

**47 Residential Real Property Affidavit**  
**(May be Modified as Appropriate for Commercial Transactions)**

Date: \_\_\_\_\_

GF No. \_\_\_\_\_

Name of Affiant(s): William Joe Garland, Pat Garland

Address of Affiant: 858 Central Avenue, Elgin, TX 78621

Description of Property: A59 Standifer, Elizabeth, Acres 10.497

County Bastrop, Texas

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of Texas, personally appeared Affiant(s) who after by me being duly sworn, stated:

1. We are the owners of the Property. Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners.":

2. We are familiar with the Property and with the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as the Title Company may deem appropriate. We understand that the owner of the Property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since \_\_\_\_\_ there have been no:

- a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
- b. changes in the location of boundary fences or boundary walls;
- c. construction projects on immediately adjoining property(ies) which encroach on the Property;
- d. conveyance, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property;

EXCEPT for the following (If None, Insert "None" Below): \_\_\_\_\_

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

6. We understand that we have no liability to the Title Company or the title insurance company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

\_\_\_\_\_  
William Joe Garland

\_\_\_\_\_  
Pat Garland

SWORN AND SUBSCRIBED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(TAR- 1907) 5-01-08

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**PROFESSIONAL  
LAND SURVEYORS**

1003 Jefferson Street  
Bastrop, Texas 78602  
(512) 303-0952  
Fax: (512) 332-0961

**LEGAL DESCRIPTION**

**10.497 ACRES OF LAND OUT OF THE ELIZABETH STANDIFER SURVEY, ABSTRACT NO. 59 IN BASTROP COUNTY, TEXAS, COMPRISED OF THAT TRACT CONVEYED AS 9.90 ACRES TO EDWARD C. GARLAND AND IDA JANE GARLAND BY DEED RECORDED IN VOLUME 180, PAGE 492, DEED RECORDS OF BASTROP COUNTY BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING METES AND BOUNDS AS SURVEYED UNDER THE SUPERVISION OF C. RICHARD RALPH, REGISTERED PROFESSIONAL LAND SURVEYOR DURING MAY, 2001:**

BEGINNING at a 3" steel pipe fence post in concrete found for the easternmost south corner hereof and of said Garland tract and the intersection of the west or north line of Upper Elgin River Road (County Road No. 127) with the north line of Littig Road (County Road No. 76, 50' measured R.O.W.);

THENCE S 56°51'01" W, 63.63 feet to a 3" steel pipe fence post in concrete found for the westernmost south corner hereof and of said Garland tract and N 60°10'06" W, 1095.81 feet along the north line of said Littig Road to an iron rod set for the west corner hereof and the intersection of the north line of said Littig Road with the south line of the Austin Northwestern Rail Road right-of-way of record in Volume 9837, Page 414, Real Property Records of Travis County, Texas;

THENCE the following three (3) courses along the south line of said Rail Road right-of-way:

- 1) N 82°11'36" E, 1342.86 feet to an iron rod set;
- 2) S 07°48'24" E, 25.00 feet to an iron rod set;
- 3) N 82°11'36" E, 197.52 feet to an iron rod set for the east corner hereof and the intersection of the south line of said Rail Road right-of-way with the west or north line of said Upper Elgin River Road;

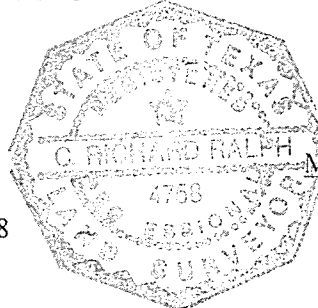
THENCE the following three (3) courses along the west or north line of said Upper Elgin River Road:

- 1) S 62°42'00" W, 205.02 feet to an iron rod set;
- 2) S 49°58'38" W, 270.89 feet to an iron rod set;
- 3) S 17°41'00" W, 447.69 feet to the POINT OF BEGINNING, containing 10.497 acres of land, more or less and shown on the survey map prepared herewith.

Surveyed by:



C. Richard Ralph  
Registered Professional Land Surveyor No. 4758



May 22, 2001

Project No. 0111081 - 29/32