

**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.**

## **PARTITION WARRANTY DEED**

### **RECITALS**

WHEREAS, KIMBERLEY A. SWANSON and KYLIE J. THREATT, Individually and as Heirs of the Estate of Larry Wayne Threatt and Christine L. Threatt, Deceased (herein "SWANSON" and "THREATT") own an undivided one-sixth (1/6) in a tract of land described herein as a certain parcel of land called a 60 acre tract of land described in a deed from MARTHA J. EUBANKS, as Independent Executrix under the Last Will and Testament of WILLIE S. EUBANKS to ROY LUTHER EUBANKS, DERYLE WAYNE EUBANKS and LARRY WAYNE THREATT dated September 29, 1999, recorded in Volume 3619, Page 211 of the Official Records of Brazos County, Texas (herein the "PARENT TRACT");

WHEREAS, DERYLE WAYNE EUBANKS, Individually and as Independent Executor of the Estate of MARTHA J. EUBANKS, Deceased, and as Co-Independent of the Estate of ROY S. EUBANKS, Deceased (herein "EUBANKS") own five-sixth (5/6) of the PARENT TRACT;

WHEREAS, SWANSON and THREATT has transferred a 5.16 acre tract from the PARENT TRACT to EUBANKS which transferred said 5.16 acres of land to Ryan Bedford and Kelli Bedford;

WHEREAS the purpose of this deed is to consummate a partition of the PARENT tract among the EUBANKS and SWANSON and THREATT.

WHEREAS, SWANSON and THREATT and EUBANKS have agreed to partition and convey to each other the remainder of the tract with SWANSON and THREATT receiving title in and to a 10.00 acre tract as described herein and EUBANKS receiving title in and to the remaining property of approximately 44.84 acres as described herein.

### **CONVEYANCE**

EUBANKS as Grantor for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and the agreement to partition to the undersigned paid by SWANSON and THREATT, the receipt of which is hereby acknowledge, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto KIMBERLEY A. SWANSON, whose address is 7142 Grayhawk Lane NE, Olympia, Washington 98516, and KYLIE J. THREATT, whose address is 3776 Lilly Road South, Jacksonville, Florida 32207, all of our right, title and interest in and to the following described real property in Brazos County, Texas, to-wit:

Being 10.00 acre tract of land out of the Thomas H. Barron Survey, Abstract No. 5, Brazos County, Texas and being out of a part of the remainder of that certain called 60 acre tract of land described to Deryle Wayne Eubanks, et al recorded in Volume 3619, Page 211 of the Official Records of Brazos County, Texas, said 10.00 acres being more particularly described by metes and bounds in Exhibit "A" attached hereto and the Survey attached as Exhibit "A-1", together with an access easement consisting of 0.29 acres as described in Exhibit "B" attached hereto.

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 Grantee(s), Grantee's successors and assigns forever; and do hereby bind their heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee(s), Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance is further made "AS-IS" without any warranties or representations of any kind or nature as to the condition of the property conveyed hereby, or any portion thereof.

FURTHER, SWANSON and THREATT, as Grantors for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and the agreement to partition to the undersigned paid by EUBANKS, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto EUBANKS, all of our right, title and interest in and to the remaining 44.84 acres of land, more or less remaining out of the 60 acre tract being more particularly described by metes and bounds in Exhibit "C" attached hereto, and the Survey attached hereto as Exhibit "A-1", together with an access easement consisting of 0.29 acres as described in Exhibit "B" attached hereto.

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 Grantee(s), Grantee's successors and assigns forever; and do hereby bind their heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee(s), Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance is further made "AS-IS" without any warranties or representations of any kind or nature as to the condition of the property conveyed hereby, or any portion thereof.

EXECUTED on this the 13 day of July, 2023.

