under my hand and seal of office this 25th day of June, 1952.
(Seal) Ted Wendlandt, Notary Public, Travis County, Texas

counter 19355

WAIVER OF RIGHT TO BE APPOINTED ADMINISTRATRIX: Filed June 26, 1952. Vol. 156 Page 279: To the Honorable Tom E. Johnson, Judge of Said Court: I, Jimmie Evans Wendlandt, the surviving wife of Henry William Wendlandt, deceased, do hereby renounce my right to administration in said estate in favor of Henry Wendlandt, Jr. who is a qualified person.

This the 25th day of June 1952.

Jimmie Evans Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Jimmie Evans Wendlandt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25th day of June 1952.

(Seal)

Ted Wendlandt, Notary Public,
Travis County, Texas.

CITATION: Issued to Sheriff or any Constable within the State of Texas, June 26, 1952, showing date of hearing of application as July 7, 1952.
Sheriff's Return: Shows came on hand 26th day of June, 1952 at 4 PM. executed by posting a copy for ten days at the Courthou door of Travis County, Texas on June 26th.

Ernest Best, Sheriff
Travis County, Texas

Fee: Posting Citation $1. by: Mrs. Ernestine Newman, Deputy

ORDER GRANTING LETTERS: Filed July 7, 1952: P.M. 156 Page 281: On the 7th day of July, 1952 came on to be heard the application of Henry Wendlandt, Jr. for letters of Administratic upon the estate of Henry William Wendlandt, deceased. Having heard said application and the evidence offered in support of same, the court finds that Henry William Wendlandt died at Austin, in Travis County, Texas, on June 21, 1952; that every citation required by law has been duly issued, served, and returned in the manner and for the length of time required by law; that this court has jurisdiction of the estate of Henry Wendlandt, that there is a necessity for administration upon said estate; that Henry William Wendlandt left a written will dated November 14, 1920, witnessed by C. C. Kinney and E. A. Alley by which he undertook to devise and bequeth to his mother, Mrs. Sophie Wendlandt, all of his property and also to appoint her independent executrix of his estate; that Mrs. Sophie Wendlandt has renounced all right, title, interest, claim or demand in or to any and all property, whether real, personal, or mized, attempted to be devised or bequeathed to her under the terms and provisions of the afiresaid will; that she has refused to accept and has expressly dislcaimed any and allright, title, interest, claim or demand in or to any and allsuch property;

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that she has likewise declined the appointment as executrix under the aforesaid will of Henry William Wendlandt and has refused to act as such under that will; that on November 14, 1920, Henry William Wendlandt was a single man and had no child living at that time; that thereafter and on May 9, 1921, Henry William Wendlandt and Jimmie Whitfield Evans were married to each other; that they continued to live together as husband and wife, until the death of Henry William Wendlandt, that two children and only two, were born of the marriage of the said Henry William Wendlandt and wife, Jimmie Evans Wendlandt, to-wit: Margaret Eloise Wendlandt who was born on May 19, 1922, and married Gene Howard on September 19, 1942, and Henry Wendlandt, Jr. who was born on January 21, 1924, and married Dora Nan Jones on May 15, 1946; that both Margaret Eloise Howard and Henry Wendlandt, Jr. are living, are over the age of twenty one years and are married; that the surviving wife of Henry William Wendlandt, who is the mother of both his children, is not named as Beneficiary in said will; that under the provisions of Article 8293, Revised Civil Statutes of Texas, said will is void and is not entitled to probate or record; that both Jimmie Evans Wendlandt and Margaret Eloise Howard have waived any right they may have to letters of administration; that Henry Wendland Jr is the only sone of Henry William Wendlandt, and that said Henry Wendlandt, Jr is entitled to letters by law andis not disqualified.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that administration be granted upon the estate of the said Henry William Wendlandt, deceased, and that the said Henry Wendlandt, Jr. shall receive letters of Administration thereon when he has taken the oath required by law and given bond in the sum of $40,000.00, payable and conditioned as required by law; that when the said Henry Wendlandt, Jr. shall have so qualified, as administrator the Clerk of this Court shall issue letters in accordance with this order.

It appearing that W. S. Drake, Jr. North Millican, and E. Ahlgrimm are citizens of Travis County, Texas, and are disinterested persons, they are hereby appointed appraisers to appraise the estate of Henry William Wendlandt, deceased.

Done and ordered entered this 7th day of July, 1952.

Mace B. Thurman, Jr. Judge
County Court at Law, Travis County, Texas, acting as County Judge Travis County, Texas, in accordance with certificate recorded in Vol. 156 Page 246 Probate Minutes of Travis County, Texas.

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OATH OF ADMINISTRATOR: Filed July 7, 1952 MIN. 156 Page 283

I, do solemnly swear that Henry William Wendlandt, deceased, died without leaving any lawful will, so far as I know or believe, and that I will well and truly perform all the duties of administrator of the estate of the said decedent.

Henry Wendlandt, Jr.

Subscribed and sworn to before me, this 7th day of July, 1952.)

