

**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:** DECEMBER 23, 2021

**Grantor:** ADAM L. HAUBOLDT, a single person

**Grantor's Mailing Address:**

P. O. Box 935  
Trinity, Texas 75862-0935  
Trinity County

**Grantee:** MK JANAK, LLC (LAVACA FIVE STAR SERIES), a Texas limited liability company

**Grantee's Mailing Address:**

972 FM 340  
Hallettsville, Texas 77964  
Lavaca County

**Consideration:** Cash and a Note of even date executed by Grantee and payable to the order of FAYETTE SAVINGS BANK, SSB, in the principal amount of SIX HUNDRED SIXTY-NINE THOUSAND FIFTY-SIX AND NO/100 DOLLARS (\$669,056.00). The Note is secured by a first and superior vendor's lien and superior title retained in this Deed in favor of FAYETTE SAVINGS BANK, SSB, and by a first-lien Deed of Trust of even date from Grantee to WADE M. MOZISEK, Trustee.

**Property (including any improvements):** SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PERTINENT PURPOSES.

### **Reservations from Conveyance:**

For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of all oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it. Grantor waives and conveys to Grantee 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:**

1. Estate created in Oil, Gas and Mineral Lease dated February 9, 1945, from Ignac Horecka and wife, Johanna Horecka to Tide Water Associated Oil Company and Seaboard Oil Company, recorded in Volume 45, Page 447, Lease Records of Lavaca County, Texas, together with all terms, conditions and stipulations contained therein and all rights incident thereto.
2. Estate created in Oil, Gas and Mineral Lease dated February 15, 1945, from Ed Kocian to Tide Water Associated Oil Company and Seaboard Oil Company, recorded in Volume 45, Page 489, Lease Records of Lavaca County, Texas, together with all terms, conditions and stipulations contained therein and all rights incident thereto.
3. Estate created in Oil, Gas and Mineral Lease dated August 14, 1951, from Ignac J. Horecka and wife, Bertha Horecka to W.R. Lokey, recorded in Volume 71, Page 321, Lease Records of Lavaca County, Texas, together

with all terms, conditions and stipulations contained therein and all rights incident thereto.

4. Right of Way Deed dated April 22, 1954, from Ignac J. Horecka to State of Texas, recorded in Volume 180, Page 500, Deed Records of Lavaca County, Texas.
5. Right of Way Deed dated April 22, 1954, from Ed Kocian to State of Texas, recorded in Volume 180, Page 504, Deed Records of Lavaca County, Texas.
6. Estate created in Oil, Gas and Mineral Lease dated October 12, 1976, from Erwin Seidenberger, Independent Executor of the Estate of Ed Kocian, deceased to Howell Drilling, Inc., recorded in Volume 199, Page 816, Lease Records of Lavaca County, Texas, together with all terms, conditions and stipulations contained therein and all rights incident thereto.
7. Estate created in Oil, Gas and Mineral Lease dated October 14, 1976, from George Horecka and Ben R. Horecka to Howell Drilling, Inc., recorded in Volume 198, Page 805, Lease Records of Lavaca County, Texas, together with all terms, conditions and stipulations contained therein and all rights incident thereto.
8. Mineral and/or royalty reservation for a term of Twenty Five (25) years or as long as there is production, as shown in instrument dated July 25, 1977, from Erwin Seidenberger, Independent Executor of the Estate of Ed Kocian, deceased, et al to Orville G. Lundstrom, recorded in Volume 314, Page 572, Deed Records of Lavaca County, Texas. Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.
9. Mineral and/or royalty reservation for a term of Twenty Five (25) years or as long as there is production, as shown in instrument dated February 20, 1978, from Wilma Jo Kocian, widow of Julius Kocian to Orville G. Lundstrom, recorded in Volume 314, Page 581, Deed Records of Lavaca County, Texas.
10. Right of Way Deed dated September 21, 1979, from Ben R. Horecka and George A. Horecka to County of Lavaca, recorded in Volume 328, Page 739, Deed Records of Lavaca County, Texas.
11. Mineral and/or royalty reservation for a term of Fifteen (15) years or as long as there is production, as shown in instrument dated October 7, 1982, from George A. Horecka to O.G. Lundstrom, recorded in Volume 352, Page 777, Deed Records of Lavaca County, Texas.
12. Terms, conditions and stipulations of a lease dated July 18, 2008, from Larry Hauboldt to SEV Texas Operating, LLC, as evidenced by Memorandum of Oil, Gas and Mineral Lease recorded in Volume 458, Page 652, Official Records of Lavaca County, Texas, together with all rights incident thereto.
13. Terms, conditions and stipulations of a lease dated July 21, 2010, from Larry Hauboldt to SEV Texas Operating, LLC, as evidenced by Memorandum of Oil, Gas and Mineral Lease recorded in Volume 516, Page 203, Official Records of Lavaca County, Texas, together with all rights incident thereto.
14. Right of Way Easement dated August 18, 2010, from Larry Hauboldt to Fayette Electric Co-Operative, recorded in Volume 522, Page 649, Official Records of Lavaca County, Texas.
15. Terms, conditions and stipulations of a lease dated June 6, 2014, from Larry Hauboldt to PENN Virginia Oil & Gas, L.P., as evidenced by Memorandum of Oil, Gas and Mineral Lease recorded in Volume 652, Page 785, Official Records of Lavaca County, Texas, together with all rights incident thereto.
16. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed herein or not.
17. Easements or claims of easements which are not recorded in the public records of the county in which the property is located.
18. Any portion of the herein described property which falls within the boundaries of any road or roadway.
19. Taxes for the current year and subsequent assessments for that and prior years due to change in land usage by Grantee after the date hereof, ownership, or both, the payment of which Grantee assumes. Grantor assumes subsequent assessments for the current year and prior years due to change in land usage by Grantor prior to the date hereof.