State of Washington  
County of Thurston

Signed or Attested before me on 7/13/2023  
by Kimberley Ann Swanson  
(Name of person appearing)

Notary Public - State of Washington  
My appointment Expires: 06/29/2026

**RAJU ARYAL**  
NOTARY PUBLIC #22027099  
STATE OF WASHINGTON  
MY COMMISSION EXPIRES  
06-29-26

Kimberley A Swanson  
KIMBERLEY A. SWANSON Individually and as  
Heirs of the Estate of Larry Wayne Threatt and  
Christine L. Threatt, Deceased

KYLIE J. THREATT, Individually and as Heirs of  
the Estate of Larry Wayne Threatt and Christine  
L. Threatt, Deceased

DERYLE WAYNE EUBANKS, Individually and  
as Independent Executor of the Estate of  
MARTHA J. EUBANKS, Deceased, and as Co-  
Independent Executor of the Estate of ROY S.  
EUBANKS, Deceased

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 Grantee(s), Grantee's successors and assigns forever; and do hereby bind their heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee(s), Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance is further made "AS-IS" without any warranties or representations of any kind or nature as to the condition of the property conveyed hereby, or any portion thereof.

EXECUTED on this the 17<sup>th</sup> day of July, 2023.

KIMBERLEY A. SWANSON Individually and as  
Heirs of the Estate of Larry Wayne Threatt and  
Christine L. Threatt, Deceased

K. Threatt  
KYLIE J. THREATT, Individually and as Heirs of  
the Estate of Larry Wayne Threatt and Christine  
L. Threatt, Deceased

DERYLE WAYNE EUBANKS, Individually and  
as Independent Executor of the Estate of  
MARTHA J. EUBANKS, Deceased, and as Co-  
Independent Executor of the Estate of ROY S.  
EUBANKS, Deceased

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 Grantee(s), Grantee's successors and assigns forever; and do hereby bind their heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee(s), Grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance is further made "AS-IS" without any warranties or representations of any kind or nature as to the condition of the property conveyed hereby, or any portion thereof.

EXECUTED on this the 8 day of August, 2023.

KIMBERLY A. SWANSON Individually and as  
Heirs of the Estate of Larry Wayne Threatt and  
Christine L. Threatt, Deceased

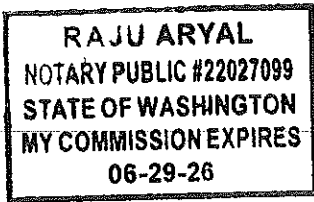
KYLIE J. THREATT, Individually and as Heirs of  
the Estate of Larry Wayne Threatt and Christine  
L. Threatt, Deceased



DERYLE WAYNE EUBANKS, Individually and  
as Independent Executor of the Estate of  
MARTHA J. EUBANKS, Deceased, and as Co-  
Independent Executor of the Estate of ROY S.  
EUBANKS, Deceased

THE STATE OF Washington §  
COUNTY OF Thurston §

This instrument was acknowledge before me on this the 13 day of July, 2023, by KIMBERLEY A. SWANSON Individually and as Heirs of the Estate of Larry Wayne Threatt and Christine L. Threatt, Deceased .



Raju  
Notary Public for the State of ~~Texas~~ Washington

THE STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledge before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by KYLIE J. THREATT, Individually and as Heirs of the Estate of Larry Wayne Threatt and Christine L. Threatt, Deceased.

\_\_\_\_\_  
Notary Public for the State of Texas

THE STATE OF TEXAS §  
COUNTY OF BRAZOS §

This instrument was acknowledge before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by DERYLE WAYNE EUBANKS, Individually and as Independent Executor of the Estate of MARTHA J. EUBANKS, Deceased, and as Co-Independent Executor of the Estate of ROY S. EUBANKS, Deceased

\_\_\_\_\_  
Notary Public for the State of Texas

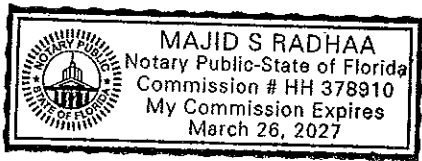
THE STATE OF \_\_\_\_\_ §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledge before me on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by KIMBERLEY A. SWANSON Individually and as Heirs of the Estate of Larry Wayne Threatt and Christine L. Threatt, Deceased .

\_\_\_\_\_  
Notary Public for the State of Texas

THE STATE OF Florida §  
COUNTY OF Duval §

This instrument was acknowledge before me on this the 17th day of July, 2023, by KYLIE J. THREATT, Individually and as Heirs of the Estate of Larry Wayne Threatt and Christine L. Threatt, Deceased.

