

Deed of Trust

Terms

Date: September 25, 2002

Grantor: Evan E. Voyles and wife, Gail Chovan

Grantor's Mailing Address:

115B Nellie Street
Austin, Texas 78704
Travis County

Trustee: F. C. Schneider

Trustee's Mailing Address:

P. O. Box 480
Lockhart, Texas 78644
Caldwell County

Lender: Uhland Mercantile Company, a Nevada corporation

Lender's Mailing Address:

10 Cotton Gin Road
Kyle, Texas 78640
Hays County

Note

Date: September 25, 2002

Original Principal Amount: One Hundred Twelve Thousand and No/100 Dollars (\$112,000.00)

Borrower: Evan E. Voyles and wife, Gail Chovan

Lender: Uhland Mercantile Company, a Nevada corporation

Maturity Date: September 25, 2017

Terms of Payment: As provided in the note

Property (including any improvements):

TRACT ONE:

Being 0.33 acres of land, more or less, out of the JOHN STEWART LEAGUE, ABSTRACT NO. 14, in Hays county, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto.

TOGETHER WITH the vault, walk-in cooler, 500 gallon propane tank and County Line Water Supply Corporation water meter situated on the above described property.

TRACT TWO:

Being 0.30 acres of land, more or less, out of the JOHN STEWART LEAGUE, ABSTRACT NO. 14, in Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto.

TOGETHER WITH the 150 gallon propane tank and mobile home situated on the above described property.

TRACT THREE:

Being an undivided one-half (1/2) interest in 0.51 acres of land, more or less, out of the JOHN STEWART LEAGUE, ABSTRACT NO. 14, in Hays County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto.

Prior Lien: None

Other Exceptions to Conveyance and Warranty:

1. Easement dated February 25, 1939, from M. C. Schiwitz to Pedernales Electric Cooperative, Inc., recorded in Volume 118, Page 577, Hays County Deed Records.
2. Easement dated May 30, 1983, from Caroline Schiwitz Fuchs to County Line Water Supply Corporation, recorded in Volume 401, Page 849, Hays County Deed Records.

For value received and to secure payment of the Note, Grantor conveys the Property to Trustee in trust. Grantor warrants and agrees to defend the title to the Property, subject to the Other Exceptions to Conveyance and Warranty. On payment of the Note and all other amounts secured by this deed of trust, this deed of trust will have no further effect, and Lender will release it at Grantor's expense.

Clauses and Covenants

A. Grantor's Obligations

Grantor agrees to-

1. keep the Property in good repair and condition;
2. pay all taxes and assessments on the Property before delinquency;
3. defend title to the Property subject to the Other Exceptions to Conveyance and Warranty and preserve the lien's priority as it is established in this deed of trust;
4. maintain, in a form acceptable to Lender, an insurance policy that-
 - a. covers all improvements for their full insurable value as determined when the policy is issued and renewed, unless Lender approves a smaller amount in writing;
 - b. contains an 80 percent coinsurance clause;
 - c. provides fire and extended coverage, including windstorm coverage;
 - d. protects Lender with a standard mortgage clause;
 - e. provides flood insurance at any time the Property is in a flood hazard area;
- and
- f. contains such other coverage as Lender may reasonably require;
5. comply at all times with the requirements of the 80 percent coinsurance clause;
6. deliver the insurance policy to Lender within ten days of the date of this deed of trust and deliver renewals to Lender at least fifteen days before expiration;
7. obey all laws, ordinances, and restrictive covenants applicable to the Property;

EXHIBIT "A"

TRACT ONE:

0.33 acres of land out of the JOHN STEWART LEAGUE, Hays County, Texas, being a portion of that tract of land conveyed to Max E. Schwitz, et al., by G. Schwitz, et ux., by deed dated October 28, 1920, and recorded in Volume 79, page 570, of the Deed Records of Hays County, Texas, and being more particularly described as follows, to-wit:

BEGINNING at an iron stake set for the South corner of the tract herein described, same being at the intersection of a line 25 feet Northwest and parallel to the approximate centerline of the Old San Antonio-Nacogdoches Road, with a line 17 feet Northeast of and parallel to the approximate centerline of the Uhland-Kyle Road;

THENCE, leaving the said Old San Antonio-Nacogdoches Road, with a line 17 feet Northeast of and parallel to the approximate centerline of the said Uhland-Kyle Road, N 45° 25' W, 140.22 feet, to an iron stake set for the most Westerly South-West corner of the tract herein described, same being on a Southeast line of State Highway No. 21;

THENCE, leaving the said Uhland-Kyle Road, with the Southeast line of the said State Highway No. 21, N 05° 06' E, 25.27 feet to an iron stake set for the most Northerly Northwest corner of the tract herein described;

THENCE, continuing with the Southeast line of the said State Highway No. 21, N 57° 24' E, 70.92 feet, to an iron stake found for the North corner of the tract herein described;

THENCE, leaving the said State Highway No. 21, S 48° 55' E, 146.66 feet, to an iron stake found for the East corner of the tract herein described, same being 25 feet Northwest of the approximate centerline of the aforementioned Old San Antonio-Nacogdoches Road;

THENCE, with a line 25 feet Northwest of and parallel to the approximate centerline of the said Old San Antonio-Nacogdoches Road, S 43° 19' W, 97.66 feet, to the POINT OF BEGINNING containing 0.33 acres of land.

These field notes were prepared by Pro-Tech Engineering Group,
P. O. Box 1004, San Antonio, Texas 78666.

