

NOV 14 2023

**NOTICE OF FORECLOSURE SALE**

Notice is hereby given of a public nonjudicial foreclosure sale.

1. **Property To Be Sold.** The property to be sold is described as follows:

*Nancy E. Nutter*  
County Clerk, Williamson Co., TX

**The real property more particularly described on Exhibit A attached hereto and made a part hereof, together with the rights, appurtenances and improvements thereto and certain other personal property as more particularly described in the Deed of Trust referenced herein.**

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

**Date: Tuesday, December 5, 2023**

**Time:** The sale shall begin no earlier than **10:00am** or no later than three hours thereafter. The sale shall be completed by no later than **1:00pm**

**Place:** **The sale will take place at the Williamson County Courthouse at the place designated by the Williamson County Commissioner's Court**

The Deed of Trust (hereinafter described) permits the Lender (hereinafter described) to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiled may be after the date originally scheduled for this sale.

3. **Terms of Sale.** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Lender to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. **Type of Sale.** The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust (herein so called) executed by HPV Family LLC, a Texas limited liability company (whether one or more, the "Grantor"), for the benefit of First United Bank ("Lender"), covering the property described above. The Deed of Trust is dated on or about even date with the Note, and is recorded under Instrument number 2022045719 of the Official Public Records of Williamson County, Texas.

5. **Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on that promissory note (the "Note") dated on or about April 8, 2022, in the original principal amount of 34,255,000.00, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the note. Lender is the current owner and holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Lender:

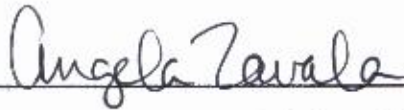
First United Bank  
6604 Frankford Avenue  
Lubbock, Texas 79424  
Attn: Rick Boyd  
Telephone: 806-798-5800  
Email: rboyd@firstunited.net

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

DATED: November 14, 2023



Sharon Jett, Substitute Trustee  
Higier Allen & Lautin, P.C.  
2741 North Haskell Avenue, Suite 2400  
Dallas, Texas 75204  
Telephone: 972-371-2482  
Email: sjett@higierallen.com



\_\_\_\_\_, Substitute Trustee

**\*\*\*PLEASE EMAIL ALL COMMUNICATIONS REGARDING THIS MATTER TO THE SUBSTITUTE TRUSTEE AT SJETT@HIGIERALLEN.COM, AND CONTACT THE SUBSTITUTE TRUSTEE AT 972-371-2482 TO CONFIRM RECEIPT. PLEASE ASSUME YOUR EMAIL HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR COOPERATION.\*\*\***

EXHIBIT A  
LEGAL DESCRIPTION  
TO BE ATTACHED

DESCRIPTION OF

DESCRIPTION OF A 27.65 ACRE TRACT OF LAND LOCATED IN THE SAMUEL NIMMO SURVEY, ABSTRACT 481, WILLIAMSON COUNTY, TEXAS, BEING DESCRIBED AS TRACT II, (A CALLED 27.358 ACRE TRACT OF LAND) CONVEYED IN A GIFT DEED TO KATHRYN ANN WILSON RECORDED IN VOLUME 1626, PAGE 271, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (DR), SAID TRACT II ALSO CONVEYED IN A GIFT DEED TO BETH NOWLIN DAVIS, RECORDED IN VOLUME 1626, PAGE 282, DR, SAID 27.65 ACRE TRACT BEING A PORTION OF NINTH TRACT, (A CALLED 40.4 ACRE TRACT OF LAND) CONVEYED IN A DISTRIBUTION DEED TO HATCH CUMMINS SMITH, JR, KATHERINE ELIZABETH SMITH, AND CASEY SHURTZ SMITH RECORDED IN DOCUMENT NUMBER 2021034234, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (OPR), AND ALSO CONVEYED TO DAMON PHILIP SMITH, III IN A WARRANTY DEED RECORDED IN VOLUME 2516, PAGE 337, DR, SAID 27.65 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND IN JULY, AUGUST, & SEPTEMBER, 2021, UNDER THE DIRECT SUPERVISION OF MIGUEL A. ESCOBAR, LSLS, RPLS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod found, on the north right-of-way line of County Road 121 (CR 121), variable width, no record found to date, at the southeast corner of a called 4.7790 acre tract of land conveyed to Larry Dale Fontenot in a Special Warranty Deed recorded in Document No. 2002013808, OPR, and the southwest corner of said Tract II, for the southwest corner of the herein described tract;