(seal)

Emilie Limberg, County Clerk, Travis County, Texas by H. Van Eck, Deput

BOND OF ADMINISTRATOR: Filed July 7, 1952: Probate Min. 156 Page 283:

KNOW ALL MEN BY THESE PRESENTS: That we, Henry Wendlandt Jr as principal and Ted Wendlandt and Edward Wendlandt, as sureties are held and firmly bound unto the County Judge of Travis County, Texas, andhis successors in office in the sum of $40,000.00 conditioned that the above bound Henry Wendlandt, Jr who has been appointed by the County Judge of Travis County, Texas administrator of the Estate of Henry William Wendland, deceased, shall well and truly perform all the duties required of him under such appointment.

Henry Wendlandt, Jr.
Principal
Ted Wendlandt
Edward Wendlandt
Sureties

Approved this 7th day of July, 1952.

Maco B. Thurman, Jr. Judge, County Court at law, Travis County, Texas acting as County Judge, Travis County, Texas, in accordance with certificate recorded Vol. 156 Page 246, Probate Minutes of Travis County, Texas.

INVENTORY APPRAISEMENT AND LIST OF CLAIMS: Filed March 27, 1953: Vol. 163 Page 219 : Inventory and appraisement of the Estate of Henry William Wendlandt, deceased, producted before the undersigned appraisers on the 26th day of March, 1953, by Henry Wendlandt, Jr. administrator of the Estate of said Henry William Wendlandt, deceased.

SEPARATE PROPERTY: Real Property: An undivided one-fourth interest in and to the tracts of land out of the Thomas J. Chambers Survey, fully described as "First Parcel" in the Deed of Correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, Individually Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, Save

county 49358

AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt and David B. Barrow (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950, recorded in Book 1067, Page 106, Deed Records of Travis County, Texas (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated Octoner 4, 1951, recorded in Book 1203 Page 329, Deed Records of Travis County, Texas and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al, by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas. Value of $18,750.00

(Among other property)

Personal property: None

COMMUNITY PROPERTY OF SAID
HENRY WILLIAM WENDLANDT, DECEASED

Real Property: Not under consideration

Personal Property: (Not under consideration)

We the undersigned appraisers solemnly swear that the foregoing is a full and fair appraisement of the Estate of Henry William Wendlandt, deceased, produced before us by Henry Wendlandt, Jr. Administrator.

E. Ahlgrimm
W. S. Drake, Jr.
North Millican

LIST OF CLAIMS: Separate property: None
Community Property: (Here follows long list of claims not now under consideration)

Then follows list of claims owing by Henry Wendlandt, Deceased.

I, Henry Wendlandt, Jr. do solemnly swear that the foregoing inventory and lists are and comprise a full and complete inventory and list of all of the property and claims of, due or owing Henry William Wendlandt, my intestate, and a full complete list of all debts and claims with reference to inheritance taxes as now required by law, due or owing, by Henry William Wendlandt my intestate, that have come to my knowledge or are known to me.

Henry Wendlandt, Jr.
Administrator of Estate of Henry William Wendlandt, Deceased.

county A9359

Subscribed and sworn to before me by Henry Wendlandt, Jr. this 26th day of March, 1953, to certify whic h witness my hand and seal of office.

(Seal)

Jay H. Brown, Notary Public
Travis County, Texas.

ORDER APPROVING INVENTORY APPRAISEMENT AND LIST OF CLAIMS: Filed March 27, 1953 Prob Min 163 Page 230:

On this the 27th day of March, 1953 came on to be heard and considered the inventory, appraisement, and list of claims owing to and of debts and claims owing by Henry William Wendlandt, deceased, filed herein on the 27th day of March, 1953, and after examination the court is satisfied that the same should be approved.

IT IS ACCORDINGLY ORDERED, ADJUDGED and DECREED by the Court that such inventory appraisement and list of claims owing to and of debts and claims owing by Henry William Wendlan deceased be and the same ishereby approved and further that the same be recorded upon the Probate Minutes of this Court.

Done and ordered entered this 27th day of March, 1953.

Tom E. Johnson
County Judge of Travis County, Texas.

WAIVER OF APPOINTMENT OF APPRAISERS: Filed April 8th, 1953: And now come Jimmie Evans Wendlandt, Margaret Wendlandt Howard and Henry Wendlandt, Jr. being all the distributees of the above named decedent and all the persons, corporations and associations interested in the amount of Inheritance Tax to be paid by said Estate, and each individual being of full age and under no disability hereby waive the appointment of appraisers and request you as County Judge of said County and the State Comptroller to appraise the property of said decedent for inheritance tax purposes as provided in Section 19 of the Inheritance Tax Act of 1923. Dated this the 30th day of March, 1953.

Jimmie Evans Wendlandt
Henry Wendlandt, Jr.
Margaret Wendlandt Howard

AFFIDAVIT OF ADMINISTRATOR FOR INHERITANCE TAX APPRAISEMENT Filed April 8, 1953

SCHEDULE A: Real Estate (Item No, 2 same as property out of T. J. Chambers listed in inventory herein)

Total Value of one-half of Total Real Estate which was community	$19,234.63
Total Value of Real Estate(Decedents)	51,369.88

Other Schedules Omitted (Totals shown in recapitulation herein. Schedule E:

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Beneficiary	Address	Relationship	Amount Exempted
Jimmie Evens Wendlandt	1205 West 9th St.	Wife adult, age 51, life Estate in Item 10 Schedule A-1 and an estate for liefe in one third of Items 1 and 2, Schedule A-1, the total value of which is $35,885.25 Market Value $17,482.13	$25,000.00
Margaret Wendla ndt Howard	721 Shady Lane,	Daughter, Adult one half of remainder 58,300.18	25,000.00
Henry Wendlandt Jr.	123 West 8th Street,	Son Adult one half remainder 58,300.18	25,000.00

