

AFFIDAVIT

THE STATE OF TEXAS }

COUNTY OF WICHITA }

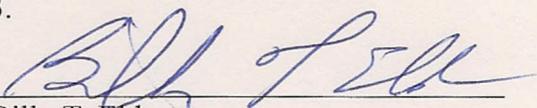
**Before me**, the undersigned authority, personally appeared Billy T. Elder, a member of the Board of Commissioners for the City of Burkburnett, Wichita County, Texas, who, upon oath deposed and stated:

“My name is Billy T. Elder and I am a member of the Board of Commissioners for the City of Burkburnett, Wichita County, Texas, and I have personal knowledge of the facts set forth below and am competent and authorized to make this Affidavit.”

“I hereby affirm that by definition under Chapter 171 of the local Government Code that I have a “substantial interest” in Bates General Contractors, Inc. as I am related by affinity to the owner of, and own stock in, Bates General Contractors, Inc.”

“I further affirm that I have not nor will not try in anyway to influence decisions as they relate to any contracts that may be awarded to Bates General Contractors, Inc. by the City of Burkburnett.”

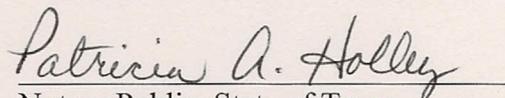
Dated this 11<sup>th</sup> day of December, 2003.

  
Billy T. Elder  
Commissioner, City of Burkburnett

THE STATE OF TEXAS }

COUNTY OF WICHITA }

This instrument was acknowledged before me on this 11<sup>th</sup> day of December, 2003 by Billy T. Elder, Commissioner of the City of Burkburnett, a Texas Municipal Corporation, on behalf of said corporation.

  
Notary Public, State of Texas

