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201506037347 09/15/2015 09:12:25 AM 1/4

## AFFIDAVIT CORRECTING RECORDED INSTRUMENT

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**TO THE COUNTY CLERK:**

**PLEASE INDEX THIS INSTRUMENT UNDER THE NAMES OF THE PARTIES TO THE INSTRUMENT BEING CORRECTED:**

**GRANTOR: AURA-SOMA PRODUCTS LTD.**

**GRANTEE: MICHAEL D. HARWELL and TERESA D. HARWELL**

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Date: September 15, 2015

Affiant: MARK F. CONLAN, R.P.L.S

Description of Original Instrument (include name of instrument, date, parties, and recording information):

Warranty Deed with Vendor's Lien dated July 30, 2015 with **AURA-SOMA PRODUCTS LTD.** as Grantor and **MICHAEL D. HARWELL and TERESA D. HARWELL** as Grantee, recorded under Document No. 201506031489 of the Official Public Records of Comal County, Texas.

Affiant on oath swears that the following statements are true and within the personal knowledge of Affiant:

1. My name is Mark F. Conlan. My address of 410 N. Seguin Ave, New Braunfels, Texas 7813. I am over the age of eighteen (18) years and am otherwise competent to make this Affidavit.
2. I have personal knowledge of the facts relevant to the correction of the above referenced Original Instrument as evidenced by the following facts (describe facts indicating personal knowledge below):
  - a. I was the Registered Professional Land Surveyor who prepared the Metes and Bounds Description for Exhibit "A" attached to the Warranty Deed with Vendor's Lien.
3. I am making this Affidavit as a correction instrument pursuant to §5.028 of the Texas Property Code, with regard to the following clerical error in the Original Instrument (describe error below): After execution and recordation of the Warranty Deed with Vendor's Lien certain minor discrepancies were discovered in the Metes and Bounds Description for Exhibit "A" attached to the Warranty Deed with Vendor's Lien.
4. The Original Instrument should correctly read as follows with respect to the clerical error described above, this being a non-material change to the Original Instrument (Insert corrected language below):

See Attached Exhibit "A";
5. I have given notice of this correction of the Original Instrument by sending a copy of this Correction Affidavit by Email to each party to the Original Instrument, in accordance with

§5.028 (d) (2) of the Texas property Code. The evidence of said notice is attached to this affidavit as required by §5.028 (d) (1) of the Texas Property Code.

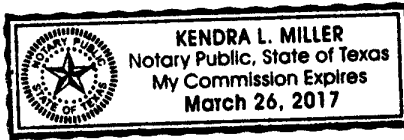
AFFIANT:

  
Mark F. Conlan

STATE OF TEXAS §

COUNTY OF §

Comal



SWORN TO AND SUBSCRIBED before me on this 15<sup>th</sup> day of September, 2015 by: MARK F. CONLAN, to certify which witness my hand and seal of office.

My Commission Expires: march 26, 2017

Kendra L. Miller  
Notary Public, State of Texas

Notary Name Printed:

Kendra L. Miller



410 N. Seguin Ave.  
New Braunfels, TX 78130  
HMTNB.COM  
830.625.8555 • FAX: 830.625.8556  
TBPE FIRM F-10961

**METES AND BOUNDS DESCRIPTION  
FOR A  
10.002 ACRE TRACT OF LAND**

Being a 10.002 acre tract of land out of a called 48.0128 acre tract of land recorded in Volume 969, Page 453, Deed Records, Comal County, Texas, and out of a called 40.000 acre tract of land recorded in Document Number 463440, Official Public Records, Comal County, Texas, said 10.002 acre tract of land being more particularly described as follows:

BEGINNING at a 1/2" iron pin found at the intersection of the Northeasterly right-of-way line of State Highway No. 32 and the Southeasterly right-of-way line of Mail Route Road, for the most Westerly corner of said 48.0128 acre tract of land and the most Westerly corner of this herein described 10.002 acre tract;

THENCE along the Southeasterly right-of-way line of Mail Route Road, the Westerly line of said 48.0128 acre tract of land and the Westerly line of said 40.000 acre tract of land, the following calls;

N 68°12'36" E a distance of 205.18 feet to a 1/2" iron pin found for a corner of this herein described 10.002 acre tract of land;

S 89°26'10" E a distance of 18.83 feet to a 1/2" iron pin found for a corner of this herein described 10.002 acre tract of land;

N 49°07'19" E a distance of 41.56 feet to a 1/2" iron pin found for a Northwesterly corner of said 48.0128 acre tract, common with a Southwesterly corner of said 40.000 acre tract, for a corner of this herein described 10.002 acre tract of land;

N 17°36'44" E a distance of 60.41 feet to a 1/2" iron pin found for a Northwesterly corner of said 40.000 acre tract, and the Northwest corner of this herein described 10.002 acre tract of land;

THENCE along a Northerly line of said 40.000 acre tract, N 84°52'37" E a distance of 615.03 feet to a 1/2" iron pin (with plastic cap stamped "HMT") set for the Northeast corner of this herein described 10.002 acre tract of land;

THENCE across said 40.000 acre tract and said 48.0128 acre tract, S 02°14'50" W a distance of 930.97 feet to a 1/2" iron pin (with plastic cap stamped "HMT") set in the Northeasterly right-of-way line of State Highway No. 32, common with the Southwesterly line of said 48.0128 acre tract of land, for the South corner of this herein described 10.002 acre tract of land, from which a 1/2" iron pin found marking a Southwesterly corner of said 48.0128 acre tract bears, S 49°18'54" E a distance of 770.40 feet;

THENCE along the Northeasterly right-of-way line of State Highway No. 32, common with the Southwesterly line of said 48.0128 acre tract of land, the following calls:

N 49°18'54" W a distance of 394.00 feet to a 1/2" iron pin found for a corner of this herein described 10.002 acre tract of land;

N 49°16'38" W a distance of 323.76 feet to a concrete monument found for a corner of this herein described 10.002 acre tract of land;

N 49°43'55" W a distance of 381.36 feet to the POINT OF BEGINNING and containing 10.002 acres of land in Comal County, Texas.

Bearings herein are based upon a call of N 49°43'55" W along a Southwesterly line of said 48.0128 acre tract of land.

Surveyed this the 28th day of August, 2012.

Revised this the 11th day of September, 2015. (revised acreage)

Reference survey of said 10.002 tract of land prepared this same date.



Mark F. Conlan  
Registered Professional Land Surveyor No. 6342



Filed and Recorded  
Official Public Records  
Bobbie Koepf, County Clerk  
Comal County, Texas  
09/15/2015 09:12:25 AM  
CASHTWO 4 Page(s)  
201506037347



*Bobbie Koepf*