Net taxable value:	Rate	Tax Claimed due
none	None	None
33,300.18	1 and 2%	$416.00
33,300.18	1 and 2%	416.00

REPORT OF APPRAISEMENT: Filed May 5, 1953: P. M. 163 Page 476

On this the 5th day of May, 1953 came on to be considered the matter of appraising the estate of the above named decedent for inheritance tax purposes, and the interest parties having waived the appointment of appraisers and requested us t make such appraisement, we, the undersigned, respectfully repor L. That said d ecent died a resident of the County and State aforesaid on the 21st day of June, 1952.

2. That the actual market value of the property which by reason of the death of said decedent has been transferred within the meaning of the inheritance tax laws of this State was at the date of decendent's death as set forth below.

3. And that [illegible] the deductions claimed and set forth below are legally allowable as deductions in thisproceeding as claims against this estate.

4. That the total actual market value of the property with respect to this estate within the meaning of the inheritance laws of this State, and the total amount of debts and othe charges allowed in this proceeding as deductions are as follows

Total Value of Schedule A-1 (Real Estate Less Mortgages) - - -	$51,369.88
Total Value of Schedule A-2 (Stocks bonds)	92,626.95
Total Value of Schedule A-3 (Livestock)	
Total Value of A-C (Chattel Property)	1,975.00
Total Value of Schedule A-5 (insurance)	
Total Value of B-1 (Transfers)	
Total Value of Schedule B-A (General Powrs of appoitment	
TOTAL GROSS VALUE OF ESTATE	$ 145,971.83
TOTAL AMOUNT of SCHEDULE D	11,889.34
TOTAL NET VALUE OF ESTATE	134,082.49

This report is executed and approved subject to amendment to conform with the final determination of the Estate by the Federal Government.

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Tom E. Johnson
County Judge, Travis County, Texas
Robert S. Calvert
State Comptroller

ORDER FIXING AND ASSESSING INHERITANCE TAX: Filed May 5, 1953
P. M. 163 Page 477:

On this the 5th day of May, 1953 came on to be considered the matter of determining the cash value of said estate and the amount of inheritance tax to which the same is liable and after having heard the testimony and considered the inventory and the report of appraisement, and after having heard all the parties desiring to be heard, and upon the whole record, and being fully advised:

FIND AND DETERMINE That said deceased, died onthe 21st day of June, 1952; and that said estate has been appraised at its actual market value as provided by law.

It is therefore ordered that the said report of appraisement together with therecommendations for taxation and exemption by said appraisers be and the same is hereby approved, and

It is further ordered upon said report that the cash value of the several successions, estates, annuities, gifts, transfers appointments, interest, etc, subject to taxation or exemption by reason of the death of said decedent under the laws of this State, and the tax to which the same are severally liable be and the same are hereby assessed and fixed as follows:

Beneficiary:	Appraised Mkt Value	Exempt.	Taxable Cash Value	Rate	Tax
Jimmie Evans Wendlandt (wife)	$9028.80	25,000.00	none	none	non
Margaret Wendlandt Howard (Daughter)	62526.84	25,000.	37,526.84	1&2	$500 54
Henry Wendlandt, Jr. (Son)	62526.84	25,000.00	37,526.84	1 & 2	$500.54

This order is executed and approved subject to amendment to conform with the final determination of the Estate by the Federa Government

Total Taxes Assessed $1001.08

Wherefore it is ordered that the administrator (executor) be and he is hereby authorized and directedto pay and deliver forthwith to the Comptroller of Public Accounts the sum of $1001.08 as and for inheritance tax to which said heirs, legatee or devisees ar e liable and charge the same to the respective shares as taxed herein.

It is further ordered that said appraisers compensation an espense incurred be fixed at no dollars.

Tom E. Johnson County
judge, Travis County Texas

Examined and Approved this the 5th day of May, 1953.
Robert S. Calvert, State
Comptroller

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No. 1420 -State of Texas
INHERITANCE TAX RECEIPT: Filed May 14, 1953:
Received from Estate of Henry William Wendlandt One Thousand One Hundred One and 08/100 Dollars in payment of inheritance tax assessed against Estate of Henry William Wendlandt, deceased resident of Travis County, Texas, inherited by Jimmie Evans Wendlandt, Margaret Wendlandt Howard and Henry Wendlandt, Jr.

May 13, 1953

(Seal)

Robert S. Calvert,
Comptroller of Public Accounts
for The State of Texas

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counter 49363

MMETT SHELTON ET AL

TO

THE PUBLIC

AFFIDAVIT
DATED JUNE 25, 1952
FILED JUNE 26, 1952
RECORDED VOL. 1273 Page 266
TRAVIS CO. RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Walter Staehely and Emmett Shelton, who, being by me duly sworn, upon their oaths depose and say:

We were well and intimately acquainted with Henry William Wendlandt during his lifetime, and the matters of fact herein stated are well known to us as a matter of his family history.

Henry William Wendlandt was born on May 18, 1896. He was married to Jimmie Whitfield Evans on May 9, 1921. They continued to live together as husband and wife until Henry William Wendlandt died on June 21, 1952.