**THENCE**, North 20°46'18" West, with the east line of said 4.7790 acre tract and the west line of said Tract II, a distance of 246.08 feet, to a 1/2 inch iron rod found on the east line of said 4.7790, at the southwest corner of a called 88.09 acre tract of land conveyed to Ralph Werchan described in a Warranty Deed Conveying Remainder Interest recorded in Document No. 2015054840, OPR, at an angle point of said Tract II, for an angle point for the herein described tract, from which point a 3/8 inch iron rod found bears North 20°46'13" West 414.03 feet;

**THENCE**, with the south line of said 88.09 acre tract the following three (3) calls:

1. North 69°10'45" East, a distance of 324.89 feet, to a 1/2 inch iron rod set with cap stamped "STEGER BIZZELL";
2. North 20°46'18" West, a distance of 896.99 feet, to a round concrete monument found;  
and

*M.A.  
10/05/2021*

STEGER BIZZELL

1978 S. Austin Ave  
Georgetown, TX 78626

3. North 69°10'45" East, a distance of 998.32 feet, to 1/2 inch iron rod found with cap stamped "RPLS 5784" on the west line of Third Tract, a called 88 acre tract of land conveyed to Dennis L. Davidson and wife, Marilyn Sue Davidson, and James A. Davidson, Jr. in a Warranty Deed with Vendor's Lien in Volume 645, Page 202, DR, the southeast corner of said 88.09 acre tract, the northeast corner of said Tract II, for the northeast corner of the herein described tract;

**THENCE**, South 20°53'18" East, a distance of 1115.76 feet, to a 1/2 inch iron rod set with cap stamped "STEGER BIZZELL" on the north right-of-way line of said CR 121, at the southwest corner of said Third Tract, the southeast corner of said Tract II for the southeast corner of the herein described tract;

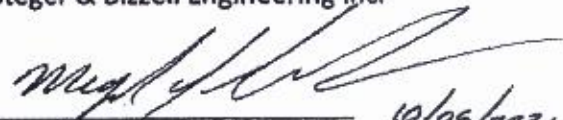
**THENCE**, South 67°59'55" West, with the north right-of-way line of said CR 121 and the south line of said Tract II, a distance of 1325.79 feet, to the **POINT OF BEGINNING**, and containing 27.65 acres of land, more or less, within these metes and bounds.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD\_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a Grid-to-Surface Combined Adjustment Factor of 1.00013.

The foregoing metes and bounds description and survey on which it is based is accompanied by and a part of a survey map of the subject tract.

I certify that this description was prepared from a survey made on the ground in July, August, and September, 2021, under my supervision.

Steger & Bizzell Engineering Inc.

  
Miguel A. Escobar, RPLS, LSLS  
Texas Reg. No. 5630  
1978 South Austin Avenue  
Georgetown, Texas 78626  
(512) 930-9412  
TBPELS Firm No. 10003700



