

**AFFIDAVIT IN LIEU OF A NEW SURVEY
FOR AMENDMENT OF THE SURVEY EXCEPTION**

GF No.: 00052366

Affiant(s)/Record Owners: Eric E. Wilde

Prior Survey: Prepared by MacArthur Surveys, on 5.17.99,
James W. MacArthur, R.P.L.S. No. 2089

Property Description:

Lot Two (2), Block Five (5), Enchanted Meadows, City of Bryan, according to plat thereof recorded in Volume 244, Page 129 of the Deed Records of Brazos County, Texas.

Affiant(s) having been duly sworn, on oath affirms that the following statements are true:

1. That I/we am/are over the age of 18 years, have never been convicted of a felony, and am fully competent to give testimony. I/we represent under penalties of perjury, that I/we have no substantive intent contrary to express facts and intent herein stated.
2. That the undersigned is/are familiar with the above described survey ("Prior Survey") of the land.
3. That I/we are the current record/owner(s) of the land, having acquired title prior to or about the date of the Prior Survey, and am/are therefore familiar with the physical condition of the land on or about, and after the date of the Prior Survey, up to and including the date of this affidavit.
4. That the Prior Survey accurately reflects the location of all improvements currently situated on the land, and since the date of the Prior Survey, up to and including the date of this affidavit, there have been no:
 - (a) construction projects such as new structures, additional rooms, garages, swimming pools or deckings;
 - (b) changes in the location of boundary fences or boundary walls, whether by owner or adjacent property owners;
 - (c) construction projects on immediately adjoining property(ies) which construction occurred near the boundary of the land;
 - (d) construction projects on the land by any utility company or governmental authority changing the location of any utility line(s);
 - (e) conveyances or replattings or easement grants or easement dedications by the borrower;
 - (f) any other changes to the property which would be reflected by a current accurate survey;

EXCEPT for the following (If none, insert "None" below):

None

I/We, the undersigned, understand that University Title Company and its underwriter, Alamo Title Insurance, are relying upon the truthfulness of the statements made in this affidavit to amend the area and boundary survey coverage in the title insurance policy to be issued by the title insurance underwriter. This affidavit is not made for the benefit of any other parties and this affidavit does not constitute a warranty or guaranty of the location of the improvements.

I/We, the undersigned, understand that I will have no liability to University Title Company and its title insurance underwriter, Alamo Title Insurance, should the information in this affidavit be incorrect other than information I personally know to be incorrect and which is not disclosed by me to University Title Company and its title insurance underwriter.

Any ambiguities in this affidavit shall be construed and interpreted in favor of University Title Company and its underwriter, Alamo Title Insurance. In this affidavit, in order to create a reasonable construction of meaning, where the text so requires: (i) the singular shall include the plural; (ii) the plural shall include the singular, and; (iii) the use of any gender shall include all genders.

It is expressly stipulated and understood that University Title Company, and/or its underwriter, Alamo Title Insurance, make no representations concerning the accuracy of the Prior Survey or the factual truth of affiant(s)' statements in this affidavit. Any coverage relating to encroachments, protrusions, boundary conflicts and other title matters is provided only by the express terms of the policy of title insurance issued to the insured(s).

This ends our statement."

Executed this ____ day of July, 2005



Eric E. Wilde

SWORN AND SUBSCRIBED BEFORE ME this ____ day of July, 2005, by Eric E. Wilde.

Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF BRAZOS

This instrument was acknowledged before me on this ____ day of July, 2005, by Eric E. Wilde.

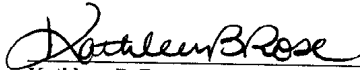
Notary Public, State of Texas

PURCHASERS ACKNOWLEDGMENT

I/we, the undersigned, hereby acknowledge that University Title Company has made no representations as to the accuracy of the survey being used in connection with our purchase of the above referenced property. I/we further acknowledge that I/we have been advised that it was my/our decision whether or not to obtain a current survey prior to purchasing said property.



Lawrence C. Rose



Kathleen B. Rose

SWORN AND SUBSCRIBED BEFORE ME this ____ day of July, 2005, by Lawrence C. Rose and Kathleen B. Rose.

