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# AFFIDAVIT OF COMMENCEMENT

Property Code § 53.124(c)

THE STATE OF TEXAS

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§  
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF Hays

BEFORE ME, personally appeared Larry Krusic, \_\_\_\_\_ of FIVE OAKS HOLDING, LLC, a Texas limited liability company, and Danny German, \_\_\_\_\_ of STILLWATER CONSTRUCTION, LLC, who depose and say the following:

1. The name and address of the Owner of the hereinafter-described property are FIVE OAKS HOLDING, LLC, a Texas limited liability company, P.O. Box 936, Dripping Springs, TX 78620-0936.

2. The name and address of the Original Contractor are STILLWATER CONSTRUCTION, LLC, 760 Polo Club Dr., Austin, TX 78737-2629.

3. A description of the property being improved is as follows: All that certain tract or parcel of land situated in the County of Collin, State of Texas, being a part of the JOHN BATTERTON SURVEY, ABSTRACT NO. 94, the M.E. & P. SURVEY, ABSTRACT 1065 and the J. PRUITT SURVEY ABSTRACT NO. 720, being more particularly described in those certain deeds from Lewis Fifer and wife, Jonnie Brook Fifer to Lewis Wilson Fifer, Jr., recorded in Volume 861, Page 141 and Volume 4756, Page 544, Deed Records, Collin County, Texas, and being more fully described by metes and bounds on the attached Exhibit A, incorporated herein for all purposes.

4. A general description of the improvements being made on the property pursuant to the contract between the parties is as follows: \_\_\_\_\_

5. The date work was actually commenced by the original contractor on the described property is 10-25-12.

6. The date construction materials was first delivered to the described property was \_\_\_\_\_.

This Affidavit is being filed jointly by owner and original contractor in compliance with Property Code, section 53.124.

FIVE OAKS HOLDING, LLC,  
a Texas limited liability company

By: The Springs Events, LLC,  
a Texas limited liability company,  
Managing Member

By: Larry Eugene Kruzie  
Larry Eugene Kruzie,  
sole Manager of the Managing  
Member

SUBSCRIBED AND SWORN TO BEFORE ME on Oct 25, 2012  
by LARRY EUGENE KRUIE, as sole Manager of THE SPRINGS EVENTS, LLC, a Texas limited  
liability company, Managing Member, as the act of FIVE OAKS HOLDING, LLC, a Texas limited  
liability company.

Geri L. Moregon  
Notary Public, State of Texas



STILLWATER CONSTRUCTION, LLC

By: Daniel E. Gorman  
Name:  
Title:

SUBSCRIBED AND SWORN TO BEFORE ME on Oct. 25, 2012  
by Daniel Gorman, as the act of STILLWATER CONSTRUCTION,  
LLC, as its Owner.

Geri L. Moregon  
Notary Public, State of Texas



AFTER RECORDING, RETURN TO:

PLAINS STATE BANK  
Attention: Note Department  
19404 Kenswick Dr.  
Humble, TX 77338

EXHIBIT "A"

All that certain tract or parcel of land situated in the John Betterton Survey, Abstract Number 94, the M.E.&P. Survey, Abstract Number 1065 and the J. Pruitt Survey, Abstract Number 720, County of Collin, State of Texas, said tract being all of a called 40 acre tract as described in Deed to Dee Ann Fifer, filed 26 August 2011, and Recorded at Clerk's File Number 2011-0826000904480 of the Deed Records of the County of Collin, State of Texas, and being more fully described as follows:

Beginning for the northwest corner of the tract being described herein at a set survey mark nail, said nail being the northwest corner of said Fifer tract, and the northeast corner of a tract as described in Deed to Charles Richard Fifer, filed 15 September 2000, and Recorded at Clerk's File Number 2000-0100732 of said Deed Records, said nail also being in Collin County Road Number 222 (asphalt surfaced);

Thence: South 89 degrees 45 minutes 37 seconds East, with the north line of said Fifer tract, and in CR 222, a distance of 811.28 feet to a set survey mark nail for the northeast corner of said Fifer tract, and the northwest corner of a called 60 acre tract as described in Deed to Ora-Mays Fifer Botsford, filed 15 September 2000, and Recorded at Clerk's File Number 2000-0100729 of said Deed Records;

Thence: South 00 degrees 29 minutes 41 seconds West, with the east line of said Fifer tract, and the west line of said Botsford tract, a distance of 2237.04 feet to a set 1/2 inch Steel Square Tubing for the southeast corner of said Fifer tract, and the southwest corner of said Botsford tract, and on the north line of a tract as described in Deed to Ann Laurie Jackson, filed 13 July 2010, and Recorded at Clerk's File Number 2010-0713000719320 of said Deed Records;

Thence: North 89 degrees 26 minutes 08 seconds West, with the south line of said Fifer tract, and the north line of said Jackson tract, a distance of 846.23 feet to a Wood Fence corner Post for the southwest corner of said Fifer tract, and the northwest corner of said Jackson tract, and on the east line of said Charles Fifer tract;

Thence: North 01 degrees 23 minutes 31 seconds East, with the west line of said Dee Fifer tract, and the east line of said Charles Fifer tract, a distance of 225.92 feet to a set 1/2 inch Steel Square Tubing on the south line of a called 2 acre tract as described in deed to Baker Cemetery, filed 27 July 1915 and Recorded in Volume 190 Page 184 of said Deed Records;

Thence: South 88 degrees 36 minutes 29 seconds East, with the south line of said Baker Cemetery, a distance of 400.00 feet to a set 1/2 inch Steel Square Tubing for the southeast corner of said Baker Cemetery;

Thence: North 01 degrees 23 minutes 31 seconds East, with the east line of said Baker Cemetery, a distance of 210.00 feet to a set 1/2 inch Steel Square Tubing for the northeast corner of said Cemetery;

Thence: North 88 degrees 36 minutes 29 seconds West, with the north line of said Cemetery, a distance of 400.00 feet to a set 1/2 inch Steel Square Tubing for a corner of this tract, and on the west line of said Dee Ann Fifer tract, and on the east line of said Charles Fifer tract;

Thence: North 01 degrees 23 minutes 31 seconds East, with the west line of said Dee Fifer tract, and the east line of said Charles Fifer tract, a distance of 1796.76 feet to the POINT OF BEGINNING and containing 40.588 acres of land.

Filed and Recorded  
Official Public Records  
Stacey Kemp, County Clerk  
Collin County, TEXAS  
10/30/2012 08:16:31 AM  
\$28.00 DLAIRD  
20121030001378180



*Stacey Kemp*