NOTES CORRESPONDING TO SCHEDULE B ITEMS

(10e) Public utility easement 10 feet in width along the northerly and both easterly property line(s), as shown by the Plats recorded in Cabinet J, Slide(s) 326–328 and Cabinet O, Slide(s) 131–132 of the Plat Records of Williamson County, Texas. (Tract 1) (Does affect the subject tract and is plotted hereon)

(10f) Public utility easement 15 feet in width along the Hymeadow Drive and frontage property line (s) , as shown by the Plats recorded in Cabinet J, Slide(s) 326–328 and Cabinet O, Slide(s) 131–132 of the Plat Records Williams County ,Texas. (Tract 1) (Does affect the subject tract and is plotted hereon)

(10g) Public utility easement 10 feet in width along the most northerly south property line(s), as shown by the Plats recorded in Cabinet J, Slide(s) 326–328 and Cabinet O, Slide(s) 131–132 of the Plat Records of Williamson County, Texas. (Tract I) (Does affect the subject tract and is plotted hereon)

(10h) Public utility easement 25 feet in width along the west property line(s), as shown by the Plat record in Cabinet O, Slide(s) 131–132 of the Plat Records of Williamson County, Texas. (Tract I) (Does affect the subject tract and is plotted hereon)

(10i) Building setback line 25 feet in width along the most easterly property line(s), and the Hymeadow Drive and U.S. Highway 183 frontage property line(s), as shown by the plats recorded in Cabinet J, Slide(s) 326–328 and Cabinet O, Slide(s) 131–132 of the Plat Records of Williamson County, Texas. (Tract I) (Does affect the subject tract and is plotted hereon)

(10j) Drainage easement granted to the City of Austin, instrument dated February 28, 1990, recorded in Volume 1880, Page 777 of the Official Records of Williamson County, Texas and as shown on the Plat recorded in Cabinet O, Slide(s) 131–132 of the Plat Records of Williamson County, Texas. (Tract I) (Does affect the subject tract and is plotted hereon)

(10k) Pipeline easement granted to Ensearch Corporation, by instrument dated January 3, 1990, recorded in Volume 1920, Page 664 of the Official Records of Williamson County, Texas, and shown on the Plat recorded in Cabinet O, Slide(s) 131–132 of the Plat Records of Williamson County, Texas. (Tract I) (Does affect the subject tract and is plotted hereon)

(10l) Temporary electric and telephone lines and systems easement granted to The City of Austin, by instrument dated June 3, 1991, recorded in Volume 2030, Page 232 of the Official Records of Williamson County, Texas. (Tract I)(Does affect the subject tract but is not plotted hereon, because it is a blanket in nature)

(10m) Terms, provisions and conditions of that Reciprocal Access License Agreement recorded in Volume 2051, Page 479 of the Official Records of Williamson County, Texas. (Tract I) (Does affect the subject tract but is not plotted hereon, because it is a blanket in nature)

(10n) Easements,Terms, provisions and conditions set out in that certain reciprocal Shopping center easement agreement dated May 19, 1997, recorded under Document No. 9736475 of the Official Records of Williamson County, Texas. (Tract I Does affect the subject tract and is plotted hereon)

(10o) Terms, provisions and conditions of that agreement for sale of Out-of-District Wastewater connection rights dated October 12, 1982, recorded in Volume 898, page 555 of the Official Records of Williamson County, Texas. (Tract I Does affect the subject tract but is not is plotted hereon, because it is a blanket in nature)

(10p) Terms, provisions and conditions of that Pollution Abatement Plan as referred in the Affidavit recorded in Volume 1890, Page 771 of the Official Records of Williamson County, Texas. (Tract 1 Does affect the subject tract but is not plotted hereon, because it is a blanket in nature)

(10s) Terms, provisions and conditions of that Lease Agreement dated January 17, 1990, between Lake Creek Investors, ltd. and PepBoys Manny, Moe and Jack of California as evidenced by Memorandum recorded in Volume 1899, Page 642 and amended in Volume 1902, Page 817 of the Official Records of Williamson County, Texas and in Volume 11316, Page of the Real Property Records of Travis County, Texas, as further affected by Assignment recorded in Volume 2678, Page 184 of the Official Records of The Williamson County, Texas. (Tract I Does affect the subject tract and is plotted hereon)

