

NOTICE OF CONSTABLE'S SALE

BY VIRTUE OF A WRIT OF EXECUTION issued out of the 216th Judicial District Court of Gillespie County, State of Texas, in Cause No. 15945 on a judgment rendered in said Court on the 21st day of February 2024, and directed and delivered to me as Constable Pct. 3 of Gillespie County, Texas. I have on the 22nd day of March, 2024 levied upon said Writ; and, will offer and sell on May 7, 2024, which is the first Tuesday of May, between the hours prescribed by law (at approximately 10:00 am) at public auction to the highest bidder, for cash, at the front door of the Gillespie County Courthouse facing Main Street located at 101 W. Main, Fredericksburg, Texas, all the right, title and interest, if any, owned or claimed by the Defendants, HENRY J. LIMITED PARTNERSHIP, to the following:

Two (2) separate parcels of land identified in the Gillespie County Appraisal District Office as Parcel Property ID # 13205 being 204.68 acres of land, described as ABS A0106 P Cabrera #29 and Parcel Property ID # 16525 being 44.3 acres of land, described as ABS A0106 P Cabrera #29 including 5.85ACS A748 (Full Description will be available to view on the Constable Pct #3 page on the Gillespie County Website)

Property located at 520 H.J. Ranch Road, Fredericksburg, TX 78624

The Property is levied upon as the Property of Henry J. Limited Partnership, and will be sold to satisfy a judgment in Cause No. 15945, 216th Judicial District Court, Gillespie County, Texas, rendered on May 3, 2022, in favor of Plaintiffs PERMIAN HIGHWAY PIPELINE, LLC against Henry J. Limited Partnership, for all interest and costs of suit, together with the costs of executing the writ and sale.

The sale proceeds will be applied first to the satisfaction of the Judgment and the remainder of the sale proceeds, if any, will be paid to the District Clerk as the law directs.

THE PROPERTY BEING OFFERED FOR SALE IS THE REAL PROPERTY (LAND). THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE AND AS TO THE CONDITION OF THE PROPERTY OR TITLE. BUYER IS ADVISED THAT THE PURCHASE OF PROPERTY AT THIS

CONSTABLE'S SALE MAY NOT EXTINGUISH ANY LIENS OR SECURITY INTEREST IN THE PROPERTY. BUYER SIMPLY BUYS WHATEVER INTEREST THE DEFENDANTS HAVE OR CLAIM, IF ANY, IN THE PROPERTY BEING SOLD. THIS SALE IS SUBJECT TO ALL VISIBLE AND APPARENT, RECORDED AND UNRECORDED EASEMENTS, RIGHTS-OF-WAY, PRESCRIPTIVE RIGHTS, RESTRICTIONS, RESERVATIONS, COVENANTS, CONDITIONS, DEDICATIONS, DECLARATIONS, OIL AND GAS LEASE, OIL, GAS AND MINERAL SEVERANCES, AND OTHER INSTRUMENTS, INCLUDING BUT NOT LIMITED TO LIENS AND CONVEYANCES THAT AFFECT THE PROPERTY; RIGHT OF ADJOINING OWNERS IN ANY WALLS AND FENCES SITUATED ON A COMMON BOUNDARY; AND DECREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES; AND ANY ENCROACHMENTS OR OVERLAPPING OF IMPROVMENTS .

THE PURCHASER WILL RECEIVE A CONSTABLE'S BILL OF SALE WHICH IS WITHOUT WARRANTY, EXPRESS OR IMPLIED. BUYER IS ADVISED TO CONSULT AN ATTORNEY OF BUYER'S CHOOSING.

GIVEN UNDER MY HAND on this 2nd day of April, A.D. 2024.

Hilario Villa, Constable, Precinct 3
Gillespie County, Texas



EXHIBIT A

BEING 260.18 acres, more or less, being out of a part of that certain 490 acre tract of land described as First Tract in Deed of Trust executed by Alex R. Frantzen and recorded in volume 19, Page 131 of the Deed of Trust Records of Gillespie County, Texas. Said 260.18 acres, more or less, being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a steel pin set at fence corner on the East line of the above referenced Alex R. Frantzen 490 acre tract and the West line of the Fredericksburg-Cain City Road, said corner being located 3,062.61 feet from the intersection of the West line of the Fredericksburg-Cain City Road and the South line of U. W. Highway 290; **THENCE** with the fence along the East line of the Frantzen 490 acre tract and the West line of the Fredericksburg-Cain City Road the following eight (8) calls:

SOUTH 00.46 West, 2,490.06 feet to a steel pin;
SOUTH 27.42 West, 59.77 feet to a steel pin;
SOUTH 35.24 West, 80.05 feet to a steel pin;
SOUTH 58.18 West, 674.11 feet to a steel pin;
SOUTH 48.41 West, 105.18 feet to a steel pin;
SOUTH 36.31 West, 107.98 feet to a steel pin;
SOUTH 18.37 West, 80.89 feet to a steel pin;
SOUTH 10.01 West, 813.31 feet to a steel pin set at the Southeast corner of the Frantzen 490 acre tract;
THENCE due West, with fence along the South line of the Frantzen 490 acre tract, 2,078.37 feet to a steel pin set at the Southwest corner of said Frantzen 490 acre tract;
THENCE due North, with fence along the West line of the Frantzen 490 acre tract, 4,110.38 feet to a steel pin set at fence corner;
THENCE South 87.52 East, with fence, 3,071.19 feet to the PLACE OF BEGINNING

LESS, SAVE AND EXCEPT from said 260.18 acres, the following 10.0 acres of land, more or less, situated in Gillespie County, Texas, comprising parts of the following surveys with the following approximate acreages:

9.4 acres of land, part of the Pedro Cabrera Survey No. 29, Abstract No. 106;

0.6 acre of land, part of the Pedro Zimenes Survey No. 31, Abstract No. 748

And being part of that 214.68 acre tract of land, more or less, described in a conveyance by Exchange Deed to Henry J. Frantzen by Laura Herbort Frantzen, dated March 28, 1985, found of record in Volume 166, Pages 478-481 of the Deed Records of Gillespie County, Texas.