FIELD NOTE DESCRIPTION
OF
A SURVEY OF 0.30 ACRES OF LAND
OUT OF THE
JOHN STEWART SURVEY, A-14
HAYS COUNTY, TEXAS

TRACT TWO:

BEING A PORTION OF THAT 63 ACRE TRACT OF LAND CONVEYED TO MAX E. SCHWITZ BY MRS. BERTHA SCHWITZ, ET AL, BY DEED DATED JUNE 1, 1934, AND RECORDED IN VOLUME 107, PAGE 289, HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron stake set on the Southeast line of the State Highway #21 100 foot right-of-way for the North corner of the tract herein described, and from which the East corner of the said Schwitz 63 acre tract, the South corner of that 113.57 acre tract of land conveyed to D. W. Meeks by S. W. Sites by deed dated October 8, 1966, and recorded in Volume 214, Page 110, Hays County Deed Records, and the record location of the Southeast corner of the John Stewart Survey in the approximate centerline of the Old San Antonio-Nacogdoches Road, as paved and used upon the ground bears N. 56°50' E. 3182.04 feet;

THENCE, leaving State Highway #21, S. 48°28' E. 132.43 feet to an iron stake set for the East corner of the tract herein described, being 25 feet from the approximate centerline of the Old San Antonio-Nacogdoches Road, as paved and used upon the ground, same being the Southeast line of the said Schwitz 63 acre tract;

THENCE, 25 feet from and parallel to the said approximate centerline of the Old San Antonio-Nacogdoches Road, the Southeast line of the said Schwitz 63 acre tract, S. 54°03' W. 96.66 feet to an iron stake set for the South corner of the tract herein described;

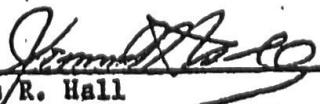
THENCE, leaving the Old San Antonio-Nacogdoches Road, N. 48°55' W. 138.62 feet to an iron stake set for the West corner of the tract herein described, same being in the Southeast line of the said State Highway #21;

THENCE, with the Southeast line of State Highway #21, N. 57°24' E. 99.23 feet to the PLACE OF BEGINNING, containing 0.30 acres of land.

NOTE: Not included in the above described area is approximately 0.05 acres of land out of the said Schwitz 63 acre tract which lies in the Old San Antonio-Nacogdoches Road adjacent to the tract herein described;

Surveyed June, 1976

by


James R. Hall
Reg. Public Surveyor #608
Hays County Surveyor
San Marcos, Texas

TRACT FIVE
MAX SCHWITZ/A D FUCHS
FB 69 PG 10
PLAN f
E O 76-13201

FIELD NOTE DESCRIPTION
OF
A SURVEY OF 0.51 ACRES OF LAND
OUT OF THE
JOHN STEWART SURVEY, A-14
HAYS COUNTY, TEXAS

TRACT THREE:

BEING A PORTION OF THAT 63 ACRE TRACT OF LAND CONVEYED TO MAX E. SCHWITZ BY MRS. BERTHA SCHWITZ, ET AL, BY DEED DATED JUNE 1, 1934, AND RECORDED IN VOLUME 107, PAGE 289, HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron stake set in the Southeast line of the State Highway #21 100 foot right-of-way for the North corner of the tract herein described, same being the West corner of that 0.942 acre tract of land conveyed to Robert E. Schneider by Gladys Schwitz Sorrells, by deed dated February 10, 1975, and recorded in Volume 273, Page 557, Hays County Deed Records; and from which the East corner of the said Schwitz 63 acre tract, the South corner of that 113.57 acre tract of land conveyed to D. W. Meeks by S. W. Sites by deed dated October 8, 1966, and recorded in Volume 214, Page 110, Hays County Deed Records and the record location of the Southeast corner of the John Stewart Survey in the center of the Old San Antonio-Nacogdoches Road, as paved and used upon the ground, bears N. 56°47' E. 2975.87 feet;

THENCE, leaving State Highway #21, with fence, the West line of the said Schneider 0.942 acre tract, S. 24°03' E. 119.81 feet to an iron stake set for the East corner of the tract herein described, being 25 feet from the approximate centerline of the Old San Antonio-Nacogdoches Road, as paved and used upon the ground, same being the Southeast line of the said Schwitz 63 acre tract;

THENCE, 25 feet from and parallel to the said approximate centerline of the Old San Antonio-Nacogdoches Road, the Southeast line of the said Schwitz 63 acre tract, S. 54°03' W. 152.43 feet to an iron stake set for the South corner of the tract herein described;

THENCE, leaving the Old San Antonio-Nacogdoches Road, N. 48°28' W. 132.43 feet to an iron stake set for the West corner of the tract herein described, same being on the Southeast line of the said State Highway #21;

THENCE, with the Southeast line of State Highway #21, N. 57°24' E. 206.18 feet to the PLACE OF BEGINNING, containing 0.51 acres of land.

NOTE: Not included in the above described area is Approximate 0.08 acres of land out of the said Schwitz 63 acre tract which lies in the Old San Antonio-Nacogdoches Road adjacent to the tract herein described;

SURVEYED JUNE, 1976

by James R. Hall
James R. Hall
Reg. Public Surveyor #608
Hays County Surveyor
San Marcos, Texas

TRACT FOUR
MAX SCHWITZ/A D FUCHS
FB 69 PG 10
PLAN #
E O 76-13201