(10v) Terms, provisions and conditions set out in that certain Lease Agreement Dated September 21, 1989, executed by and between Lake Creek Investors, Ltd. as lessor(s) and Act III Inner Loop Theaters, Inc. as lessee(s), Evidenced by memorandum of lease recorded under Document No. 9708689 of the Official Records of Williamson County, Texas. (Tract I Does affect the subject tract but is not plotted hereon, because the location of leased area cannot be determined)

(10w) Terms, provisions and conditions set out in that certain Lease Agreement dated May 14, 1998, executed by and between Austin Texas Retail Inc. as lessor(s) and Stein Mart Inc. as lessee(s), evidenced by memorandum of lease recorded under Document No. 9839246 of the Official Records of Williamson County, Texas. (Tract I Does affect the subject tract but is not plotted hereon, because the leased area cannot be determined)

(10r) Terms, provisions of that Lease Agreement dated June 15, 1989, between Lake Creek Investors, Ltd. and K-Mart Corporation as evidenced by memorandum recorded in Volume 1888, Page 58 of the Official Records of Williamson County, Texas. (Tract I and Tract II Does affect the subject tract and is plotted hereon)

(10t) Terms, provisions and conditions of that Lease Agreement dated December 6, 1990, between Lake Creek Investors Ltd. and Long John Silvers, Inc., as evidenced by memorandum recorded in Volume 1984, Page 926 of the Official Records of Williamson County Texas. (Tract I and Tract II Does affect the subject tract and is plotted hereon)

(10u) Terms, provisions and conditions of that Lease Agreement Dated January 28, 1991, between Lake Creek Investors Ltd., and Franklin Federal Bancorp, FSB, as evidenced by Memorandum recorded in Volume 2220, Page 842 of the Official Records of Williamson County, Texas. (Tract I and Tract II Does affect the subject tract and is plotted hereon)

(10ac) Terms, provisions and conditions of "Agreement Establishing Out-of-District Wastewater Service Commitment" dated April 8, 1982, recorded in Volume 890, Page 824 of the Deed Records of Williamson County, Texas, by and between Springwoods MUD and Woodrow Lee, (Tract II does affect the subject tract, but is not shown hereon as is blanket in nature).

(10ab) Electric and telephone easement granted to the City of Austin By instrument dated July 7, 1987, recorded in Volume 1596, Page 129 of the Official Records of Williamson County, Texas. (Tract II Does affect the subject tract and is plotted hereon)

(10ae) Electric Utility Easement granted to the City of Austin, by instrument Dated May 7, 1996, recorded under Document No. 9623955 of the Official Records of Williamson County, Texas. (Tract II Does affect the subject tract but is not plotted hereon, because it is a blanket in nature)

(10z) *Terms, conditions and stipulations of that one certain Easement Agreement and Restrictive Covenants dated December 29, 1989, recorded in Volume 1854, Page 316, as amended in Document No. 9527203 or WCT (Tract II, Does affect the subject tract and is shown hereon)*

(10aa) *Building setback line 25 foot inwidth along front property line as shown on the plat recorded in Cabinet I, slide 115, P.R.W.C.T. (Tract II does affect the subject tract abd is shown hereon)*