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**STEGER BIZZELL**

1978 S. Austin Ave  
Georgetown, TX 78626

**DESCRIPTION OF**

DESCRIPTION OF A 290.8 ACRE TRACT OF LAND LOCATED IN THE SAMUEL NIMMO SURVEY, ABSTRACT 481, AND THE J.F. FURGUSON SURVEY, ABSTRACT 231, BOTH OF WILLIAMSON COUNTY, TEXAS, BEING DESCRIBED AS TRACT III, (A CALLED 289.464 ACRE TRACT OF LAND) CONVEYED IN A GIFT DEED TO KATHRYN ANN WILSON RECORDED IN VOLUME 1626, PAGE 271, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (DR), AND SAID TRACT III ALSO CONVEYED IN A GIFT DEED TO BETH NOWLIN DAVIS, RECORDED IN VOLUME 1626, PAGE 282, DR, SAID 290.8 ACRE TRACT ALSO BEING A PORTION OF FIRST TRACT (A CALLED 55 ACRE TRACT OF LAND), SECOND TRACT (A CALLED 57.8 ACRE TRACT OF LAND), THIRD TRACT (A CALLED 60.8 ACRE TRACT OF LAND), FIFTH TRACT (A CALLED 40.33 ACRE TRACT OF LAND), SIXTH TRACT (A CALLED 9.5 ACRE TRACT OF LAND), SEVENTH TRACT (A CALLED 3-11/40 ACRE TRACT OF LAND), EIGHTH TRACT, NINTH TRACT (A CALLED 40.4 ACRE TRACT OF LAND), TENTH TRACT (A CALLED 146-8/100 ACRE TRACT OF LAND), AND ELEVENTH TRACT (A CALLED 15 ACRE TRACT OF LAND), ALL TRACTS CONVEYED IN A DISTRIBUTION DEED TO HATCH CUMMINS SMITH, JR, KATHERINE ELIZABETH SMITH, AND CASEY SHURTZ SMITH RECORDED IN DOCUMENT NUMBER 2021034234, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (OPR), AND ALSO CONVEYED TO DAMON PHILIP SMITH, III IN A WARRANTY DEED RECORDED IN VOLUME 2516, PAGE 337, DR, SAID 290.8 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND IN JULY, AUGUST, & SEPTEMBER, 2021, UNDER THE DIRECT SUPERVISION OF MIGUEL A. ESCOBAR, LSL, RPLS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a broken TXDOT Type I concrete monument found at the northeast corner clip of the intersection of the north right-of-way line of State Highway 29 (SH29), variable width, recorded in Volume 424, Page 133, and Volume 424, Page 136, DR, and the east line of County Road 120 (CR 120), variable width, no record found to date, for the westernmost southwest corner of said Tract III, and for westernmost southwest corner of the herein described tract;

**THENCE**, with the east right-of-way line of CR 120 and the west line of said Tract III the following ten calls (10):

1. North 43°13'23" West, a distance of 127.40 feet, to a TXDOT Type I concrete monument found;
2. South 77°02'45" West, a distance of 15.18 feet, to a cotton spindle set;
3. North 14°08'51" West, a distance of 285.62 feet, to a 1/2 inch iron rod found;

STEGE BIZZELL

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4. North 01°05'00" West, a distance of 272.20 feet, to a 1/2 inch iron rod found;
5. North 07°14'11" West, a distance of 219.08 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set;
6. North 12°19'54" West, a distance of 190.62 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set;
7. with said tangent curve to the right, an arc distance of 92.23 feet, having a radius of 65.00 feet, a central angle of 081°18'08", and a chord that bears North 28°19'10" East, a chord distance of 84.69 feet, to a 1/2 inch iron rod found;
8. North 68°58'14" East, a distance of 830.83 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set;
9. North 68°05'58" East, a distance of 635.61 feet, to a 1/2 inch iron rod found; and
10. North 67°36'30" East, a distance of 176.59 feet, to a 1/2 inch iron rod found;

**THENCE**, with the east right-of-way line of CR 121 and the west line of said Tract III the following five calls (5):

1. North 68°12'13" East, a distance of 906.72 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set;
2. with said tangent curve to the left, an arc distance of 156.20 feet, having a radius of 100.00 feet, a central angle of 089°29'56", and a chord that bears North 23°27'16" East, a chord distance of 140.80 feet, to a 1/2 inch iron rod found;
3. North 21°17'42" West, a distance of 468.92 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set;
4. with said tangent curve to the right, an arc distance of 101.23 feet, having a radius of 65.00 feet, a central angle of 089°13'54", and a chord that bears North 23°19'15" East, a chord distance of 91.31 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set; and
5. North 67°56'12" East, a distance of 2394.95 feet, to a 1/2 inch iron rod with cap stamped "WALLACE GROUP" found on the south right-of-way line of CR 121, the northeast corner of said Tract III, for the northeast corner of the herein described tract, from which a 1/2 inch iron rod found bears North 65°18'10" East 21.72 feet;

**THENCE**, South 20°49'31" East, with the east line of said Tract III, a distance of 2048.39 feet, to a 1/2 inch iron rod with cap stamped "FOREST 1874" found on the north line of a 151.48 acre tract of land conveyed to Whitis Mustang Creek Ranch, LLC in a Special Warranty Deed recorded in Document No. 2018073879, OPR, at the easternmost southeast corner of said Tract III, and the easternmost southeast corner of the herein described tract, from which a 1/2 inch iron rod found bears North 68°38'41" East 37.98 feet;

*MAC*  
*10/30/2021* STEGER BIZZELL  
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**THENCE**, with the north line of said 151.48 acre tract and the south line of said Tract III, the following three (3) calls:

1. South 69°00'25" West, at 503.75 feet pass a 1/2 inch iron rod found, for a total distance of 835.87 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set;
2. South 20°44'17" East, a distance of 1592.78 feet, to a 1/2 inch iron rod with cap stamped "FOREST RPLS1874" found; and
3. South 69°18'58" West, a distance of 403.87 feet, to a 1/2 inch iron rod found on the west line of said 151.48 acre tract, at an angle point in Tract II (a called 54.2806 acre tract), conveyed to NDI Paradise Oaks and Riverside MHC, LLC, in a Special Warranty Deed with Vendor's Lien recorded in Document No. 2018006778, OPR, the southernmost southeast corner of said Tract III, for the southernmost southeast corner of the herein described tract;

**THENCE**, with the north line of said Tract II, and the south line of said Tract III the following four (4) calls:

1. North 21°32'21" West, a distance of 694.20 feet, to a 1/2 inch iron rod found;
2. South 69°27'21" West, a distance of 959.19 feet, to a 1/2 inch iron rod found;
3. South 21°30'58" East, a distance of 162.94 feet, to a 1/2 inch iron rod with cap stamped "WARD 5811" found; and
4. South 69°26'15" West, a distance of 606.76 feet, to a 1/2 inch iron rod with cap stamped "WARD 5811" found on the south line of said Tract III, at the northwest corner of said Tract II, and the Northeast corner of Tract B, a called 23.06 acre tract of land, conveyed to Dorothy Jane Simcik Mikulencak in a Special Cash Warranty Deed recorded in Document No. 9541946, OPR;

**THENCE**, South 69°20'17" West, with the north line of said Tract B and the south line of said Tract III, at 1513.01 feet pass a 1/2 inch iron rod found, for a total distance of 1515.44 feet, to a TXDOT Type III monument with a 1/2 inch iron rod with aluminum cap (TXDOT Type III Monument) on the east right-of-way line of said SH29, at the northwest corner of said Tract B, the southernmost southwest corner of said Tract III, for the southernmost southwest corner of the herein described tract;

**THENCE**, with the east right-of-way line of said SH29 and the west line of said Tract III the following four (4) calls:

1. North 36°42'30" West, passing a TXDOT Type III monument found at 311.47 feet, for a total distance of 365.64 feet, to a TXDOT Type I concrete monument found;

*MAC*  
*10/30/2021*  
**STEGER BIZZELL**  
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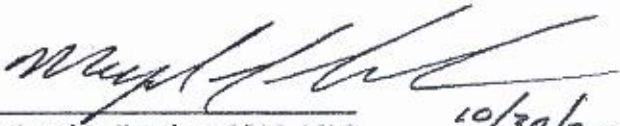
2. with a non-tangent curve to the left an arc distance of 346.45 feet, having a radius of 1580.58 feet, a central angle of  $012^{\circ}33'31''$ , and a chord that bears North  $43^{\circ}08'04''$  West, a chord distance of 345.75 feet, to a TXDOT Type I concrete monument found;
3. with a non-tangent curve to the left, passing a TXDOT Type III monument found at an arc distance of 140.61 feet, for a total arc distance of 953.16 feet, having a radius of 1207.23 feet, a central angle of  $045^{\circ}14'14''$ , and a chord that bears North  $71^{\circ}58'35''$  West, a chord distance of 928.59 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set; and
4. with a non-tangent curve to the left an arc distance of 23.45 feet, having a radius of 1528.57 feet, a central angle of  $000^{\circ}52'45''$ , and a chord that bears South  $86^{\circ}12'46''$  West, a chord distance of 23.45 feet, the **POINT OF BEGINNING**, and containing 290.8 acres of land, more or less, within these metes and bounds.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD\_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a Grid-to-Surface Combined Adjustment Factor of 1.00013.

The foregoing metes and bounds description and survey on which it is based is accompanied by and a part of a survey map of the subject tract.

I certify that this description was prepared from a survey made on the ground in/on July, August, and September, 2021, under my supervision.

Steger & Bizzell Engineering Inc.