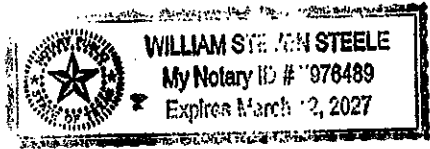


M.S.R.  
\_\_\_\_\_  
Notary Public for the State of ~~Texas~~ Florida  
MB  
6/19

THE STATE OF TEXAS §  
COUNTY OF BRAZOS §

This instrument was acknowledge before me on this the 8 day of August, 2023, by DERYLE WAYNE EUBANKS, Individually and as Independent Executor of the Estate of MARTHA J. EUBANKS, Deceased, and as Co-Independent Executor of the Estate of ROY S. EUBANKS, Deceased

William Steele  
\_\_\_\_\_  
Notary Public for the State of Texas



**TUMLINSON LAND SURVEYING**

**FIRM #10193858**

**1255 Millican Meadows Circle  
College Station, Texas 77845**

**METES AND BOUNDS DESCRIPTION**

**STATE OF TEXAS  
COUNTY OF BRAZOS**

Being a 10.00 acre tract of land out of the Thomas H. Barron Survey, Abstract No. 5, Brazos County, Texas and being out of and a part of the remainder of that certain called 60 acre tract of land described to Deryle Wayne Eubanks, et al, recorded in Volume 3619, Page 211 of the Official Records of Brazos County, Texas, said 10.00 acres being more particularly described by metes and bounds as follows;

Commencing at a 5/8 inch iron rod with yellow cap found on the northeast line of said remainder tract, located at the southwest corner of a called 25.854 acre tract to Kristin Margaret Caldwell, (15245/157), also located also located at a corner on the south margin of Wheelock Hall Road,

Thence along the northeast line of said remainder tract, with the southwest line of said 25.854 acre tract S 48°55'54" E a distance of 197.76 feet to a 1/2 inch iron rod with yellow cap set for the northwest corner and **POINT OF BEGINNING** of this;

**THENCE** continuing along said northeast line S 48°55'54" E a distance of 1170.41 feet to a 1/2 inch iron rod with yellow cap set for the easternmost corner of this;

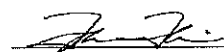
**THENCE** departing said northeast line, across said remainder tract, the following courses and distances:

S 41°04'06" W a distance of 437.52 feet to a 1/2 inch iron rod with yellow cap set for the southernmost corner of this,  
N 48°55'54" W a distance of 752.17 feet to a 1/2 inch iron rod with yellow cap set for an angle point,  
N 37°48'32" E a distance of 129.19 feet to a 1/2 inch iron rod with yellow cap set for an angle point,  
N 33°39'38" W a distance of 425.94 feet to a 1/2 inch iron rod with yellow cap set for an angle point, and  
N 41°04'06" E a distance of 196.35 feet to the **POINT OF BEGINNING**.

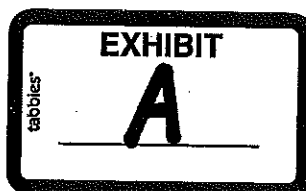
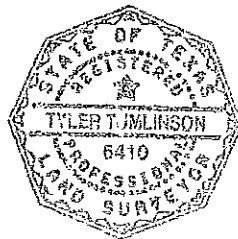
All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, Nad 1983.

This description to accompany a plat of like date representing an on the ground survey supervised by me Tyler Tumlinson, Registered Professional Land Surveyor.

May 31, 2023



Tyler Tumlinson  
RPLS No. 6410  
Firm #10193858  
03219-EUB

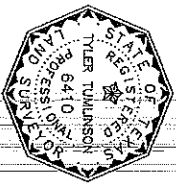




Tyler Tumlinson, R.P.L.S. No 6410

May 31, 2022

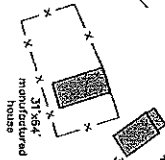
I, Tyler Tumlinson, Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground of the property legally described hereon, and is correct.  
All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, NAD 1983.



THOMAS H. BARRON SURVEY  
BRAZOS COUNTY, TEXAS

10.00 Acres

Being out of and a part of the remainder of a called 60 acre tract of land owned by Deyle Wayne Landmark, et al Volume 2619, Page 211 O.R.E.C.