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.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES OTHER THAN THE WARRANTY OF TITLE CONTAINED HEREIN. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

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

FAYETTE SAVINGS BANK, SSB, 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. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of FAYETTE SAVINGS BANK, SSB, and are transferred to FAYETTE SAVINGS BANK, SSB, without recourse against Grantor.

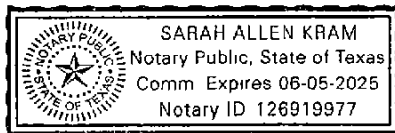
When the context requires, singular nouns and pronouns include the plural.



ADAM L. HAUBOLDT

STATE OF TEXAS §  
COUNTY OF LAVACA §

This instrument was acknowledged before me on DECEMBER 23, 2021, by ADAM L. HAUBOLDT.



  
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:  
Hallettsville Abstract & Title Company  
110 North Texana Street  
Hallettsville, Texas 77964

Texas Royalty Brokers

**103.604 ACRES  
LEGAL DESCRIPTION**

DESCRIPTION OF 103.604 ACRES OF LAND SITUATED IN THE JAMES LYONS SURVEY (ABSTRACT NO. 282) IN LAVACA COUNTY, TEXAS AND BEING ALL OF THAT CALLED 104.968 ACRE TRACT: LESS THAT 1.03 ACRE TRACT (VOL. 180, PG. 500) AND THAT 0.15 ACRE TRACT (VOL. 180, PG. 504 TO THE STATE OF TEXAS FOR RIGHT-OF-WAY PURPOSES), SAID 104.968 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED FROM ORVILLE G. LUNDSTROM, (TRUSTEE OF THE MARITAL DEDUCTION TRUST CREATED UNDER THE LAST WILL OF MARION JOHNSON LUNDSTROM DATED JUNE 4, 1992) TO LUNDSTROM VENTURES, LTD., DATED FEBRUARY 17, 2002, RECORDED IN VOLUME 267, PAGE 839 OF THE LAVACA COUNTY OFFICIAL RECORDS. SAID 103.604 ACRES DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the southwesterly line of said 104.968 acre tract, same being in the northeasterly line of the Robert G. Weiss, et ux 73.818 acre tract (Vol. 114, Pg. 661 of the Lavaca County Official Records) and in the easterly line of F.M. Highway No. 957, same also being the westerly northwest corner of said 103.604 acres;

