

**T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)**

Date: 10-27-22

GF No. _____

Name of Affiant(s): Marc A. Garrett

Address of Affiant: 9792 S. FM 2038, Bryan, TX 77808

Description of Property: 20 ac. w/ barn/minimum + other structures

County Brazos, 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 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.")
N/A

2. We are familiar with the property and 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 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's Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since 2-14-2011 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. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

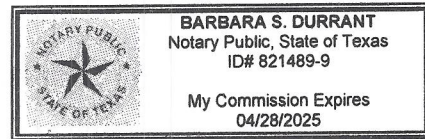
EXCEPT for the following (If None, Insert "None" Below): House, Workshop, Barn, Pond

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 Title 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.

[Signature]

Notary Public

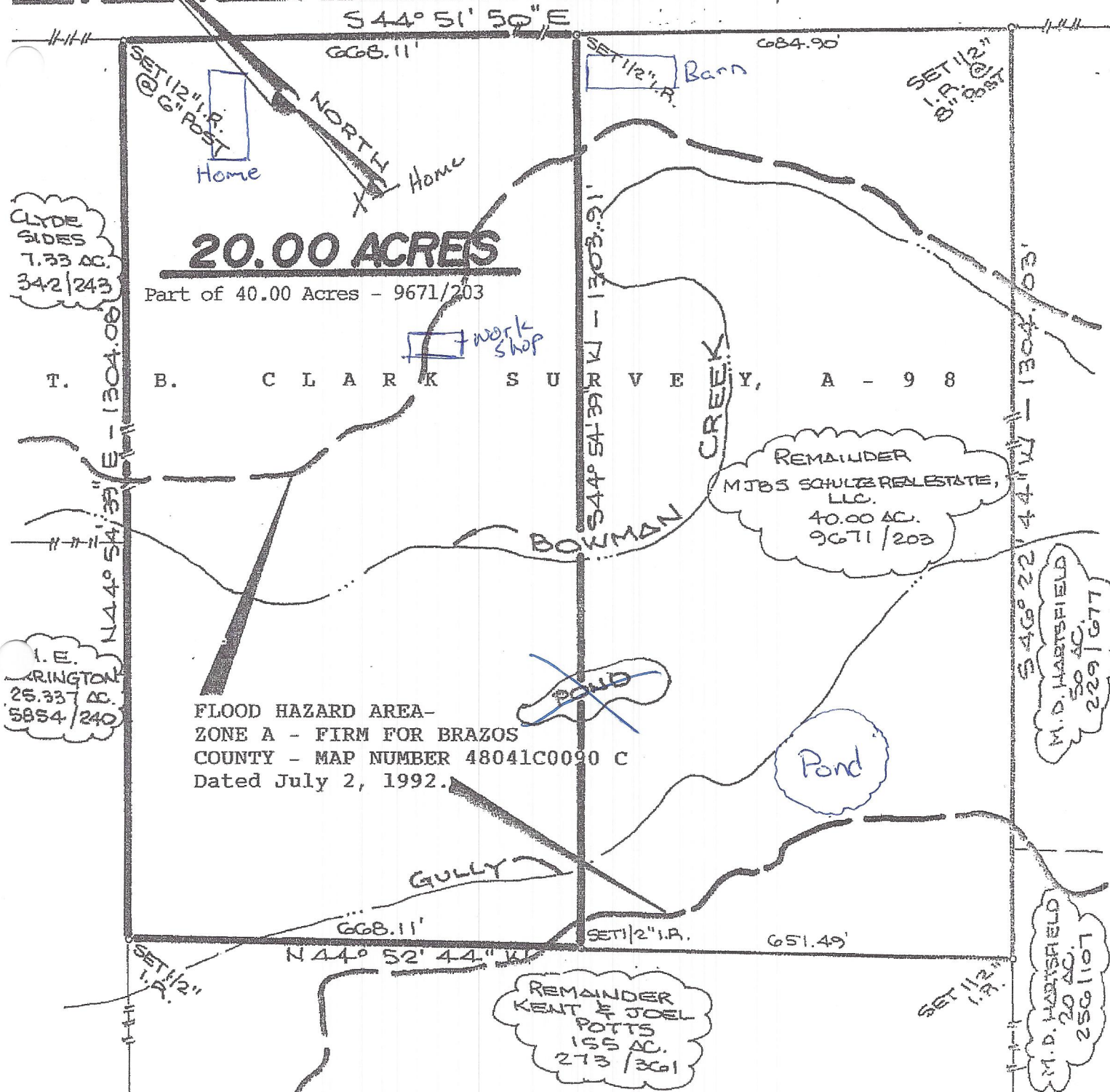


SWORN AND SUBSCRIBED this 27th day of October, 2022
Barbara S. Durrant
Notary Public

Scale: 1" = 200'

F. M. 2038

NOTE: Deed Call Bearings held for control.



20.00 ACRES

Part of 40.00 Acres - 9671/203

T. B. CLARK SURVEY, A - 9 8

FLOOD HAZARD AREA -
 ZONE A - FIRM FOR BRAZOS
 COUNTY - MAP NUMBER 48041C0090 C
 Dated July 2, 1992.