Notary Public, State of Texas

STATE OF TEXAS

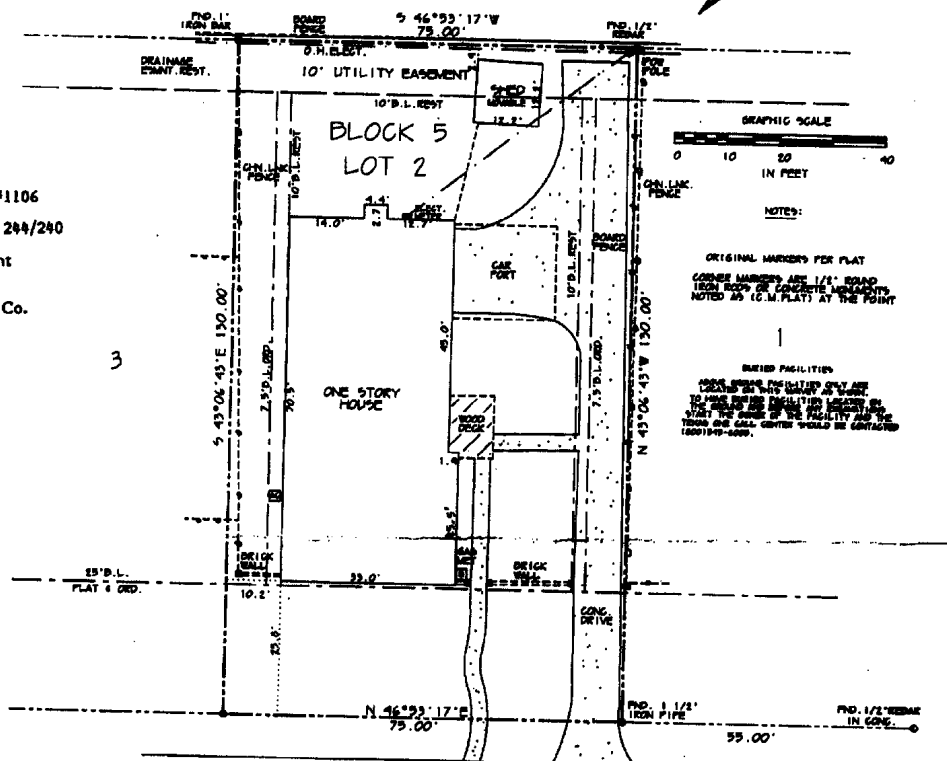
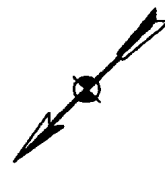
COUNTY OF BRAZOS

This instrument was acknowledged before me on this ____ day of July, 2005, by Lawrence C. Rose and Kathleen B. Rose.

Notary Public, State of Texas

MACARTHUR SURVEYS INC.
 P.O. BOX 4592
 BRYAN TEXAS 77805
 (409) 775-8600

WILLOW OAKS APARTMENTS
 10.411 ACRES
 RICHARD CARTER LEAGUE
 O.R. 9296/273,265
 PARKING LOT



City Ordinance #1106
 Deed Rest. D.R. 244/240
 Blanket Easement
 D.R. 141/437
 University Title Co.
 GF #991442

GRAPHIC SCALE
 0 10 20 40
 IN FEET

NOTES:
 ORIGINAL MARKERS FOR PLAT
 CORNER MARKERS ARE 1/2\"/>

3902 STILLMEADOW DRIVE
 30' R.O.V. PER PLAT
Eric E. Wilde
Cindy Wilde

All that certain lot, tract or parcel of land lying and being situated in Brazos County, Texas, and being Lot Two (2), Block Five (5), ENCHANTED MEADOWS, an addition to the City of Bryan, Brazos County, Texas, according to the plat recorded in Volume 244, page 129, Deed Records of Brazos County, Texas.

I, James W. MacArthur, Registered Professional Land Surveyor, No. 2089, do hereby certify that this plat correctly represents a Survey made by me or under my direction, on the ground, May 17, 1999.

This plat was prepared for the purpose of Title Survey for Fritz & Wilde.
 #99-795

There are no visible or apparent intrusions other than those shown hereon.

Based on the information scaled from the FEMA map dated July 2, 1992, Panel No. 48041C0142 C, this property does not lie within a designated 100-year flood area.