COLBERT BAKER SURVEY  
BRAZOS COUNTY, TEXAS

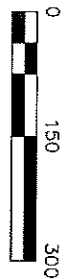
Kristin Margaret Caldwell  
called 25.851 acres  
Tract 2c  
15245/157

0.29 Acre  
access easement

High Hill Estates  
Block One  
Tract 8  
5415/221

Ryan Bedford and Kelli Bedford  
called 5.16 acres  
18336/276

Deyle Wayne Landmark, et al  
remainder of a called 60 acre  
tract of land  
Volume 2619, Page 211  
O.R.E.C.



- LEGEND
- Find 1/2" iron rod w/ yellow cap (unless noted)
  - Set 1/2" iron rod w/ yellow cap
  - Calculated point
  - wire fence
  - overhead electric line



EXHIBIT  
A-1

tables

TUMLINSON LAND  
SURVEYING

1255 MILLIGAN MEADOWS CIRCLE  
COLLEGE STATION, TEXAS 77845  
254-931-6707

T.B.P.L.S. FIRM NO. 10193858

LAND TITLE SURVEY  
OF A 10.00 ACRE TRACT OF LAND OUT OF THE  
THOMAS H. BARRON SURVEY, A-5,  
BRAZOS COUNTY, TEXAS.

Title Company:	
OF #:	
PROJECT:	03033-EUB
DATE:	5-31-2022
SURVEYOR:	T. TUMLINSON
DRAWN BY:	T. TUMLINSON
FIELDBOOK:	see file

TUMLINSON LAND SURVEYING

FIRM #10193858

1255 Millican Meadows Circle

College Station, Texas 77845

**METES AND BOUNDS DESCRIPTION**

STATE OF TEXAS

COUNTY OF BRAZOS

Being a 0.29 acre tract of land for use as an access easement out of the Thomas H. Barron Survey, Abstract No. 5, Brazos County, Texas and being out of and a part of the remainder of that certain called 60 acre tract of land described to Deryle Wayne Eubanks, et al, recorded in Volume 3619, Page 211 of the Official Records of Brazos County, Texas, said 0.29 acre access easement being more particularly described by metes and bounds as follows;

**BEGINNING** at a 5/8 inch iron rod with yellow cap found on the northeast line of said remainder tract, located at the southwest corner of a called 25.854 acre tract to Kristin Margaret Caldwell, (15245/157), also located also located at a corner on the south margin of Wheelock Hall Road for an angle point of this;

**THENCE** along the northeast line of said remainder tract, with the southwest line of said 25.854 acre tract S 48°55'54" E a distance of 197.76 feet to a 1/2 inch iron rod with yellow cap set for westernmost corner of this, also being the northernmost corner of a 10.00 acre tract of land surveyed this date;

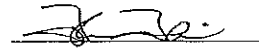
**THENCE** departing said northeast line, across said remainder tract, the following courses and distances:

S 41°04'06" W a distance of 53.68 feet to a calculated angle point on the northwest line of said 10.00 acre tract,  
N 48°55'54" W a distance of 239.08 feet to a calculated angle point, and  
N 41°04'06" E a distance of 52.60 feet to a calculated point on the northeast line of said remainder tract, located in Wheelock Hall Road, for the northwest corner of this, and  
S 50°26'08" E a distance of 41.35 feet to the **POINT OF BEGINNING**.

All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, Nad 1983.

This description to accompany a plat of like date representing an on the ground survey supervised by me Tyler Tumlinson, Registered Professional Land Surveyor.

May 31, 2023



Tyler Tumlinson

RPLS No. 6410

Firm #10193858

03219-EUB



All that certain tract or parcel of land and being situated in Brazos County, Texas, in the THOMAS H. BARRON, Survey and further describes as 60 acres of land, and more fully described as follows:

BEGINNING at the most northerly corner of a tract of land in said survey set apart to Mrs. Sallie Locke by decree in Cause No. 3534 in the District Court of Brazos County, Texas, styled A. D. Locke et al vs. Mrs. Sallie Locke and recorded in the Minutes of said Court in Book J, page 302, et seq.

THENCE running North 45 W 791 varas with the NE line of said survey and corner;

THENCE S 45 W 415 varas and corner;

THENCE S 45 E 791 varas and corner;

THENCE N 45 E 415 varas to the PLACE OF BEGINNING, containing 60 acres of land, more or less.

FILED

2023 AUG -8 P 9:51

RECEIVED  
Brazos County Clerk  
2023 AUG 8 PM 9:51  
JLH