LEGEND

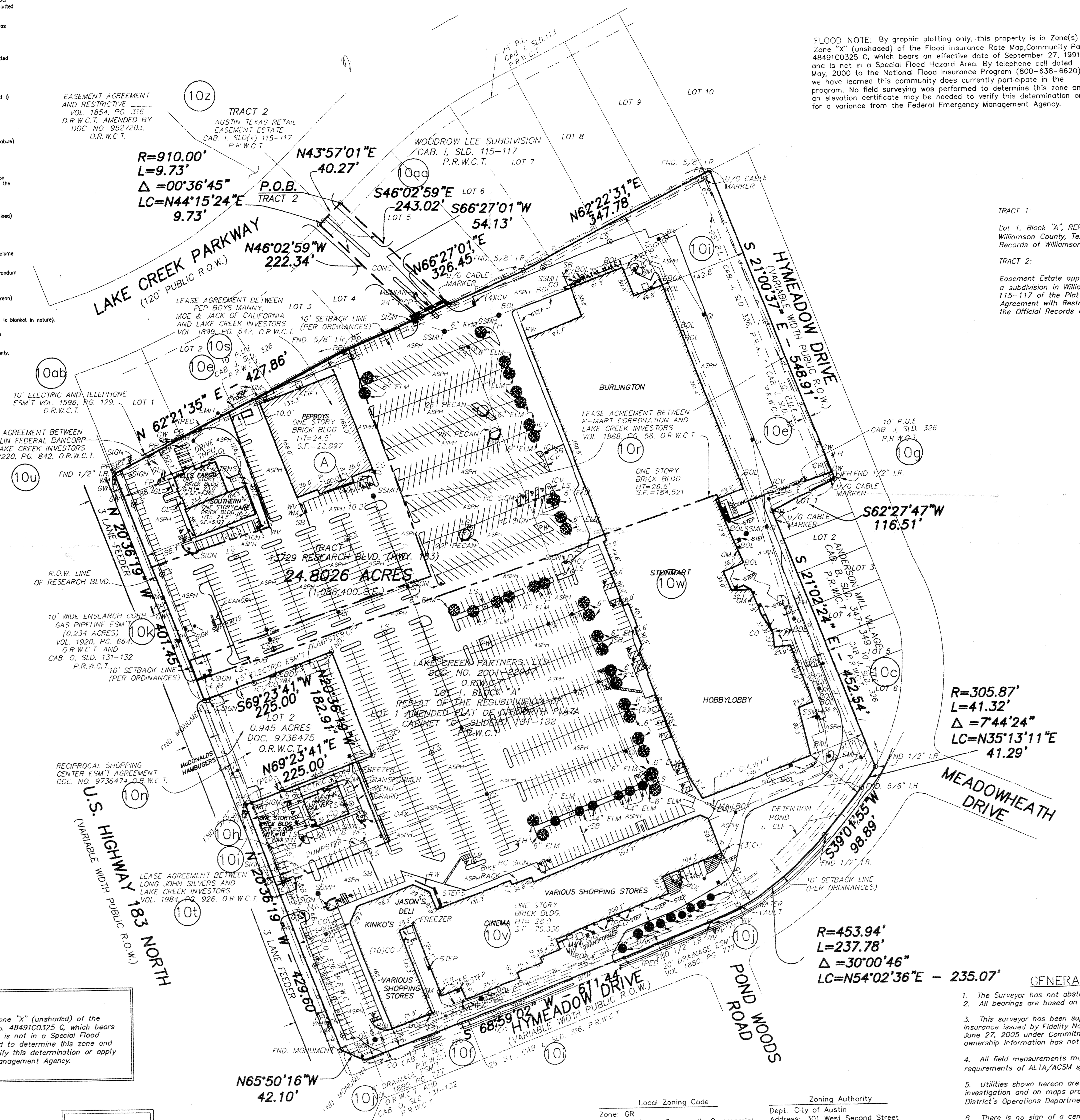
AE	AERIAL EASEMENT
ASPH	ASPHALT
BL	BUILDING LINE
BLDG	BUILDING
BM	BENCHMARK
CL	CENTER LINE
CLF	CHAIN LINK FENCE
CO	CLEAN OUT
CONC.	CONCRETE
COR	CORNER
D.R.H.C.T.	DEED RECORDS OF HARRIS COUNTY TEXAS
DRWY	DRIVEWAY
EA	EDGE OF ASPHALT
EC	EDGE OF CONCRETE
ER	END OF RADIUS
FF	FINISHED FLOOR
FH	FIRE HYDRANT
FL	FLOW LINE
FLD	FLOW LINE OF DITCH
FNC	FENCE
FND	FOUND
G	GUTTER
GI	GRATE INLET
GM	GAS METER
GRV	GRAVEL
GT	GREASE TRAP
GW	GUY WIRE
HB	HIGH BANK
HC	HANDICAP
HDWL	HEADWALL
LNSC	LANDSCAPE
LS	LIGHT STANDARD
M.R.H.C.T.	MAP RECORDS OF HARRIS COUNTY, TEXAS
MH	MANHOLE
MW	MONITORING WELL
NG	NATURAL GROUND
OH	OVERHANG
O.P.R.R.P.H.C.T.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS
P	OVERHEAD LINES
PP	POWER POLE
PST	POST
PVMT	PAVEMENT
SAN	SANITARY
SDWK	SIDEWALK
STM	STORM SEWER
TB	TOE OF BANK
TBM	TEMPORARY BENCHMARK
TC	TOP OF CURB
TG	TOP OF GRATE
TOS	TOP OF SIDEWALK
TP	TOP OF PAVEMENT
TR	TOP OF RIM
UE	UTILITY EASEMENT
U/G	UNDERGROUND
WF	WOOD FENCE
WL	WATER LINE
WM	WATER METER
WS	WHEEL STOP
WV	WATER VALVE
————	ASPHALT LINE
— 90' —	CONTOUR LINE
//	FENCE LINE
— GAS — GAS —	GAS LINE
- - - -	GRAVEL LINE
Λ	HIGH BANK LINE
— P — P —	POWER LINE
— — —	SANITARY SEWER LINE
— T — T —	SBC/TELEPHONE LINE
————	STORM SEWER LINE
— —	WATER LINE