THENCE, N 02°00'37" E along said easterly line of F.M. Highway No. 957, a distance of 644.14 feet to a 1/2" iron rod set in the northerly line of said 104.968 acre tract, same being in the southerly line of the Linda Jurica 11.262 acre tract (Vol. 407, Pg. 213 of the Lavaca County Deed Records) and the northwest corner of said 103.604 acres;

THENCE, N 79°53'22" E along said northerly line of 104.968 acre tract and along said southerly line of Jurica 11.262 acre tract, a distance of 208.82 feet to a 1/2" iron rod set, N 67°48'02" E, a distance of 206.09 feet to a 1/2" iron rod set and N 50°32'53" E, a distance of 472.66 feet to a fence corner post found for the North corner of said 104.968 acre tract, same being in the southwesterly line of a public road (LCR 957A) and the North corner of said 103.604 acres;

THENCE, S 45°37'06" E along the northeasterly line of said 104.968 acre tract and along said southwesterly line of public road pass the West corner of the Mary Jane Drexler Gallia, et al 60.43 acre tract (Vol. 188, Pg. 329 of the Lavaca County Official Records) and continuing along a line common to said 104.968 acre tract and said Gallia 60.43 acre tract for a total distance of 2224.61 feet to a 1/2" iron rod set for an angle corner of said 104.968 acre tract, same being an angle corner of said Gallia 60.43 acre tract and an angle corner of said 103.604 acres;

THENCE, S 58°19'17" E along a second line common to said 104.968 acre tract and said Gallia 60.43 acre tract, a distance of 591.38 feet to a 3/4" iron pipe found for the East corner of said 104.968 acre tract, same being the South corner of said Gallia 60.43 acre tract and in the northwest line of the Harry J. Cull, et ux 20.24 acre tract (Vol. 151, Pg. 934 of the Lavaca County Official Records), same also being the East corner of said 103.604 acres;

THENCE, along the southeast line of said 104.968 acre tract and along the westerly line of said Cull 20.24 acre tract:

S 38°19'56" W, a distance of 308.37 feet to a 48" Live Oak found for angle corner;

S 21°53'13" E, a distance of 418.47 feet to a 30" Pecan found for angle corner;

S 30°14'18" E, a distance of 32.81 feet to a 20" Elm found for angle corner;

S 39°56'58" E, a distance of 152.74 feet to a 48" Live Oak found for angle corner;

S 06°20'32" E, a distance of 115.47 feet to a 1/2" iron rod set for angle corner;

S 03°51'26" E, a distance of 85.10 feet to a 1/2" iron rod set for angle corner;

S 24°14'44" W, a distance of 186.35 feet to a 1/2" iron rod set for angle corner;

S 67°33'54" E, a distance of 88.89 feet to a 1/2" iron rod set for angle corner;

S 07°20'59" E, a distance of 176.23 feet to a 1/2" iron rod set for angle corner;

S 24°57'59" W, a distance of 148.14 feet to a 1/2" iron rod set for an interior corner of said 104.968 acre tract, same being the southwest corner of said Cull 20.24 acre tract, same also being an interior corner of said 103.604 acres;

**EXHIBIT "A" - PAGE 1 OF 3**

THENCE S 55°00'59" E along the southwesterly line of said Cull 20.24 acre tract, a distance of 595.83 feet to a fence corner post found for the southeast corner of said 104.968 acre tract, same being in the northwesterly line of a public road (LCR 243) and the South corner of said Cull 20.24 acre tract, same also being the southeast corner of said 103.604 acres;

THENCE, S 43°49'20" W along said northwesterly line of public road (LCR 243), a distance of 23.28 feet to a fence corner post found for a corner of said 104.968 acre tract, same being the northeast corner of the Emilie Dora Zatopek 113.5 acre tract (Vol. 342, Pg. 685 of the Lavaca County Official Records) and a corner of said 103.604 acres;

THENCE, N 55°00'59" W along a line common to said 104.968 acre tract and said Zatopek 113.5 acre tract, a distance of 705.57 feet to a fence corner post found for a corner of said 104.968 acre tract, same being a corner of said Zatopek 113.5 acre tract and a corner of said 103.604 acres;