The following children and none other, were born of the marriage of the said Henry William Wendlandt and wife, Jimmie Evans Wendlandt, to-wit:

(1) Margaret Eloise Wendlandt, who was born on May 19, 1922, and married Gene Howard on September 19, 1942; and

(2) Henry Wendlandt, Jr. who was born on January 21, 1924, and married Dora Nan Jones on May 15, 1946.

None of the persons herein named has ever adopted any child or children.

Witness our hands this 25th day of June, 1952.

Walter Staehely
Emmett Shelton

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Walter Staehely and Emmett Shelton, known to me to be the persons whose names are subscribed to the foregoing instrument, and severally acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 25th day of June, 1952.

(Seal)

Ted Wendlandt, Notary Public
Travis County, Texas.

counter 49364

EMMA SAVAGE ET AL

TO

EDWARD AND TED WENDLANDT

POWER OF ATTORNEY
DATED JAN. 8, 1953
FILED MAY 6, 1953
RECORDED VOL. 1161 Pages 407-11
TRAVIS COUNTY RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS

WHEREAS, Emma Wendlandt Savage, Jimmie Evans Wendlandt, a widow, Margaret Wendlandt Howard, Henry Wendlandt, Jr., E. A. Wendlandt, Charles William Wendlandt, and Walter George Wendlandt collectively own an undivided two thirds interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, Individuall Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property herein described.

2. The tract of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described "First Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and David B. Barrow (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1067 Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the Tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clar by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property herein described; and,

Whereas, with respect to said tracts of real property, the undersigned wish to confer upon Edward Wendlandt and Ted Wendlandt, jointly and severally, thepowers hereinafter enumerate

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NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That we, Emma Wendlandt Savage and husband F. P. Savage, Jimmie Evans Wendlandt, a widow, Margaret Wendlandt Howard and husband, Gene Howard, and Henry Wendlandt Jr. all of Travis County, Texas, E. A. Wendlandt ofSmith County, Texas, Charles William Wendlandt of Tarrant County, Texas, and Walter George Wendlandt of Orleans Parish, Louisiana, have made, constituted and appointed and by these presents do make, constitute and appoint Edward Wendlandt and Ted Wendlandt, both of Travis County, Texas, our true and lawful attorneys, each of whom shall have full power and authority, and full power and authority is hereby conferred upon each of them for us and in our names, places and steads to take possession of our interests in the hereinabove described tracts of real property, together with all improvements thereon; to grant options and to contract to grant, sell, and convey our interest therein or any part thereof upon such terms and conditions and for such consideration as to him may seem proper; to manage and control our interests in that property and to rent or lease the same, including the power to lease for oil, gas and mining purposes; upon such terms and conditions and for such consideration as to him may seem proper, to receive all sums that may become due us, or any of us, on account of any sale or lease; to make, execute, acknowledge and deliver deeds, options, transfers, leases, releases, and other written instruments, containing such covenants and agreements as to him may seem proper; and without limitation upon the express powers herein conferred upon each of our said attorneys in fact, generally to deal with our interests in and to the real property and premises herein described in all respects as if he were the owner thereof in fee simple.

We agree and represent to those dealing with either of our said attorneys in fact that this power of attorney may be voluntarily revoked only by a revocation filed for record and recorded in the Office of the County Clerk of Travis County, Texas.

Witness our hands, this 8th day of January, 1953.

Emma Wendlandt Savage
F. P. Savage
Jimmie Evans Wendlandt
Margaret Wendlandt Howard
Gene Howard
Henry Wendlandt, Jr.
E. A. Wendlandt
Charles William Wendlandt
Walter George Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared F. P. Savage 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 also before me on this day personally appeared Emma Wendlandt Savage, wife of F. P. Savage, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by

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me privily and apart from her husband, and having the same fully explained to her, she, the said Emma Wendlandt Savage, acknowledge such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this 3rd day of March 1953.

)Seal)

E. Ahlgrimm
Notary Public, Travis County, Texas.

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Jimmie Evans Wendlandt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 17th day of January, 1953.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texa

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Gene Howard, 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 also before me on this day personally appeared Margaret Wendlandt Howard, wife of Gene Howard, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Margaret Wendlandt Howard, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

Given under my hand and seal of office, this 17 day of January, 1953.

(seal)

John W. Johnson
Notary Public, Travis County, Texa

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Henry Wendlandt, Jr. 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.

Given under my hand and seal of office, this 15th day of January, 1953.

(Seal)

Jay H. Brown, Notary Public,
Travis County, Texas

counter 49367

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared E. A. Wendland 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.

Given under my hand and seal of office, this 4th day of April, 1953.

(Seal)

E. Ahlgrimm, Notary Public,
Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TARRANT) BEFORE ME, the undersigned authority, on this day personally appeared Charles William Wendlandt, 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.

Given under my hand and Seal of office this 24th day of February, 1953.

(Seal)

B. Campbell Simmons, Notary Publi
Tarrant County, Texas

THE STATE OF LOUISIANA
PARISH OF ORLEANS) Before me, the undersigned authority, on this day personally appeared Walter George Wendlandt, 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.

Given under my hand and seal of office this 28th day of February 1953.