  
Miguel A. Escobar, RPLS, LSLS  
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TBPELS Firm No. 10003700



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STEGER  BIZZELL

1978 S. Austin Ave  
Georgetown, TX 78626

DESCRIPTION OF

DESCRIPTION OF A 46.50 ACRE TRACT OF LAND LOCATED IN THE J.F. FURGUSON SURVEY, ABSTRACT 231, AND THE SAMUEL NIMMO SURVEY, ABSTRACT 481, BOTH IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF TRACT IV (A CALLED 62.524 ACRE TRACT OF LAND), CONVEYED IN A GIFT DEED TO KATHRYN ANN WILSON RECORDED IN VOLUME 1626, PAGE 271, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (DR), AND CONVEYED IN A GIFT DEED TO BETH NOWLIN DAVIS, RECORDED IN VOLUME 1626, PAGE 282, DR, SAID 46.50 ACRE TRACT BEING A PORTION OF TENTH TRACT (A CALLED 146-8/100 ACRE TRACT OF LAND), AND TWELFTH TRACT (A CALLED 20/100<sup>TH</sup> OF ONE ACRE TRACT OF LAND), BOTH TRACTS CONVEYED IN A DISTRIBUTION DEED TO HATCH CUMMINS SMITH, JR, KATHERINE ELIZABETH SMITH, AND CASEY SHURTZ SMITH RECORDED IN DOCUMENT NUMBER 2021034234, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (OPR), AND ALSO CONVEYED TO DAMON PHILIP SMITH, III IN A WARRANTY DEED RECORDED IN VOLUME 2516, PAGE 337, DR, SAID 46.50 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND IN JULY, AUGUST, AND SEPTEMBER, 2021, UNDER THE DIRECT SUPERVISION OF MIGUEL A. ESCOBAR, RPLS, LSLs, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a 1/2 inch iron rod with aluminum cap found (TXDOT Type III monument), on the west right-of-way line of State Highway 29 (SH29), a variable width ROW, recorded in Volume 424, Page 133 and Volume 424, Page 136, DR, at the southeast corner of a 16.318 acre tract conveyed to Williamson County, Texas in a Deed recorded in Document No. 2020087303, OPR, for the northeast corner of the herein described tract, from which a 1/2 inch iron rod found bears an arc distance of 475.39 feet;

**THENCE**, with the west right-of-way line of said SH29, the east line of said Tract IV, the following three (3) calls

1. a with curve to the right an arc distance of 146.03 feet, having a radius of 990.09 feet, a central angle of 008°27'01", and a chord that bears South 53°04'55" East, a chord distance of 145.89 feet, to a TXDOT Type I concrete monument found;
2. with a non-tangent curve to the right an arc distance of 319.96 feet, having a radius of 1580.58 feet, a central angle of 011°35'54", and a chord that bears South 43°04'31" East, a chord distance of 319.41 feet, to a TXDOT Type I concrete monument found; and

*MAT*  
*10/30/2021*

STEGER BIZZELL

1978 S. Austin Ave  
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3. South  $36^{\circ}34'43''$  East, a distance of 328.83 feet, to a 1/2 inch iron rod found at the westernmost northwest corner of a 7.98 acre tract of land conveyed to Mr. W Fireworks, Inc. in a General Warranty Deed recorded in Document No. 2014011167, OPR;

**THENCE**, with the north line of said 7.98 acre tract and the south line of Tract IV the following nine (9) calls:

1. South  $68^{\circ}52'26''$  West, a distance of 277.96 feet, to a 1/2 inch iron rod found;
2. North  $56^{\circ}24'47''$  West, a distance of 158.85 feet, to a 1/2 inch iron rod found;
3. South  $27^{\circ}14'57''$  West, a distance of 421.91 feet, to a 1/2 inch iron rod found;
4. South  $76^{\circ}17'21''$  East, a distance of 417.81 feet, to a 1/2 inch iron rod found;
5. South  $77^{\circ}50'33''$  East, a distance of 201.11 feet, to a 1/2 inch iron rod found;
6. South  $77^{\circ}56'02''$  East, a distance of 427.45 feet, to a fence corner post found;
7. South  $62^{\circ}47'07''$  East, a distance of 111.57 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set, from which a 1/2 inch iron rod found bears North  $61^{\circ}20'10''$  East 3.77 feet;
8. South  $53^{\circ}09'43''$  East, a distance of 148.00 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set; and
9. South  $49^{\circ}03'52''$  East, a distance of 457.98 feet, to a 1/2 inch iron rod on the north line of a 14.78 acre tract of land conveyed to The Jennifer Thuy Vo Living Trust in a Warranty Deed with Assumption recorded in Document No. 2006040995, OPR, at the southwest corner of said 7.98 acre tract, and the southeast corner of Tract IV, for the southeast corner of the herein described tract, from which point a 1/2 inch iron rod found on the west right-of-way line of SH29, for the northwest corner of said 14.78 acre tract bears South  $24^{\circ}49'15''$  West 12.28 feet;

