

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

EXCEPTIONS FROM COVERAGE

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

Volume 13064, Page 263; Volume 15151, Page 512; and Volume 15151, Page 197, of the Deed Records and Cabinet A, Slide 5258 of the Plat Records of Tarrant County, Texas, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any, of any spouse of any insured. (Applies to the Owner Policy only).
4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
 - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.(Applies to the Owner Policy only.)
5. Standby fees, taxes and assessments by any taxing authority for the year **2003**, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, *Texas Tax Code*, or because of improvements not assessed for a previous tax year.
6. The terms and conditions of the documents creating your interest in the land.

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7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Mortgagee Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Mortgagee Policy only.)
9. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception.):
 - a. **The following matter(s) affecting the subject property as shown on the map recorded in Cabinet A, Slide 5258, of the Map Records of Tarrant, Texas:**
 - Building setback line(s) located Twenty (20) feet from the front property line(s).**
 - A(n) utility easement, 7.5 feet in width, along the rear property line(s).**
 - b. **The outstanding non-participating royalty interest as set forth in instrument by and between J. Ray White and James E. Jarvies, dated November 29, 1951, filed December 1, 1951, recorded in Volume 2377, Page 351, of the Deed Records of Tarrant County, Texas.**
 - c. **The outstanding non-participating royalty interest as set forth in instrument by and between J. Ray White and Mrs. Mary Ray Hall, dated November 29, 1951, filed December 1, 1951, recorded in Volume 2377, Page 402, of the Deed Records of Tarrant County, Texas.**
 - d. **The outstanding non-participating royalty interest as set forth in instrument by and between J. Ray White and Mrs. Mary Ray Hall, dated November 29, 1951, filed December 1, 1951, recorded in Volume 2377, Page 418, of the Deed Records of Tarrant County, Texas.**
 - e. **Memorandum of Post Closing Agreement by and between 360 Parkway, Ltd. and Lumberman's Investment Corporation, dated March 25, 1997, filed April 1, 1997, recorded in Volume 12717, Page 1459, of the Deed Records of Tarrant County, Texas.**
 - f. **Standby fees, taxes and assessments by any taxing authority for the year 2002 and subsequent years.**
 - g. **All liens, covenants, conditions, reservations, or other matters affecting title to the land herein described which are recognized or created in the Deed to the assured or other closing papers.**
 - h. **Rights of parties in possession.**
 - i. **No liability is assumed by reason of any encroachment(s) or protrusion(s) of a fence and/or building(s) into or outside of the boundary lines of the subject property herein described.**
 - j. **Any portion of the property herein described which falls within the boundaries of any road or roadway**

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- k. Any visible and apparent easements on or across the property herein described, which are not shown of record.**
- l. Any claim that the insured lien is invalid because the loan amount includes funds advanced by the lender for closing costs.**