(Seal)

Carroll Montet
Notary Public, Orleans Parish
Louisiana

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1

EDWARD WENDLANDT

TO

CHARLES WILLIAM WENDIANDT

SPECIAL WARRANTY DEED
DATED JAN. 8, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 423-4
TRAVIS CO. RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS: That I, Edward Wendlandt, not joined herein by my wife, for the reason that the property hereby conveyed does not constitute any part of our homestead, for and in consideration of the love and affection that I have for Charles William Wendlandt of Tarrant County, Texas, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said Charles William Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950 recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt Emma Wendladt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1067, Page 106 of the Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas,(4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al, by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, togehter with all and singular the rights and appurtenances thereto in anywise belonging unto the said Charles William Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns, forever; and I do hereby bind myself, my heirs, executors and administrators to Warrant and Forever Defend all and singular the said premises unto the said Charles William Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under me, but not otherwise.

Witness my hand this 8th day of January, 1953.

Edward Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Edward Wendlandt, 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.

Given under my hand and seal of office, this 8th day of January, 1953.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas

counter 49370

5

EDWARD WENDLANDT

TO

CHARLES WILLIAM WENDLANDT

SPECIAL WARRANTY DEED
DATED DEC. 29, 1952
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 417-18
TRAVIS CO. RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS: That I, Edward Wendlandt, not joined herein by my wife for the reason that the property hereby conveyed does not constitute any part of our homestead, for and in consideration of the love and affection that I have for Charles William Wendlandt of Tarrant County, Texas, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said Charles William Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, fully described as "Second Parcel" in the Deed of Correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "first Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and EmmaWendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950, recorded in Book 1067, Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and

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reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Charles William Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns, forever; and I do hereby bind myself, my heirs, executors and administrators to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said Charles William Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under me, but not otherwise.

Witness my hand this 29th day of December, 1952.

Edward Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS | BEFORE ME, the undersigned authority, on this day personally appeared Edward Wendlandt, 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.

Given under my hand and seal of office this 29th day of December, 1952.

Jay H. Brown
(Notary seal) Notary Public, Travis County, Texas

counter 49372

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5

EDWARD WENDLANDT

TO

WALTER GEORGE WENDLANDT

SPECIAL WARRANTY DEED
DATED DEC. 29, 1952
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 394-5
TRAVIS CO. RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS: That I, Edward Wendlandt, of Travis County, Texas, not joined herein by my wife for the reason that the property hereby conveyed does not constitute any part of our homestead, for and in consideration of the love and affection that I have for Walter George Wendlandt of Orleans Parish, Louisiana, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the Deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however, (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1067, Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated october 4, 1951, recorded in Book 1203 Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a

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full description of the property hereby conveyed.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns, forever; and I do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Walter George Wendlandt, his heirs and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under me, but not otherwise.

Witness my hand this 29th day of December, 1952.

Edward Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS } Before me, the undersigned authority, on this day personally appeared Edward Wendlandt, 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.

Given under my hand and seal of office this 29th day of December, 1952.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas

counter 49374

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EDWARD WENDLANDT

TO

WALTER GEORGE WENDLANDT

SPECIAL WARRANTY DEED
DATED JAN. 8, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 438-9
TRAVIS CO. RECORDS.

THE STATE OF TEXAS
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS: That I, Edward Wendlandt, of Travis County, Texas not joined herein by my wife for the reason that the property hereby conveyed does not constitute any part of our homestead, for and in consideration of the love and affection that I have for Walter George Wendlandt of Orleans Parish, Louisiana, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, fully described as "Second Parcel" in the Deed of Correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT , however, (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450 of Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950 recorded in Book 1067, Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated October 4, 1951, recorded in Book1203, Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al, by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaiddeeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns, forever; and I do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Walter George Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under me, but not otherwise.

Witness my hand this 8th day of January, 1953.

Edward Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE me, the undersigned authority, on this day personally appeared Edward Wendlandt, 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.

Given under my hand and seal of office, this 8th day of January, 1953.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas

counter 49376

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TED WENDLANDT

TO

CHARLES WILLIAM WENDLANDT

SPECIAL WARRANTY DEED
DATED JAN. 8, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 421-422

THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS: That I, Ted Wendlandt, a single man of Travis County, Texas, for and in consideration of the love and affection that I have for Charles William Wendlandt, of Tarrant County, Texas, have GRANTED, SOLD, AND CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said Charles William Wendlandt as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. a Tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950 recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2). the tract of land conveyed to David B. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950, recorded in Book 1067 Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 329 Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Charles William Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs, and assigns, forever; and I do hereby bind myself, my heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Charles William Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under me, but not otherwise.

Witness my hand this 8th day of January, 1953.

Ted Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Ted Wendland, a single man, 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.

Given under my hand and seal of office this 8th day of January, 1953.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas

counter 79378

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TED WENDLANDT

TO

WALTER GEORGE WENDLANDT

SPECIAL WARRANTY DEED
DATED JAN. 8, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 413-414

THE STATE OF TEXAS
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS: That I, Ted Wendlandt, a single man, ofTravis County, Texas, for and in consideration of the love and affection that I have for Walter George Wendlandt, of Orleans Parish, Louisiana, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046 page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1067, Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1099, Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated October 4, 1951, recorded in Book 1203, Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clarkby Henry Wendlandt, et al by the deed dated Octoner 4, 1951, recorded in Book 1203, Page 334,Deed Records of TravisCounty, Texas, and

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reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators to Warrant and Forever Defend all and singular the said premises unto the said Walter George Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under me, but not otherwise.