FLOOD NOTE:
By graphic plotting only, this property is in Zone "X" (unshaded) of the Flood Insurance Rate Map,Community Panel No. 48491C0325 C, which bears an effective date of September 27, 1991, and is not in a Special Flood Hazard Area. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

PARKING SPACE TABULATION

REG PS= 1264
HCPS= 25
TOTAL=1289

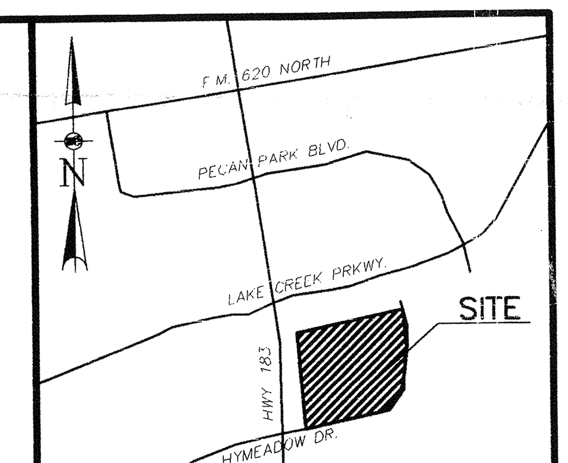
WILLIAMSON COUNTY, TEXAS
ELISHA ALLEN SURVEY NO. 2, ABSTRACT NO. 18



STATEMENT OF ENCROACHMENTS

(A) At the time of this survey, there is an apparent protrusions out of the lease area by the Pep Boys building over the lease agreement easement in Vol. 1899, Pg. 642, O.R.W.C.T., by as much as 10.2' by 60.0'. (See Exception 10s)

FLOOD NOTE: By graphic plotting only, this property is in Zone(s) Zone "X" (unshaded) of the Flood Insurance Rate Map,Community Panel No. 48491C0325 C, which bears an effective date of September 27, 1991, and is not in a Special Flood Hazard Area. By telephone call dated May, 2000 to the National Flood Insurance Program (800–638–6620) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.



VICINITY MAP
N.T.S.

SCALE: 1"=100'
0' 50' 100' 200'

LEGAL DESCRIPTION

TRACT 1:

Lot 1, Block "A", REPLAT OF THE RESUBDIVISION OF LOT 1 AMENDED PLAT OF CITINORTH PLAZA, a subdivision in Williamson County, Texas, according to the map or plat thereof, recorded in Cabinet "O", Slide(s) 131–132 of the Plat Records of Williamson County, Texas.

TRACT 2:

Easement Estate appurtenant to Tract 1 across a 50 foot wide portion of Lot 4, Block "A", WOODROW LEE SUBDIVISION, a subdivision in Williamson County, Texas, according to the map or plat thereof, recorded in Cabinet "I", Slide(s) 115–117 of the Plat Records of Williamson County, Texas, as created and described in that certain Easement Agreement with Restrictive Covenants recorded in Volume 1854, Page 316, as amended in Document No. 9527203 of the Official Records of Williamson County, Texas.

