

Deed of Conveyance

J. N. Eubanks & wife M. A. Eubanks to Mart T. Steele & Erwin C. Steele — Comanche County, Texas
(1889)

(Included as chain-of-title: Tract 1 is expressly the subdivision deeded to A. K. Steele by Wm. Carnes, agent and attorney in fact for Elias and Melvina Roberts.)

The State of Texas | County of Comanche

Know all men by these presents: That J. N. Eubanks and his wife M. A. Eubanks, of the County of Comanche and State aforesaid, in consideration of the sum of Six Hundred Dollars to us in hand paid by Mart T. Steele and Erwin C. Steele of the County of Comanche and State of Texas, the receipt of which sum we hereby acknowledge, and in further consideration of a promissory note of even date herewith for the sum of One Hundred Dollars payable to J. N. Eubanks, bearing 12% per annum interest, payable Oct. 23, 1896, and in further consideration that the grantees assume and undertake to pay to Mrs. Susan Grist a note of about \$147.00 due her from J. N. Eubanks, which was given as part payment of the purchase money for the tract of land hereinafter described, have granted, bargained, sold, conveyed and released, and by these presents do grant, bargain, sell, convey and release unto the said Mart T. and Erwin C. Steele, their heirs and assigns, the following described property, to wit:

1st. A tract of land situated in Comanche County, Texas, containing 100 acres, more or less, being a part of a survey in the name of Samuel Heath, and being all that part of a subdivision of said Heath survey conveyed to A. K. Steele by Wm. Carnes, as agent and attorney in fact for Elias Roberts and Melvina Roberts, which lies North of the center bed of Jimmie's Creek — the deed from said Roberts is hereby referred to for a better description of said land.

2nd. Eleven acres, more or less, out of said Heath survey, described thus: Beginning at the N.E. corner of 168½ acres sold by Emma Londermilk to A. K. Steele, March 1st, 1884, being also the N.W. corner of 200 acres sold to A. K. Steele, for the N.E. corner of this tract; Thence West 100 yds.; Thence in a southerly direction 1200 [*or 2200 — digit uncertain*] yds. so as to intersect the West boundary line of A. K. Steele's 200 acre tract, in the center bed of Jimmie's Creek; Thence North to the place of beginning — reserving and specially excepting ½ acre out of said last tract, sold by us to the County Judge for a school house [site].

Together with all and singular the rights, members, improvements, hereditaments and appurtenances to the same belonging, or in anywise incident or appertaining.

To have and to hold unto the said heirs and assigns forever; and we do hereby bind ourselves, our heirs, executors and administrators, to warrant and forever defend all and singular the said premises unto the said Mart T. and Erwin C. Steele, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed and stipulated that a vendor's lien is retained against the above described land until said notes and all interest thereon are fully paid, when this deed shall become

absolute.

Witness our hands at Comanche, Texas, this [day not given] day of October, A.D. 1889.

J. N. Eubanks [seal]

M. A. Eubanks [seal]

Acknowledgments

The State of Texas | County of Comanche

Before me, J. D. Bonner, Clerk of the County Court in and for Comanche County, Texas, on this day personally appeared J. N. Eubanks, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this [day not given] day of [month uncertain], A.D. 1889.

J. D. Bonner, Clk. County Court

The State of Texas | County of Comanche

Before me, J. D. Bonner, Clk. County Court, in and for Comanche County, Texas, on this day personally appeared M. A. Eubanks, wife of J. N. Eubanks, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said M. A. Eubanks, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office, this [day not given] day of October, A.D. 1889.

Filed for record at 10 o'clock A.M., the 25th day of Oct[ober], 1889, and recorded the 26th day of Oct[ober], 1889.

J. D. Bonner, Clerk, County Court, Comanche County, Texas.

Note: this deed uses nearly identical language to the 1901 M. T. Steele & wife E. J. Steele to E. C. Steele deed transcribed earlier — same 100-acre tract north of Jimmie's Creek from the Roberts subdivision, same 11-acre second tract off the Emma Londermilk corner, same school-house reservation. This 1889 Eubanks deed appears to be an earlier link in that same chain, with J. N. and M. A. Eubanks selling to Mart T. and Erwin C. Steele twelve years before the 1901 sale onward to E. C. Steele alone.