THENCE, S 42°23'40" W along a second line common to said 104.968 acre tract and said Zatopek 113.5 acre tract, a distance of 297.01 feet to a fence corner post found for a corner of said 104.968 acre tract, same being a corner of said Zatopek 113.5 acre tract and a corner of said 103.604 acres;

THENCE, N 39°09'52" W along a third line common to said 104.968 acre tract and said Zatopek 113.5 acre tract, a distance of 1288.06 feet to a 1/2" iron rod set for an interior corner of said 104.968 acre tract, same being the North corner of said Zatopek 113.5 acre tract, same also being an interior corner of said 103.604 acres;

THENCE, S 44°02'11" W along a fourth line common to said 104.968 acre tract and said Zatopek 113.5 acre tract, a distance of 223.22 feet to a fence corner post found for a corner of said 104.968 acre tract, same being the most easterly corner of said Weiss 73.818 acre tract and a corner of said 103.604 acres;

THENCE, N 45°36'00" W – (Bearing Basis) along the line common to said 104.968 acre tract and said Weiss 73.818 acre tract, a distance of 2331.37 feet to the POINT OF BEGINNING containing 103.604 acres of land.

The description of said 103.604 acre tract of land and attached plat represent an on the ground survey made by me and under my direct supervision.

*Ron E. Kolacny*  
Ron E. Kolacny  
Registered Professional Land Surveyor No. 5318  
State of Texas  
Surveyed February 10, 2004  
J.P.L.S.  
3465 U.S. Highway 90A E  
Hallettsville, Texas 77964  
361-798-5208  
Job No. 04130



**EXHIBIT "A" - PAGE 2 OF 3**

**LESS & EXCEPT:**

Texas Royalty Brokers

STATE OF TEXAS]

COUNTY OF LAVACA]

FIELDNOTE DESCRIPTION of a 0.3137 acre tract of land being in the James Lyons Survey,  
A-282 in Lavaca County, Texas and being the southeasterly "finger" of the Larry Haubolt  
103.604 acre tract (0307-06) and being more fully described by metes and bounds as follows:

BEGINNING at the southmost corner of said "finger" in the northwest margin of  
County Road 243, same being the east most corner of the Julius F. Zatopek III  
and Eloise P. Zatopek 111.046 acre tract (0375-21);

THENCE, along the common line of said Haubolt and Zatopek tracts,  
N55°00'59"W, 592.25 feet to point for the west corner of this tract;

THENCE, crossing said "finger", N34°59'01"E, 23.00 feet to point for the north  
corner of this description, same being an interior corner of said Haubolt tract and  
the southwest corner of the Harry J. Cull tract;

Texas Royalty Brokers

THENCE, along the common line of said Haubolt and Cull tracts, S55°00'59"E,  
595.83 feet to point for their common corner in the northwest margin of County  
Road 243;

THENCE, along said roadway margin, S43°49'20"W, 23.28 feet to the PLACE  
OF BEGINNING; CONTAINING within these metes and bounds 0.3137 acres of  
land.

The foregoing metes and bounds description is prepared from deeds of record and is not intended  
to reflect an on-the-ground survey.

11 May 2006  
Haubolt-Zatopek.doc

Texas Royalty Brokers  
EXHIBIT "A" - PAGE 3 OF 3

**FILED AND RECORDED**

**Instrument Number: 248638 B: ORB V: 922 P: 653**

Filing and Recording Date: 12/23/2021 03:02:32 PM Pages: 7 Recording Fee: \$46.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Lavaca County,



*Elizabeth A. Kouba*

Elizabeth A. Kouba, County Clerk  
Lavaca County, Texas

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

susano

Returned To:  
HALLETTSVILLE ABSTRACT & TITLE  
COMPANY  
110 N. TEXANA STREET  
HALLETTSVILLE, TX 77964  
Filed By: HALLETTSVILLE ABSTRACT &  
TITLE COMPANY / RENEE HARDT  
Destination: Office Pick-up

Texas Royalty Brokers