**THENCE**, South  $23^{\circ}37'31''$  West, with the north line of said 14.78 acre tract and the south line of said Tract IV, at 585.88 feet pass a 1/2 inch iron rod with cap stamped "FOREST RPLS1874" found, for a total distance of 849.20 feet, to a point in the approximate centerline of the San Gabriel River;

**THENCE**, with the approximate centerline of said San Gabriel River, and the west line of said Tract IV the following five (5) calls:

1. North  $60^{\circ}57'05''$  West, a distance of 527.46 feet, to a point;
2. North  $53^{\circ}06'10''$  West, a distance of 441.40 feet, to a point;
3. North  $45^{\circ}15'04''$  West, a distance of 695.90 feet, to a point;
4. North  $44^{\circ}12'30''$  West, a distance of 455.27 feet, to a point; and

MAE  
10/30/2021

STEGER BIZZELL

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5. North 45°38'13" West, a distance of 413.75 feet, to a point in the approximate centerline of the San Gabriel River;

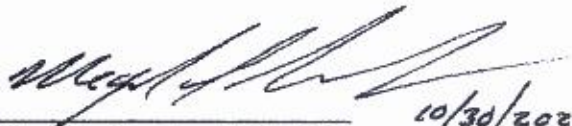
THENCE, North 42°39'11" East, with the south line of said 16.318 acre tract, at 116.24 pass a 1/2 inch iron rod with red cap stamped "S B REF PT" set, for a total distance of 1080.02 feet to the POINT OF BEGINNING, and containing 46.50 acres of land, more or less, within these metes and bounds.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD\_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a Grid-to-Surface Combined Adjustment Factor of 1.00013.

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I certify that this description was prepared from a survey made on the ground in July, August, and September, 2021, under my supervision.

Steger & Bizzell Engineering Inc.

  
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1978 South Austin Avenue  
Georgetown, Texas 78626  
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TBPELS Firm No. 10003700



## EXHIBIT "D"

**BEING** 40.0 acres of land, situated in the Samuel Nimmo Survey, Abstract No. 481, in Williamson County, Texas, said land being a portion of that certain First Tract, called 121.15 acres, as conveyed to K&B Limited Partnership by deed as recorded in Volume 2079, Page 68, of the Official Records of Williamson County, Texas. Surveyed on the ground in the month of August, 2006, under the supervision of Brian F. Peterson, Registered Professional Land Surveyor, and being more particularly described as follows;

**BEGINNING** for Reference at a 1" x 1" steel rod found on the east side of a ditch, 6 feet west of the edge of pavement on the west side of County Road No. 120, marking the Northeast corner of the above-referenced 121.15 acre First Tract, being the most easterly Southeast corner of that certain Tract No. 1, called 147.32 acres, as conveyed to Anton P. Schwertner and wife, Bernice Schwertner, by deed as recorded in Volume 495, Page 621, of the Deed Records of Williamson County, Texas;

**THENCE**, along the north line of the said 121.15 acre First Tract, being the south line of the said 147.32 acre Tract No. 1, S 71° 00' W, 16.33 feet to an iron pin set at the top of a berm on the occupied west line of County Road No. 120, for the Northeast corner and Point of BEGINNING hereof;

**THENCE**, along the top of the said berm along the said occupied west line of county Road No. 120, S 19° 17' 15" E, 177.12 feet to an iron pin set; S 18° 04' E, 362.94 feet to an iron pin set; S 19° 01' 30" E, at 420.25 feet pass an iron pin set for a total distance of 774.83 feet, in all, to an iron pin set and S 25° 24' 15" W, 56.52 feet to an iron pin set for the Southeast corner hereof;

**THENCE**, along the occupied north line of County Road No. 120, S 44° 07' 45" W, 54.89 feet to an iron pin set; S 70° 25' 45" W, 626.75 feet to an iron pin set; S 67° 35' 30" W, 67.37 feet to an iron pin set; S 71° 14' 30" W, 362.95 feet to an iron pin set and S 71° 41' and 30" W, 112.64 feet to an iron pin set for the Southwest corner hereof;

**THENCE**, N 19° 00' W, 1,387.42 feet to an iron pin set on the said north line of the 121.15 acre First Tract, being the said south line of the 147.32 acre Tract No. 1, for the Northwest corner hereof; from said point an iron pin found at an 8" Pecan tree marking the most easterly Northwest corner of the said 121.15 acre First Tract, being an interior corner of the said 147.32 acre Tract No. 1 bears S 71° 00' W, 1,066.11 feet;

**THENCE**, N 71° 00' E, 1,262.76 feet to the Place of BEGINNING and containing 40.00 acres of land.; SAVE AND EXCEPT one acre of land, more particularly described by metes and bounds in Exhibit E hereto.

