



Registration for Division of Land in Atascosa County

I Mary E. Birdwell, am the owner of the attached filed division of land located at 49.010 acres out of Abstract No. 156 (legal description). I have had the division of land reviewed by the Rural Development Office and they have determined the division of land is excepted from the platting requirements of Atascosa County, Texas. I acknowledge that the property as described in the filed plat description are subject to all on-site wastewater permit requirements and other development permit requirements of Atascosa County and further division of the land will need to be submitted to the Atascosa County Attorney's office for review. I acknowledge that I may apply for a Certificate of Exemption through the Atascosa County Commissioners Court.

Exception Type (see attachment for definitions of each type):

- | | | |
|---|--|--|
| <input type="checkbox"/> Agricultural Use | <input checked="" type="checkbox"/> Family | <input type="checkbox"/> 10+ Acres |
| <input type="checkbox"/> Veterans Land Board | <input type="checkbox"/> State Agency | <input type="checkbox"/> Political Subdivision |
| <input type="checkbox"/> Divided into two parts | <input type="checkbox"/> All parts to original owner | |



Date: September 26, 2025

Signature: Mary Birdwell

Printed Name: Mary E. Birdwell

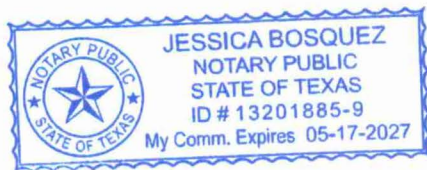
ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Atascosa

BEFORE ME, the undersigned Notary Public, on this day personally appeared Mary E. Birdwell, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same has been executed for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this September 26, 2025.



Jessica Bosquez

Notary Public, in and for
State of Texas



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.

REVOCABLE TRANSFER ON DEATH DEED

Date: June 18, 2024

Transferor:

MORRIS B. BIRDWELL
340 County Road 339
Jourdanton, Texas 78026
Atascosa County

Designated Beneficiary:

MARY E. BIRDWELL
340 County Road 339
Jourdanton, Texas 78026
Atascosa County

Alternate Designated Beneficiaries:

MIRIAM C. BIRDWELL
340 County Road 339
Jourdanton, Texas 78026
Atascosa County

JACK E. BIRDWELL
623 N. Spring Avenue
La Grange Park, Illinois 60526
Cook County

Property (including any improvements):

- i. 97.849 acres of land, more or less, out of TRACT 13 of the Terrell, Bell, and Hyman Subdivision of the Avant Ranch, Atascosa County, Texas, described as follows:

Tract 1:

48.839 acres of land, more or less, out of Tract No. 13 of the Terrell, Bell, and Hyman Subdivision of the Avant Ranch, Atascosa County, Texas, being the same land described in a Warranty Deed with Vendor's Lien dated March 12, 1969,

from James B. Lancaster and wife, Margie Ann Lancaster to M. R. Birdwell, recorded in Volume 344, Page 251 of the Deed Records, Atascosa County, Texas.

Tract 2:

7 acres of land, more or less, out of Tract No. 13 of the Avant Ranch Subdivision, Atascosa County, Texas, being the same land described in a Gift Deed dated December 6, 1982, from Ruth E. Birdwell and husband, M. R. Birdwell to Morris B. Birdwell and wife, Mary E. Birdwell, recorded in Volume 613, Page 242, Deed Records, Atascosa County, Texas.

Tract 3:

42.010 acres of land, more or less, out of Tract Number Thirteen (13) of the Avant Ranch Subdivision, Atascosa County, Texas, being the same land described in a Gift Deed dated November 21, 1990, from Ruth E. Birdwell and husband, M. R. Birdwell to Morris B. Birdwell and wife, Mary E. Birdwell, recorded in Volume 831, Page 160, Deed Records, Atascosa County, Texas.

- ii. Any and all real property owned by Transferor at the time of Transferor's death situated in the State of Texas in addition to the above-described real property.

Transfer:

Transferor hereby grants, conveys, and transfers the Property upon Transferor's death as follows:

To Designated Beneficiary if Designated Beneficiary survives Transferor.

Otherwise, if Designated Beneficiary does not survive Transferor and both Alternate Designated Beneficiaries survive Transferor, then the Property shall pass to Alternate Designated Beneficiaries in equal shares.

Otherwise, if Designated Beneficiary does not survive Transferor and both Alternate Designated Beneficiaries do not survive Transferor, then this deed shall be wholly ineffective, and the Property shall be distributed as if it was part of Transferor's residual estate or otherwise in accordance with Transferor's will.

This Transfer on Death Deed transfers the interest in the Property without covenant of warranty of title, and the Property shall be subject to all conveyances, encumbrances, assignments, contracts, mortgages, liens, and other interests to which the Property is subject at Transferor's death.