REMAINDER
 MJBS SCHULTZ REAL ESTATE,
 LLC.
 40.00 AC.
 9671/203

REMAINDER
 KENT & JOEL
 POTTS
 155 AC.
 273/361

M. D. HARTSFIELD
 50 AC.
 229/677

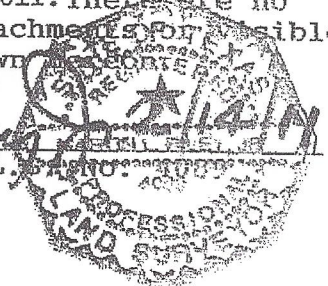
M. D. HARTSFIELD
 20 AC.
 256/1107

CLYDE
 SIDES
 7.33 AC.
 342/243

I. E.
 WARRINGTON
 25.337 AC.
 5854/240

- This tract is subject to the following easements:
- (1) Easement to Wixon Water Supply in 310/18.
 - (2) Easement to Western Oil Transportation Co., Inc. in 433/517.
 - (3) Easement to Wixon Water Supply Corp. in 511/766.

Martin L. Riley, Jr.
 Martin L. Riley, Jr., R.P.L.



MJBS SCHULTZ REALESTATE, LLC.
20.00 ACRES TRACT
T. B. CLARK SURVEY, A-98
BRAZOS COUNTY, TEXAS

FIELD Notes of a 20.00 acres tract or parcel of land lying and being situated in the T. B. Clark Survey, A-98, Brazos County, Texas, and being part of the 40.00 acres tract described in the Deed recorded in Volume 9671, Page 203, of the Official Records of Brazos County, Texas, said 20.00 acres tract being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod set at a 6-inch Post for corner and marking the northerly corner of the 40.00 acres tract, said iron rod marking the easterly corner of the Clyde Sides 7.33 acres tract (342/243), said iron rod being located in the southwest right-of-way line of F. M. 2038;

THENCE S 44° 51' 50" E along the northeast line of the 40.00 acres tract, same being the southwest right-of-way line of F. M. 2038, for a distance of 668.11 feet to a 1/2-inch iron rod set for corner;

THENCE S 44° 54' 39" W across the 40.00 acres tract for a distance of 1,303.91 feet to a 1/2-inch iron rod set for corner in the southwest line of the 40.00 acres tract, same being the northeast line of the remainder of the Kent & Joel Potts 155 acres tract (273/361);

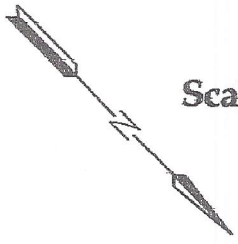
THENCE N 44° 52' 44" W along the southwest line of the 40.00 acres tract, same being the northeast line of the remainder of the Potts 155 acres tract, for a distance of 668.11 feet to a 1/2-inch iron rod for corner marking the westerly corner of the 40.00 acres tract, the northerly corner of the remainder of the Potts 155 acres tract and located in the southeast line of the H. E. Barrington 5.337 acres tract (5854/240);

THENCE N 44° 54' 39" E along the northwest line of the 40.00 acres tract, same being the southeast lines of the Barrington 25.337 acres tract and the Sides 7.33 acres tract, for a distance of 1,304.08 feet to the PLACE OF BEGINNING containing 20.00 ACRES OF LAND, more or less.

PREPARED FROM A SURVEY MADE UNDER MY SUPERVISION IN FEBRUARY, 2011

Martin L. Riley, Jr.
Martin L. Riley, Jr., R.P.L.S. No. 4089





Scale : 1"=200'

GARRETT ENGINEERING
 Consulting Engineering & Land Surveying
 4444 Carter Creek Parkway Suite 108
 Bryan, Texas 77802
 Telephone : (979) 846 - 2888
 Fax : (979) 846 - 3084