Witness my hand this 8th day of January, 1953.

Ted Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS () Before me, the undersigned authority, on this day personally appeared Ted Wendlandt, a single man, 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.

Given under my hand and seal of office this 8th day of January, 1953.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas.

County 49380

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D

TED WENDLANDT

TO

E. A. WENDLANDT

SPECIAL WARRANTY DEED
DATED JAN. 8, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages
390-391

THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS: That I, Ted Wendlandt, a single man, of Travis County, Texas, for and in consideration of the love and affection that I have for E. A. Wendlandt of Smith County, Texas, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046 Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, Individually, Ted Wendlandt, Edward Wendlandt, and EmmaWendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of theThomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, EmmaWendlandt, and David B. Barrow (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1067, Page 106, Deed Records of Travis County, Texas (3), the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203 Page 329, Deed Records of TravisCounty, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns forever; and I do hereby bind myself, my heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said E. A. Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim, the same or any part thereof, by through, or under me, but not otherwise.

Witness my hand this 8th day of January, 1953.

Ted Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS] BEFORE ME, the undersigned authority, on this day personally appeared Ted Wendlandt, a single man, 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.

Given under my hand and seal of office this 8th day Of January 1953.

(notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas

counter 49382

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15

TED WENDLANDT

TO

E. A. WENDLANDT

SPECIAL WARRANTY DEED
DATED DEC. 29, 1952
FILED APRIL 30, 1953
RECORDED VOL. 1342 Page 436
TRAVIS COUNTY RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS I KNOW ALL MEN BY THESE PRESENTS: That I, Ted Wendlandt, a single man, of Travis County, Texas, for and in consideration of the love and affection that I have for E. A. Wendlandt of Smith County, Texas, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said E. A. Wendlandt as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas , executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt and EmmaWendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey, in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in thepartition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, EmmaWendlandt, and David B. Barrow (2) the tract of land conveyed to David B. Barrow, by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1067 Page 106 Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated October 4, 1951, recorded in book 1203 Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds, and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the abovedescribed premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns forever; and I do hereby bind myself, my heirs, executors, and administrators, to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said E. A. Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under me, but not otherwise.

Witness my hand, this 29th day of December, 1952.

Ted Wendlandt

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Ted Wendlandt, a single man, 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.

Given under my hand and seal of office this 29th day of December, 1952.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas

counter 19384

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EMMA WENDLANDT SAVAGE ET VIR

TO

E. A. WENDLANDT

SPECIAL WARRANTY DEED
DATED JAN. 8, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 396-8
TRAVIS COUNTY RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS: That we, Emma Wendlandt Savage and husband, F. P. Savage, of Travis County, Texas, for and in consideration of the love and affection that we have for E. A. Wendlandt, of Smith County, Texas, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-twenty-fourth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of land of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey, in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950 recorded in Book 1046 Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however, (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1067 Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203 Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said E. A. Wendlandt, hisheirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under us, but not otherwise.

Witness our hands, this8th day of January, 1953.

Emma Wendlandt Savage
F. P. Savage

THE STATE OF TEXAS
COUNTY OF TRAVIS } Before me, the undersigned authority, on this day personally appeared F. P. Savage, 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 also before me on this day personally appeared Emma Wendlandt Savage, wife of F. P. Savage, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Emma Wendlandt Savage acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 9th day of January, 1953.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas.

counter 49386

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EMMA WENDLANDT SAVAGE ET VIR

TO

E A WENDLANDT

SPECIAL WARRANTY DEED
DATED DEC. 29, 1952
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 403-405

THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS: That we, Emma Wendlandt Savage and husband, F. P. Savage, of Travis County, Texas, for and in consideration of the love and affection that we have for E. A. Wendlandt of Smith County, Texas, have Granted, Sold, and Conveyed and by these presents do Grant, Sell, and Convey unto the said E. A. Wendlandt as a part of his separate property and estate, and to his sole and separate use, an undivided one-twenty-fourth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046 Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950, recorded in Book 1067, Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs, and assigns, forever; and we do hereby bind ourselves, our heirs, executors, and administrators to Warrant and Forever Defend all and singular the said premises unto the said E. A. Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under us, but not otherwise.

Witness our hands, this 29th day of December, 1952.

Emma Wendlandt Savage

F. P. Savage

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared F. P. Savage, 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 also before me on this day personally appeared Emma Wendlandt Savage, wife of F. P. Savage, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Emma Wendlandt Savage, acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this 29th day of December, 1952.

