

T-47.1 RESIDENTIAL REAL PROPERTY DECLARATION IN LIEU OF AFFIDAVIT
(Provided in accordance with Texas Civil Practice and Remedies Code Section 132.001)

Date: 10-3-25 GF No. _____
Declarant: NORMAN & BARBARA PENSKY
Description of Property: La Ventana, Lot 49, Acres 1.19
County Hays, Texas
Date of Survey: May 31, 2022

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

The undersigned declares as follows:

1. I am an owner of the Property. (Or state other basis for knowledge of the Property, such as lease, management, neighbor, etc. For example, "Declarant is the manager of the Property for the record title owners.")
2. I am familiar with the property and the improvements located on the Property.
3. I am 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 understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. I 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 my actual knowledge and belief, since the Date of the Survey, there have been no:
 - a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools, decks, 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 construction occurred on or near the boundary of 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):

5000 RAINWATER TANK COLLECTION
25' x 45' TREX BACK PATIO DECK

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

6. I understand that I have no liability to Title Company should the information in this Declaration be incorrect other than information that I personally know to be incorrect and which I do not disclose to the Title Company.
7. ALL STATEMENTS IN THIS DECLARATION ARE TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT ANY PERSON INTENTIONALLY MAKING A FALSE STATEMENT MAY BE LIABLE FOR ACTUAL AND/OR PUNITIVE DAMAGES.

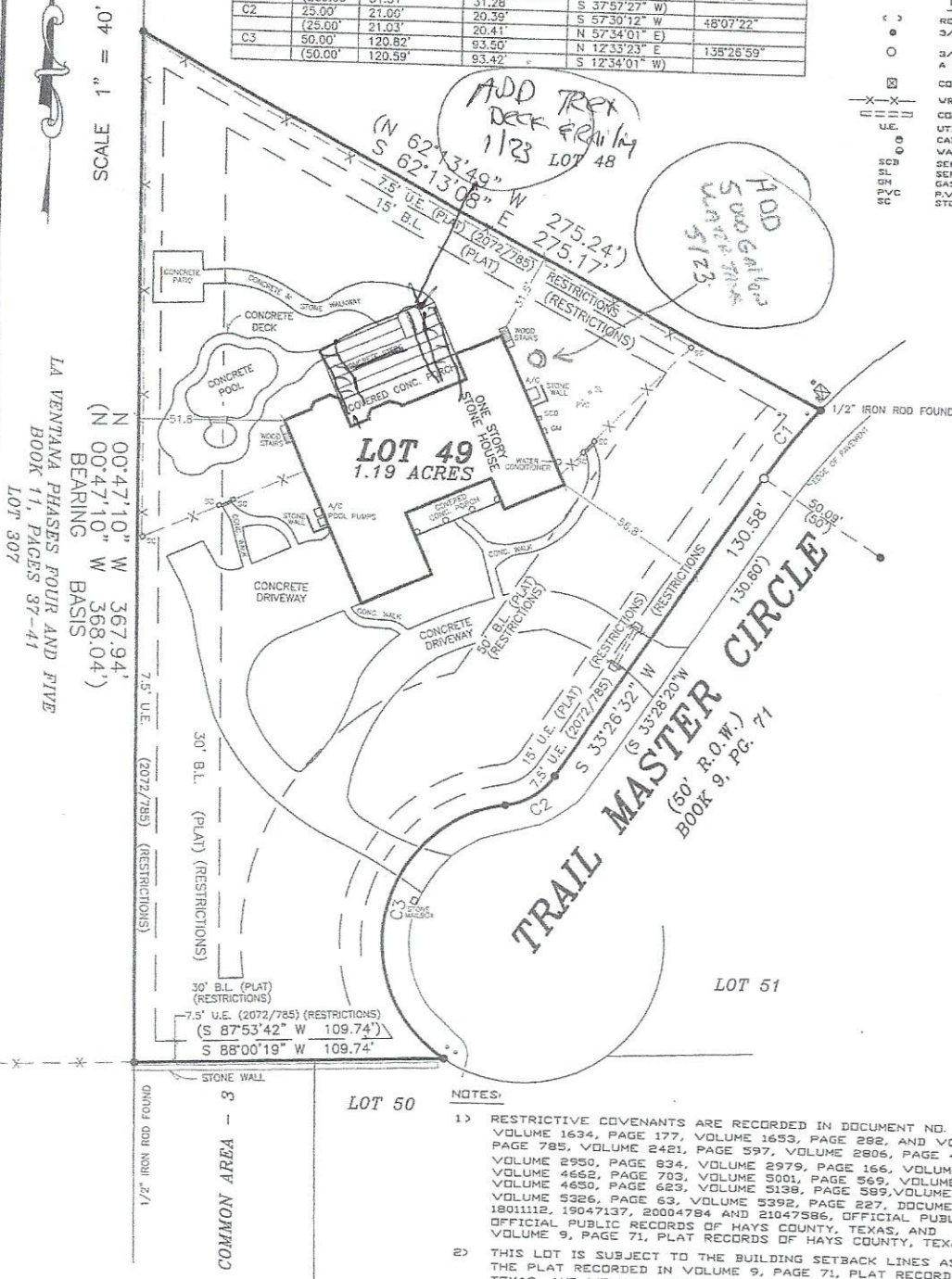
My name is <u>NORMAN PENSKY</u>. My date of birth is <u>11-26-49</u>. and my address is <u>290 TRAIL MASTER CIR DRIFWOOD, TX 78619</u> I declare under penalty of perjury that the foregoing is true and correct. Executed in <u>HAYS</u> County, State of <u>TEXAS</u>, on the <u>3</u> day of <u>OCTOBER</u>, 2025. Signed: <u>Norman Pensky</u> Declarant	My name is <u>Barbara Pensky</u>. My date of birth is <u>7-12-60</u>. and my address is <u>290 Trail Master Circle Driftwood, TX 78619</u> I declare under penalty of perjury that the foregoing is true and correct. Executed in <u>HAYS</u> County, State of <u>TEXAS</u>, on the <u>3</u> day of <u>OCTOBER</u>, 2025. Signed: <u>Barbara Pensky</u> Declarant
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CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	200.00'	31.31'	31.28'	N 37°58'08" E	08°58'13"
C2	25.00'	21.00'	20.39'	S 37°57'27" W	
	(25.00')	21.03'	20.41'	S 57°30'12" W	48°07'22"
C3	50.00'	120.82'	93.50'	N 57°34'01" E	
	(50.00')	120.59'	93.42'	N 12°33'23" E	138°28'59"
				S 12°34'01" W	