It is expressly intended that during Transferor's lifetime, this Transfer on Death Deed shall not:

- (1) affect an interest or right of Transferor or any other owner, including:
 - (a) the right to transfer or encumber the Property;

- (b) homestead rights in the Property, if applicable; and
 - (c) ad valorem tax exemptions, including exemptions for residence homestead, persons 65 years of age or older, persons with disabilities, and veterans;
- (2) affect an interest or right of a Designated Beneficiary or Alternate Designated Beneficiary of the Property, even if the Designated Beneficiary or Alternate Designated Beneficiary has actual or constructive notice of this deed;
 - (3) affect an interest or right of a secured or unsecured creditor or future creditor of a Designated Beneficiary or Alternate Designated Beneficiary, even if the creditor has actual or constructive notice of this deed;
 - (4) affect a Designated Beneficiary's, Alternate Designated Beneficiary's, or Transferor's eligibility for any form of public assistance, subject to applicable federal law;
 - (5) constitute a transfer triggering a "due on sale" or similar clause;
 - (6) invoke statutory real estate notice or disclosure requirements;
 - (7) create a legal or equitable interest in favor of a Designated Beneficiary or Alternate Designated Beneficiary; or
 - (8) subject the Property to claims or process of a creditor of a Designated Beneficiary or Alternate Designated Beneficiary.

Transferor expressly acknowledges that this Transfer on Death Deed shall not be effective unless it is recorded before Transferor's death in the Official Public Records of the county in which the Property is located.

For purposes of this instrument, survival shall mean survival of the Transferor by 120 hours.

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

This instrument was prepared solely based on information provided by the parties hereto. No independent title review or title search was performed.

[Remainder of this page intentionally left blank.]

Morris B. Birdwell

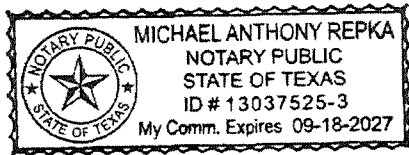
MORRIS B. BIRDWELL

ACKNOWLEDGMENT

STATE OF TEXAS §
 §
COUNTY OF ATASCOSA §

This instrument was acknowledged before me on June 18, 2024, by MORRIS B. BIRDWELL.

Seal:



[Signature]

Notary Public, State of Texas
My commission expires: 9/18/2027

AFTER RECORDING RETURN TO:

Repka Law PLLC
P.O. Box 737
Pleasanton, TX 78064

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Theresa Carrasco

Theresa Carrasco, County Clerk

Atascosa County Texas

June 19, 2024 09:36:48 AM

FEE: \$37.00

SOCHOA

243650

D



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.

**AFFIDAVIT OF DEATH REGARDING
MORRIS B. BIRDWELL, DECEASED**

Before me, the undersigned authority, on this day personally appeared MARY E. BIRDWELL ("Affiant"), who after being by me first duly sworn, did upon his or her oath depose and say:

"I am over eighteen (18) years of age and am competent to make this Affidavit. I have personal knowledge of the facts stated in this Affidavit, and the facts are true and correct.

"I was well acquainted with MORRIS B. BIRDWELL ("Decedent"), who was my husband of approximately fifty-three (53) years prior to his death.

"Decedent died on May 29, 2025, in Atascosa County, Texas. Decedent was a resident of Atascosa County at the time of his death.

"Decedent executed a Revocable Transfer on Death Deed dated June 18, 2024, recorded under Clerk's File No. 243650, Official Public Records, Atascosa County, Texas.

"Affiant is the Designated Beneficiary named in the Revocable Transfer on Death Deed. Decedent never revoked the Revocable Transfer on Death Deed.

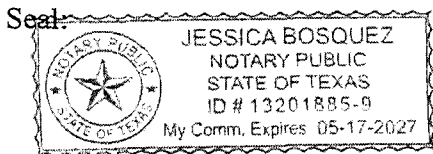
"The purpose of this Affidavit is to evidence title to the property covered by the Revocable Transfer on Death Deed into Affiant following Decedent's death."




MARY E. BIRDWELL, *Affiant*

STATE OF TEXAS §
 §
COUNTY OF ATASCOSA §

SWORN TO AND SUBSCRIBED BEFORE ME on June 19, 2025, by MARY E. BIRDWELL.





Notary Public, State of Texas
My commission expires: 5/17/2027

AFTER RECORDING RETURN TO:

Repka Law PLLC
P.O. Box 737
Pleasanton, TX 78064

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Theresa Carrasco

Theresa Carrasco, County Clerk

Atascosa County Texas

June 23, 2025 01:28:22 PM

FEE: \$29.00

SOCHOA

253168

AFF

Field notes for 5.00 acres, being out of a 49.010 acre tract of land, being out of a 7 acre tract of land, lying in the Terrell, Bell, and Hyman Subdivision of the Avant-Ranch, lying in the John H. Calvary Survey No. 529, Abstract No. 156, Atascosa County, Texas, as shown on the accompanying Exhibit of Survey, prepared for Miriam Birdwell, dated August 21, 2025.