(Seal)

Jay H. Brown
Notary Public, Travis County,
Texas

counter 49388

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2.1

JIMMIE EVANS WENDLANDT ET AL

TO

E A. WENDLANDT

SPECIAL WARRANTY DEED
DATED JAN. 7, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 433-5
TRAVIS CO. RECORDS

THE STATE OF TEXAS
COUNTY OF TRAVIS KNOW ALL MEN BY THESE PRESENTS: That we, Jimmie Evans Wendlandt, a widow, Margaret Wendlandt Howard and husband, Gene Howard, and Henry Wendlandt, Jr. all of Travis County, Texas, for and in consideration of the love and affection that we have for E. A. Wendlandt, of Smith County, Texas, Have Granted, Sold and Conveyed and by these presents do Grant, Sell, and Convey unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to-wit:

1. aTract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, fully described as the "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey, in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950 recorded in Book 1046 Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, Individully Ted Wendlandt, Edward Wendlandt and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract set apart to David B. Barrow in the partition deed dated October 10, 1950 recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950, recorded in Book 1067 Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al, by the deed dated October 10, 1950, recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated October 4, 1951 recorded in Book 1203, Page 329 Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

To have and to hold the above described premises, to-

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gether with all and singular the rights and appurtenances thereto in anywise belonging, unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators to Warrant and Forever Defend all and singular the said premises unto the said E. A. Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under us, but not otherwise.

Witness our hands, this 7th day of January, 1953.

Jimmie Evans Wendlandt
Margaret Wendlandt Howard
Gene Howard
Henry Wendlandt, Jr.

THE STATE OF TEXAS
COUNTY OF TRAVIS Before me, the undersigned authority, on this day personally appeared Jimmie Evans Wendlandt a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 8th day of January, 1953.

(Seal)

Jay H. Brown
Notary Public, Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Gene Howard, 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 also before me on this day personally appeared Margaret Wendlandt Howard, wife of Gene Howard, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Margaret Wendlandt Howard, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 8th day of January, 1953.

)Seal)

Jay H. Brown
Notary Public Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Henry Wendlandt, Jr. 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 considerations therein expressed.

Given under my hand and seal of office, this 8th day of January, 1953.

)Seal)

Jay H. Brown, Notary Public, Travis County, Texas

counter 49390 197

JIMMIE EVANS WENDLANDT ET AL

TO

WALTER GEORGE WENDLANDT

SPECIAL WARRANTY DEED
DATED DEC. 29, 1953
FILED APRIL 30, 1953
RECORDED VOL. 1342 Pages 428-430

THE STATE OF TEXAS
COUNTY OF TRAVIS § KNOW ALL MEN BY THESE PRESENTS: That we, Jimmie Evans Wendlandt, a widow, Margaret Wendlandt Howard and husband, Gene Howard, and Henry Wendlandt, Jr. all of Travis County, Texas, for and in consideration of the love and affection that we have for Walter George Wendlandt of Orleans Parish, Louisiana, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and seperate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to wit:

1. a tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as the "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950 recorded in Book 1046, Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, Individually, Ted Wendlandt Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950, recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950 recorded in Book 1067 Page 106, Deed Records of Travis County, Texas (3), the tract of land conveyed to L. T. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950 recorded in Book 1099 Page 254 Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt et al by the deed dated October 4, 1951, recorded in Book 1203 Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

To have and to hold the above described promises, together

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with all and singular the rights and appurtenances thereto in anywise belonging unto the said Walter George Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns forever, and we do hereby bind ourselves, our heirs, executors and administrators to Warrant and Forever Defend, all and singular the said premises unto the said Walter George Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under us, but not otherwise.

Witness our hands, this 29th day of December, 1952.

Jimmie EvansWendlandt
Margaret Wendlandt Howard
Gene Howard
Henry Wendlandt, Jr.

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Jimmie Evans Wendlandt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 30th day of December, 1952.

(Seal)

Jay H. Brown
Notary Public, Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE Me, the undersigned authority, on this day personally appeared Gene Howard, 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 also before me onthis day personally appeared Margaret Wendlandt Howard, wife of Gene Howard, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Margaret Wendlandt Howard, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this 30th day of December, 1952.

(Seal)

Jay H. Brown
Notary Public, Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS) Before me, the undersigned authority, on this day personally appeared Henry Wendlandt, Jr. 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.

Given under my hand and seal of office, this 30th day of December, 1952.

(Seal)

Jay H. Brown
Notary Public, Travis County, Texas

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JIMMIE EVANS WENDLANDT ET AL

TO

CHARLES WILLIAM WENDLANDT

WARRANTY DEED (SPECIAL)
DATED DEC. 29, 1952
FILED APRIL 30, 1953
RECORDED VOL. 1342 Page 425-7

THE STATE OF TEXAS
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS: That we, Jimmie Evans Wendlandt, a widow, Margaret Wendlandt Howard and husband, Gene Howard, and Henry Wendlandt Jr. all of Travis County, Texas, for and in consideration of the love and affection that we have for Charles William Wendlandt, of Tarrant County, Texas have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said Charles William Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, towit:

1. A tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29 in Travis County, Texas, fully described as the "Second Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046 Page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950, recorded in Book 1046, Page 245, Deed Records of Travis County, Texas executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950 recorded in Book 1065, Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt, Edward Wendlandt, Emma Wendlandt, and David B. Barrow, (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950, recorded in Book 1067 Page 106, Deed Records of Travis County, Texas, (3), the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950 recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 329, Deed Records of Travis County, Texas, and (5) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203, Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Charles William Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns, forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said Charles William Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under us, but not otherwise.

Witness our hands this 29th day of December, 1952.

Jimmie Evans Wendlandt
Margaret Wendlandt Howard
Gene Howard
Henry Wendlandt, Jr.

THE STATE OF TEXAS
COUNTY OF TRAVIS } Before me, the undersigned authority, on this day personally appeared Jimmie Evans Wendlandt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 30th day of December, 1952.