Said 10.0 acres being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a ½ inch steel bar set, for the W.N.W. corner of this tract of land from which a creosote North gatepost found set for the S.W. corner of that 45.5 acre tract of land described as Save and Except in Volume 166, 478-481 of said Deed Records and for the N.W. corner of said Henry Frantzen 214.68 acre tract bears N. 47 deg., 35 min. 20 sec., W. 348.86;

THENCE as follows:

S. 89 deg., 07 min. 40 sec. E. 287.0 feet to a ½ inch steel bar set;

N. 0 deg., 52 min. 20 sec. E. 167.0 feet to a ½ inch steel bar set;

S. 89 deg., 07 min. 40 sec. E. 250.0 feet to a ½ inch steel bar set;

S. 0 deg., 52 min. 20 sec. W. 180.7 feet to a ½ inch steel bar set;

S. 89 deg., 07 min. 40 sec. E. 486.52 feet to a point, for the N.E. corner of this tract of land;

THENCE South 377.87 feet to a point, for the S.E. corner of this tract of land;

THENCE N. 89 deg., 07 min. 40 sec. W. 1,023.03 feet to a point for the S.W. corner of this tract of land;

THENCE N. 0 deg. 02 min. 25 sec. W. 391.58 feet to the PLACE OF BEGINNING.

45.5 acres of land, more or less, said 45.5 acres of land described in Exchange Deed recorded in Volume 166, pages 474-477 of the Deed Records of Gillespie County, Texas, as follows, to-wit:

EXHIBIT "B"

BEGINNING at a steel pin set at fence corner on the E. line of the above referenced Alex R. Frantzen 490 acre tract and the W. line of the Fredericksburg-Cain City Road, said corner being located 3062.61 ft. from the intersection of the W. line of the Fredericksburg-Cain City Road and the S. line of U.S. Highway 290;

THENCE with fence along the E. line of the Frantzen 490 acre tract and the W. line of the Fredericksburg-Cain City Road, S. 0° 46' W. 646 ft., approximately, to the Northerly most property entrance post;

THENCE Westerly along the Northern border of the meandering pasture road to the Northerly most gate post

in the West property line, such gate post being approximately 640 feet S. of the Northwest property corner;

THENCE North approximately 640 feet along the West property line to said Northwest corner of the property;

THENCE S. 87° 52' E. 3071.19 ft. to the place of BEGINNING.

SAVE AND EXCEPT 0.7 acres of land, part of the Pedro Zimenes Survey No. 31, Abstract No. 748, and being part of that 260.18 acre tract out of a 490 acre tract described as a SAVING AND EXCEPTING THEREFROM in a conveyance to Alex R. Frantzen by Laura Emma Frantzen, dated December 8, 1972, found of record in Volume 104, pages 742-745 of the Deed Records of Gillespie County, Texas, more fully described as follows:

BEGINNING at a steel bar found set at a fence corner post in the West line of the Cain City (county) Road, for the S.E. corner of that 187.74 acre tract of land described in a conveyance to Albert G. Dwarshus, Jr. by Daniels & Wilkes Properties, Inc., found of record in Volume 162, pages 987-990 of the Deed Records of Gillespie County, Texas, for the N.E. corner of said 260.18 acre tract of land out of a 490 acre tract described as a SAVING AND EXCEPTING THEREFROM in a conveyance to Alex R. Frantzen by Laura Emma Frantzen, found of record in Volume 104, pages 742-745 of said Deed Records, for the N.E. corner of this tract of land;

THENCE with fence along the South line of said 187.74 acre tract and the North line of said 260.18 acre tract as follows:

N. 87 deg. 55 min. W. 1475.2 feet to a steel bar found set;

N. 87 deg. 57 min. W. 1595.9 feet to a steel bar found set at a corner post, in the East line of a 250 acre tract of land, more or less, described in a conveyance to Reinhard L. Frantzen, et al, by Alex R. Frantzen, dated December 29, 1976, found of record in Volume 119, pages 63-65 of said Deed Records, for the S.W. corner of said 187.74 acre tract, for the N.W. corner of said 260.18 acre tract, for the S.W. corner of this tract of land;

THENCE with fence along the East line of said 250 acre tract and the West line of said 260.18 acre tract, S. 0 deg. 01 min. E. 10.0 feet to a steel bar set, for the S.W. corner of this tract of land;

THENCE as follows:

S. 87 deg. 57 min. E. 1594.9 feet to a steel bar set;

S. 87 deg. 55 min. E. 1476.2 feet to a steel bar set in fence in the West line of the Cain City Road, for the S.E. corner of this tract of land;

THENCE with fence along the West line of the Cain City Road, N. 0 deg. 03 min. E. 10.0 feet to the place of BEGINNING.