

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

Date: _____

GF No. _____

Name of Affiant(s): Robert W. Wendel, Susan W. Wendel

Address of Affiant: 830 FM 969 & 136 Earhardt. Road, Bastrop, TX 78602

Description of Property: A5 Bangs, J. Manuel, Acres 40

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.

Robert W. Wendel

Susan W. Wendel

SWORN AND SUBSCRIBED this _____ day of _____, _____

Notary Public

DALE L. OLSON
REGISTERED PUBLIC SURVEYOR
711 WATER STREET
BASTROP, TEXAS 78602
(512) 321-5476 Fax (512) 303-5476

FIELD NOTES FOR A 21.000 ACRE TRACT IN THE JOSE MANUEL BANGS
SURVEY IN BASTROP COUNTY, TEXAS.

BEING a 21.000 acre tract or parcel of land out of and being a part of the Jose Manuel Bangs Survey, A-5, in Bastrop County, Texas, and being a part of that certain 94.612 acre tract described in a deed from Naomi Ekman to Margaret Kelley dated January 5, 1995, recorded in Volume 736, Page 676, Bastrop County Deed Records. Herein described tract or parcel being more particularly described by metes and bounds as follows:

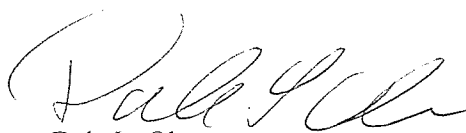
BEGINNING at a 5/8 inch iron rod found at the intersection of the southwest line of Farm to Market Road No. 969 with the northwest line of County Road No. 228, the east corner of the said 94.612 acre tract, for the east corner of this tract.

THENCE with the southeast line of the said 94.612 acre tract and northwest line of the said County Road, S 45 deg. 06 min. 06 sec. W, 870.90 feet to a 5/8 inch iron rod set for the south corner of this tract.

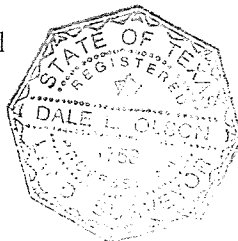
THENCE crossing said 94.612 acre tract, N 45 deg. 22 min. 27 sec. W, 1048.02 feet to a 5/8 inch iron rod set in the northwest line of same, the southeast line of the Charles W. Graham 108 acre tract described in a Ratification of Warranty Deed recorded in Volume 234, Page 687, Bastrop County Deed Records, for the west corner of this tract.

THENCE with the northwest line of the said 94.612 acre tract common with the southeast line of the Graham 108 acre tract, N 44 deg. 47 sec. 16 min. E, 870.87 feet to a 3/4 inch iron pipe found at a fence corner in the southwest line of Farm to Market Road No. 969, the north corner of the 94.612 acre tract and east corner of the Graham Tract, for the north corner of this tract.

THENCE with the southwest line of Farm to Market Road No. 969, and northeast line of the said 94.612 acre tract, S 45 deg. 22 min. 27 sec. E, 1052.79 feet to the POINT OF BEGINNING, containing 21.000 acres of land.

