

FILED and RECORDED

Instrument Number: 2019040491

Filing and Recording Date: 08/20/2019 02:24:21 PM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-april

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

WARRANTY DEED WITH VENDOR'S LIEN

Date: August 20, 2019

Grantor: Dennis Westerman and Suzie Westerman

Grantor's Mailing Address: 2602 County Road 62
(including county) Rosharon, Brazoria County, TX 77583

Grantee: Allan Capao and spouse, Maria Capao acting herein by and through her Agent and Attorney-in-Fact,
Allan Capao

Grantee's Mailing Address: 3434 Ashton Springs Lane
(including county) Pearland, Brazoria County, TX 77584

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration and a note of even date in the principal amount of **One Hundred Eighty Thousand and no/100 DOLLARS (\$180,000.00)** executed by Grantee payable to the order of **TEXAS DOW EMPLOYEES CREDIT UNION**. The note is secured by a vendor's lien retained in favor of **TEXAS DOW EMPLOYEES CREDIT UNION** in this deed and by a deed of trust of even date from Grantee to **Michael Fritz Baird**, Trustee.

Property (including any improvements):

EXHIBIT "A" LEGAL DESCRIPTION

File No.: 474476

Being a 5.34 acre tract of land out of Tract 465, of the Emigration Land Company's Subdivision, Section 3 of the Lavaca Navigation Co.'s Survey, Abstract 328, recorded in Volume 2, Page 113 of the Deed Records of Brazoria County, Texas, being the same called 5.34 acre tract conveyed to Dennis and Suzie Westerman recorded in County Clerk's File No. 1998-035115 of the Official Records of Brazoria County, Texas and being more fully described by metes and bounds as follows: (All bearings based on the North line of the 5.34 acre tract - being East.)

BEGINNING at a point in the centerline of County Road 62 for the Northeast corner of a called 5.34 acre tract conveyed to Jeffery N. and Donna J. Harrington recorded in County Clerk's File No. 2000-027472 of the Official Records of Brazoria County, Texas and the Northwest corner and TRUE PLACE OF BEGINNING of the herein described tract, said point bears East - 759.50 feet from a point for the Northeast corner of Lot 1, Block 1 conveyed to Kasey J. Wilson recorded in County Clerk's File No. 2012-009094 of the Official Records of Brazoria County, Texas and the Northwest corner of a called 10.00 acre tract conveyed to David P. and Roxy Vann recorded in County Clerk's File No. 1998-041740 of the Official Records of Brazoria County, Texas;

THENCE East [Reference Bearing] - 264.50 feet along the centerline of County Road 62 to a point at the intersection of the centerline of County Road 62 with a platted 40' right-of-way for the Northwest corner of a called 5 acre tract conveyed to John A. Toscano recorded in County Clerk's File No. 2009-017133 of the Official Records of Brazoria County, Texas and the Northeast corner of the herein described tract, said point bears West - 247.85 feet from a point for the Northeast corner of the 5 acre tract and the Northwest corner of a second 5 acre tract conveyed to Paulo P. Saucedo and Paula O. Martinez recorded in County Clerk's File No. 2017-040286 of the Official Records of Brazoria County, Texas;

THENCE South - 880.00 feet along the centerline of the 40' R.O.W. to a 1/2" iron rod set marked with a plastic cap labeled "PINPOINT RPLS 6086" (a 3/4" iron rod found bears South 08° 40' 58" East - 1.18 feet for reference from said point) for the intersection of the Southwest corner of the Toscano 5 acre tract, the Northwest corner of a called 15 acre tract conveyed to Allan C. and Maria Capo recorded in County Clerk's File No. 2016-048004 of the Official Records of Brazoria County, Texas, the Northeast corner of a called 7.5228 acre tract conveyed to Allan and Maria Capao recorded in County Clerk's File No. 2017-018719 of the Official Records of Brazoria County, Texas and the Southeast corner of the herein described tract, said rod bears West - 21.0 feet from a 1/2" iron rod found for reference;

THENCE West, along the North line of the 7.5228 acre tract at 20.0' pass a 1/2" iron rod set marked with a plastic cap labeled "PINPOINT RPLS 6086" on-line and continue for a total distance of - 264.50 feet to a 1/2" iron rod found for the Southeast corner of the Harrington 5.34 acre tract and the Southwest corner of the herein described tract;

THENCE North, along the West line of the Harrington 5.34 acre tract at 849.82 feet pass a 1/2" iron rod found on-line and continue for a total distance of - 880.00 feet to the PLACE OF BEGINNING and containing 5.34 acres of land, more or less.

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Allan Capao

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Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration and a note of even date in the principal amount of One Hundred Eighty Thousand and no/100 DOLLARS (\$180,000.00) executed by Grantee payable to the order of TEXAS DOW EMPLOYEES CREDIT UNION. The note is secured by a vendor's lien retained in favor of TEXAS DOW EMPLOYEES CREDIT UNION in this deed and by a deed of trust of even date from Grantee to Michael Fritz Baird, Trustee.

Property (including any improvements):

Being a 5.34 acre tract of land out of Tract 465, of the Emigration Land Company's Subdivision, Section 3 of the Lavaca Navigation Co.'s Survey, Abstract 328, recorded in Volume 2, Page 113 of the Deed Records of Brazoria County, Texas, being the same called 5.34 acre tract conveyed to Dennis and Suzie Westerman recorded in County Clerk's File No. 1998-035115 of the Official Records of Brazoria County, Texas; said 5.34 acre tract of land being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made subject to any easements, conditions, mandatory homeowners assessments and/or restrictions of record affecting the title to the hereinbefore described property ; including but not limited to any reservation or conveyance of all oil, gas and other mineral interests recorded in Volume (85) 171, Page 814 and under Clerk's File No(s). 99-018430, 2006029528 and 2005057573; all of the Official Records of Brazoria County, Texas.

STEWART TITLE BRAZORIA
4744 16/11/101