01-11-10454

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Warranty Deed with Vendor's Lien

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: FEBRUARY 17, 2017
Grantors: **DAVID CARPENTER**, *not joined by my spouse as this property constitutes no part of my homestead*
Grantors' Mailing Address: P.O. Box 8419, Horseshoe Bay, TX 78657

Grantee: CLAY E. GOEHRING and JAMIE M. GOEHRING
Grantee's Mailing Address: 3425 Rohde Rd, Round Top, Texas 78954

Consideration: Cash and a note executed by Grantee and payable to the order of CAPITAL FARM CREDIT, FLCA in the principal amount of THREE HUNDRED NINE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($309,400.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of CAPITAL FARM CREDIT, FLCA and by a first-lien deed of trust from Grantee to Ben R. Novosad, trustee.

Property (including any improvements):
TRACT I: Being 54.29 acres of land out of the John H. Woods Survey, Abstract No. 951 in Burnet County, Texas, more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

TRACT II: Being a Joint Use Easement described as 0.12 acre tract of land out of the John H. Wood Survey, Abstract No. 951 in Burnet County, Texas, and being more particularly described by metes and bounds in that certain Joint Use Access Easement dated February 6, 2017, filed for record in Document No. 201701385, Official Public Records of Burnet County, Texas, to which instrument and the record thereof reference is here made for all purposes.

Reservations from Conveyance: For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of an undivided Fifty Percent (50%) of all oil, gas, and other minerals in and under and that may be produced from the Property.

Grantor waives the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor.

Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

Exceptions to Conveyance and Warranty: Subject to the Joint Utility Easement described as 0.12 acre tract of land out of the John H. Wood Survey, Abstract No. 951 in Burnet County, Texas, and being more particularly described by metes and bounds in that certain Joint Use Access Easement dated February 6, 2017, filed for record in Document No. 201701385, Official Public Records of Burnet County, Texas, to which instrument and the record thereof reference is here made for all purposes;
Subject to the Amended and Restated Restrictions Covenants and Conditions executed by David Carpenter to be filed with the Burnet County Clerk; and
Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2017, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

It is agreed that CAPITAL FARM CREDIT, FLCA, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note described. The Vendor's Lien and superior title to the property are retained for the benefit of CAPITAL FARM CREDIT, FLCA and are transferred to that party without recourse on Grantor.

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

DAVID CARPENTER

THE STATE OF TEXAS

COUNTY OF BURNET

This instrument was acknowledged before me this 17th day of February, 2017, by DAVID CARPENTER.

RHONDA A. BURTON
NOTARY PUBLIC
STATE OF TEXAS
ID # 5524881
My Comm. Expires 03-03-2020

Notary Public - State of Texas

GRANTEE'S ACCEPTANCE OF DEED

We, CLAY E. GOEHRING and JAMIE M. GOEHRING, Grantees in the attached deed, accept the attached deed and consent to its form and substance. We acknowledge that the terms of the Deed conform with our intent and that they will control in the event of any conflict with the Farm and Ranch Contract covering the sale of the property by Grantor to Grantees and its Addendum A, regarding the purchase of the property.

We agree to the obligations imposed on Grantees by the terms of the Deed.

DATED this 17th day of February, 2017.

CLAY E. GOEHRING

JAMIE M. GOEHRING

THE STATE OF TEXAS

COUNTY OF BURNET

This instrument was acknowledged before me this 17th day of February, 2017, by CLAY E. GOEHRING and JAMIE M. GOEHRING.

RHONDA A. BURTON
NOTARY PUBLIC
STATE OF TEXAS
ID # 5524881
My Comm. Expires 03-03-2020

Notary Public - State of Texas

FIELD NOTES
JOB NO. 160618-4

Exhibit Attached

TRACT FOUR – 54.29 ACRES

BEING 54.29 acres of land out of the John H. Woods Survey, Abstract No. 951, Burnet County, Texas, and being a portion of that tract described in a Warranty Deed with Vendor's Lien to David Carpenter and Gardener B. McNeil dated July 18, 2016 and recorded as Document No. 201606702 of the Official Public Records of Burnet County and described by metes and bounds as follows:

BEGINNING at a fence corner post found in the north margin of County Road 200 for the southwest corner of that tract described in a Deed to Joe M. Kilgore,et al, dated March 14, 1975 and recorded in Volume 218, Page 169 of the Burnet County Deed Records and being the southeast corner of said Carpenter/McNeil tract and this tract;

THENCE: S63°28'30"W 50.21 feet with the north margin of County Road 200 and the south line of said Carpenter/McNeil tract to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set for the most southerly southwest corner of this tract;

THENCE: over and across said Carpenter/McNeil tract the following courses and distances:

1. N21°14'09"W at 2584.85 feet passing a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set for the most easterly southeast corner of that tract described in a General Warranty Deed to Leslie Lenn and Jeanette Lenn dated November 22, 2016 and recorded as Document No. 201611128 of said official records, in all 3174.68 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set,
2. N43°55'59"W 20.11 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set,
3. N21°37'26"W 997.19 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set for the northeast corner of said Lenn tract and being an inside ell corner of this tract,
4. S68°04'51"W 1557.98 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set in the west line of said Carpenter/McNeil tract and being the northwest corner of said Lenn tract and being the most westerly southwest corner of this tract;

THENCE: N21°30'16"W 1348.23 feet to a 1/2" iron pin with no cap found for the northwest corner of said Carpenter/McNeil tract and this tract;

THENCE: N68°32'30"E 1605.15 feet to a 1/2" iron pin with no cap found for the northeast corner of said Carpenter/McNeil tract and this tract;

THENCE: with the east line of said Carpenter/McNeil tract the following courses and distances:

1. S21°37'26"E 2332.75 feet to a 1/2" iron pin with no cap found,
2. S32°55'39"E 17.73 feet to a 1/2" iron pin with no cap found,
3. N88°55'04"E 4.44 feet to a 1/2" iron pin with an orange plastic cap inscribed "1877" found,
4. S21°14'09"E 3170.05 feet to the POINT OF BEGINNING.

Bearings based on Texas State Plane Coordinate System, Central Zone NAD 83.



October 18, 2016
Clyde C. Castleberry, Jr.
Registered Professional Land Surveyor No. 4835

Triple C Surveying Co.
21214 FM 963
Lampasas, Texas 76550
www.triplecsurveying.com
Firm No. 10193916



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Janet Parker

Janet Parker, County Clerk
Burnet County Texas
2/21/2017 4:29:40 PM
FEE: $23.00
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