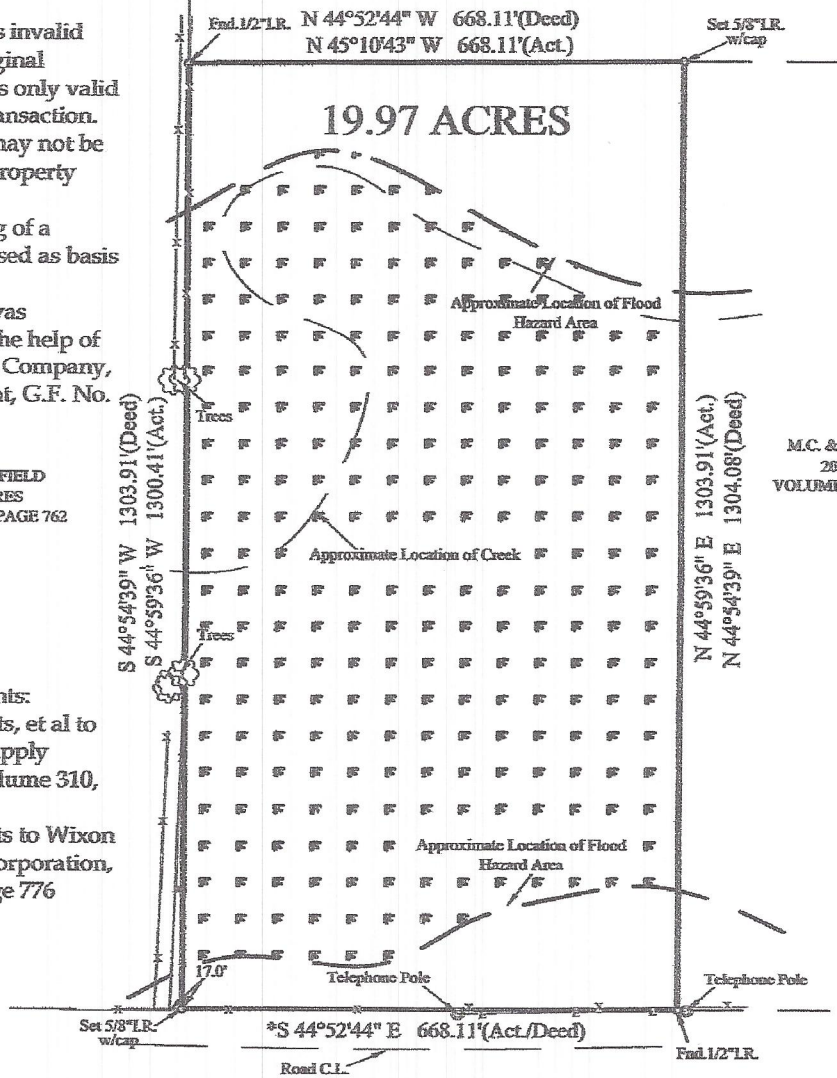
NF
BRAZOS VALLEY FLORIST
62.50 ACRES
VOLUME 273, PAGE 603

- Notes:
1. This survey is invalid without the original signature, and is only valid for the initial transaction.
 2. "Fence lines may not be exactly on the property lines."
 3. *Deed bearing of a parent tract is used as basis of bearings.
 4. This survey was prepared with the help of University Title Company, title commitment, G.F. No. U122154

NF
D.C. HARTSFIELD
70.96 ACRES
VOLUME 1173, PAGE 762

NF
M.C. & C.L. GARRETT
20.00 ACRES
VOLUME 10042, PAGE 70

- Blanket Easements:
- * From Kent Potts, et al to Wixon Water Supply Corporation, Volume 310, Page 18
 - * From Kent Potts to Wixon Water Supply Corporation, Volume 511, Page 776

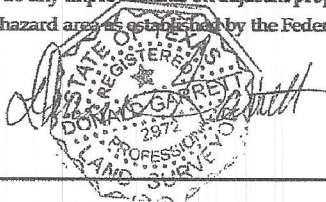


F.M. 2038

MARC A. GARRETT & COURTNEY L. GARRETT

19.97 ACRES TRACT, in T.B. CLARK SURVEY, A - 98, Brazos County, Texas.

I, Donald Garrett, Registered Professional Land Surveyor, No. 2972 do hereby certify the above plat to be true and correct and agrees with a survey made on the ground under my supervision on May 17, 2012. I further certify that no improvements on this property encroach on adjacent property nor do any improvements on adjacent property encroach on this property, except as shown. This property is in a 100-year flood hazard area as established by the Federal Emergency Management Agency, Map No. 48041C0090C, effective date July 2, 1992.



Field Notes
19.97 Acres

Being all of that certain tract or parcel of land, lying and being situated in the T.B. CLARK SURVEY, A-98, Brazos County, Texas and being a part of that 40.00 acres tract, conveyed to MJBS SCHULTZ REAL ESTATE, LLC by Kent Potts and wife, Patricia Potts, and Joel Potts and wife, Judy Potts, Deed recorded in Volume 9671, Page 203, Official Records of Brazos County, Texas, and being more particularly described as follows:

BEGINNING: at a 1/2" iron rod found at the most northerly common corner of this tract and M.C. & L.C. Garrett 20.00 acres tract (10042/70); same being in the southwesterly right-of-way line of F.M. 2038;

THENCE: S 44° 52' 44" E – 668.11 feet along said right-of-way line of F.M. 2038 to a 5/8" iron rod with cap set at the southeasterly corner of this tract; same being corner for D.C. Hartsfield 70.96 acres tract (1173/762);

THENCE: S 44° 59' 36" W – 1300.41 feet along the common line between this tract and said Hartsfield tract to a 1/2" iron rod found at the most southerly corner of this tract; same being corner for Brazos Valley Florist 62.50 acres tract (273/603);

THENCE: N 45° 10' 43" W – 668.11 feet along the common line between this tract and said Brazos Valley Florist tract to a 5/8" iron rod with cap set at the southwesterly corner of this tract; same being corner for said M.C. & C.L. Garrett tract;

THENCE: N 44° 59' 36" E – 1303.91 feet along the common line between this tract and said M.C. & C.L. Garrett tract to the PLACE OF BEGINNING; and containing 19.97 acres of land, more or less, according to a survey made on the ground under the supervision of Donald Garrett, Registered Professional Land Surveyor, No. 2972 on May 17, 2012.