LEGEND

RECORD INFORMATION
3/8" IRON ROD FOUND W/CAP
(UNLESS NOTED)
3/8" IRON FOUND IN 2006, NDV UNDER
A LARGE LANDSCAPE BOULDER

CONCRETE UTILITY PAD
WROUGHT IRON FENCE
CONCRETE DRAINAGE PIPE
UTILITY EASEMENT
CABLE RISER (UNLESS NOTED)
WATER METER OR WATER VALVE
SEPTIC CONTROL BOX
SEPTIC LID
GAS METER
P.V.C. RISER
STONE COLUMN



NOTES:

- 1) RESTRICTIVE COVENANTS ARE RECORDED IN DOCUMENT NO. 9928686, VOLUME 1634, PAGE 177, VOLUME 1653, PAGE 282, AND VOLUME 2072, PAGE 785, VOLUME 2421, PAGE 597, VOLUME 2806, PAGE 464-465, VOLUME 2950, PAGE 834, VOLUME 2979, PAGE 166, VOLUME 3068, PAGE 281, VOLUME 4662, PAGE 703, VOLUME 5001, PAGE 569, VOLUME 5138, PAGE 584, VOLUME 4680, PAGE 623, VOLUME 5138, PAGE 589, VOLUME 4650, PAGE 623, VOLUME 5326, PAGE 63, VOLUME 5392, PAGE 227, DOCUMENT NUMBERS 1602591, 1801112, 19047137, 20004784 AND 21047585, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND VOLUME 9, PAGE 71, PLAT RECORDS OF HAYS COUNTY, TEXAS.
- 2) THIS LOT IS SUBJECT TO THE BUILDING SETBACK LINES AS SET OUT ON THE PLAT RECORDED IN VOLUME 9, PAGE 71, PLAT RECORDS OF HAYS COUNTY, TEXAS, AND VOLUME 1634, PAGE 177, DOCUMENT NO. 9928686, VOLUME 1653, PAGE 282, AND VOLUME 2072, PAGE 785, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
- 3) ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48209C0235F, DATED SEPTEMBER 2, 2005, THIS LOT IS LOCATED IN ZONE X, AND IS NOT IN THE 100-YEAR FLOOD PLAIN.
- 4) THE FOLLOWING DOCUMENTS DO NOT AFFECT THIS LOT: VOLUME 1715, PAGE 617, VOLUME 2420, PAGE 549, OFFICIAL PUBLIC RECORDS AND VOLUME 284, PAGE 370, DEED RECORDS OF HAYS COUNTY, TEXAS.

TO:

PURCHASER: NORMAN PENSKY AND BARBARA PENSKY
TITLE CO: CORRIDOR TITLE COMPANY
FIRST AMERICAN TITLE GUARANTY COMPANY
GF NO: 22-1099-D
ADDRESS: 290 TRAIL MASTER CIRCLE
LENDER OR LIENHOLDER (IF ANY)

CERTIFICATION

I, GARY F. PENNINGTON DO HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM A SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION DURING MAY 2022, OF THE PROPERTY SHOWN HERETO AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND EXCEPT AS SHOWN OR NOTED HEREON, THERE ARE NO VISIBLE DISCREPANCIES, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADWAYS, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC RIGHT OF WAY.

SOUTHWEST LAND CONSULTANTS
GARY F. PENNINGTON
R.P.L.S. NO. 4404
STATE OF TEXAS
P.O. BOX 1244
DRIPPING SPRINGS, TX 76620
(512) 689-4460 FIRM NO. 10194161

05-31-2022



SURVEY PLAT
OF
LOT 49,
LA VENTANA, PHASE 1,
A SUBDIVISION RECORDED IN
BOOK 9, PAGE 71, PLAT
RECORDS OF HAYS COUNTY, TEXAS.

FILE: VENT49_UPDATE
JOB NO: 22-05-31