Field notes for 5.00 acres, being out of a 49.010 acre tract of land, described in an instrument, recorded in Volume 344, Page 248, Deed Records, Atascosa County, Texas, being out of a 7 acre tract of land, described in an instrument, recorded in Volume 613, Page 242, Deed Records, Atascosa County, Texas, lying in the Terrell, Bell, and Hyman Subdivision of the Avant-Ranch, lying in the John H. Calvary Survey No. 529, Abstract No. 156, Atascosa County, Texas, said tract of land being more particularly described by metes and bounds as follows:

Beginning at a point marked by a set 5/8 inch steel rod monument with cap stamped Rakowitz Engineering & Surveying, lying on the East line of said 49.010 acres and said 7 acres, lying on the West line of County Road 339, which bears South 0° 09' 39" East, 177.65 feet from a found 5/8 inch steel rod monument, being the Northeast corner of said 49.010 acres, being the Northeast corner of said 7 acres, being the Southeast corner of a 2.678 acre tract of land, called Tract C, described in an instrument, recorded in Clerk's File No. 215887, Official Public Records, Atascosa County, Texas, lying on the West line of County Road 339, being the Northeast corner of a 92.81 acre tract of land, surveyed this same day, said point of beginning being the Northeast corner of this tract of land;

Thence South 0° 09' 39" East, 411.14 feet, with the East line of said 49.010 acres and said 7 acres, to a point marked by a set 5/8 inch steel rod monument with cap stamped Rakowitz Engineering & Surveying, lying on the East line of said 49.010 acres, lying on the West line of County Road 339, being a salient corner of said 92.81 acres, surveyed this same day, said point being the Southeast corner of this tract of land;

Thence with the common line of this 5.00 acres and said 92.81 acres, the following three (3) calls:

South 89° 49' 22" West, 529.85 feet, across said 49.010 acres, to a point marked by a set 5/8 inch steel rod monument with cap stamped Rakowitz Engineering & Surveying, being a reentrant corner of said 92.81 acres, surveyed this same day, said point being the Southwest corner of this tract of land;

Thence North 0° 14' 40" West, 411.14 feet, across said 7 acres, to a point marked by a set 5/8 inch steel rod monument with cap stamped Rakowitz Engineering & Surveying, lying within said 7 acres, being a reentrant corner of said 92.81 acres, surveyed this same day, said point being the Northwest corner of this tract of land;

Thence North 89° 49' 22" East, 530.45 feet, to the point of beginning;

The basis of bearing for this survey is Grid North, Texas State Plane Coordinate System, NAD 83 (2011), South Central Zone.

I, Richard Pollok, being a Registered Professional Land Surveyor, registered in the State of Texas, do hereby certify that the foregoing field notes for 5.00 acres, as shown on the accompanying Exhibit of Survey prepared for Miriam Birdwell, dated August 21, 2025, were prepared from an actual survey done under my supervision and that to the best of my knowledge and belief they are a true and correct representation of said survey.



Richard Pollok R.P.L.S. 5825
Rakowitz Engineering and Surveying
515 W. Oaklawn Ste. A
Pleasanton, Texas 78064
830-281-4060
Firm No. 10181200

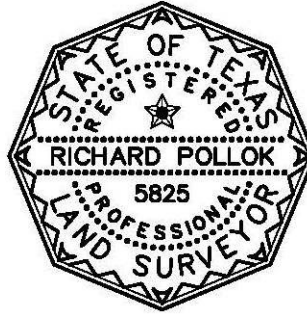
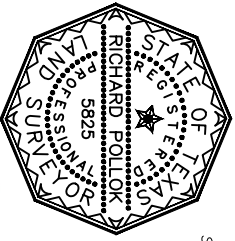


