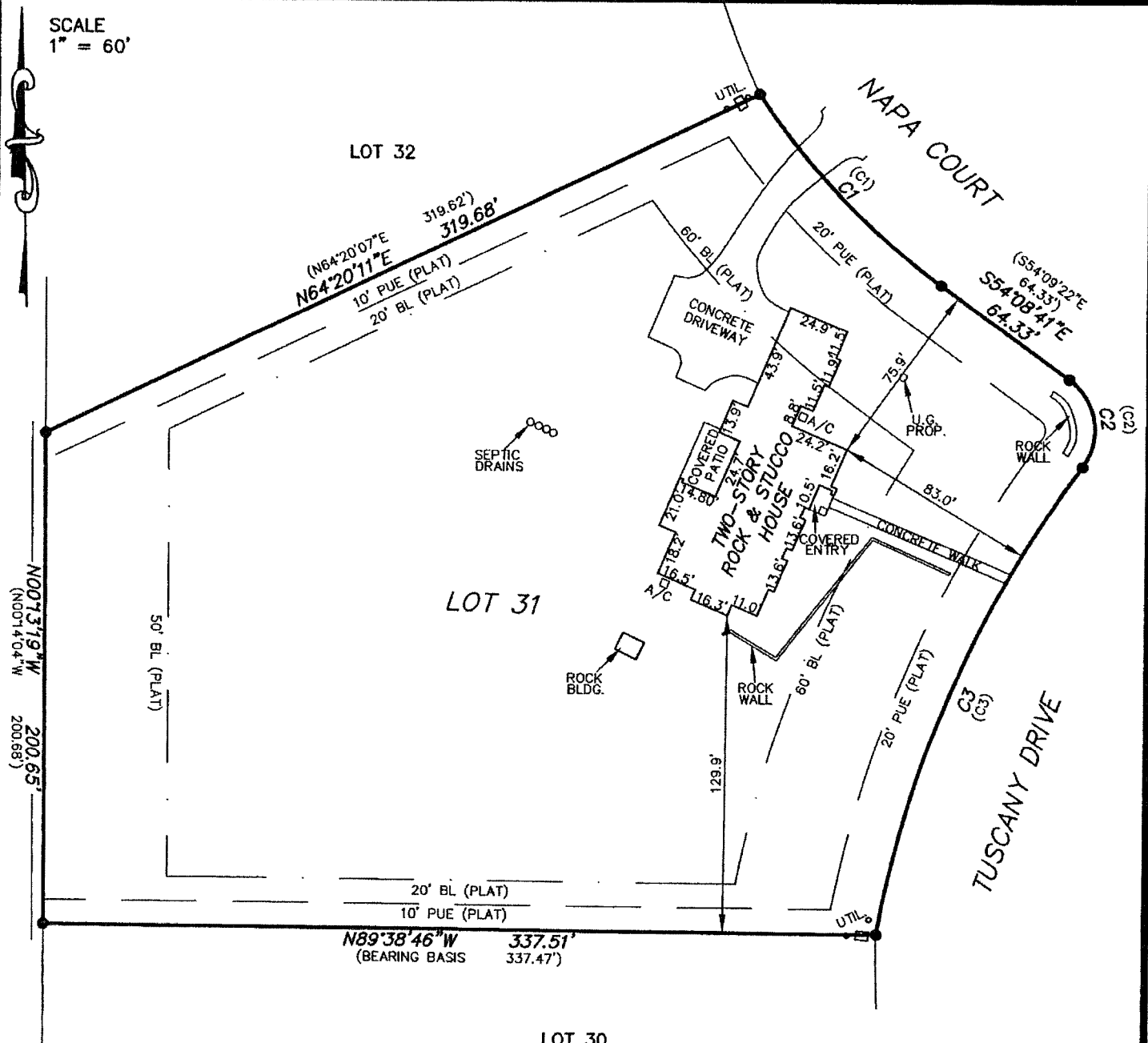


SCALE  
 1" = 60'



