

**Affidavit by owner
in lieu of survey**

State of Michigan)
County of Oakland) ss

The undersigned is the owner or an authorized representative of the owner who personally knows the facts that relate to the matters attested to herein. The undersigned, if an authorized representative of the owner, attests that he/she is empowered by the owner to bind the owner to the representations and undertakings made herein. The undersigned, in consideration of First American Title Insurance Company issuing its Policy(s) of title insurance insuring an interest in or title to the real estate described herein, and being first duly sworn, deposes and states as follows:

1. That the owner is the owner of the real estate referred to in First American Title Insurance Company Commitment number 02-0006 or which is described in Exhibit A attached hereto.

2. There has not been any construction on the land or buildings, additions or improvements added to the land in the past _____ years.

3. The owner is not aware nor has been informed by any person that any improvement on the land including the boundary walls, and fences encroach onto any easement, bordering set back line or property which is not part of the land identified herein, except: _____

4. The owner is not aware nor has been informed by any person that any improvement on neighboring land, including boundary walls and fences encroach onto the land which is part of the land identified herein, except: _____

5. The owner understands that First American Title Insurance Company and its policy issuing agent will rely upon this affidavit when closing the real estate transaction and when issuing a policy of title insurance insuring title to or a security interest in the land.

The Owner agrees to hold First American Title Insurance Company and its policy issuing agent harmless from any loss or claim arising because of the incorrectness of any representation or attestation made herein.

Kevin P. Shea

Subscribed and sworn to before me this
_____ day of _____, 2003

Kevin A. McNulty
Oakland County Notary Public
My comm..exp. 06/24/05

Kimberly O. Shea

Subscribed and sworn to before me this
_____ day of _____, 2003