EXHIBIT "E"  
DESCRIPTION OF

DESCRIPTION OF A 1.000 ACRE TRACT OF LAND LOCATED IN THE SAMUEL NIMMO SURVEY, ABSTRACT 481, WILLIAMSON COUNTY, TEXAS, BEING OUT OF THAT CERTAIN 40.00 ACRE TRACT OF LAND CONVEYED TO BETH NOWLIN DAVIS BY DEED WITHOUT WARRANTY OF RECORD IN DOCUMENT NUMBER 2006113522, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.000 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND IN JULY, 2020 UNDER THE DIRECT SUPERVISION OF MIGUEL A. ESCOBAR, LSLs, RPLs, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a point on the south boundary line of that certain called 147.32 acre tract of land conveyed to Anton P. Schwertner, et ux by Deed of record in Volume 495, Page 621, of the Deed Records of Williamson County, Texas, for the northeast corner of said 40.00 acre tract of land, and for the northeast corner of the herein described tract, from which point a 1 inch x 1 inch steel rod found on the east side of a ditch, approximately 6 feet west of the edge of pavement of County Road 120, a variable width roadway, no dedication found to date, for the southeast corner of said 147.32 acre tract of land, bears North 68°27'28" East, with said south boundary line of the 147.32 acre tract of land, a distance of 17.78 feet;

**THENCE**, South 22°14'59" East, with the east boundary line of said 40.00 acre tract of land, at 0.50 feet pass a 1/2 inch iron rod with cap stamped "RPLS 5784" found, in all a total distance of 177.13 feet, to a 1/2 inch iron rod with cap stamped "RPLS 5784" found for a corner of said 40.00 acre tract of land, and for the southeast corner of the herein described tract;

**THENCE**, South 68°27'28" West, over and across said 40.00 acre tract of land, a distance of 245.94 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set approximately 18 inches below grade in a corn field, for the southwest corner of the herein described tract;

**THENCE**, North 22°14'59" West, continuing over and across said 40.00 acre tract of land, a distance of 177.13 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set approximately 18 below grade in a corn field, on the north line of said 40.00 acre tract of land, same line being inches the south boundary line of said 147.32 acre tract of land, for the northwest corner of the herein described tract, from which point a 1/2 inch iron rod found at the base of a 13 inch pecan tree for an interior ell corner of said 147.32 acre tract

*MAS*  
*07/31/2020*

**STEGER BIZZELL**

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of land, bears South 68°27'28" West, with the common line of said 40.00 acre tract of land and said 147.32 acre tract of land, a distance of 2081.34 feet;

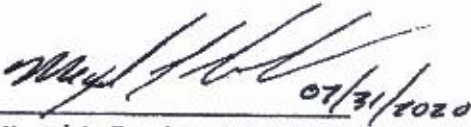
**THENCE**, North 68°27'28" East, with the common line of said 40.00 acre tract of land and said 147.32 acre tract of land, a distance of 245.94 feet, to the **POINT OF BEGINNING**, and containing 1.000 acres of land, more or less, within these metes and bounds.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD\_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a Grid-to-Surface Combined Adjustment Factor of 1.00013.

The foregoing metes and bounds description and survey on which it is based is accompanied by and a part of a survey map of the subject tract.

I certify that this description was prepared from a survey made on the ground in July, 2020 under my supervision.

Steger & Bizzell Engineering Inc.

