

INDEMNITY AND AFFIDAVIT AS TO DEBTS AND LIENS

GF #: 08-7313489-ML

SUBJECT PROPERTY:

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

STATE OF TEXAS

COUNTY OF Tom Green

Before me, the undersigned authority, on this day personally appeared

T.G. Warren Construction, Inc.
(Developer)

personally known to me to be the person(s) whose name(s) is/are subscribed hereto and upon oath deposes and says that the marital status of affiant(s) has/have not changed since the date of acquisition of said property and represents to the purchaser and/or lender in this transaction that there are:

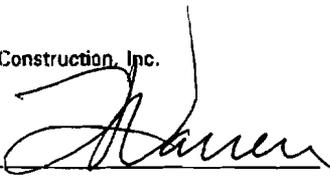
1. No unpaid debts for taxes, plumbing fixtures, water heaters, floor furnaces, air conditioners, radio or television antennae, carpeting, rugs, lawn sprinkling systems, venetian blinds, window shades, draperies, electric appliances, fences, street paving, or any personal property or fixtures that are located on the subject property described above, and that no such items have been purchased on time payment contracts, and there are no security interests on such property secured by financing statement, security agreement or otherwise; and
2. No loans or liens (including federal or state liens and judgment liens) of any kind on such property; and
3. All labor and material used in the construction of improvements on the above described property have been paid for and there are no unpaid labor or material claims against the improvements or the property upon which same are situated, and I hereby declare that all sums of money due for the erection of improvements have been fully paid and satisfied.

INDEMNITY: I/WE AGREE TO PAY ON DEMAND TO THE PURCHASERS AND/OR LENDER IN THIS TRANSACTION, THEIR SUCCESSORS AND ASSIGNS, ALL AMOUNTS SECURED BY ANY AND ALL LIENS NOT SHOWN ABOVE, TOGETHER WITH ALL COSTS, LOSS AND ATTORNEY'S FEES THAT SAID PARTIES MAY INCUR IN CONNECTION WITH SUCH UNMENTIONED LIENS, PROVIDED SAID LIENS EITHER CURRENTLY APPLY TO SUCH PROPERTY, OR A PART HEREOF, OR ARE SUBSEQUENTLY ESTABLISHED AGAINST SAID PROPERTY AND ARE CREATED BY ME/US, KNOWN TO ME/US, OR HAVE AN INCEPTION DATE PRIOR TO THE CLOSING OF THIS TRANSACTION.

I/we realize that the purchaser and/or lender and the title company in this transaction are relying on the representations contained herein in purchasing same or lending money thereon and would not purchase same or lend money therein unless said representations were made.

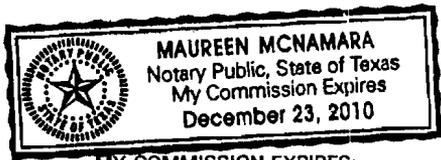
DEVELOPER: T.G. Warren Construction, Inc.

By: Tommy G. Warren



Title: President

SWORN AND SUBSCRIBED TO BEFORE ME, on December 5, 2008.



MY COMMISSION EXPIRES:
12-23-2010

Maureen McNamara
NOTARY PUBLIC, STATE OF TEXAS
PRINTED NAME OF NOTARY
Maureen McNamara

EXHIBIT "ONE"

Tract A:

All that certain 1.64 acres, more or less, of real property being a portion of Tract G, Section Three (3), Paulann Park recorded in Volume 4, Page 153 of the Plat Records of San Angelo, Tom Green County, Texas; which said 1.64 acres being all that portion of the 4.56 acres more particularly described in Exhibit "A" attached hereto and incorporated herein remaining after reducing therefrom that certain portion which was conveyed to the County of Tom Green by Grantor herein in Deed dated November 12, 1991, as described and recorded under County Clerk File #341719 in the Official Public Records of Real Property of Tom Green County, Texas to which reference is hereby made.

Tract B:

Being an area of 1.950 acres of land out of Tract G, Section Three (3), Paulann Park, City of San Angelo, Tom Green County, Texas, as per Plat recorded in Volume 4, Page 153 of the Plat Records of Tom Green County, Texas, and said 1.950 acre tract being more particularly described by metes and bounds in Exhibit "B" attached hereto and incorporated there for all purposes.

Tract C:

Being an area of 1.135 acres of land out of J. Fenner Survey 1, Abstract No. 4985, Tom Green County, Texas, and said 1.135 acre tract also being out of that certain 200.000 acre tract described and recorded in Volume 577, Page 71 of the Official Public Records of Real Property of Tom Green County, Texas, and said 1.135 acre tract being more particularly described by metes and bounds in Exhibit "C" attached hereto and incorporated herein for all purposes.

Tract D:

Easement Estate Only In and To:

Being a 50.00 foot wide Road Easement out of J. Fenner Survey 1, Abstract No. 4985, Tom Green County, Texas, and said Road Easement being out of that certain 200.00 acre tract described and recorded in Volume 577, Page 71 of the Official Public Records of Real Property of Tom Green County, Texas, and said Road Easement being more particularly described by metes and bounds in Exhibit "D" attached hereto and incorporated herein for all purposes.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.