EXHIBIT OF SURVEY

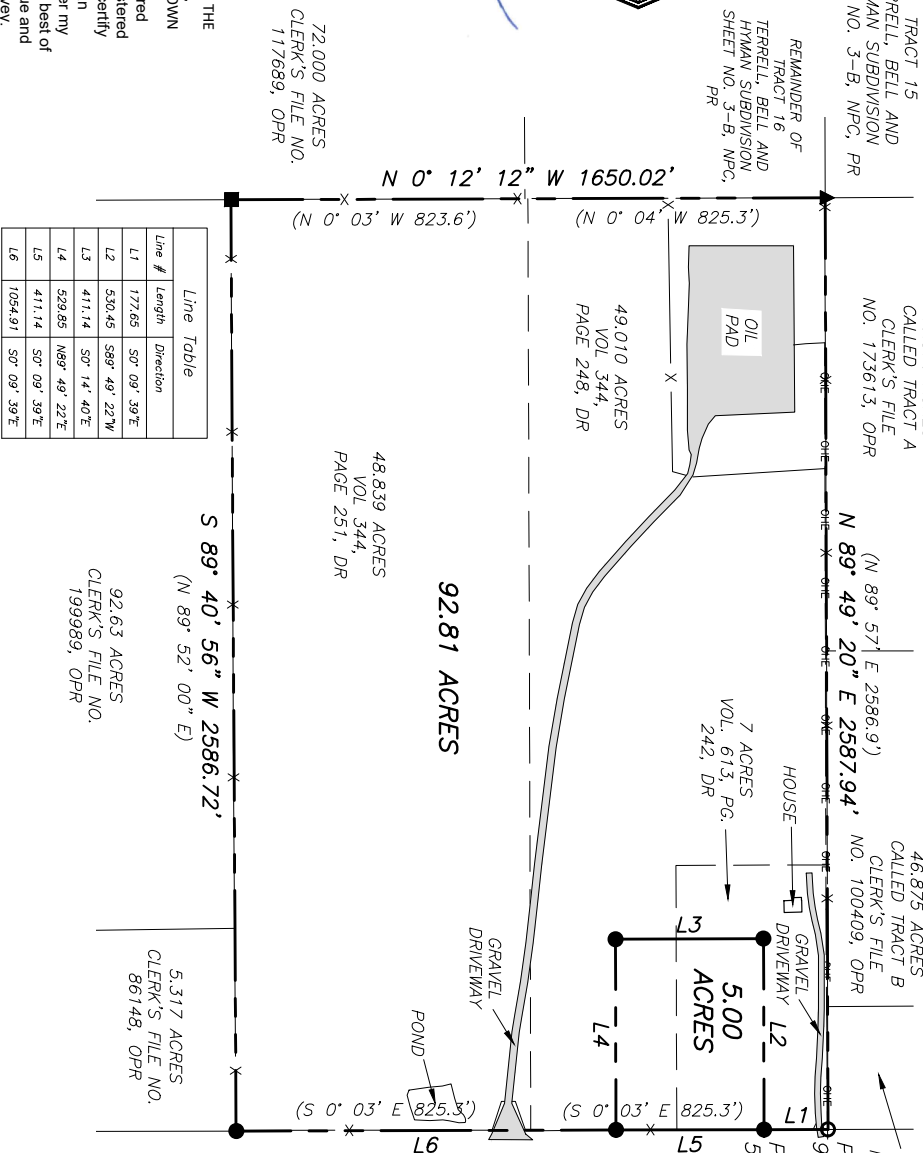
92.81 ACRES, BEING OUT OF A 49.010 ACRE TRACT OF LAND, BEING OUT OF A 7.00 ACRE TRACT OF LAND, BEING ALL OF A 48.839 ACRE TRACT OF LAND, ALSO 5.00 ACRES, BEING OUT OF A 49.010 ACRE TRACT OF LAND, BEING OUT OF A 7.00 ACRE TRACT OF LAND, LYING IN THE TERRELL, BELL AND HYMAN SUBDIVISION OF THE AVANT-RANCH, LYING IN THE JOHN H. CALVARY SURVEY NO. 529, ABSTRACT NO. 156, ATASCOSA COUNTY, TEXAS



Richard Pollok

Prepared for:
Mary Birdwell
Prepared for:
Miriam Birdwell
REFERENCES:
72,000 ACRES
CLERK'S FILE NO.
117689, OPR
DEED: Vol. 344, Pg. 251, DR
Vol. 344, Pg. 248, DR
Vol. 613, Pg. 242, DR

THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT. VISIBLE ENCROACHMENTS ARE SHOWN
I, Richard Pollok, being a Registered Professional Land Surveyor, registered in the State of Texas, do hereby certify that this plat was prepared from an actual survey done by me or under my direct supervision, and that to the best of my knowledge and belief it is a true and correct representation of said survey.



Line #	Length	Direction
L1	177.65	S0° 09' 39"E
L2	530.45	S89° 49' 22"W
L3	411.14	S0° 14' 40"E
L4	529.85	N89° 49' 22"E
L5	411.14	S0° 09' 39"E
L6	1054.91	S0° 09' 39"E

COUNTY ROAD 339

NOTE:
SOME IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN

- LEGEND
- Set 5/8 inch steel rod monument with cap stamped Rakowitz Engineering & Surveying
 - Found 5/8 inch steel rod monument
 - ▲ Found 1/2 inch steel rod monument
 - Fence corner post
 - Boundary line
 - Adjoiner
 - Wire fence
 - Overhead electric



RAKOWITZ
Engineering & Surveying
Texas Registered Engineering Firm No. 9855
Texas Registered Surveying Firm 1081812-00
830-281-4060

Date of survey: August 21, 2025
Job No. 25-3699