

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

Date: 3/15/2023 GF No. _____

Name of Affiant(s): Curtis Branecky, Kathryne Branecky

Address of Affiant: 403 E 7th, Flatonia, Tx 78941

Description of Property: .657 acres, Portion of lots 5 and 7, Block 8 of the Freytag addition to the city of Flatonia
County Fayette, 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."):

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 March 31, 2016 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): Privacy fence erected on west side; chain link fence on east side replaced w/ privacy fence; Metal shop added on top of concrete slab on east side; 2' out buildings placed on west side; small garage building torn down

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.

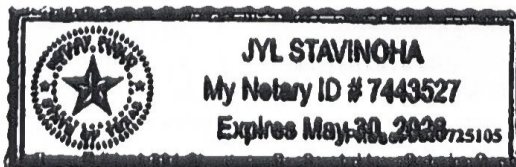
Curtis Branecky
Curtis Branecky
Kathryne Branecky
Kathryne Branecky

SWORN AND SUBSCRIBED this 15 day of March, 2023
Jyl Stavinoha
Notary Public

(TXR-1907) 02-01-2010

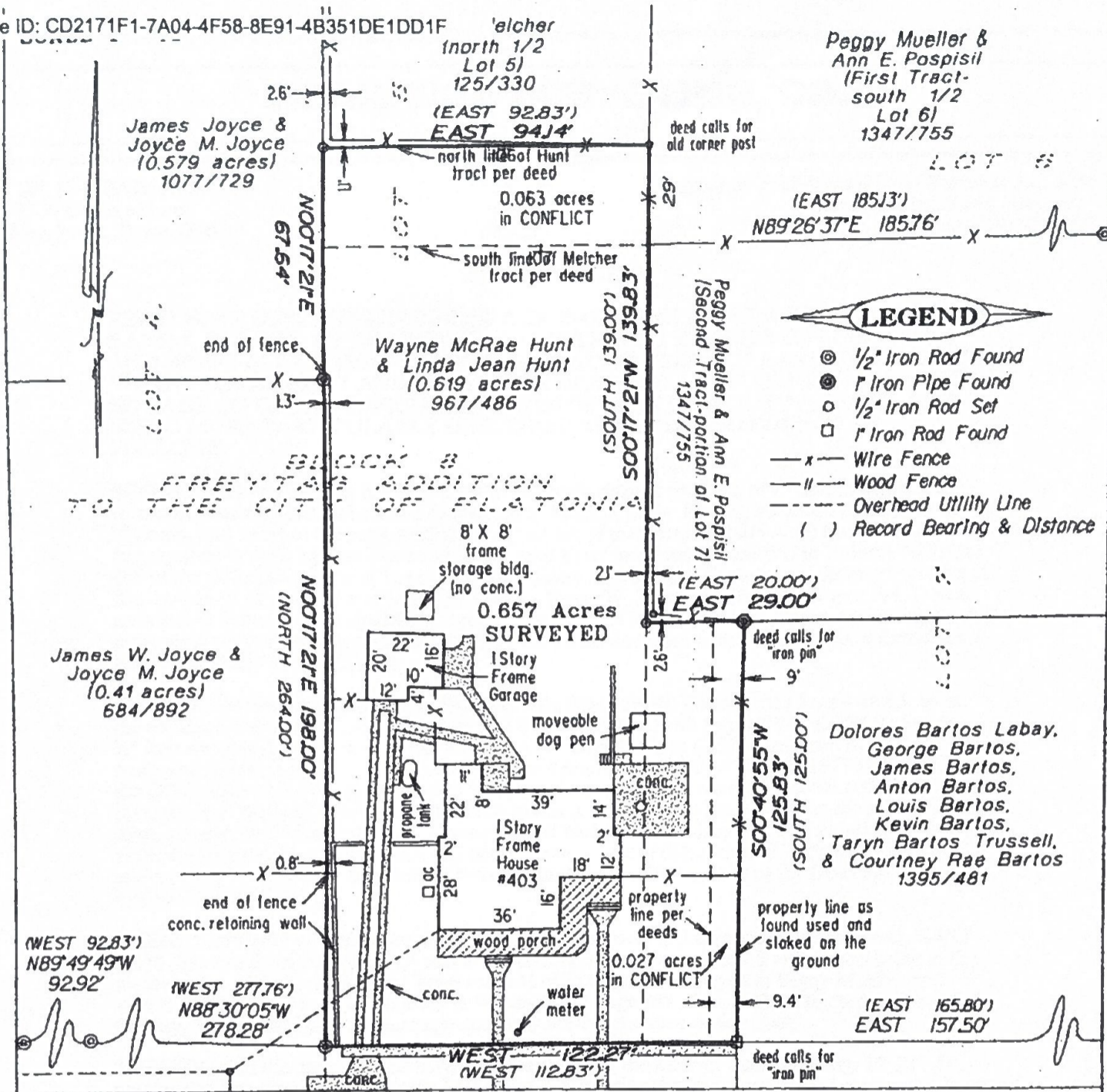
Holub Real Estate LLC, 1439 Hans Dr Suite 100 New Braunfels TX 78130
Bernadine Kainer

Produced with Lone Wolf Transactions



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- LEGEND**
- ⊙ 1/2" Iron Rod Found
 - ⊙ 1" Iron Pipe Found
 - 1/2" Iron Rod Set
 - 1" Iron Rod Found
 - x- Wire Fence
 - ||- Wood Fence
 - - - Overhead Utility Line
 - () Record Bearing & Distance

SURVEY MAP OF:

0.657 ACRES OF LAND, BEING A PORTION OF LOTS 5 AND 7, OF BLOCK 8, OF THE FREYTAG ADDITION TO THE CITY OF FLATONIA, AND BEING ALL OF THAT CERTAIN (0.619 ACRE) TRACT OF LAND CONVEYED TO WAYNE McRAE HUNT AND LINDA JEAN HUNT IN A DEED AS RECORDED IN VOLUME 967 PAGE 486 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, LOCATED AT 403 7TH STREET IN FLATONIA.