RESTRICTIVE COVENANTS OF RECORD:  
 VOLUME 14, PAGE 26-27, PLAT RECORDS,  
 AND VOLUME 3182, PAGE 369, OFFICIAL  
 PUBLIC RECORDS, HAYS COUNTY, TEXAS.  
 (DOES AFFECT THIS TRACT)

TEMPORARY ACCESS EASEMENT AS RECORDED  
 IN VOLUME 2710, PAGE 642, OFFICIAL PUBLIC  
 RECORDS, HAYS COUNTY, TEXAS.  
 (DOES NOT AFFECT THIS TRACT)

*Clifford M. Harrington*  
*Elizabeth E. Harrington*  
 4/17/15

**LEGEND**

- = IRON ROD FOUND
- = IRON ROD SET
- ⊗ = "X" IN CONCRETE
- ⊠ = CALC. PROP. COR.
- ( ) = RECORD PER PLAT
- # = WOOD FENCE
- \* = WIRE FENCE
- = CHAIN LINK FENCE
- PUE = PUBLIC UTILITY EASEMENT
- DE = DRAINAGE EASEMENT
- BL = BUILDING LINE
- G/M = GAS METER
- E/M = ELECTRIC METER
- = OVERHEAD POWERLINE
- ⊙ = POWER POLE
- = GUY WIRE ANCHOR

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	107.40	304.80	106.58	S44°02'14"E
(C1)	-----	304.80	106.55	S44°05'24"E
C2	39.81	25.00	35.74	S09°07'47"E
(C2)	-----	25.00	35.72	S09°08'28"E
C3	210.21	451.15	208.32	S23°06'36"W
(C3)	-----	451.15	208.43	S23°05'49"W

ADDRESS: 3400 TUSCANY DRIVE, DRIFTWOOD, TEXAS

LEGAL DESCRIPTION: LOT 31, THE VINEYARD, PHASE 1, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 14, PAGES 26-27, PLAT RECORDS, HAYS COUNTY, TEXAS.

**CERTIFICATION**

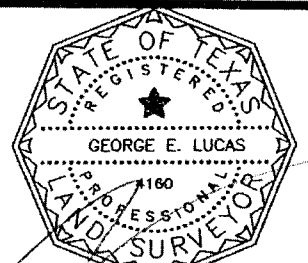
THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

BUYER: CLIFFORD M. HARRINGTON AND ELIZABETH E. HARRINGTON  
 TITLE CO: GRACY TITLE  
 G.F.#: 00100-1764

LENDER: BANK OF AMERICA

PLAN No.: 2014-667

SURVEY DATE: MARCH 24, 2015



GEORGE E. LUCAS R.P.L.S. 4160

## SURVEY ACCEPTANCE LETTER

Date: April 17, 2015

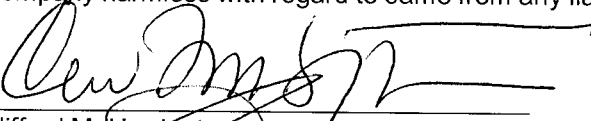
File No.: 00100-1764

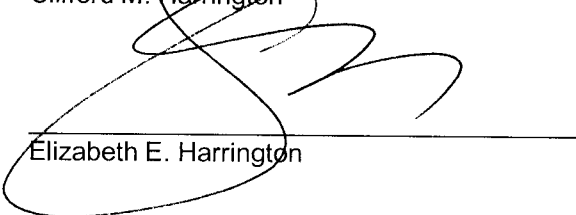
Re: Lot 31 of THE VINEYARD – PHASE 1, a subdivision in Hays County, Texas, according to the map or plat of record in Volume 14, Pages 26-27 of the Plat Records of Hays County, Texas.