The undersigned, being a Registered Professional Land Surveyor in the State of Texas, certifies to Citigroup Global Markets Realty Corp., a New York corporation, its successors and assigns, Fidelity National Title Insurance Company and Federal Wholesale Toy Co., a California limited partnership as follows:

This map or plat and the survey on which it is based were made in accordance with the "minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by the American Land Title Association and the American Congress on Surveying and Mapping in 1999 and meets the accuracy requirements for an urban Survey, as defined therein. The survey was made on the ground on August 15, 2005 by me or under my supervision and correctly shows the metes and bounds description and the land area of the subject property, the location and type of all buildings, structures and other improvements (including sidewalks, curbs, parking areas and spaces and fences) situated on the subject property, and any other matter situated on the subject property. Except as shown on the survey, there are no visible easements or rights of way of which the undersigned has been advised. Except as shown on the survey, there are no party walls and no observable, above ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets, alleys, easements, or rights of way, or (b) by the improvements on any adjoining properties, streets, or alleys upon the subject property. The location of each easement, right of way, servitude, and other matter (above or below ground) affecting the subject property and listed in the title insurance commitment no. 05–500612 Rev. A effective June 27, 2005 issued by Fidelity National Title Insurance Company with respect to the subject property, has been shown on the survey, together with appropriate references, to the extent that such matters can be located. The property shown on the survey is the property described in that title commitment. The location of all improvements on the subject property is in accord with minimum setback, side yard and rear yard lines, provisions and restrictions of record for the subject property referenced in such title commitment. The subject property has direct access to and from a duly dedicated and accepted public streets or highways known as U.S. Highway 183 North, Lake Creek Parkway and Hymeadow Drive. the subject property does not serve any adjoining property for drainage, utilities, structural support or ingress or egress. The record description of the subject property forms a mathematically closed figure. No portion of the property shown on the survey lies within a Special Hazard Area, as described on the Flood Insurance Rate Map for the community in which the subject property is located. The parties listed above and their successors and assigns are entitled to rely on the survey and this certificate as being true and accurate.

Robert A. Marlowe
Registered Professional Land Surveyor
Texas Registration No. 4218

STATE OF TEXAS
REGISTERED
ROBERT A. MARLOWE
4218
PROFESSIONAL
LAND SURVEYOR

GENERAL NOTES

1. *The Surveyor has not abstracted the subject property.*
2. *All bearings are based on the subdivision plat refeenced hereon.*
3. *This surveyor has been supplied with a Commitment For Title Insurance issued by Fidelity National Title Insurance Company, effective June 27, 2005 under Commitment No. 05–500612–REV.A. Adjoining land ownership information has not been provided by client.*
4. *All field measurements match record dimensions with the precision requirements of ALTA/ACSM specifications.*
5. *Utilities shown hereon are based on a bove ground observation and investigation and on maps provided by the Anderson Mill Municipal Utility District's Operations Department.*
6. *There is no sign of a cemetary on the subject tract.*

Local Zoning Code

Zone: GR
Permitted Uses: Community Commercial
Setback – Front: 10'
Side: 10'
Rear: 0'
Max. Building Height Restriction: 60'
Bulk Density Restriction: 75%
Parking Requirements: Retail – 1 spc. per 250 S.F.
Bank – 1 spc. per 200 S.F.
Restaurant –1 spc. per 75 S.F.
Movie – 1 spc. per 4 seats

Zoning Authority

Dept. City of Austin
Address: 301 West Second Street
Phone: 1–512–499–6370
Contact: Michelle

CONTACT: JOHN ENGLISH
5301 HOLLISTER SUITE 190
HOUSTON, TEXAS 77040
(TEL) 713–895–8080
(FAX) 713–895–7686

ALTA/ACSM LAND TITLE SURVEY

LAKE CREEK FESTIVAL SHOPPING CENTER
13729 RESEARCH FOREST DRIVE
AUSTIN, TRAVIS COUNTY, TEXAS

REVISIONS		
REV.	DESCRIPTION	DATE
	UPDATED FROM ORIGINAL SURVEY – 02/14/01	05/15/05

BOUNDARY SURVEY OF A 24.8026 ACRE TRACT LOCATED IN THE ELISHA ALLEN SURVEY NO. 2, ABSTRACT NO. 18, WILLIAMSON COUNTY, TEXAS	SCALE: 1"=100'
	DATE: 08/15/05

REKHA ENGINEERING INC.

5301 Hollister Road, Suite 190
Houston, Texas 77040
713–895–8080
713–895–8081
Fax: 713–895–7686

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DRAWN BY: WMF	CHECKED BY: RAM	APPROVED BY: JHE
CLIENT: HFF, LP		JOB NO: 0508–2382

File Info: ...\23821\2382 ALTA.dwg Oct 03, 2005 – 4:04pm bobby