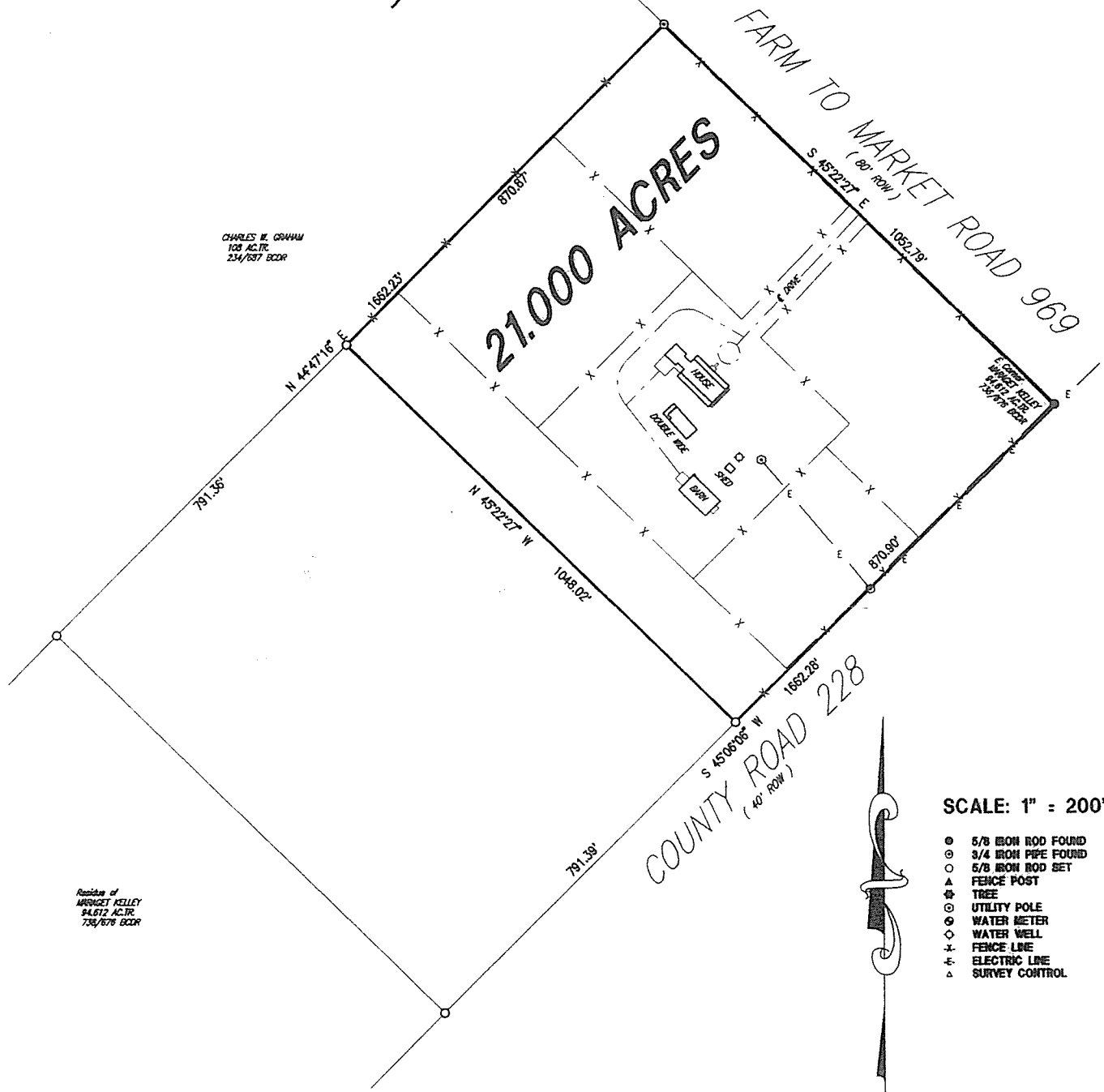


Dale L. Olson
Registered Professional
Land Surveyor
Reg. No. 1753



Order #131297

JOSE MANUEL BANGS SURVEY, A-5



NO portion of this tract lies within a SPECIAL FLOOD HAZARD AREA designated as such by the Department of Housing and Urban Development, Federal Insurance Administration, as shown on FIRM Number: 48021C 0125C for BASTROP COUNTY, TEXAS.

Effective Date 08/19/91

This Tract lies in Zone(s) X

Base Flood Elevation: None

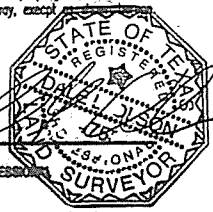
WARNING:

This Flood Statement, as determined by a H.U.D.-FEMA FLOOD HAZARD BOUNDARY MAP, DOES NOT IMPLY that the Property or the Improvements thereon will be free from Flooding or Flood Damage. On rare occasions, Greater Floods Can and Will Occur, and Flood Heights may increase by Man-Made or Natural Causes.

THIS STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR

The undersigned does hereby certify to the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described herein, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or rods in place, except as shown hereon, and that said property has access to and from a dedicated road way, except as shown hereon.

DALE L. OLSON
REGISTERED PROFESSIONAL
LAND SURVEYOR
REG. NO. 1793
DATE: 04/22/97 Rev. 04/22/99



DALE L. OLSON
REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
of a 21.000 ACRE TRACT in the
JOSE MANUEL BANGS SURVEY, A-5,
BASTROP COUNTY, TEXAS.

SCALE: 1" = 200.00'

DRAFTSMAN: D. BAGGETT

DATE: 22 APR 97

ROBERT W. WENDAL & SUSAN W. WENDAL

DISK-FILE 65-4 A ORDER # 131297 PLAT FILE # 3168 S.A.