SEE ACCOMPANYING FIELD NOTE DESCRIPTION

The undersigned does hereby certify that a survey was this day made on the ground of the property legally described hereon and is correct and that there are no boundary line conflicts, encroachments, shortages in area, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and said property has access to and from a dedicated road. This property is located in Zone X (other areas-determined to be outside the 1% annual chance of flood) according to the Federal Emergency Management Agency Flood Insurance Rate Map 480815 0550 C, Dated October 17, 2006. THIS the 9th day of SEPTEMBER, A.D., 2008.

BY: *[Signature]* **HEARITIGE SURVEYING CO.**
 Timothy D. Hearitige, Reg. Professional Surveyor No. 5036
 727 West Point Loop, West Point, Texas 78969
 (979)242-9485

C 148008

HEARITIGE SURVEYING, CO.

TIM. D. HEARITIGE
727 West Point Loop
West Point, Texas 78963

Registered Professional Land Surveyor No. 5036
Licenced State Land Surveyor
Phone (979)242-3485

September 15, 2008

FIELD NOTE DESCRIPTION OF 0.657 ACRES OF LAND BEING A PORTION OF LOTS 5 AND 7, BLOCK 8, OF THE FREYTAG ADDITION TO THE CITY OF FLATONIA, AND BEING ALL OF THAT CERTAIN (0.619 ACRE) TRACT OF LAND CONVEYED TO WAYNE McRAE HUNT AND LINDA JEAN IN A DEED AS RECORDED IN VOLUME 967 PAGE 486 OF THE OFFICIAL RECORDS OF FAYETTE COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the northerly right-of-way line of 7th Street, being at the common southerly corner between Lots 4 and 5, Block 8, of the Freytag Addition to the City of Flatonia, and being at the most southwesterly corner of that certain (0.619 acre) tract of land conveyed to Wayne McRae Hunt and Linda Jean Hunt in a deed as recorded in Volume 967 Page 486 of the Official Records of Fayette County, Texas, and being at the most southeasterly corner of that certain (0.41 acre) tract of land conveyed to James W. Joyce and Joyce M. Joyce in a deed as recorded in Volume 684 Page 892 of the Deed Records of Fayette County, Texas, and being for the most southwesterly corner of the tract herein described, and from which a 1/2" iron rod found bears N 88 deg. 30' 05" W 278.28 feet,

THENCE, leaving said right-of-way line, and with the common line between Lots 4 and 5, being the common line between the Hunt tract and the Joyce tract, N 00 deg. 17' 21" E 198.00 feet to a 1/2" iron rod found at the most southeasterly corner of that certain (0.579 acre) tract of land conveyed to James Joyce and Joyce M. Joyce in a deed as recorded in Volume 1077 Page 729 of the Official Records of Fayette County, Texas, and continuing on the same course with the common line between Lots 4 and 5, and the common line between the Hunt tract the second Joyce tract, another 67.64 feet for a total distance of 265.64 feet to a 1/2" iron rod set for the most northwesterly corner of this tract, being in the westerly line of that certain (North 1/2 of Lot 5) conveyed to Ben Melcher in a deed as recorded in Volume 125 Page 330 of the Deed Records of Fayette County, Texas,

THENCE, with the northerly line of the Hunt tract, and over and across the Melcher tract, EAST 94.14 feet to a fence corner post found in the common line between Lots 5 and 6, also being in the westerly line of that certain (First Tract-south 1/2 of Lot 6) tract conveyed to Peggy Mueller and Ann E. Pospisil in a deed as recorded in Volume 1347 Page 755 of the Official Records of Fayette County, Texas, and being for the most northerly northeast corner of this tract,

THENCE, with the common line between the Hunt tract the Mueller tract, S 00 deg. 17' 21" W, passing the common corner between Lots 6 and 7, also being the common corner between the First and Second tract described in the Mueller deed at about 29 feet, and continuing with the common line between Lots 5 and 7, another 110.83 feet, for a total distance of 139.83 feet to a 1/2" iron rod set at an interior corner of the Hunt tract,

THENCE, continuing with the common line between the Hunt tract and the Mueller tracts, EAST 29.00 feet to a 1" iron pipe found at the base of a fence corner post, being for the most easterly northeast corner of this tract, and being in the northerly line of that certain tract of land conveyed to Dolores Bartos Labay, George Bartos, James Bartos, Anton Bartos, Louis Bartos, Kevin Bartos, Taryn Bartos Trussell, and Courtney Rae Bartos in a deed as recorded in Volume 1395 Page 481 of the Official Records of Fayette County, Texas,

THENCE, with the fence along the easterly line of the Hunt tract (as found staked and used on the ground) and over and across the Bartos tract, S 00 deg. 40' 55" W 125.83 feet to a 1" iron rod found in the northerly right-of-way line of 7th Street, being for the most southeasterly corner of this tract,

THENCE, with said right-of-way line, WEST 122.27 feet to the PLACE OF BEGINNING, in all containing 0.657 acres of land.

SURVEYED: September 15, 2008

BY: 
Timothy D. Hearitige
Registered Professional Land Surveyor No. 5036

see accompanying map no. C 148008