This is to certify that I/We have shown a copy of the survey of the above captioned property, dated March 24, 2015, made by George E. Lucas, Registered Public Surveyor No. 4160, and I/We am/are aware of the following:

- A. Public utility easement 20 feet wide reserved along all streets and 10 feet wide reserved along either side of side lot lines, as endorsed on the plat of record in Volume 14, Pages 26-27 of the Plat Records of Hays County, Texas.
- B. Public utility easement 10 feet wide along all lot lines as set out in Volume 3182, Page 369 of the Official Public Records of Hays County, Texas.
- C. Provisions regarding building setback lines as set out in Volume 3182, Page 369 of the Official Public Records of Hays County, Texas.
- D. A temporary access easement granted to Driftwood 323 Vineyard, Ltd. as described in Volume 2710, Page 642 of the Official Public Records of Hays County, Texas.
- E. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
- F. Subject to all charges, liens, and assessments, including that lien to secure the payment of the assessments in favor of El Vinedo Homeowners Association, Inc. as set forth in that certain Declaration of Covenants, Conditions, and Restrictions dated June, 6, 2007 and recorded in Volume 3182, Page 369 of the Official Public Records of Hays County, Texas.
- G. The existence of an On-Site Sewage Facility together with the terms and conditions in regard to maintenance, as set out in the affidavit recorded in Volume 2842, Page 497 of the Official Public Records of Hays County, Texas.
- H. Subject to the terms, provisions, and conditions of that certain Licensing Agreement filed for record in Volume 3940, Page 550, Official Public Records of Hays County, Texas.
- I. The existence of an On-Site Sewage Facility together with the terms and conditions in regard to maintenance, as set out in the affidavit recorded in Volume 5033, Page 460 of the Official Public Records of Hays County, Texas.
- J. Any rights, easements, interests or claims which may exist by reason of or reflected by the following facts shown on the survey dated 3/24/2015, prepared by George E. Lucas, Registered Professional Land Surveyor No. 4160: Encroachment of house in and upon the 60' building set back along the most northerly northeasterly property line, location of rock wall in and upon the 20' public utility easement located in the most southerly northeast corner of the subject property.

I/We hereby have no objections to these matters, and hereby indemnify and hold Gracy Title, a Stewart Company harmless with regard to same from any liability arising from the above mentioned items.

  
Clifford M. Harrington

  
Elizabeth E. Harrington

**RESIDENTIAL REAL PROPERTY AFFIDAVIT T-47**

(May be modified as Appropriate as Commercial Transaction)

File Number: 00100-1764  
Date: April 17, 2015  
Name of Affiant(s): Vineyard Home Builders, LLC, a Texas limited liability company  
Description of Property: Lot 31 of THE VINEYARD – PHASE 1, a subdivision in Hays County, Texas, according to the map or plat of record in Volume 14, Pages 26-27 of the Plat Records of Hays County, Texas.  
County: Hays County, Texas  
Name of Title Company: Gracy Title, a Stewart Company

"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:


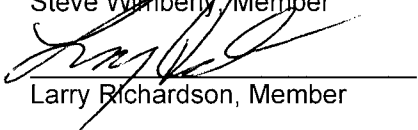
1. I am/We are the owner(s) of the property.
2. I am/We are familiar with the property and the improvements located on the Property.
3. I am/We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. I/We understand that the Company may make exceptions to the coverage of the title insurance as Company may deem appropriate. I/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 my/our actual knowledge and belief, since May 15, 2014 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):

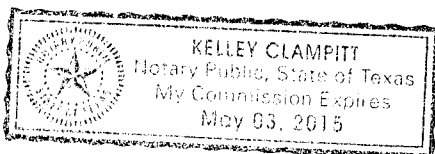
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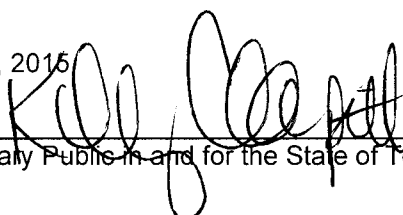
5. I/We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This affidavit is not made for the benefit of any other parties and this affidavit does not constitute a warranty or guarantee of the location of improvements.
6. I/We understand that I/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.

Vineyard Home Builders, LLC, a Texas limited liability company

  
Steve Wimberly, Member  
  
Larry Richardson, Member

Sworn to and subscribed before me this 17th day of April, 2015



  
\_\_\_\_\_  
Notary Public in and for the State of Texas