 07/31/2020

Miguel A. Escobar, LSLS, RPLS  
Texas Reg. No. 5630  
1978 South Austin Avenue  
Georgetown, Texas 78626  
(512) 930-9412  
TBPLS Firm No. 10003700



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**STEGER & BIZZELL**

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DESCRIPTION OF

DESCRIPTION OF A 0.6361 ACRE TRACT OF LAND LOCATED IN THE IN THE J.F. FURGUSON SURVEY, ABSTRACT 231, AND SAMUEL NIMMO SURVEY, ABSTRACT 481, WILLIAMSON COUNTY, TEXAS, BEING DESCRIBED AS TRACT V (A CALLED 0.651 ACRE TRACT OF LAND), CONVEYED IN A GIFT DEED TO KATHRYN ANN WILSON RECORDED IN VOLUME 1626, PAGE 271, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS (DR), AND SAID TRACT V ALSO CONVEYED IN A GIFT DEED TO BETH NOWLIN DAVIS, RECORDED IN VOLUME 1626, PAGE 282, DR, SAID 0.6361 ACRE TRACT BEING A PORTION OF THIRD TRACT(A CALLED 60.8 ACRE TRACT OF LAND) CONVEYED IN A DISTRIBUTION DEED TO HATCH CUMMINS SMITH, JR, KATHERINE ELIZABETH SMITH, AND CASEY SHURTZ SMITH RECORDED IN DOCUMENT NUMBER 2021034234, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (OPR), AND ALSO CONVEYED TO DAMON PHILIP SMITH, III IN A WARRANTY DEED RECORDED IN VOLUME 2516, PAGE 337, DR, SAID 0.6361 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND IN JULY, AUGUST, AND SEPTEMBER, 2021, UNDER THE DIRECT SUPERVISION OF MIGUEL A. ESCOBAR, LSLs, RPLS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a TXDOT Type I concrete monument found broken on the south right-of-way line of State Highway 29 (SH29) , recorded in Volume 424, Page 133 and Volume 424, Page 136, DR, variable width, for the northernmost northeast corner of said Tract V, for the northernmost northeast corner of the herein described tract;

**THENCE**, South 77°54'04" East, with the south right-of-way line of said SH29 and the north line of said Tract V a distance of 102.07 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set at the intersection of the south right-of-way line of said SH29 and the north right-of-way line of County Road 120, 80' wide right-of-way recorded in Volume 261, Page 606, DR, at the easternmost northeast corner of said Tract V, for a northeast corner of the herein described tract;

**THENCE**, with the north right-of-way line of said County Road 120 the following two (2) calls:

1. South 40°18'53" West, a distance of 121.39 feet, to a 1/2 inch iron rod with cap stamped "STEGER BIZZELL" set;
2. South 32°31'30" West, a distance of 98.89 feet, to a point in the approximate centerline of the San Gabriel River, said point being the southeast corner of a called 7.29 acre tract of land conveyed in a Warranty Deed to James A. Davidson, Jr, recorded in Document No. 2001039754, OPR, and the southwest corner of said Tract V, for the southwest corner of the herein described tract;

*NAAC*  
*10/30/2021*

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1978 S. Austin Ave  
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Page 2 of 2  
Proj No. 22829  
October 5, 2021  
Revised: October 30, 2021

0.6361 Acres  
Samuel Nimmo Survey, Abstract No. 481  
J.F. Furguson Survey, Abstract No. 231  
Williamson County, Texas

**THENCE**, North 50°19'26" West, with the approximate centerline of said San Gabriel River, the east line of said 7.29 tract, and the west line of said Tract V, a distance of 212.87 feet, to a point in the approximate centerline of said San Gabriel River, at its intersection with the south right-of-way line of said SH29, at the northeast corner of said 7.29 acre tract and the northwest corner of said Tract V, for the northwest corner of the herein described tract;

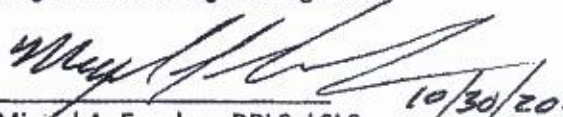
**THENCE**, North 72°34'40" East, with the south right-of-way line of said SH29 and the north line of said Tract V, at 121.73 feet pass a 1/2 Inch Iron rod with cap stamped "S B REF PT" set for reference, for total a distance of 205.16 feet, to the **POINT OF BEGINNING**, and containing 0.6361 acres of land, more or less, within these metes and bounds.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD\_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a Grid-to-Surface Combined Adjustment Factor of 1.00013.

The foregoing metes and bounds description and survey on which it is based is accompanied by and a part of a survey map of the subject tract.

I certify that this description was prepared from a survey made on the ground in/on July, August, and September, 2021, under my supervision.

Steger & Bizzell Engineering Inc.

  
Miguel A. Escobar, RPLS, LSLS  
Texas Reg. No. 5630  
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STEGER & BIZZELL

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