

STATE OF TEXAS
KENDALL COUNTY

AFFIDAVIT

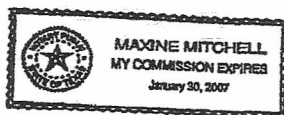
Before me, the undersigned authority, on this day personally appeared ALBERT GUZENSKI who identified himself to be the person indicated, who on his oath deposed as follows:

"I am ALBERT GUZENSKI, President of the Board of The Crossing At Kenberg Property Owners Association. Recorded in the official records of Kendall County, Texas at volume 1, page number(s) 100-115 is a plat of the subdivision identified as The Crossing, Hidden Lake Section. On the plat is a note that states in part: 'Building set back lines are 50' along all lot lines.' Also recorded in the official records of Kendall County, Texas at volume 128, page number(s) 920-923 are the Restrictions, Reservations, Covenants For The Crossing, Hidden Lake Section wherein it is stated in Exhibit 'A', paragraph number '4' that: 'No improvement shall be erected on any tract in THE CROSSING nearer than fifty feet (50') to the front property line, nor nearer than ten feet (10') to the side property lines.' It is my interpretation of these conflicting requirements, agreed to by the office of the County Attorney of Kendall County, that the deed restrictions take precedence over the note on the plat and that the building setback lines in the restrictions should be enforced."

Signed this 4th day of DEC, 2003.

Albert Guzenski
Name:
Title: PRESIDENT

SWORN TO AND ACKNOWLEDGED BEFORE ME THIS 4th DAY OF Dec., 2003.



Maxine Mitchell
Notary Public in and for the State of Texas

My commission expires: 01-30-07

STATE OF TEXAS
COUNTY OF KENDALL

I hereby certify that this instrument was filed in File Number Sequence on the date and at the time stamped hereon and was duly recorded in the Official Records of Kendall County, Texas on:



DEC 5 2003
DARLENE HERRIN, County Clerk
Kendall County, Texas

By: DM Deputy

Filed for Record in
Kendall County
Darlene Herrin
County Clerk

On: Dec 04, 2003 at 03:34P

Document Number: 00179872
Total Fees : 9.00 pd.

Receipt Number - 53693
By Deputy: Donna Stewart

This Document has been received by this Office for Recording into the Official Public Records. We do hereby swear that we do not discriminate due to Race, Creed, Color, Sex or National Origin.