

United States District Court
Western District of Texas
San Antonio Division

United States of America,
Plaintiff,

v.

Devin Ward Elder,
Defendant.

Case No. SA-26-CR-00038-FB

**Motion to Confirm the Sale of the Medina Base Property in Bexar County
and to Escrow Proceeds**

The Receiver has entered into a contract to sell commercial property owned by Medina Business Park Venture, LLC to Adryca Construction, LLC (the “Buyer”).

On February 19, 2026, the Court granted the Government’s motion to appoint Dan Kubinski as Receiver and permitted the interlocutory sale of numerous real properties identified in its Order. (Doc. 19). This property consists of Real Property located and situated at NEQ of Loop 410 & Medina Base Road in Bexar County, Texas (the “Property”), identified as (g) in the Receivership Order. It is legally described as follows:

A TRACT OR PARCEL OF LAND CONTAINING 4.0902 ACRES, (178,167 SQUARE FEET), BEING OUT OF AND A PART OF TRACT 18, MACKAY RANCH, A SUBDIVISION IN BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 105, PAGE 30, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID 4.0902 ACRE TRACT OF LAND BEING THAT CERTAIN CALLED 4.088 ACRE TRACT OF LAND AS CONVEYED TO MEDINA BUSINESS PARK VENTURE, LLC BY INSTRUMENT RECORDED IN DOCUMENT NO. 20240212765 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, SAID 4.0902 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS ARE BASED IN DOCUMENT NO. 20240212765 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS)

BEGINNING at a ½” iron rod found on the northeasterly right-of-way line of Southwest Loop 410, (variable width right-of-way, no deed found), for the northwest corner of that certain called 5.859 acre tract of land as conveyed to Medina Road Investments, LLC by instrument recorded in Document No. 20050187560 of the Official Public Records of Bexar County, Texas, same being

the southwest corner and the POINT OF BEGINNING of the herein described tract;

Thence, N 23°57'03" W, along the northeasterly right-of-way line of Southwest Loop 410, a distance of 443.86 feet, (Call 448.84 feet), to the point of curvature of a curve to the right;

Thence, Northwesterly, along the northeasterly right-of-way line of Southwest Loop 410, with the arc of said curve to the right, having an included angle of 00°38'06", a radius of 5,879.58 feet, a chord that bears, N 19°31'25" W, (Call N 19°33'31" W), a chord distance of 65.16 feet, (Call 57.99 feet), for an arc distance of 65.16 feet, (Call 57.99 feet), to a capped, (Precision Surveyors), iron rod set for a corner of that certain called 10.129 acre tract of land as conveyed to Dodge Investments, LLC by instrument recorded in Document No. 20070222655 of the Official Public Records of Harris County, Texas, same being the northwest corner of the herein described tract;

Thence, N 80°18'12" E, (Call N 79°48'15" E), along the common line of said 10.129 Acre Tract, a distance of 218.97 feet, (Call 176.14 feet), to a capped iron rod found for a corner of said 10.129 Acre Tract, same being a corner of the herein described tract;

Thence, N 64°25'25" E, along the common line of said 10.129 Acre Tract, a distance of 102.01 feet, (Call 102.58 feet), to a capped iron rod found for the point of curvature of a curve to the right;

Thence, Southeasterly, along the common line of said 10.129 Acre Tract, with the arc of said curve to the right, having an included angle of 90°35'30", a radius of 59.00 feet, a chord that bears, S 70°51'58" E, (Call S 70°84'58" E), a chord distance of 83.87 feet, (Call 83.44 feet), for an arc distance of 93.29 feet, (Call 92.68 feet), to the point of tangency of said curve to the right;

Thence, S 25°34'34" E, along the common line of said 10.129 Acre Tract, a distance of 387.41 feet, (Call 389.34 feet), to a ½" iron rod found for the northeast corner of that certain called 5.859 acre tract of land as conveyed to Medina Road Investments, LLC by instrument recorded in Document No. 20050187560 of the Official Public Records of Harris County, Texas, same being the southeast corner of the herein described tract;

Thence, S 64°06'36" W, (Call S 64°25'26" W), along the common line of said 5.859 Acre Tract, a distance of 391.69 feet, (Call 391.22 feet), to the POINT OF BEGINNING containing 4.0902 acres or 178,167 square feet of land, more or less.

The Buyers have offered \$800,000.00 for the Property. This price was reached through a negotiated, arms-length process, and the Receiver is satisfied that the price represents the fair

market value for the Property, which was originally listed at \$850,000.00. The Property was subject to two mechanics liens in favor of Ziga Architecture Studio, PLLC in the amount of \$27,068.63 and Bendicion Engineering, LLC in the amount of \$36,300.00. After payment of those liens, plus brokerage fees, ad valorem taxes and other standard closing costs, the net amount expected to be received on account of this sale is approximately **\$660,000.00**. These funds shall be held by the Receiver in an escrow account consistent with the Receivership Order.

WHEREFORE, the United States of America requests an order of this Court confirming the sale of real property off Medina Base Road in Bexar County, Texas.

Respectfully submitted,

JUSTIN R. SIMMONS
United States Attorney

By: /s/ Steven E. Seward

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ATTORNEY FOR UNITED STATES

Certificate of Service

I hereby certify that on June 11, 2026, I electronically filed this document with the Clerk of Court using the CM/ECF system which will send notice of the filing to the following CM/ECF participant(s):

John Gilmore
Attorney for Defendant

/s/ Steven E. Seward

STEVEN E. SEWARD

Assistant United States Attorney