(Seal)

Jay H. Brown
Notary Public, Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS } BEFORE ME, the undersigned authority, on this day personally appeared Gene Howard, 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 also before me, on this day personally appeared Margaret Wendlandt Howard, wife of Gene Howard, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Margaret Wendlandt Howard, acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this 30th day of December, 1952.

(Seal)

Jay H. Brown
Notary Public, Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS } Before me, the undersigned authority, on this day personally appeared Henry Wendlandt, Jr. 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.

Given under my hand and seal of office this 30th day of December, 1952.

(Seal)

Jay H. Brown, Notary Public,
Travis County, Texas.

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JIMMIE EVANS WENDLANDT, ET AL

TO

E A WENDLANDT

SPECIAL WARRANTY DEED
DATED DEC. 29, 1952
FILED APRIL 30, 1953
RECORDED VOL. 1342 Page 406-408

THE STATE OF TEXAS
COUNTY OF TRAVIS } KNOW ALL MEN BY THESE PRESENTS: That we, Jimmie Evans Wendlandt, a widow, Margaret Wendlandt Howard and husband Gene Howard, and Henry Wendlandt, Jr. all of Travis County, Texas, for and in consideration of the love and affection that we have for E. A. Wendlandt of Smith County, Texas, have GRANTED, SOLD, and CONVEYED, and by these presents do GRANT, SELL, and CONVEY unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, an undivided one-forty-eighth interest in and to the following described real property in Travis County, Texas, together with all improvements thereon, to wit:

1. a tract of 178.47 acres of land, more or less, out of the John Applegate Survey No. 58, Abstract No. 29, in Travis County, Texas, fully described as "Second Parcel" in the deed of correction dated April 28, 1950 recorded in Book "1046" page 245, Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, Individually, Ted Wedlandt, Edward Wendlandt, and Emma Wendlandt, and to which said deed and its record reference is here made for a full description of the property hereby conveyed.

2. The tracts of land out of the Thomas J. Chambers Survey in Travis County, Texas, fully described as "First Parcel" in the deed of correction dated April 28, 1950 recorded in Book 1046 Page 245 Deed Records of Travis County, Texas, executed by Sophie Wendlandt, Henry Wendlandt, Trustee, Henry Wendlandt, Individually, Ted Wendlandt, Edward Wendlandt, and Emma Wendlandt, SAVE AND EXCEPT, however (1) the tract of land set apart to David B. Barrow in the partition deed dated October 10, 1950 recorded in Book 1065 Page 450, Deed Records of Travis County, Texas, between Henry Wendlandt, Ted Wendlandt Edward Wendlandt, Emma Wendlandt, and David B. Barrow (2) the tract of land conveyed to David B. Barrow by Henry Wendlandt et al by the deed dated October 10, 1950 recorded in Book 1067 Page 106, Deed Records of Travis County, Texas, (3) the tract of land conveyed to L. T. Barrow by Henry Wendlandt, et al by the deed dated October 10, 1950 recorded in Book 1099 Page 254, Deed Records of Travis County, Texas, (4) the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203 Page 329, Deed Records of Travis County, Texas, and (5), the tract of land conveyed to Fred O. Clark by Henry Wendlandt, et al by the deed dated October 4, 1951, recorded in Book 1203 Page 334, Deed Records of Travis County, Texas, and reference is here made to each of the aforesaid deeds and its record for a full description of the property hereby conveyed.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said E. A. Wendlandt, as a part of his separate property and estate, and to his sole and separate use, his heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors, and administrators to WARRANT AND FOREVER DEFEND, all and singular the said premises unto the said E. A. Wendlandt, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under us, but not otherwise.

Witness our hands, this 29th day of December, 1952.

Jimmie Evans Wendlandt
Margaret Wendlandt Howard
Gene Howard
Henry Wendlandt, Jr.

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Jimmie Evans Wendlandt, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 30th day of December, 1952.

(Notary Seal)

Jay H. Brown
Notary Public, Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Gene Howard, 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 also before me on this day personally appeared Margaret Wendlandt Howard, wife of Gene Howard, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Margaret Wendlandt Howard, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this 30th day of December, 1952.

(Notary Seal)

Jay H. Brown, Notary Public,
Travis County, Texas

THE STATE OF TEXAS
COUNTY OF TRAVIS) BEFORE ME, the undersigned authority, on this day personally appeared Henry Wendlandt, Jr. 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. Given under my hand and seal of office this 30th day of December, 1952.

(Notary Seal)

Jay H. Brown, Notary Public, Travis County, Texas

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Certificate

Abstract Number 10,558

THE STATE OF TEXAS
COUNTY OF TRAVIS

The Photo-Record Abstract & Title Company, a private corporation organized and doing business under the laws of the State of Texas, with principal office in the City of Austin, does hereby CERTIFY that the foregoing 198 pages,

Numbered 1 **to** 198

constitute a true and correct abstract of all instruments filed or recorded in the office of the County Clerk and/or the District Clerk of Travis County, Texas, affecting the realty described IN THE CAPTION

From THE PATENT

to the 14th day of August 19 53 at 8 o'clock, A. M.

We do not certify as to the taxes unless suit is filed.

Certified at Austin, Texas, on this the 30th day of September 19 53.

Photo-Record Abstract & Title Company, Inc.

R G Carlisle
Secy-Treas.

~~President-Manager~~



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