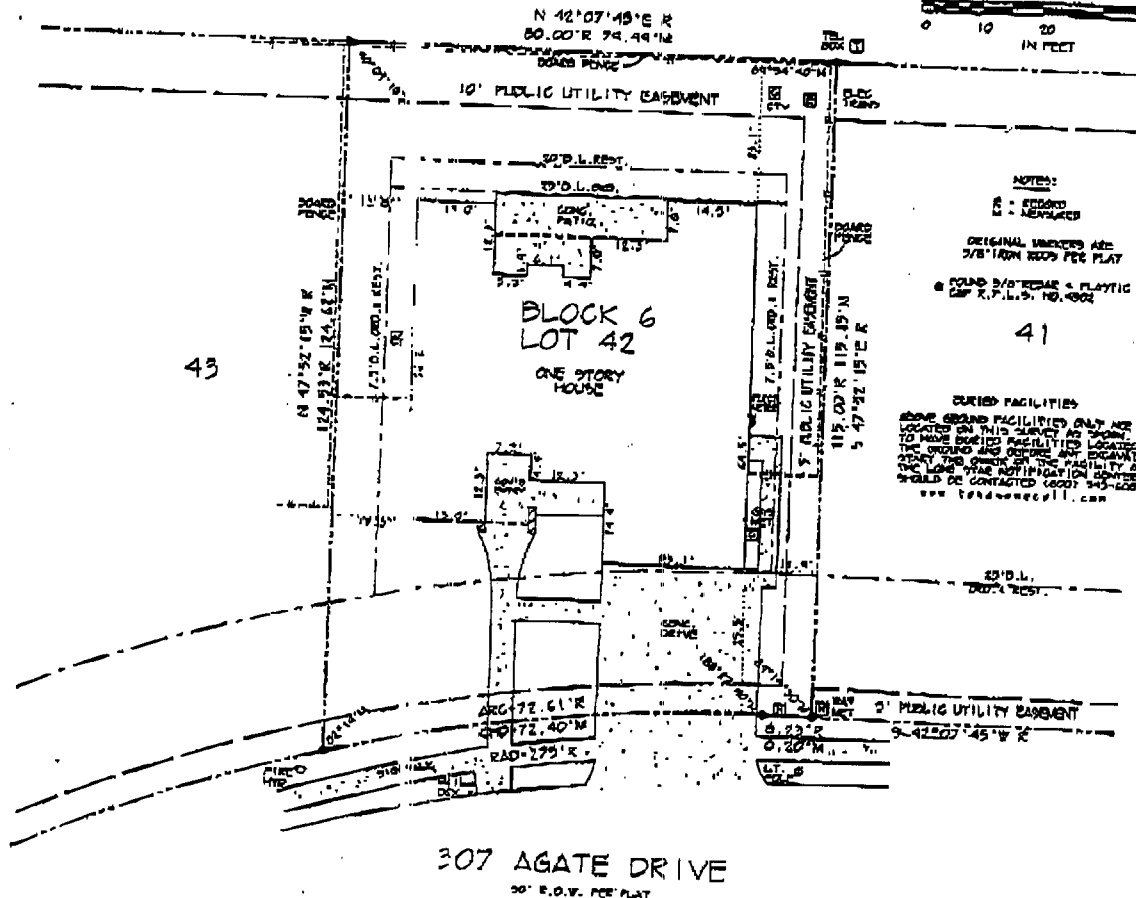
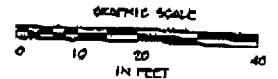
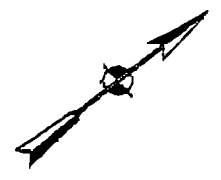


City Ordinance #1638
 Deed Rest. O.R. 951/297,
 O.R. 4197/55, O.R. 4626/75
 Blanket Easements
 O.R. 2504/83
 O.R. 994/68
 D.R. 581/713

MACARTHUR SURVEYS INC.
 P.O. BOX 4582
 BRYAN TEXAS 77803
 (409) 775-8808

FUTURE DEVELOPMENT
 STONE FOREST SUBDIVISION
 PHASE 3 REMAINDER OF
 46.454 ACRE TRACT
 O.R. 5724/222, O.R. 9861/45



NOTES:
 R = REPAIRED
 L = REPLACED
 ORIGINAL UNITS ARE 3/8" IRRON ROOF PER PLAT
 FOUND 3/8" REBAR - PLAYING
 CAP R.P.L.S. NO. 4002
 41
 CURBED FACILITIES
 ABOVE GROUND FACILITIES ONLY ARE
 LOCATED ON THIS SURVEY AS SHOWN
 TO HAVE BEEN FACILITIES LOCATED
 TO BE REPAIRED AND LOCATED
 NEARBY THE OWNER OF THE FACILITY AND
 THE LOCAL PUBLIC UTILITY AGENCIES
 SHOULD BE CONTACTED (409) 775-8809.
 www.texasmacpl.com

307 AGATE DRIVE
 50' E.O.V. FOR PLAT

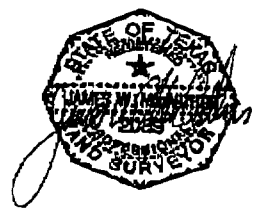
Lot Forty-two (42), Block Six (6), Stone Forest Subdivision Phase 2, City of College Station, according to the plat recorded in Volume 4625, page 39, Official Records of Brazos County, Texas.

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 15, 2003.

This plat was prepared for the purpose of Title Survey for Elegant Living Homes and Motels.
 #03-3316

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

Based on the information received from the FEMA map dated February 9, 2000, Panel No. 48041C0201 D, this property does not lie within a designated 100-year flood area.



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

GF No.: **00061376**

Affiant(s)/Record Owners: **Wayne J. Matous and Sonny C. Matous**

Prior Survey: Prepared by MacArthur Surveys, on May 15, 2003,
James W. MacAruthur, R.P.L.S. No. 2089

Property Description:

Lot Forty-two (42), Block Six (6), Stone Forest Subdivision Phase 2, City of College Station, according to plat thereof recorded in Volume 4625, Page 33 of the Official 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 decks;
 - (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, Fidelity National Title Insurance Company, 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, Fidelity National Title Insurance Company, 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, Fidelity National Title Insurance Company. 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, Fidelity National Title Insurance Company, 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 2ND day of May, 2006

Wayne J. Matous
Wayne J. Matous

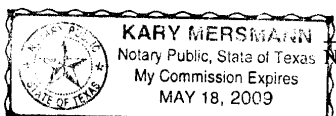
Sonny C. Matous
Sonny C. Matous

SWORN AND SUBSCRIBED BEFORE ME this 2 day of May, 2006, by **Wayne J. Matous and Sonny C. Matous.**

Kary Mersmann
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF BRAZOS


This instrument was acknowledged before me on this 2 day of May, 2006, by **Wayne J. Matous and Sonny C. Matous.**

 Kary Mersmann
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.

James C. Cathey
James C. Cathey


Carol G. Cathey by James C. Cathey Attorney-in-Fact
Carol G. Cathey, by and through her Attorney-in-Fact,
James C. Cathey

SWORN AND SUBSCRIBED BEFORE ME this 2 day of May, 2006, by **James C. Cathey and Carol G. Cathey.**

 Kary Mersmann
Notary Public, State of Texas

STATE OF TEXAS
COUNTY OF BRAZOS

This instrument was acknowledged before me on this 2 day of May, 2006, by **James C. Cathey and Carol G. Cathey.**

 Kary Mersmann
Notary Public, State of Texas